

**AVON TOWN COUNCIL  
MEETING MINUTES  
MAY 4, 2006**

**I. CALL TO ORDER**

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

**II. PUBLIC HEARING :**

**05/06-66 7:30 p.m. Amendment to Ordinance # 1 Fireworks Display**

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

LEGAL NOTICE  
TOWN OF AVON

Notice is hereby given that the Avon Town Council will hold a Public Hearing on Thursday, May 4, 2006 at 7:30 p.m. at the Avon Town Hall, Selectmen's Chamber, 60 West Main Street, for the following purpose:

1. To consider amendment of Ordinance #1 = FIREWORKS as follows:

**SECTION I**

The sale, use and display of fireworks within the Town of Avon shall be governed by the laws of the State of Connecticut, as they may be amended from time to time. In addition, the supervised display of fireworks shall require the prior approval of the Town Council.

**SECTION II**

This ordinance shall be effective twenty-one (21) days after publication.

Copies of the amended Ordinance #1 are on file in the Town Clerk's Office, Avon Town Hall, and are open to public inspection during normal business hours. Dated at Avon, Connecticut this 21<sup>st</sup> day of April 2006.

Philip K. Schenck, Jr.  
Town Manager

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

**RESOLVED:** That the Town Council adopt amendment of Ordinance # 1 Fireworks as follows:

**SECTION I**

The sale, use and display of fireworks within the Town of Avon shall be governed by the laws of the State of Connect, as they may be amended from time to time. In addition, the supervised display of fireworks shall require the prior approval of the town Council.

**SECTION II**

This ordinance shall be effective twenty-one (21) days after publication.

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 April 6, 2006, as read.

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

Mrs. Hornaday attended the meeting.

#### **IV. COMMUNICATION FROM AUDIENCE**

Jim Carlone and his father Mr. Thomas Carlone came before the Town Council to get permission to extend the bike trail to Cotswold, which would be 370 feet. Jim Carlone is a student in Avon and is taking part in a school project. A group of students decided one of their issues was public safety and safe passage to school. They decided sidewalks connecting Cotswold Way and Scoville Road to the bike trail would allow people safe passage without being forced to walk on the road where the bike trail ends. If a proposed sidewalk is within 200 feet of a school, they can apply for a grant through the Department of Transportation. They decided that through fund raising and the DOT grant, the sidewalks could be installed at no cost to the Town. He also reported that DOT has stated that petitions would have to be signed by the neighbors whose property would be involved in this project. Mr. Carlone reported they are in the process of getting the petitions signed but there are two abutting property owners, one who is in the process of selling his home, and the other who is terminally ill so we cannot go further at this point but are going through the process now to give them experience on how to continue with this in the future if we can get approval from the abutting property owners. The budget for this project is \$13,000.

The Town Manager reported the construction, maintenance and approval for sidewalks rests with the Town Council. It is governed by Ordinance 6, 7 and 7A which basically says there are three or four ways that a sidewalk can be built. The town has generally not built any sidewalks but the Scoville Road sidewalk is a town sidewalk because it also serves Pine Grove and Sycamore Hills. Back in 1981 we received land from the Land Trust so they would not have to maintain the sidewalk by Thompson Brook. He also reported the procedure would be first to get the abutters to sign the petition, then to have the Town Council accept the money that will be raised, as a gift, to construct the sidewalk, but the abutters would be responsible for maintaining it, unless the Town was going to accept it as a town sidewalk and then the town would maintain it. The only way we can do that, under the Ordinances, is to have the Board of Education indicate that that portion of the sidewalk is necessary for kids walking to school.

Mrs. Hornaday questioned if the Town maintains that sidewalk now? The Town Manager reported the section on Scoville Road was originally put in prior to Pine Grove School. It was put in at the request of the people in the neighborhood primarily along Scoville Road that wanted to get to Sycamore Hills School. By the time that Pine Grove School came along the request was made by the Board of Education that those sidewalks be included as part of the towns sidewalk system. So the town agreed to take over the maintenance of the sidewalks because of the school. He reported we would have to find out where the state right of way is for the railroad and you will have to get permission from the State to continue the sidewalk over the railroad property, to the walk itself, because the town only has a 15 foot lease for the trail. If you still want to move ahead with the project, we will put it together and get the staff going and write up a staff report, get cost estimates, talk to the DOT on the leasing, and tell the neighbors that we are going to put the sidewalk in. We will construct it and maintain it ourselves.

Mr. Carlone stated he is very supportive of what his son James wants to do but is not sure the timing is right because of the neighbor who is terminally ill. We are half way through the petition process but are uncomfortable with moving ahead. Chairman Carlson suggested possibly waiting until the land transfer takes place and then having the Town Manager draft a letter seeking their support and feelings about this project. At least then we will have a better idea if we should move ahead with it. Mrs. Hornaday stated this is a very exciting idea that you have come up with, you have done a lot of innovative work and have already talked to quite a

few people and it is exciting when young people in our community get involved and have ideas that are really for the good of the community and suggested that he convey this to the group working on this project that we are impressed with the work they have done.

**V. COMMUNICATION FROM COUNCIL-None**

**VI. OLD BUSINESS**

**05/06-42 Appointments: United CATV Advisory Council (2R)**

On a motion made by Mr. Carlson, seconded by Mr. Woodford, it was voted:  
**RESOLVED:** That the Town Council table this to the June 1, 2006 meeting.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

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

Chairman Carlson reported this was brought to us by the Land Trust at the last meeting and it was recommended they get together with concerned neighbors, have discussions and come back to us with thoughts and agreements and disagreements, if any, so we can figure out where to go from here.

Mr. Breckenridge reported we met with people from the neighborhood. National Association of Parks brought up some excellent points to discuss. The general feeling was the neighborhood group (NAS Group) was going to meet with the Engineering Department to get more answers that the Land Trust could not provide. The intent is to table this item to the June meeting when the Engineering Department would be better able to answer the resident's questions. We also hope to have a representative from CT Forest & Parks Association available to answer any questions the Town Council might have. There are questions and concerns regarding parking and safety issues, which the Avon Land Trust cannot answer.

Mr. Guyer reported the homeowners did have a meeting and at the conclusion of the meeting they agreed with the Land Trust and Mr. McCahill that it would make sense to begin talks and hold off until the June meeting so we have enough time to look at some of the questions people have and get answers for them.

The Town Manager reported the Engineering Department is working on some aspects of organizing the petitions that were received at the last meeting and questions that have been asked and trying to respond to those concerns. Some questions may not have a simple answer but the practical nuts and bolts type questions concerning gates, signage, etc. we can answer.

On a motion made by Mr. Woodford, and seconded by Mr. Shea it was voted:  
**RESOLVED:** That the Town Council table this item to the June 1, 2006 meeting.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

**05/06-57 Review, Discussion & Approval RFP Scope of Services Recreation  
Facilities Master Plan:**

The Director of Recreation and Parks Department reported the Scope of Services for the Recreation and Facilities Master Plan, as presented to the Council, has been revised mostly at Mrs. Roell's doing. . We sent out a Needs Assessment to most of the sports leagues in the town and also advertised in issues where we have recreation space. We also got a number of e-mails on several items and have worked with a number of my colleagues and a couple of architects

with regards to changing the scope of services. We asked them to basically take the scope of services and tell us what we can reasonably ask for with what we have available. We have also looked at what we have for inventory and eliminated properties that would be difficult to develop. We have areas that would be easy to develop that are attached to existing facilities with services already connected. We are looking for any additional reductions or improvements to that scope of services.

Chairman Carlson questioned if they were asking for \$25,000 for a consultant. The Director of Parks and Recreation stated yes.

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

**RESOLVED:** That the Town Council approve the Recreation and Parks Committee to proceed with a RFP Scope of Services 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: Glenn Marston**

The Director of Recreation and Parks reported we presented a preliminary final draft at an earlier meeting. The Town Council suggested that we make some adjustments in parts of the language in terms of approval. We have taken two projects off the list because they have not been discussed in any detail at all with the Council. The tennis courts at Thompson Brook are on here because they have been in our Capital proposal for an extended period of time. There was also some confusion in the donations of money where we put in an example of \$300 and people thought we asking for a minimum of \$300. We are looking at donations in lieu of flowers or something like that. There are a couple of pictures that we want to insert in the blank places like the Buckingham property.

Mr. Shea reported that the work that has been done on this booklet has been outstanding.

Mr. Woodford recommended eliminating the section on Wish List regarding the Avon 175<sup>th</sup> Anniversary.

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

**RESOLVED:** That the Town Council approves the revised Recreation Gift Catalogue as prepared by the Recreation Department.

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

**05/06-59c Acceptance of Gifts, Senior Center Chairs**

The Town Manager reported we have received additional funding for the replacement of the Senior Center Chairs. This further reduces the Town's appropriation for the chairs.

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

**RESOLVED:** That the Town Council accepts additional funds towards the purchase of chairs for the Senior Center.

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

**05/06-65 Review and Discussion: Dial-a-Ride Program**

Director of Social Services reported the activities at the Senior Center have increased along with the senior population so basically, we will have to consider an additional part time vehicle for the program. However the good news is we have received preliminary approval from the State of

Transportation on our joint grant application with the town of Farmington. Once this grant is finally approved, it will provide for additional Dial-A-Ride services, effective July 2006 and will help with future operating expenses.

Chairman Carlson questioned how many seniors use this service every week? The Director of Social Services reported about 150-200 rides each month. This depends on the time of year, the weather and other factors. Overall, this program has been successful and once we get the grant, we will be able to offer more services.

Mrs. Hornaday reported she is especially interested in the town being able to provide transportation to some of our residents so they can participate in the lunch program two days a week in Avon and two days per week in Canton. If we had rides available to Canton, some of our people might take advantage of that. It gets them out to socialize with other people and that is an important service we can offer.

The Town Manager stated in order to do that, the Town Council needs to formally vote to add it to our list of services that we currently provide.

## **VII. NEW BUSINESS**

### **05/06-75 Review and Discussion: Request for Reconsideration to Purchase Towpath School: Farmington Academy Sharon Healy, Director**

On a motion made by Mrs. Hornaday, seconded by Mr. Zacchio, it was voted:  
**RESOLVED:** That the Town Council removes Item 05/06-75 from the agenda.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor

### **05/06-76 Request for Grant Match: \$10,000; Ken Kahn, Greater Hartford Arts Council**

The Town Manager reported that last fall, Mr. Hines had requested that \$10,000 be included in the FY06/07 operating budget for the purpose of supporting a potential grant from the Hartford Arts Council to provide satellite offices both east and west of the river. We did that initially but that item had to be removed in order to meet the Board of Finance's budget goal of 5%. The original proposal was based upon information that had not really come into form in the sense that the grant process was under way. Since then the Greater Hartford Arts Council has completed the process. The request is to locate the satellite offices of the GHAC of both Avon & Manchester. Our original impetus from a town standpoint was more focused on economic development issues. We have supported the Farmington Valley Arts Center in the past by allowing them to use Towpath School but we are reluctant to get into any long term financing relationships with any particular group. We are suggesting that perhaps we could provide \$5,000 out of the Town Council's Contingency in the current year (05/06), and perhaps \$5,000 next year out of the Town Council's Contingency, if the council thought the project had merit.

Mr. Kahn reported the Art Council has looked at many ways of assisting arts development and economical development throughout the region and we have given a total of \$2,000,000 in grants out in 28 towns around Hartford. Most of our 4,000 donors reside in the towns around Hartford. We also get support from about 300 companies in the Hartford region to support the United Arts Campaign each year. It occurred to us that a lot of activity is going on out here in the cultural and heritage arena's where we have made operating grants to many organizations, some of them being The Hartford Symphony Orchestra, Farmington Valley Arts Center, Noah Webster House in Farmington, the Stanley Whitman House in Simsbury. We are talking about a satellite office

in Avon to service the surrounding towns. It has been very difficult to get out to the East Side of the river to the valley area to socialize and make connections. We have struggled with how best to do this and have spoken with our culture and tourism agent for the state and came up with an \$80,000 program, where we would spend \$40,000 in Avon and \$40,000 in Manchester and \$25,000 per year to hire someone part time. The State has agreed to support this program for the next three years at \$40,000 per year for both Manchester and Avon. We hope to get a small match from both Manchester and Avon to help with the program which will be well invested. There will be benefits to both Avon and Manchester and the surrounding towns. We will have an optimization of cultural tourism through coordination and integration with the Arts Council cultural promotions and umbrella-marketing program. We spend about 1 million dollars a year on cultural promotions nationwide and use all kinds of media to get information out about programs. We have enhanced economic development potential through the arts and heritage grants we make here in coordinating and promoting them better. We will expand and improve the overall cultural climate and have higher visibility statewide as a cultural center. He also stated we will have better coordination of events within and outside of the town; avoidance of calendar conflicts and awareness and possible coordination of fundraising drives among arts and heritage organizations and the donor community. We have been offering both grants and technical assistance to the Farmington Valley Arts Center among others for a long time and we feel very committed to the viability of that. Having a base at this center over the next three years will be a very strong benefit to the community. He also reported many of our donors who live in this area would like to do more socializing and gathering out here instead of commuting back to Hartford for meetings. Having a satellite office in Avon will enable us to do that on a much more efficient basis and keep things closer to home. Both the State and the GHAC felt that three years is a good amount of time to work this through and hope that the Town Council will be receptive to considering to assist us.

Mr. Shea questioned if the \$10,000 that they are requesting would be just from Avon or will you also be asking other towns like Farmington, Canton and Simsbury? Mr. Kahn stated currently it is just two towns because the base will be in Avon, but eventually we will approach other towns for monetary donations. We spent about one year of research and interviewed every mayor or a variety of Council people in the whole valley. All of them were positive about it. We had a rating system and Avon came up as the top rated town in terms of responsiveness to the research questions and the fact that Avon already had a ready made base. In Manchester, the Parks and Recreation Department will be the base. They are giving us an office in their department. Also, the town of Manchester is not giving us the donation, the Savings Bank of Manchester Foundation is donating funds. We will come back next year with a progress report and in the future you can decide whether you want to continue to contribute or have us develop private sources to rely on to replace yours.

Chairman Carlson questioned why GHAC is not asking other towns to get involved. Mr. Kahn stated we have approached Avon first because the base office.

Mr. Shea reported that \$10,000 is a lot of money for one town to give out, especially where all of the area towns will benefit from such a venture. He suggested that the Town Council table this item for 30 days to allow the Town Manager to contact surrounding towns to request donations of \$2,000 per town to raise the \$10,000 that is needed by the GHAC to initiate this program. That way we can measure the interest on the boards of other towns. Chairman Carlson questioned if there may be opportunities within our own town where we can find alternate sources of funding.

The Town Manager reported the Board of Selectmen and the Town Council has never encouraged the town to solicit different groups. Manchester is providing those types of services and the savings bank is providing the cash infusion. We are not sure it is a practical thing for the town to be looking to raise funds for private organizations. We have a collaborative meeting coming up with the surrounding towns but their budgets are already set and are in the process of being approved. The timing may not be right for them but we can certainly approach them with this idea.

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

**RESOLVED:** That the Town Council table the action on a grant to the GHAC to the June 6th meeting.

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

The Town Manager also reported we would contact Mr. Kahn when the collaborative meeting between the valley towns is and he can present his request to the six communities. Even if you cannot raise the money through this meeting, it will raise the awareness in these towns as to who you are and what you are trying to accomplish.

**05/06-77 Approval: Tax Refund; \$1,428.34 Porsche Leasing Ltd.**

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

**RESOLVED:** That the Town Council authorize a Tax Refund of \$1,428.34 to Porsche Leasing Ltd.

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

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

The Town Manager reported there are a number of things to discuss. We have an updated schedule dealing with the Old Farms Road project. This is the third environmental assessment that has been done. The Headmaster at Old farms School had a Board of Trustees meeting this past weekend and needed to update them as to where this project stands.

The Town Manager also reported three years ago, we hired UBS Paine Webber Pension Advisory Services in Hartford as our investment advisor. That was after Watson, Wyatt indicated that they were getting out of the municipal pension advisory business. UBS Paine, Webber has a significant presence in the institutional pension investment advisory business. We went through great pains to insure that was in no way connected or that there would be no transactions or influence between the retail brokerage side and the institutional advisory business. The people in the institutional advisory business have broken away from UBS Paine Webber and formed their own company. The account rep, Chris Kachmar, who is handling our account called us this week and has indicated they are setting up office in Windsor. We have also received a letter and a phone call from Paine Webber indicating that they want to continue servicing our account and provide us with the advisory services. Chris has done an excellent job and knows our pension plan in detail. We will have to make some decisions as to whether we want to stay with UBS Paine Webber and see who they bring in to service our account or whether we want to move our services to this new entity that is being formed with our current account representative, or do we want to go out with an RFP and let everybody come in and go through the processing we did three years ago. The Town Manager reported we are happy with Mr. Kachmar and very happy with the services that he has provided over the past three years. He transitioned us from the methods that we were using on our defined benefits pension plan, which resulted in a more stabilized level of payments that we were having to make. We went basically

to the percentage of payroll method instead of cost amortization method with the concurrence of the actuaries who gave a powerful presentation. We are in the process of reviewing ING'S management of our funds. We have about 21 million in the defined benefits pension assets being managed by ING. In the past, Watson Wyatt as well as Paine Webber have felt that we could do better with our investments and Mr. Kachmar feels that way also. We recommend that the Town Council do business with Mr. Kachmar's new firm although we are open to the other options if the Council so chooses.

Chairman Carlson recommended not entering into a long-term contract with a new firm at this time because it will be a period of transition. Mrs. Hornaday recommended that we inform Mr. Kachmar that we would go with his firm now because we want to have a smooth transition but that we may go out to RFP in the future. That will give the firm some time to show us what they can do for us.

Mr. Shea recommended if we go with Mr. Kachmar, we go out with an RFP within the year.

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

**RESOLVED:** That the Town Council adds **Item 05/06-78 Discussion, Approval and Appointment of Pension Advisory Services** to the agenda.

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

#### **05/06-78 Discussion, Approval and Appointment of Pension Advisory Services**

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

**RESOLVED:** That the Town Council authorizes the Town Manager to enter into an agreement, not to exceed 18 months, with Fiduciary Investment Advisors LLC for the purpose to advise us on our pension plans.

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

Mrs. LaMonica reported on the Avon High School Renovations that the architect was able to appeal the state decision regarding the 1/2-inch versus the 1/4-inch on the roof, and he was successful, which was a savings between \$250,000 to \$500,000. Secondly, we have not received approval from the State yet on our plans. We got a discouraging inefficient report from the Department of Environmental Protection. Some of the issues are not that substantial, like the legend identifying the symbols used, but the architect felt he could address all of those. They have not given us approval on the building as yet. That had about 20 citations but the architect did not consider them serious and on Tuesday morning, he had just about addressed them all, but has not re-submitted it to the State as yet. Hopefully he said there is a 24-hour turn a round once he does re-submit. We have also been advised by FIP that none of the bids would hold for more than sixty days. We want to approve a brochure and feel very strongly about having it go out at least one week before the town meeting.

The Town Manager reported that Mr. Shopis, the Construction Manager for FIP said that the original plan was a cold weather/warm weather construction project. They are reworking that so it will be a cold weather/warm weather/cold weather construction and he estimated it would be completed by mid to late spring of 2008. He also said they would try to get the footings in before the cold weather sets in, but the structural steel will be on order and that takes six months.

The Town Manager reported the renovations to building # 7 are well on the way. We are painting in there now which should not take too long, The issue is we have held up all of the



other capital projects based upon this high school renovation/addition and we had planned by this time to have the 1 million dollars for the rest of the connection between building 6 and 7 which includes the elevator and then work on buildings 5 & 6. He stated this does not have to go to referendum and questioned if the Town Council was open to having a town meeting this summer or sometime before the high school renovation to get that approved so we can move ahead with it? We can get a temporary Certificate of Occupancy so we can move into building 7 there but we cannot extend it indefinitely. It was the consensus of the Council to schedule a town meeting late in July.

**IX. EXECUTIVE SESSION**

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

**RESOLVED:** That the Town Council goes into Executive Session at 9:10 p.m to discuss land negotiations.

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

The Town Planner, Assessor, Town Manager and the Town Clerk attended the Executive Session.

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

**RESOLVED:** That the Town Council come out of Executive Session at 9:50 p.m.

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

**X. ADJOURNMENT**

The meeting was adjourned at 9:50 p.m.

**ATTEST:**

**Caroline B. LaMonica**  
**Town Clerk**