

**AVON TOWN COUNCIL  
MEETING MINUTES  
MARCH 2, 2006**

**I. CALL TO ORDER:**

Chairman Carlson called the meeting to order at 7:30 p.m. in the Selectmen's Chamber. Members present: Mrs. Hornaday, Messrs. Carlson, Shea and Woodford and Zacchio.

**II. PUBLIC HEARING:**

**05/06-54 7:30 p.m. Acceptance of Open Space: Berkshire Crossing  
Subdivision**

The Town Clerk read the call of the Public Hearing as follows:

“TOWN OF AVON  
LEGAL NOTICE

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, March 2, 2006 at 7:30 p.m. at the Town Hall, Selectmen's Chamber, 60 West Main St., to consider the following:

To consider and permit all interested persons to speak on the plan of the Town Council to accept on behalf of the Town of Avon, two parcels of open space in the Berkshire Crossing Subdivision: (1) an open space parcel #6300011 consisting of .195 acres, and (2) an open space parcel #5980012 consisting of .762 acres, as shown on a map entitled “Plan of Subdivision “Berkshire Crossing” to be developed by Sunlight Construction Inc., New Road, Avon, CT, dated June 14, 2005.

Copy of said map is on file in the Avon Town Clerk's office and open to inspection during normal office hours.

Dated at Avon, Connecticut this 23<sup>rd</sup> day of February 2006.

Philip K. Schenck, Jr., Town Manager”

On a motion made by Mr. Zacchio, seconded by Mrs. Hornaday, it was voted:

**RESOLVED:** That the Town Council accept two parcels of open space # 6300011 and # 5980012 on map entitled “Plan of subdivision “Berkshire Crossing” to be developed by Sunlight Construction Inc., New Road, Avon, CT, dated June 14, 2005.

Mrs. Hornaday, Messrs. Carlson, Shea, Woodford and Zacchio voted in favor.

**III. MINUTES OF PRECEDING MEETING:**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council approves the minutes of the February 2, 2006 meeting as corrected.

Mrs. Hornaday, Messrs. Carlson, Shea, Woodford and Zacchio voted in favor.

**IV. COMMUNICATION FROM AUDIENCE:**

Mr. Seminara, President of “Playground for All Kids”, a non-profit organization that decided to build a handicap assisted playground last year. He reported we want to thank the town for their support of this project by donating the land. We are midway through this project and it

should be done this spring. Thus far we have raised \$80,000 in private contributions, we have a budget for the project of \$250,000. We have a hard bid for \$200,000 from the playground manufacturer installer. That figure really does not do it justice. It is a very challenging playground for typical kids as well as kids with disabilities. We have two funding sources that we hope will get us to our goal and hopefully it will be accomplished within the next couple of months. It was further reported there would be a pavilion with picnic tables. The landscaping is not in here but there is a plan for benches and shading trees. Mr. Seminara reported we have tried to incorporate a low maintenance system. Our preference is to have a permanent structure with a metal roof that will not require maintenance. The rubberized surface is very expensive but is also critical for handicap accessibility. Hopefully we will have the funds to do that. We could use wood chips if necessary but that would be a maintenance issue. The rubberized surface has a one hundred-year warranty but the company will inspect on a yearly basis for the first five years. He also stated he will keep the Town informed of their progress. Chairman Carlson thanked them for their hard work and the funding raising they have done for their organization.

**V. COMMUNICATION FROM COUNCIL-NONE**

**VI. OLD BUSINESS**

**05/06-06      FY 06/07 Budget: Forward Proposed Budget  
to Board of Finance; \$62,438,408**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council forward FY 06/07 Proposed Budget of \$62,438,408 to the Board of Finance, as follows:

<b>REVENUES</b>	
Property Tax & Assessments	\$ 55,730,202
State & Federal Grants	2,434,944
Licenses, Fees & Permits	1,155,800
Charges for Current Services	2,412,304
Other Local Revenues	689,658
Other Financing Sources (Uses)	15,500
<b>TOTAL</b>	<b>\$ 62,438,408</b>

<b>EXPENDITURES</b>	
Town Operating Budget	\$ 16,708,889
School Operating Budget	37,609,076
Sewer Operating Budget	1,147,366
Capital & Debt Service Budgets:	
Dept Service	5,038,337
Capital Budget (CNREF)	
Facilities & equipment	1,934,740
Subtotal: Capital & Debt Service	6,973,077
<b>TOTAL</b>	<b>\$ 62,438,408</b>

Mrs. Hornaday, Messrs. Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-42      Appointments**

- a. Plainville Area PACTV Advisory Council (2R)

b. NCC Mental Health Board

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council table the appointments to the Plainville Area PACTV Advisory Council (2R) and the NCC Mental Health Board to the next meeting. Mrs. Hornaday, Messrs. Carlson, Shea, Woodford and Zacchio voted in favor.

**VII. NEW BUSINESS**

**05/06-55 Review, Discussion and Presentation:**  
**Automated Speed Enforcement System:**  
**Avon Mountain Road: Mark Rinaldo: Tom Maziarz, CRCOG;**  
**Deborah Walker, Nestor Traffic Systems**

**Automated Speed Enforcement System: Acting** Police Chief, Mark Rinaldo reported we will be working with Tom Maziarz from CRCOG and Deborah Walker from Nestor Traffic Signal Systems to obtain detailed information on the automated speed enforcement system. The legislature is looking at a bill for Avon Mountain's Pilot Program. It is recommended that the Town adopt a town Ordinance that will allow us to install an automated system on Avon Mountain and also at intersections. He reported it is important to know that this is not a state program and will not go against anyone's driving record or insurance policy. It is a civil fine for the violation of speed limits. Statistics have shown that, in a six-hour period, at least 61 percent of the people were going ten plus miles over the speed limit. This bill is good because it does not require much in the way of police involvement. It allows us to put the speed camera on the mountain and Nestor Traffic Systems will notify us of violators. The Police Department will verify that the plate on the car matches the picture that is on the camera. Nestor will send out the violation notices. The people can then send the fines to us or can appeal them. We must have an appeal officer, per state statute and town ordinance, but that appeal process is relatively simple. The cost to the town is minimal, however we will need a police officer to view the film and verify that the violation has occurred. It will require a little time but there will not be much of a cost involved. Mr. Maziarz has actually written the current bill and the subsequent bill and will present it to the Judiciary Committee on Monday.

Mr. Maziarz reported that CRCOG became involved in this area of Route 44 about five years ago. We were asked to be on the task force set up by the State Department of Transportation. At that time we had a recommendation from the state to install an automated speed system on Route 44 but we did not have the enabling legislation in place. With the changes that have occurred over the past summer and the unfortunate incidents on Avon Mountain, it will allow us to move this type of legislation forward. What we have done with this particular piece of legislation is we have worked with both communities and using part of previous legislative proposals, we have crafted new legislation that is tailored to Avon Mountain and Route 44 area. Previous legislation dealt with both speeding and traffic light violations throughout the State, whereas the current legislation deals specifically with speeders on Route 44 passing over Avon Mountain and was brought about because of the accident on Avon Mountain last summer. CRCOG will work to get this legislation passed. If that happens, both Avon and West Hartford have expressed an interest and will work cooperatively in areas such as sharing the Hearing Officer to keep the cost at a minimum. We would ask PAK as the agent, to put the proposals out to do the bids and come back to the Council. Our role is to basically to

initiate this and to follow through in terms of providing coordination for both communities to get this system in place.

Chairman Carlson questioned how it will impact on a person's car insurance and how it is different from any other traffic ticket. The Acting Police Chief reported under legislation #14-107, it is presumed that the owner is the operator of the car. If we catch a speeding car on the camera, we really do not know who is operating the car but under the current bill, we would presume that the owner is the operator. The reason it does not go against your insurance is because it is considered a civil penalty, just like a parking ticket. There has been a lot of opposition on the state level because the owner of the car is not necessarily the driver, therefore the State does not want it to go against the owner's driving record. Mr. Woodford questioned how the purchasing system works. Mr. Maziarz reported we have been asked to coordinate the process for the two towns. We put out the request for the proposals and specify the system we are interested in. It is very similar to what we do under the cooperative purchasing program. We would bring those proposals back to the two communities and they would make the final selection. The communities would then go out to get the best price.

The Town Manager stated what you have here is one vendor but there are other vendors that would bid on this system. This is all based on that one of these bills will pass the legislature. If they do not pass the legislature, we will not be able to do anything. If they do pass, the next step would be to go into the implementation phase which includes the selection of a vendor to provide the equipment to implement it. We have our purchasing policy, West Hartford has their purchasing policy, and both communities have asked CRCOG, since they were in the Capital Region Purchasing Council and had staff on board for doing joint bidding, to come up with the specs and put it out to bid, and then come back to the Town Council. This is something that we are planning on doing in the future, but only if these bills passes. Mr. Maziarz stated the difference between in the two bills before the legislature is the State bill requires that half of the fines be forwarded to the state. The bill we are working on allows all violation fees come back to the town, which will allow the town to recuperate the cost of the equipment.

Deborah Walker from Nestor Traffic Systems reported I have traveled around the country to talk about automated enforcement solutions for the past seven years and there are a lot of questions. There is a lot of misunderstanding on what it does and does not do. Basically, my professional career has been involved in traffic safety. I see this as another traffic safety tool for law enforcement to augment the initiatives that they are already doing in that area. Our main technology is not meant for every city or every intersection nor every arterial highway in your community. We, and law enforcement officials all over the country, are seeing this type of carnage on our highways. It is increasing as the volume of vehicles continues to increase. We asked the Chief of Police in both Avon and West Hartford to allow us to use our technology to capture six hours of data because we were being asked for a recommendation on how much automated enforcement would be for this four mile stretch on Avon Mountain. We set up one of our mobile speed units in three locations, Route 44 near Waterville Road, near Mountain Road, and Mountainside Road. We monitored both eastbound and westbound traffic and captured 3,515 vehicles in six hours, non of which was prime time in the morning, but did have five to seven in the evening and captured 1,094 vehicles, of those 61% were exceeding the speed limit by ten miles an hour and over. That is pretty substantial. The Police Department can not be out there twenty hours a day, seven days a week. The chance of getting picked up with this volume of traffic is minimal. Every time a person speeds and only gets a citation once for every thousand times, he will not change his behavior. That is why

they looked at using augmenting automated enforcement with the high visibility traffic enforcement to start to get people to slow down in these targeted areas. The type of speed unit we use is laser. I have it on a tripod configuration, but it can be in a mobile unit or can be in a closed box and attached to a pole for a fixed speed unit. What we are doing with this type of technology is we are scanning one hundred times per second for both ways. So we can do both lanes and also by directional especially in Connecticut, where you have both front and rear plates that are visible. The other advantage is, with the new technology today; a distance of only 75 feet is needed to capture a large number of vehicles. What we are trying to do is get the largest majority of vehicles to slow down. All the policies and procedures are developed by the Police Department and we use those policies to do our pre-event review. We can go out with the system once you designate where you want the fixed units set up. You can have a combination of fixed units or mobile units that you can rotate and take to different areas. They all have the same technology, whether it is mounted in a vehicle, with a technician, or mounted on the roadside. That information comes back to a processing facility. What we are talking about is getting citations in the hands of the largest majority of offenders. The image taken actually shows the posted speed limit, the speed of the vehicle and the lane it is traveling in, and the exact date, time and location that the offense occurred. It is sent electronically to the processing facility, where a trained technician will review the evidence. If all the documentation is there and the calibration on the unit is accurate, then we match it up with the registered owner. Once the information of the registered owner is verified and matches the vehicle in the photograph, we electronically send it to the Police Department. The Police Department will then review it and either approve it or discard it. If they approve it, it comes back to us for completion. We would have a citation printed, along with a picture of the vehicle and license plate and mail it to the registered owner. It would also give an explanation of exactly what happened and list the State Statute and Town Ordinance pertaining to the incident. It would also give instructions as to what the registered owner can do, either pay the fine, appeal it, or give a written affidavit as to who was the operator of the vehicle, at which time we would send the operator a citation. It usually must be taken care of within five day of the violation. The camera will have no affect on the driver because it has an infrared lens and therefore does not have a flash. They will still know about it because signs will be posted right under the speed limit sign, stating "Photo Enforced". As far as which type of unit should be used, we will have to decide which set-up makes the most sense for that area. Route 44 may need one mounted on a pole. If the evidence retrieval revealed that something unusual was going on, like an accident we would immediately call the police department to inform them. We also handle a toll free number to answer motorist's questions, so those calls are not going into the police department. Our Customer Service representatives in Providence are trained to answer the questions for your specific program. If they want to speak with a police officer, we will set up and coordinate it with the Police Chief on who should be contacted, and we will schedule that phone call for them as well. If the violator wants to see the actual film, we can also set up a link to the town's website so they can actually see the violation evidence themselves, by typing in their citation number and plate number. That will help them to make the decision as to whether to appeal of pay the fine. There are about 23 states that are using red light enforcement and about five or six more, including Connecticut, that have bills pending this year. Twelve states have authorization to use speed enforcement and where you see those, is really in targeted areas like Route 44, in work zones where law enforcement can not effectively have an impact on changing driver behavior, and also in school zones. The Police Department will determine what types of thresholds to use within the law enforcement program.

Mr. Shea questioned what kind of preliminary work is done to educate the community that this is going to be done. Ms. Walker reported it is usually required that signs be posted 30 days prior to starting the program. There is also a 14 to 30 day period where we just send out written warnings. We work very closely with the media and can set up opportunities here at Town Hall, the public library or different organizations to give presentations to make the public aware. We put together a task force, as we are implementing the program, and include the town officials to design a public awareness program that fits the needs of the town. Driver Education Programs would also be a good way to make people aware.

Mr. Shea questioned how do you educate the Police Department and the Department of Public Works on whether it should be a temporary location or a permanent location? For example, they will be redesigning Avon Mountain soon, so we hate to have a permanent locations set now and then have to expend money to redo that. Ms. Walker reported Public Works and the DOT could be part of the task force, and talk about how far out is that construction project planned for, whether it is for 1 year or 2 years. Then you make the decision as to whether you go with mobile units or fixed units. Mr. Shea questioned if Nextor Traffic Systems got the bid, would you be willing to assist us in that area? Ms. Walker stated we do, and sometimes there is a charge for moving the infrastructure but also, the transportation department may have the ability to move it.

Mr. Zacchio questioned, to measure success perspectives, do you provide statistics around the number of violations as the process is implemented and then on a ongoing basis we would expect to see the number of violators go down? Are there any statistics in place from other communities so you can measure the success of the program? Ms Walker reported at this time, we do not have as much data on the speed enforcement as we do on the red light enforcement, where they say there is a 40 to 60 percent reduction in violations over time. What we do see with the speed enforcement is, we have four mobile units in Akron, Ohio because they had a child killed in a school zone. So they rushed a program in, did not do much in the way of public education, but did have an 80 percent reduction in violations in less than two weeks. Usually, what happens is you see a significant reduction in violations, but around the holidays, people do not pay attention and the violations increase a little. But they are showing a 50 to 80 percent drop in violations with a good speed enforcement program in place.

Mr. Maziarz reported the actual legislation that we proposed includes the requirement to do an active study for at least a year. National City, California reduced the number of accidents during the six-year period after inception by 51 percent. The real purpose of this program is to reduce speeding and accidents.

Mr. Zacchio reported about 50 percent of the accidents on Avon Mountain, in the last 36 months, were due to speeding and the rest were due to mechanical failure or others. So we could potentially target 50 percent of the problem.

Mr. Maziarz reported we are still working with the town engineer to design what the town's specifications should be and one of the options that we are looking at is to install poles at six different locations with the necessary communications and power drop so all the data can be automatically transmitted whatever vendor we might select so they can process it and send it on to the police department. We may purchase only two units but if we have six different locations with power, we can move them around every couple of months. Our goal is to get

geographic coverage across the entire 3.2 miles of the mountain. What we do not want is to have only 2 locations and have people slow down only in those areas

The Town Manager stated one of the options they are looking at is metal banding on existing poles so you can take the metal bands and literally pick up the unit and move it to another pole.

The Town Manager stated we might want to have as an alternate in the bidding documents to include various options of leasing or buying the equipment. One of the issues with any of the speed enforcement equipment including what we have now is that it all has to be calibrated, tested, and maintained. You have to have certification documents for all of this, so when you get into court, you have all the necessary information. This system is not any different and it may be cheaper to contract it out rather than to have our own people do it. We have not worked all of those details out at this point.

Chairman Carlson stated this has nothing to do with the talk of a bridge at the base of the mountain. That is a whole different issue. If we proceed with this, we can certainly expect a high rise in the phone calls to the Police Department. As we understand it, the next action is with the State Legislature so we will have to wait to move forward.

Mr. Bruce Quigley questioned what this system is going to cost the Town. We have very good law enforcement in town already and this new system will be adding additional cost in these tight budgetary times we are in right now. Chairman Carlson stated we have to hear from the State first before we start checking on the cost. Chairman Carlson reported the first step is to see if the bill is passed. Mrs. Hornaday stated the main purpose is to save lives and the Police Department cannot be there twenty-four hours a day. Mr. Quigley reported he travels around the country and some states, like Virginia, have actually pulled this system out because the company that installs the system is actually getting part of the proceeds collected from the tickets. That might become a big issue locally. We should be looking at, what is this company getting out of it and what are we getting out of it as a town. Chairman Carlson stated this is not a done deal. We will have to look at all the issues and costs before moving ahead with it.

The Town Manager reported the revenues from this system would come back to the town but we have to contact other communities in terms of the analysis of the cost and the collection. According to our preliminary inquiries not only of this company, but also through Mr. Maziarz of CRCOG, the revenues collected from the citation would more than pay for the cost of the equipment, whether we bought it or went into some type of contractual leasing.

**05/06-56      Review, Discussion and Approval: Agreement  
for Trail Connection: Bob Breckenridge**

Mr. Breckenridge, President of the Avon Land Trust, reported for the past year and a half, representatives from the Avon Land Trust, Connecticut Forest and Parks Association, the State of Connecticut, and the Town of Avon have researched the practicality of extending the Hazen Park Trail to Heublein Tower and to the Metacomet Trail. The Hazen Park Trail was established by the town in the late 1970's and is rarely used today because it essentially goes nowhere. The plan is to use both state property and Land Trust property to extend the trail for Avon residents and the general public to enjoy the panoramic views from Avon Mountain. The cost to the Town of Avon is minimal since their portion of the trail is already established and will only need occasional maintenance. Connecticut Forest and Parks are in the process

of getting the Metacomet Trail designated as a national scenic trail by the National Parks Association. The proposed trail also connects with the Metacomet Trail near the Heublein Tower and will become a feeder trail to it. If the Federal accepts this trail, it will provide federal funds possibly for both the parking area and for maintenance of the trail. As to the liability issues, all parties are protected by the land owner liability law which is Connecticut General Statute Section 52-557. This law was established in 1971 and protects land owners who allow their land to be used by the public for recreation without charge. One of the concerns raised was that too many people would use this trail. The State of Connecticut has indicated that during two peak foliage weekends per year, several thousand people may use the trail to enter the park, which is on the East Side of mountain. The rest of the year, this number rarely approaches several hundred in a week. So this makes it very easy for the town to prepare for the possibility of heavy traffic for two or three weekends per year during peak foliage. A possible solution would be to have a police officer monitor Nod Road and close the parking lot if it is needed due to too much congestion. Also No Parking signs could be posted on Nod Road to prevent parking in that area. Another issue of concern is safety. I have personally walked the proposed trail with Doug McCaiden who is seventy years old and is crew chief and member of the Connecticut Forest and Parks Association. He felt the trail was of moderate difficulty and very accessible to the general public. It has an easier slope than the eastern approach that currently exists. Also, by extending the current trail up to the top of the mountain, it will allow for emergency access when needed. As demonstrated with the Rails to Trails, having well utilized trails behind your property does not encourage criminal activity, it actually reduces it. CFPA members have had similar experiences on their own trails. For the most part, well-intentioned citizens use these trails and report unusual activity to the authorities. The only part of this trail that comes within a mile of homes is the one that has existed for 30 years. At this point, the Connecticut Forest & Parks Assn., with the towns permission, will be the entity that makes the final application to the Connecticut DEP, to connect to state land. CFPA members will also assist in trail maintenance.

Chairman Carlson questioned where the parking would be. The Town Manager reported there is a parking area at the base of the mountain.

Mr. Shea questioned if there has been any communication between the CFPA, the Land Trust, and the neighbors in that area to discuss what was going to happen in that area. Mr. Breckenridge stated there was only one individual that was approached because the trail would abut his property. The trail is not in the line of site of any homes, but the parking lot can be seen from one home but it is actually quite far away.

Chairman Carlson questioned why the proposed trail zigzags as opposed to going straight up the mountain? Mr. Breckenridge stated Heublein Tower is on a cliff. Therefore, the trail follows the contour of the mountain. It is not like a trail has to be cut through, it is essentially already there and just needs to be cleaned up a little and the town portion of the trail needs very little work.

Mr. Schulman stated he lives on Hazen Drive and read about this in the newspaper. He also stated that the Town should have some sort of a hearing on this proposed trail to inform people of what they are proposing. This might be a wonderful idea but he does not know enough about it and no one has approached him to discuss it. He stated the town should not move ahead on this until all of the people in this area have been fully informed.



Another resident from the area stated his concerns regarding the publicity the trail will get and the increased volume of people using the trail because his home is very visible from the trail and he has small children. It is not a wide strip of land that the trail is on and questioned if it will be designed so that people will stay on the designated trail. He also questioned if signs will be put up designating Town property and private property. There has also been some things stolen from cars that have been parked in the parking lot in that area.

Chairman Carlson advised that we should get more dialogue going with the property owners in this area before moving ahead. He reported we do not do things in town without people being fully informed about it.

The Town Manager reported it might be good for the Land Trust to take the initiative to get in touch with the residents in that area and the Town Staff will be available to help as well to notify everyone in that area and meet with them and come up with a plan for dealing with some of their concerns. A meeting with the residents can possibly be held at the Town Hall.

On a motion made by Mr. Shea, seconded by Mrs. Hornaday, it was voted:

**RESOLVED:** That the Town Council table item 05/06-56 to the April 6<sup>th</sup> Town Council Meeting.

Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-57      Review, Discussion and Approval: Funding Plan for Recreation Facilities Master Plan; Peggy Roell/Glenn Marston**

Director of Recreation & Park Department reported the Recreation and Park Committee has inventoried properties and sent a needs assessment request to various leagues to gauge the past, present, and future needs of each group. The request for the funding of the Comprehensive Master Plan for all Recreation and Athletic facilities, submitted in the Recreation and Park Department's 2006-2007 Capital Improvement Plan, is estimated at \$25,000 to "hire a consultant to correlate the information collected, review the subject properties, and to project future design and costs." We think this part of the project cannot be performed in-house and packaged in an objective and timely manner. He reported the Recreation and Park Committee authorized him to request that the Town Council and, if approved, the Board of Finance allow the use of funds presently available to fund part, if not all, of the requested \$25,000 to hire a consultant prior to the end of the Fiscal Year. Therefore, I am requesting the following sources of funding:

- \$ 5,000 - Recreation Special Revenues – Undesignated Fund Balance (present balance is \$39,895.22 -\$35,311.82 in Recreation Activities; \$4,583.40 in facility Maintenance).
- \$15,000 - Fisher Meadows Maintenance Fund (present balance \$64,544.00)
- \$ 5,000 - Town of Avon Comprehensive Plan of Development. This figure, according to Steve Kushner, is considered a minimum amount available. Any additional funding from this source would be deducted from the Fisher Meadows Maintenance Fund in order to preserve this source for development.

Chairman Carlson stated concerns with the request for \$15,000 from Fisher Meadows Maintenance Fund because they are very specific as to how those funds can be used. The Town Manager reported the money that comes from the property has to be use on things

related to the property. It can even be used for maintenance although we have not done that up to this point but we are talking about the projection of future facilities. A significant part of that will be at Fisher Meadows so that will be all right.

On a motion made by Mr. Shea, seconded by Mr. Woodford, it was voted:

**RESOLVED:** That the Town Council recommend to the Board of Finance the funding as presented for the Recreation Facilities Master Plan.

Mrs. Hornaday, Messrs. Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-58      Review, Discussion and Approval: Recreation Gift Catalog;  
Peggy Roell/Glenn Marston**

Director of Recreation and Parks presented the final draft of a Gift Catalogue which is a compilation of items and projects that are identified as potential gifts to the Town of Avon. He reported that several of the items being requested are for Buckingham and having to do with baseball. Mr. Shea questioned if the items came from the following entities, which are Little League Baseball, Babe Ruth, J C Current League and Twilight League. Director of Recreation and Parks reported yes. He also reported the process we have tried to set up was to have a list of items that the Town Council can approve so we can move ahead in an expedient manner. This is similar to the policy they wrote for use of Parks and Public places. The purpose of this is to have a list of items that are needed, that can be handed out when someone informs us they would like to make a donation to the town. We am uncomfortable asking how much money they would like to spend. This catalogue gives them options that they can choose from and often times they will pay more if they know the cost up front.

We also want to know if the Town Council has objections to this plan or if you want to review the source of the donations. Most of the donations will come from ordinary sources. There will not be any advertisement of this. Mr. Shea questioned if someone wants to make an anonymous donation, how will it be kept private? The Director of Recreation and Parks stated we do not think this will be an issue. The Town Manager reported the Town Charter states that you have to, by resolution, agree to accept gifts. If we accept this gift catalogue, you are saying that you do not have to come back to the Town for approval. Mr. Shea suggested, in order to simplify it for the town would it be better if a limited number of the management handled the anonymous donations so the Recreation and Parks Committee would not have to be involved. The Town Manager stated usually the only people that are aware of whom the anonymous donors are from the Finance Department. Chairmen Carlson questioned if some sort of a plaque would be used and suggested it should be standardized, uniform, and small. The Director of Recreation and Parks reported a lot of the items here are competitive situations, but there are some that are uniform throughout the system like the scoreboards that are all the same. We may go to different distributors to get pricing like we did with the chairs that were purchased.

Chairman Carlson reported several concerns, pertaining to the list as it currently stands, the Town Council is giving up it's obligation to accept gifts, whether the donation is \$700 or \$200,000. This is not something that, as a Council we want to do. He also reported by saying this is the list, we are basically endorsing all of these projects and there are a couple that we have concerns about. Mr. Shea stated we do not want people to automatically think that the things on the list have been approved by the council.

Mr. Zacchio stated maybe there is a way of rewriting it to say these projects need to be approved once funding might be secured through donations. Mr. Shea stated we should

remove the lighting projects from the brochure temporarily and put a separate sheet listed as, "Items open for future discussion." Things such as picnic tables are a great idea. Mrs. Hornaday reported it should be more specific when it lists the playing fields as to where you anticipate these various items (benches, picnic tables) will be placed. The Director of Recreation and Parks reported some of these items are categorized. When people want to make a donation, there are a couple of options. The options that we have right now that are part of the plan are at Fisher Meadows and Buckingham.

The consensus of the Town Council was we like the idea of the Gift Catalogue but some wording in it has to be changed, and all projects must be approved by the Town Council prior to accepting donations for them. The Town Manager stated some might require approval by the regulatory approval by the town body i.e. Planning & Zoning, Inland Wetlands, etc.

On a motion made by Mr. Woodford, seconded by Mrs. Hornaday, it was voted:

**RESOLVED:** That the Town Council table Item # 05/06-58 to the April meeting.  
Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-59 Acceptance of Gifts:**

On a motion made by Mr. Woodford, seconded by Mr. Zacchio, it was voted:

**RESOLVED:** That the Town Council accept the following gifts:

- a. \$3,000 Anonymous; New Uniforms for Fire Police
- b. \$1,600 Avon Junior Women's Check; Children's Safety Booklet

Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

- c. \$8,275 Various Organizations-Senior Center Chairs

On a motion made by Mr. Woodford, seconded by Mr. Zacchio, it was voted:

**RESOLVED:** That the Town Council hereby recommends that the Board of Finance amend the FY 05/06 Budget by increasing:

**REVENUES**

Recreation Activities Fund, Charges for Services, Facility Maintenance Fees Account # 09-0340-43475 in the amount of \$ 8,275. And increasing

**APPROPRIATIONS**

Recreation Activities Fund, Parks, Recreational Equipment, Account # 09-5201-53315 in the amount of \$ 8,275 for the purpose of purchasing chairs for the Senior Center.

Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

- d. \$14,400 Ensign Bickford Foundation Town Green Lighting.

On a motion made by Mr. Woodford, seconded by Mr. Zacchio, it was voted:

**RESOLVED:** That the Town Council hereby recommends that the Board of Finance amend the FY 05/06 Budget by increasing:

**REVENUES**

Capital Projects Fund (Facilities and Equipment), Other Local Revenues, Donations, Lighting Town Center, Account # 02-0360-43655 in the amount of \$14,400 and increasing:

**APPROPRIATIONS**

Capital Projects Fund (Facilities and Equipment), Town CIP-Facilities, Lighting town Center Account # 02-4829-53066 in the amount of \$14,400 for the purpose of recording an Ensign Bickford Foundation donation for participation in the town Green Lighting Program.

Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-60 Appropriation from Undesignated Fund Balance:**  
**\$11,244 Avon Volunteer Fire Department Co. #1 Kitchen**

The Town Manager reported they have been accumulating money over the last four to five years and now are ready to move ahead. The last \$11,000 that came back from the 04/05 budget went into surplus. We are now appropriating that out of surplus to add it to the project that was originally designated for this and then they will be ready to go. He also reported the total cost for the kitchen is about \$41,000. The Fire Department and the Director of Public Works are acting as the general contractor. They are bidding out the plumbing, cabinetry, and the appliances. They do not have a General contractor or an architect. They are basically doing renovations to an existing kitchen.

Mr. Woodford questioned why this project, if it is a town building, does not come through our purchasing policy. The Town Manager reported that parts of it might, if it is structural – If you wanted that we could come back. The Fire Department and Bruce Williams are acting as the general contractor. They are bidding out the plumbing and the appliances. I have Bruce Williams involved to make certain that it done appropriately. We will bring the quotes back to the Town Council to make certain all the things that are being done are being done appropriately.

On a motion made by Mr. Shea, seconded by Mr. Zacchio, it was voted:

**RESOLVED:** That the Town Council favorably recommends to the board of finance an appropriation not to exceed \$11,244 from General Fund, Other financing Sources, Undesignated Fund Balance, Account # 01-0390-4313, and General Fund, Capital Improvement Projects, Facilities, AVFD Co. #1 Kitchen Project, Account #01-8501-53035, for transfer to Capital Projects Fund (Facilities & Equipment), Other Financing Sources, Interfund Operating Transfers In, Account #02-0390-43918, and Capital Projects Fund (Facil. & Equip.), Town CIP-Facilities, AVFD Co. #1 Kitchen Project, Account # 02-4829-53035, for the purpose of funding AVFD Co. #1 kitchen renovations.

Mrs. Hornaday, Messrs: Carlson, Shea, Woodford and Zacchio voted in favor.

**VIII. TOWN MANAGER'S REPORT/MISCELLANEOUS**

The Town Manager reported the Fire Marshall was reviewing Ordinance #1 which was adopted in 1946 which requires any display of fireworks to receive approval from the Town Council. The other parts of that ordinance are basically outdated. They have been superceded by state law and regulations governing the Fire Marshall's office. The issue is if you want to retain the authority to grant approval for any fireworks display in town, we should keep the ordinance. If you do not think you need to have that approval, we can repeal the ordinance and do away with it. Otherwise we will revise the ordinance. We will include the Council's approval on there but basically by reference, refer to the State Statutes. The only thing we will have in there, of any local significance is the Town Council's approval of any fireworks display. Sparklers, by definition, are fireworks.

The Town Council felt that they would like to have the authority to permit Firework displays and that should be incorporated into the Ordinance #1

The Town Manager also reported we do have a lot of turnover going on. We received letters from two police officers that are retiring. The position opening in the Fire Department will be

filled by a person in a similar position in the Building Department. That opens up the job in the Building Department and we have gone through a recruiting process for that. A part-time person in the Recreation Department has accepted the full-time position. We will also be recruiting for a new part-time person at the Senior Center. We have had a lot of turnover in the last five years because of people retiring, people leaving for other reasons, and creating new positions. We did not have much movement for a long time.

He also reported we have received a petition from the residents on Hickory Hill Road to bring the road up to town standards. We have talked with them over the last six months and they are not satisfied with what we are doing in that area. Hickory Hill Road is off of Waterville Road. It is one of these old town roads, like Cider Brook, and is not in good condition. If we decide to move ahead with it, the cost is significant, probably about \$200,000. We will wait for the Engineering Department to give us an estimate before we make any decisions. There are only five or six households but they are not interested in buying the road. It is a quaint old New England back road, with big maple trees on either side. To bring it up to town standards, they will lose all that. Once they see what has to be done, they may not want to proceed with it. There is supposed to be a 50-foot right-of-way but that will have to be researched to make sure.

He also reported Secret Lake Association would be coming to the next meeting to ask us to move ahead on getting the engineering work done. We have \$30,000 in funds from the budget to do the engineering work for water and streets. This all came out the fact that they wanted their roads repaved. The last time work was done on those roads was when sewers were put in back in 1979 – 1981. Nothing has been done since then. We have done some blanket patching over the years but we did not want to do roadwork and drainage work if they were going to want public water. In order to get the dollar figure on the costing we put the \$30,000 in, which was an estimate from Tom Daukas as to what it would take to put the whole thing together and come up with some accurate figures. Assuming we move ahead with this, the next steps are to get the Water Company to update their estimates and to get the Engineering Department to update their estimates on the curbing, drainage, hydrants, and paving. We need to get figures on what the Town would pay for and the portion that the residents would pay for. Once we know the figures, we can report the total cost of the project to the Association. Before we move ahead with this project we need a definite indication from the Association that the majority of the residents are in favor of it. They have already had a survey done but they want a more detailed cost. If the cost is in the 1.2 million range, we will have to do it over three years at \$400,000 per year in the budget or we will have to bond it. If it requires bonding, we will have to go to a town wide referendum or at least a town meeting to get authorization to do that. This now goes beyond Secret Lake to the whole community. If a substantial number of people in the organization are opposed to this, and they come to a town meeting with other residents there, it is very likely that the project may not get approved. Mr. Shea questioned if it was necessary for the town to come up with the \$30,000 for engineering work. The Town Manager reported this would be to show good faith effort on the part of the town. We have a significant number of people in that area that wants this done. The roads will have to be done at some point in time. We have worked with the Lakeview Association, we have worked with Deer Run on sewers, and we have worked with Rosewood and have enough precedent in place for doing these things and somewhat the procedure. We do not have a problem moving ahead and having the Water Company estimate in first and then get an estimate from the Town Engineer and then have the association review it again and take a straw vote. A number of the people may decide they do not want to do it.

The Town Manager also reported we have a business in Avon Park South that wants to connect Darling Drive to Arch Road, which will be another neighborhood issue. There were people in the past that expressed their opposition, which is why it was never connected 20 years ago.

**IX. EXECUTIVE SESSION: Litigation/Negotiation -None**

**X. ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.

**Attest:**

**Caroline B. LaMonica  
Town Clerk**