

**AVON TOWN COUNCIL  
MEETING MINUTES  
JUNE 1, 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: Mrs. Hornaday, Messrs Shea and Woodford. Absent: Mr. Zacchio.

**II. PUBLIC HEARING**

The Public Hearing was called to order at 7:30 p.m. by Chairman Carlson, the legal notice reads as follows:

"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, June 1, 2006 at 7:30 p.m. in the Town Hall, Selectmen's Chamber, 60 West Main Street, for the following purpose:

To consider participation in the Neighborhood Assistance Act in accordance with Public Act 95-268.

Dated at Avon, Connecticut this 15<sup>th</sup> day of May, 2006.

Philip K. Schenck, Jr.  
Town Manager"

Chairman Carlson called upon the Chief to discuss his requests.

a) Avon Police Department – Forensic Computer Unit

Police Chief Rinaldo reported this is a technical piece of equipment that we need that will allow us to be on top of things when it comes to my-space type of investigations. We need this piece of equipment for mirror imaging of hard drives so when we get a complaint of some kind of inappropriate activity on the internet, what we have to do is to go into a home or a business and seize the computer. It takes about 18 months to get the results back because we have to send it out to either the FBI or the State Police and that turnaround is way too long for the safety of residents in Town. If we can obtain this equipment on our own we can do this ourselves.

b) Avon Police Department – Eye Witness In Car Video System

Police Chief Rinaldo reported this would be the last one we need, we have eye witness in car videos in all of our vehicles. That piece of equipment is invaluable when we make motor vehicle stops. A lot of times that is for officer safety and for evidence preservation, it helps us in our efforts to curb illegal activity, and then if you get complaints against officers we have the tape and often times that ends a lot of the misstatements that come out of that. Mr. Woodford questioned whether that piece of equipment is used on every stop. Chief Rinaldo reported yes it is, and that is a good piece of evidence too, if we find criminal activity, often times people once they see that eye witness video, for instance drunk driving, possession or something of that nature, we show it to the attorney of the suspects and usually they plead out right away, which is a good thing for us because we do not have to keep going to court to testify.

c) Avon Police Department – Public Access Defibrillation

Police Chief Rinaldo reported we would like to have a couple of them throughout Town. What we would like to do is spread them to places like Sycamore Hills. We have one at the Senior Center, and we are looking at other areas in Town. It is a very important piece of equipment, as you know most of our Sergeants are EMTS and our Officers are MRTS. We are the first responders for medical calls. We think that this a definite public safety need, as our population ages we are getting more and more medical calls, and it is just a good piece of equipment to have out there in the Community. We do have a plan to train

people how to use them, and an average citizen can be trained in the use of defibrillators and perhaps save a life.

d) Gifts of Love

The Director of Gifts of Love reported our organization is a non-profit agency in Connecticut, we service the working poor, families that are earning minimum wage and families that are in crisis. Currently we are serving approximately 235 families, 150 families on an average are serviced every month, we take in donations of over \$300,000 a year. The families we serve live here in Avon, because we are very sensitive to the confidentiality of the families we serve we have become a referral source for the growing families. Since this becomes an embarrassment to those needing help, they can come directly to us and get help as soon as they are processed. We work very nicely together with the Mr. Rosenberg, the Town's Social Services Director, and we compliment one another. We are simply asking for assistance in our utility bills, salaries, insurance, and our truck that is on the road picking up furniture throughout the area, and those costs are quite high. It is not inexpensive to run an agency such as this, but we do a great deal with the little that we have. We are looking for \$10,000. Chairman Carlson reported your agency does some great work and has been of assistance to many people, and we appreciate that. Mr. Shea reported in going through your paperwork, he noticed that your greatest overhead item is your rent, how much square feet do you have? The Director reported 2,600 square feet. Mr. Shea questioned if the location you are in now, is the location you will be in for quite some time. The Director reported yes, it is in Old Avon Village, we are very comfortable there, the landlord the August Family, try very hard to work with us, in fact they actually supported our last fundraiser, the rocking chair event, it was just fantastic. For us it would be difficult to find a landlord that would be as gracious as they are.

e) Bristol Symphony Orchestra d/b/a Nutmeg Symphony Orchestra

A member of the Board of Directors for the Symphony reported on behalf of the Symphony he would like to make a few remarks. The Bristol Symphony Orchestra last year organizationally signed to expand its regional presence by conducting family and children concert programs in western Hartford and Litchfield counties, at the same time start branding itself as the Nutmeg Symphony Orchestra to give the orchestra a more regional brand going forward. The Orchestra for years has been Bristol based, in the past much of the support was from residents and private donations, season subscribers and corporate sponsors in the greater Bristol area. This past season the Orchestra has had a program with seven concerts, two of which were in Avon at the High School. The season is winding down and will conclude in July. Going forward we are hopeful to have a repeat season of at least seven performances, two of which are planned for Avon. Mr. Woodford questioned the use of the funds requested. The Board Member reported the use of the funds are to cover the overhead of the concerts themselves, musician costs which includes the musicians, music director, advertising and promotion, to help augment expenses. The budget for the coming year is \$140,000 to do full service. If we are not successful in obtaining those funds, we will have to scale back the number of performances and locations.

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

**RESOLVED:** That the Town Council approve and recommend the five 2006 Neighborhood Assistance Act Program Proposals as follows:

Avon Police Department –

- |    |   |            |
|----|---|------------|
| a) | Forensic Computer Unit                        | \$8,950.00 |
| b) | Eyewitness in-Car Video System (31AV)         | \$6,030.00 |
| c) | Public Access Defibrillator Awareness Program | \$8,000.00 |

Gifts of Love, Inc.

- |    |                                    |             |
|----|------------------------------------|-------------|
| d) | Program serving low-income persons | \$10,000.00 |
|----|------------------------------------|-------------|

Bristol Symphony Orchestra, d/b/a Nutmeg Symphony Orchestra, Inc.

- |    |                                    |              |
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| e) | Family & Children's Concert Series | \$100,000.00 |
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Mrs. Hornaday, Messrs: Carlson, Shea and Woodford voted in favor.

**III. MINUTES OF PRECEDING MEETING: May 4, 2006**

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

**RESOLVED:** That the Town Council approve the minutes of the May 4, 2006 meeting as read.  
Mrs. Hornaday, Messrs Carlson, Shea and Woodford voted in favor.

**IV. COMMUNICATION FROM AUDIENCE – None**

**V. COMMUNICATION FROM COUNCIL**

Chairman Carlson reported he and Mrs. Hornaday attended the DOT hearing at the Senior Center. He would like to thank the Town employees who participated in the development of the proposal and their work with the Department of Transportation. It was a very strong presentation, good information sharing with the community. Secondly, he would like to thank the Community for coming out, not only those people that were abutters and live on the mountain but generally those people that showed a lot of concern for our community. It was a good discussion with some very strong suggestions made from our Town back to the DOT, all and all it was a fruitful meeting for all.

**VI. OLD BUSINESS**

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

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

**RESOLVED:** That the Town Council table this item to the July 6<sup>th</sup> meeting.

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

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

Bob Breckenridge, President of the Avon Land Trust, reported he would like to thank the Town Council for taking time to discuss this issue. As a recap, he came before the Town Council with a proposal to join the Land Trust with the Blue Blaze Trail System in Hazen Park. We were asked to have meetings with residents in the Hazen Park area, we now have had several meetings. It was very helpful for each of us to understand these issues, and a lot of good came out of it for everyone. There are apparent issues with Hazen Park that go above and beyond this discussion, those are listed in the memo to the Town Council with regard to parking at Hazen Drive. Going back to the original planning of the park, and some of the changes have occurred over time, and that may be for another discussion, although the Town Planner has worked very hard on answering some of those questions. People that have been at the meetings have had excellent ideas, everyone has become responsive. Our feeling is that we cannot make every single person happy, but it seems like a majority understand the issues and have spoken about some of their concerns which sound like they can be answered. The Town Planner has done some research, we also have Adam Moore, from the CT Forest & Parks Association, a representative of the Metacomet Trail, the Blue Blaze Trail System which consists of over 700 miles of trails in the State of Connecticut. Just about every town in this vicinity has joined trails into this system with very positive results for their citizens of the towns. In fact based on results in Farmington and Simsbury, they would be very happy for us to join with them, that is a consideration for the Council.

Mr. Shea reported in the letter dated May 18<sup>th</sup>, could you just briefly address this 60 day window. Adam Moore, CT Forest & Parks Association, reported the agreement stated within 60 days the Town can withdraw from the trail connection agreement, that just says it is an agreement between both parties. The CT Forest & Park Association is a private non profit conservation organization, one of the programs that we do is the maintenance of the Blue Blaze Hiking Trail System, which is 800 miles of public trails. One of the trails is the Metacomet Trail, which runs through Avon, and also runs from Meriden all the way up to Suffield, almost up to the Massachusetts line, it crosses a whole range of properties, some are town properties, some State properties, many of them are private properties, some owned by individuals and

some by corporations, like TILCON, a wide range. When we would like to create a new section of trail on State land or create a connecting trail on State land you have to do an application to the State, and there may be a 60 day period where they can decide to opt in or out, but also sometimes it takes quite a bit longer than that.

Mr. Shea questioned once you proceed what are the reasons for the 60 day window, what would be the reasons to withdraw? Mr. Moore reported he does not know, we have not withdrawn, but of course someone could change their mind. The Town Planner reported his understanding of the 60 day issue is, if the Town Council did decide to move forward with this connection and the Council was dissatisfied with result for whatever reason, there are nearby homeowners who have concerns, if for any reason, you can terminate the agreement according to the Town Attorney, it is without question that the Town can terminate the agreement with the State.

The Town Planner reported regarding the Comprehensive Plan of Development, the Planning & Zoning Commission recently adopted the full plan, and as part of that plan is the open space and recreation plan. In that document we have to identify all of the existing open space parcels that the Town currently owns. The open space system has grown fairly extensively since the completion of the last plan. We have added over 600 acres of permanent open space, we now have about 2,600 acres in total. The Hazen Park project we are talking about tonight actually came to the Town in 1963, donated by the Hazen family, with a specific provision in the deed which said that the Town will accept this and use it as open space and for recreation purposes. But in this document that the Planning & Zoning Commission just adopted last month we do show various trail connections. It has been a goal of the Planning & Zoning Commission over the last three or four decades to acquire pieces in a way so they connect with each other and then to try and give the public an opportunity to use them by building various trails. In this particular document we do show the possibility with a little dotted line showing this connection we are talking about.

He further reported as requested he tried to summarize comments that did come up at two meetings that the Avon Land Trust sponsored, and requested reports from various departments as well, we have received some. It is the beginning of a response to questions that came up. A question came up as to what the costs would be, in dollars and cents and man hours to make certain improvements in the property, that came about as a result of concerns expressed by some homeowners. For example, installing a gate along the gravel drive way that leads down to Nod Road, there is a cost associated with that. Another is taking the existing sign that says Hazen Park which is a wooden carved sign on Hazen Drive, possibly pulling it out of the ground and relocating it to the gravel parking area at Hazen Park, a cost associated as well. We asked the Town Attorney to comment on issues that arose relating to possible liability that the Town could incur, also asked to comment on whether there were options available to the Town Council to possibly limit the use of the park to Town residents, or to charge a fee to use the park. The thought was if it turned out, by some predictions, that if the trail connection was made it might be a very popular connection, it might be that the park would be receiving a number of people, it causes concerns by the neighborhood, and we do not know how to estimate that accurately. Should it be the case that large numbers of people are using the park, could the Town introduce some kind of a permitting system for example where the Town Council could set a nominal fee of five dollars a year or even free. But a permit would have to be issued through the Recreation Department, and the Town Attorney stated yes, that is an option that is available, not an option we are necessarily recommending but it is an option. We also had a number of questions that related to public safety, and my understanding is that the Police Department has been doing a significant amount of research relating to statistics that result in crimes that may have been committed in some of our other Town parks, like Fisher Meadows, or rails-to-trails which we thought were perhaps two closest parallels to this park. Information was obtained from Bloomfield Police Department and the State Department of Environmental Policing Unit, regarding occurrences that took place in Bloomfield at Penwood State Forest, there was some concern that if some number of people opted to use the Town Park in lieu of Penwood State Forest, would that result in some additional policing problems in Avon, if so

what might that be and what kind of measures might have to be to contain it. Also there have been some questions raised relating to what the Town's policies are relating to parking, again there are some homeowners who would be in favor of limiting parking in residential neighborhoods on Hazen Drive and restrict parking on Hazen Drive. It is where the public parked from the mid 1980's up until current time.

The Town Planner reported in 1963 Hazen Park was donated to the Town, the proposal that the Land Trust is interested in doing for us is to connect the trail to where the Hazen Trail ends currently through their property and continue up to the State Trail. In 1998 when a developer, John Zeke, proposed the Penbrook Crossing Subdivision he was required to deed to the Town a small piece of open space under the subdivision regulations. The Planning & Zoning Commission required that this 5 1/2 acre parcel of land along Nod Road, which is the area that we are now talking about with gravel access was deeded to the Town to fulfill that requirement. At the same time the Planning & Zoning Commission required that the developer grade this area out and move two buildings on the property, a barn and shed, and restore it to some reasonable condition so that the Town could at no cost use it for a parking area. Prior to that the only place to really park in more recent years was along Hazen Drive. When the developer deeded this land to the Town though, it should be noted that there is a clause in the deed that says the Town will never park more than ten vehicles in this lot. That relates to one question we responded to, which is the cost of bringing some boulders in to frame off the ten car parking area. We really have not done other work in order to make that area usable, it has a reasonable amount of gravel on it, there is a gravel driveway that leads back to Nod Road. With or without this trail connection, that is something that we would like to go forward with.

Matt Guyer – A member of the neighborhood's elected Executive Committee – We have a little bit different perspective on the timeline and some of the events as opposed to what was related. My recollection is that at the last meeting you provided guidance to all parties to work together, the Town to work with the neighborhood on providing answers to the variety of different issues and questions and concerns that had been raised. As of the 25<sup>th</sup> of May the request for questions is just being issued and that is fine, there was some confusion as to whether the topic had been delayed two or one month. I believe that is why there is a variety of reports, especially with the holiday weekend, and certainly the public safety, criminal activity, etc. issues were the ones that were of the highest concern to the neighborhood. As of 6:00 p.m. this afternoon, we have the reports, some of them have just come in today, so obviously we did not have the opportunity to relay them to all of the members of the community. We did not contact the Town of Bloomfield, although that perhaps is a good idea, we did contact the Town of Simsbury, and also the State Department of Environmental Protection. We received information from the State DEP and Simsbury, regarding car break-ins and other types of incidents in their similar areas. The receipt of that information certainly gave us pause, and we do think because of the tourist appeal and the volume of people in their areas, that is not comparable with a rails-to-trails or Fisher Meadows which are very different facilities and very different sort of draw. It has been said it is safe to say that the majority of the folks have come to some sort of peace within our neighborhood, that is not correct. The reason we came again to represent us this evening is to again continue the process, and to process whatever information has become available, but do not agree in full with what the Land Trust has stated. We believe Hazen Park is a lovely park, an asset to the Town, there is an active trail in there now, used for recreational use, and used frequently, with people parking and walking up to the trail. We have a pleasant neighborhood, well maintained and, with exception of a couple of mail boxes, by and large clear of crime, which is important to protect. We would not want any of that violence transferred from the state parks, and if Hazen Park itself becomes connected off of the state park we may have some issues, that is not desirable for us, maintaining our neighborhood as a crime free area, as being part of the Town should be important to the Town as well. Residents certainly have ample access to Heublein Tower, the only upside for this connector is that residents would save a three mile ride to the two paved lots, which are patrolled and expressly there to handle tourism and larger numbers who come to walk.

Chairman Carlson reported as much is being said about crime etc., and police resources to patrol etc., he would like to hear from the Chief. Chief Rinaldo reported we are collecting the data from Bloomfield and Simsbury so we are waiting for that. In Hazen Park we have had no problem, and if there are some type of activity up there, we cannot predict what will happen in the future, but as far as the gate goes with locking and unlocking of the gate as at Fisher Meadows, it is not a problem. Crime at Fisher Meadow is relatively minor, we took some medical calls, we did have a rash last year of some children breaking into cars and people ransacking for stereos and pocket books. I think that is a different type of use, and this is not going to happen at Hazen Park. We are still looking at the crime data and hope to have that complete by next week.

Greg Schmidt, Woodford Hills Dr, reported he would like to make sure that everyone is clear about what seems to be or is going to be some pretty obvious facts. First of all the trail connection, what it does is that it provides another access to Heublein Tower, we all know that the tower is one of the most popular tourist destinations in the State which is a State Park and well monitored. As far as crime goes, rather than compare the situation that would develop to Fisher Meadows, it is more appropriate to compare the situation that they developed to the nearest access to Heublein Tower which is the Simsbury access. The crime report will show that the Simsbury access has had over 100 incidents in the last five years, some of them very serious. The residents of the neighborhood are very concerned about that, and he would just like to ask why should we take that kind of chance when we have a beautiful neighborhood and open it up to the entire State, increase traffic on Rte 44 which is already crowded, and make a very serious situation.

Chairman Carlson reported he would like Chief Rinaldo to include in his report the number of parking spaces in the two parks that have been referenced tonight with Bloomfield, Penwood Park, as well as the access in Simsbury, entrance to the tower. Chief Rinaldo reported absolutely and we are aware of the comparison of the community areas, we will do a comprehensive analysis.

Chris Gackstatter, Avon Land Trust, reported it really is important to actually have comparative to the actual access corridor, to follow the Avon trail closest to Heublein Tower, we suggested to residents to actually look into that data. The closest link is actually Stafford Road in Simsbury, it is a residential area, the closest actual link to the tower, it does not require us to walk on a hill and you park in the end of a cul-de-sac. We have no data that talks about what that is, we actually talked to a representative of CT Forest & Parks and as he said there are usually two or three people that use that park at a time, there is never any sort of problems in that, and on a good fall day you get more people. It is important to realize around this access point and it is very easy to as an alarmist is to say well we would be at Penwood State Park, and you are looking at the park area down below there and that is going to be the exact same as the hiking trail. Hazen Park is two totally different things. When you are roaming through the Penwood Park and the current State park, you are up the ridge line and along the ridge line, you have view of the whole valley for the whole walk, it is a tourist trail and he believes it has the most problems, and it is managed by the State. We are proposing a hiking trail that is part of the Metacomet Trail, it will not have these long ridge line views with a walk up, people who walk this say to us that is not what they thought it would be when they got to the top of it, you do not walk along the ridge lines, it is actually a connection to the Metacomet Trail. The only thing, and he has attended all of these meeting, he is not sure exactly what the residents are looking for. You have to understand that the Avon Land Trust is going to link its property to the Metacomet Trail, we are going to link to it in order to use the trail. Once that link is made on our property, which they are going to do, there is going to be an easy access from Hazen Park. As far as it being in the Town hike book, the only reason for voting for this or against this, if you vote for it the Avon spur of the Metacomet trail can be accessed by parking at the bottom of Hazen Trail, and the spur starts at the bottom of Hazen Trail then walk to the top of the main line. If you do not vote for it, it say the Avon spur starts at top of the Hazen Trail, park at Hazen Park parking lot walk up the Hazen trail path, then access the trail. He does not understand the difference one way or the other, the advantages of it having it as part the Metacomet Trail are you have people - that love the trail and maintain the trail, you

have people that will make sure that the trail is professionally groomed and managed as far as cut backs – there are some steep areas to it. The other areas as far as parking - - a ten car parking lot is a great idea, and it is actually outside this issue, it has been part of the documentation before. The question is are we going to be proactive about this and manage this or are we just going to do nothing about it, have this trail actually happen and then just kind of try to manage it as it goes along. It would be better to have a trail and have a good work relation with all of the people, that would mean the Town of Avon, the Land Trust, the CT Forest & Parks and manage this in a reasonable way, versus having a larger disjointed organizations not working together.

Rick Rendeiro, 10 Hillsboro Drive, reported he loves hiking, and what you are being asked to consider here is an opportunity to put Avon on the map. Look around at neighboring communities, and all our neighboring communities that have nice geographic areas that are suitable for hiking are part of the Blue Blaze Trail, Avon is not, we are alone. We are this island out there that is not part of this tremendous life blood of the hiking system of CT. We have an opportunity to join them. It is not a big type of thing that we are talking about, it is a very small thing, as you have heard the trails for the most part already exist. We have the Hazen Park which was established for a very specific purpose it was the purpose of providing open space and providing recreational opportunities, not necessarily just for the citizens of Avon, but primarily for the citizens of Avon. We have a wonderful facility in Fisher Meadow, which anybody who goes down there and sees the multitude of people enjoying it on almost any day throughout the year appreciates what we were able to bring to our citizens. We were able to bring them an opportunity for recreation in a controlled environment and a beautiful facility taking advantage of what Avon has to offer. You have that opportunity now, right now Hazen Park is not fully utilized, we have not done Hazen Park the service that it deserves. This was a wonderful bequest, it used to be much more extensively used. He is a fairly recent resident to Avon, but talked with people that have lived here for years, and they tell him what Hazen Park used to be like. People used to go skiing there, did all sorts of things there, and what has happened is that Hazen Road used to lead up to the park, it was a dead end and people parked there, they used the park. Somehow or other in the development of this wonderful beautiful high end development this road got across the park, and it got cut in half, and all of a sudden the park stopped being the dynamic type of environment that it was, and now it is down to one thing, it has a beautiful hiking trail, one of your nicest hiking trails but it goes to nowhere, it is a dead end, you walk up you get to a certain point in the woods and you turn around and walk back. What is up in front of you is the nicest ridge that we have in our Town, something that we all take pride in, and something that we have an opportunity to go and connect to, and become a part of a larger trail system. Is this a trail system comparable to the one on the other side of the ridge – no – not at all. For those of you that are hikers, and assuming that most of you who are opposing this are not hikers, you would know the difference, if you go to any type of national or state park there are two kinds of trails. One, there is a trail that 99% of the people take, such as Sleepy Giant in Hamden, one trail you follow up to the Castle – that trail is probably 90 + % of the hikers go on, it is an easy trail and it is straight up. Within the rest of that park are a multitude of other trails, they are longer they are harder they do not provide the same kind of views but they are popular with a smaller group of people, the dedicated hikers, the people that really care about hiking -not about achieving a goal of reaching the top of the mountain, or to the castle or the Heublein tower. That is what this kind of trail is going to be, it is something that we are going to take pride in. You are not going to have masses of people here, it is just not going to happen because it is not that kind of trail. Why else are we not going to have it – we are going to have a limitation on the number of people that can be there, whether it is just the 10 car parking lot which you are already required to do, so that is an easy decision for you. It is going to be the people that are dedicated to taking a long walk to go up and back on this kind of trail will probably take you one to three hours, it is a very long walk and it is not the kind of walk that people take for a nice easy session.

It is important for all of us to recognize that Park is intended to be a resource for the citizens of Avon. It is something that we should be encouraging the greater use of it, not discouraging, not trying to place

restrictions on it. He reported this is his own personal view, and am very opposed if there was a decision made to go and charge a fee for people to come and use it. He lived in Hartford for 14 years before he came here, in a very mixed neighborhood, he came here and this Town is great to all people, it welcomes people, we should continue to welcome people. We should welcome people from other towns to come in here, park in our Town's parking area and hike up that trail if they want to have a new and interesting hike.

Robert DeChellis, 85 Ridgebury Road, reported he has some comments, he would like to say to the Council and to all in this audience, he speaks on behalf of most of the residents. There is no one that he has met with that has any intention of shutting down Hazen Park. He urged the Town Council to please pay attention to the kind of contradiction in these statements. He agrees that this is one of the most beautiful attractions in Connecticut, and Heublein Tower is important to us and the State, he has small children and his first and foremost concern is safety, and with that major tourist attraction and now make it a part of a system that is currently open to whoever wants it, that inherent in that is going to be an impact on public safety.

Mary Harrop, 100 Climax Road, reported as she sits here this evening it brings back memories of ten years ago that the Town of Avon and herself as member of the Natural Resource Commission was very involved with our rails-to-trails, as we wanted to join the rails-to-trails system, which is a national trail system. There was so much support for it, except for the neighbors, they were so fearful, and some of the very statements that are being made tonight, were made by different people but the same statements. They want fences, so many things that they wanted, police monitoring, they were so concerned, she would say that all has turned out very well, none of the neighbors have had any problems. Obviously there was virtually no police involvement, because there is no crime, but people were terrified. You are talking about a hiking trail, this is a tough hike, you have to be a pretty good hiker to go up there. She reported she knows where the people are coming from, we all have children, we all have lived in this Town, but maybe we just should give it a chance.

Diana Good, 17 Cotswold Way, reported she has been before the Town Council before with the Plan for Conservation and Development, with the need for a larger set-aside percentage, because she does not think there is a lot of open space in Avon. She is surprised that she is here making a plea to use the open space that we have, and surprised that you are not defending the use of this park for those who live in Avon. She was surprised when her copy of Avon Life contained information about Connecticut Trails Day, and saw that Avon was not represented, Avon should be, it would be good for this Town if it were. She used to live on Blanchard Road, next to a trail that goes to the river, the access to the river is publicized in the Farmington River Watershed River Guide, so hikers and fishermen know about this trail to the river. In the 13+ years that we lived there we had to call the police once, all three of our children were born in that house, we were never attacked, never robbed. People used that trail very frequently and treated our house, our property, and us with nothing but respect. Unfortunately we outgrew that house, and were fortunate enough to buy a house on Cotswold Way, which is on the rails-to-trails, we have never been attacked, and never been robbed. She has CRCOG's Regional Plan for Conservation and Development, it set the regional open space plan, and sets the town by town regional preservation priority, it focuses on opportunities for inter-municipal linkage of preserved areas and green ways. Connecting the Hazen Trail to the Blue Blaze Trail is a great example of that inter-municipal linkage, and we already know that because it is all over Avon's Plan for Conservation and Development also, there are many policies that really hit on how to do that. She reported do not be bullied into forgetting this plan, it is a great plan, you have worked hard on it, because connecting this trail will be really good for the Town.

Chris Graesser, 28 Lawrence Avenue, reported on addressing the crime issue, she hiked every single day in this area, to Heublein Tower, to Penwood, to Huckleberry Hill, hiked all over. She has been a victim of crime at the West Hartford Reservoir, a witness to crime at Penwood. Penwood is different, the main



entrance to Heublein Tower is different. She stated give it a chance, see what happens, if there is a problem address it, but at least give this trail a chance. This Town and the townspeople have a right to use their park, and right now it really is not usable, she has hiked up there and it is a dead end, there is no place to go. Let us give it a chance.

Tracy Guyer, Woodford Hills, reported she spoke with several people on the telephone, with due respect to people who spoke about their personal feelings about crime, it is not really relevant, how anybody feels is going to happen. What is relevant is that we are talking about tapping into an area that has no crime, and none of us knows what is going to happen, and this is relevant, and this is what has us concerned. This idea of let us just give it a chance, is perhaps misguided, a report given to the Town Planner written by a lawyer, when asked the question should it be restricted to permit only to Avon residents in the event that there was an issue, his response was basically that how on earth would you enforce it, really that is not the purpose of an Avon park anyway. She also has a hard time with the idea that people are restricted from access to the tower in any way, the Avon Land Trust has a lot of land, and if they feel so strongly that people should get to this tower, then they can use their own land for it. From her understanding the Land Trust could in fact connect themselves right up to the tower, but that does not mean that Hazen Park has to be involved in it in any way, the Town has all kinds of options it could cut it short right before the intersection, it could be something to do, and the Town is not left without options in this case. We have been here for nine years and we were here before the road was pushed through, so we have seen the use of the path after, it is used the same amount. Also saying the parking lot is being stretched to 10 cars, is not the whole story because we have a whole neighborhood, so why would people bother to park at Heublein when they can park in this nice neighborhood. Put in the parking lot, and let people enjoy Hazen for what it is, a really nice park.

Harry Spring, 41 Chidsey Road, reported he would like to say that the whole is so much greater, it would be a great recreational resource for the future of Avon. He would point out, we as members of the Land Trust will not be remembered by people in the future, but they will certainly remember that we were here to set aside these areas, open space, optimum woodland, hiking trails, and in this case providing Hazen Park to a 67 acre parcel of Land Trust Land and access to the State Trail System and the Blue Trail System. It was his privilege to serve on the Building Committee, and active in the acquisition of Fisher Meadows. We had disagreements and trouble, and wondered as to whether it was worth it all. Before long we learned to respect each others points of view, and our wishes for the park, and the park speaks for it. It is a major kind of recreational asset to this Town, that is the envy of many other towns, and he reminds the Town Council of this often, when they were building rails-to-trails there were trees and much landscaping, people had demanded things, and protested against it, and now it is wonderful.

Chairman Carlson reported he requested information from Police Chief Rinaldo, which he would like to see before we vote on this matter. Secondly, Councilman Zacchio could not be here tonight, has heard from residents both pro and con on this matter, out of fairness to him, he would like him to be able to voice those thoughts. But unless there is new information brought forward next month, we will vote on it at the next meeting. He would not open to public comments next month unless there is something materially different comes from one of the Town Departments between now and then.

Mr. Shea reported his first comment is that while we were going through rails-to-trails, we found there were issues where there were different opinions, he is very proud of the work the Town has done, the Town Planner, Police Chief and Public Works Director, the Town Manager and his staff. Proud of the fact that with differing opinions all of you were objectively trying to work with everyone, they did the Town a great service, and we all should be very proud. He questioned whether Chief Rinaldo knew of any way that he could put together a work product on how Hazen Drive could be closed to people parking there for usage of Hazen Park, but then open to a Hazen Drive resident, someone having a party there with more cars than their driveway could handle, and needed people to park on the street. Chief Rinaldo

reported we would have to look at several alternatives, but generally once we post an area, it is posted no parking, and that means no parking during a certain time, that would include residents. There may be some other things that he is not ready to comment on, we have other similar areas. Mr. Shea reported the other issue is, if you could address the Nod Road issue, if Hazen Parks parking lot was only allowed to have 10 cars, and it spilled out into Nod Road, how would the authorities deal with that as well.

Mrs. Hornaday reported she would like to go to the Planning Office and look, she was unaware of exactly where Hazen Road was, she would like to look at those maps and ask the Town Planner about that. She has been involved in some of the various disputes in Town, she is always aware that people come and are offering their input from the very best of intentions, people really do care about what is best for this Town, and no matter how things work out, everybody has been speaking from a desire for what they think is going to be the best for the Town, and we want to remember that.

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

**RESOLVED:** That the Town Council table this item to the July 6, 2006 meeting.

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

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

**a) \$14,460: Six Individual Donations; Town Green Lighting**

The Town Manager reported two of the donation checks included \$100 each to be donated to the Special Needs Fund, for a total of \$200, which needs to be deposited in the Special Needs Fund Account.

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

**RESOLVED:** That the Town Council accept two donations in the total amount of \$200 to be deposited to the Special Needs Fund, Account # 01-9999-49006.

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

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

**RESOLVED:** That the Town Council hereby recommends that the Board of Finance amend the FY05/06 Budget by increasing:

**REVENUES**

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

**APPROPRIATIONS**

Capital Projects Fund (Facil & Equip), Town CIP-Facilities, Lighting Town Center Account #02-4829-53066 in the amount of \$14,400 for the purpose of recording six individual donations for participation in the Town Green Lighting Program.

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

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

Ken Kahn, Greater Hartford Arts Council, reported he has been in communication with the Town Manager, we are making some progress in taking up the challenge from the Town. We invested a lot of money for that Center, we have increased their grant this year to over \$5,000, and anticipate increasing in the future. We think as coordinators of a field office, per se, and he boldly asked the Farmington Valley Collaborative to think about making contributions from the other towns, and some took notes, although he does not know what their intentions were. So far he received \$1,000 from Farmington Savings Bank, he has a grant into the Fisher Foundation, that board is going to meet on a request for another \$1,000 at the end of June, then Simsbury Bank and he plans to talk to Northwest Community Bank also. What he was hoping to do is to come up within a reasonable time with something like half the sum he originally asked the Town for, and simply see how the Town reacts to that. He is looking forward to engaging in the work and convening arts groups for calendar and fund raising purposes, we have made a lot of friends out here

in the Farmington Valley. He would prefer to hear from the Town Manager what his perspective is after what he plans to do based on your instructions and your suggestions. Mr. Carlson questioned whether he would now have \$5,000 this year instead of \$10,000. Mr. Kahn reported he has a reasonable expectation by October 1, when we expect to have someone in place for a fundraising drive. He would like to see the Town giving them a grant conditional on how much he can raise, so that the total by October 1 is \$10,000. but let us say no more than \$10,000, if you are comfortable with \$5,000 that is fine, it leaves the challenge open for us.

The Town Manager reported he would reiterate what Mr. Kahn said, he would say there was a serious interest of acceptance particularly on the part of Simsbury. Part of the problem is the budgets are pretty well in place and moving along, but there was support for the program, at least spiritually, and hopefully there will be some financial funds coming. He had supported the project pretty much from his comments at the last meeting. Nancy Anstey, Director of the Farmington Valley Visitors Association, has supported it. It is a worthwhile program, it helps out in our economic development efforts, and if we want to approach it on a matching basis, that is fine too.

Mrs. Hornaday reported it seems so positive to her that she cannot even imagine there would be any negative aspect to it, and we want to bring more of this kind of thing to our community and make it available to people.

Mr. Woodford reported he is just philosophically not in favor, just because he does not necessarily think government is in the business of giving money to the Arts, (nothing personal).

Mr. Shea reported he shares Mr. Woodford's concerns, but some of the comments that the Town Manager has made resonates in that it could help out with economic development and that the effort that Mr. Kahn has made would provide him with the indication that other communities are going to support it, all of the Farmington Valley would benefit. He can support an amount not to exceed \$5,000, at this time.

Chairman Carlson reported his comments fall somewhere in between. He would be in favor of \$5,000 as seed money, with a clear understanding that this is not an ongoing budgetary item for the Town, he would not be in favor of that. He would be in favor of \$5,000 in seed money to get things under way, and hopefully help you start your fund raising efforts for future years as well as for this year.

Mr. Kahn reported he would like to say that is very generous of you, to suggest that, and thinks they will be well on their way in terms of private funding. As much as the money, your endorsement of the concept in terms of our making our way, and making this project successful.

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

**RESOLVED:** That the Town Council authorize a one time grant in the amount not to exceed \$5,000, as seed money, to the Greater Hartford Arts Council for the Farmington Valley Satellite Office.

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

## **VII. NEW BUSINESS**

### **05/06-80 Approve Contract: Design and Construction Services for Roof Replacement**

The Director of Public Works reported he is requesting authorization to move forward on the design and infrastructure administration. Part of this is the first step to getting the roof replaced on Company #1 Fire House during the next fiscal year. The list of bidders is as follows: Kaestle Boos Associates, Inc. \$5,500, Friar Associates, Inc. \$7,250, Hibbard & Rosa Architects LLC \$7,500, FLB Architecture & Planning LLC \$9,300, Salamone & Associates, P.C. \$9,700 and O'Riordan Migani Architects LLC \$13,410. The Director recommended Kaestle Boos Associates, based on their low bid.

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

**RESOLVED:** That the Town Council approve and authorize the Town Manager to sign, on behalf of the Town of Avon, a contract with Kaestle Boos Associates, Inc. in amount \$5,500, for design and construction administration services for roof replacement for Company #1 Fire House.

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

#### **05/06-81 Sign Rate Bill**

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

**RESOLVED:** That the Town Council authorize and sign the Rate Bill and Tax Warrant for FY 2006/2007, at a tax rate of 24.85 mills on the Grand List of October 1, 2005.

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

#### **05/06-82 Review and Discussion: Authorization for the Town of Avon's participation in the Office of Domestic Preparedness (ODP) Training Reimbursement**

The Town Manager reported basically we passed this in 2004, we need to update it, it essentially is a method for the members of the Avon Volunteer Fire Department to get paid if they go to training during their normal work day jobs, they can get reimbursed for training.

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

**WHEREAS,** the State of Connecticut Homeland Security Grant Program allows for reimbursement of compensation paid to eligible emergency service volunteers participating in training sessions or exercises approved by the Office of Domestic Preparedness (here in after "ODP"); and

**WHEREAS,** eligible municipalities may request such reimbursement from the Capitol Region Council of Governments (here in after (CRCOG) at such time when funding is made available; and

**WHEREAS,** compensation will be provided for participation of eligible emergency services volunteers in ODP approved training sessions or exercises only when reimbursement funding for such compensation is available through ODP. Such compensation shall be at a rate in accordance with ODP reimbursement guidelines as amended; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Governing Body of Avon (Board of Fire Commission or Municipal Chief Elected Official) authorizes the Town's participation in this ODP reimbursement program.

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

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

The Town Manager reported he furnished the Town Council with a recap of the Legislative Session as it affects municipalities as provided by the CT Conference of Municipalities. There is a significant number of bills that they were successful in preventing passing. There were some bills that did get through that could have some potential impact. One basically denies the opportunity to municipalities to change any form of retiree health benefits without going through a collective bargaining process with the unions of the affected employees, so we are essentially barred from going and changing any of our existing retirees health benefits. Not that we had anything planned in that area, but the fact of the matter is that health care costs continue to escalate. In the private sector companies, Aetna is a good example, are ending their dental contract for their retirees, and there are a number of private sector companies that have changed arbitrarily their retiree health programs. Municipalities are now going to be prevented from doing that.

The Town Manager reported people are already gearing up for next years legislative session, one of the main bills that they are after is the extension again of the Conveyance Tax that we have had for two years. The real estate lobby has already been working to ensure that bill sunsets. The municipal lobbying organizations, CCM, CRCOG, COST, are beginning to look at trying to make it into a permanent feature

of the revenue stream. As you know we have not included that in our revenue estimates, neither this year or last year, in fact we have used those estimated funds to buy those properties, adjacent to the Library, and tear them down.

The Town Manager reported he provided a copy of a section of a brochure on the fact that our employees have been very successful in terms of their lost time at work accidents, and the workers' compensation, and received an award from the CT Inter-Local Risk Management Agency. A good deal of the credit goes to the Human Resources Director, Bill Vernile, who runs the Safety Committee, and that has been impacting our Worker's Compensation premiums.

The Town Manager reported we did have the Sycamore Hills Pool open on Memorial Day, we had 382 people using the pool. That is one of these things that have been up and down in the past, whether to do it or not. Chairman Carlson questioned whether there were any problems with staffing. The Town Manager reported no, not at this point in time. Mrs. Hornaday reported her church had a picnic there on Memorial Day, and it was wonderful, the park was in beautiful condition, they straightened up all of the area up at the Pavilion so it was nice, the young people from the church, many of them went swimming, also the volleyball and everything was in lovely condition.

The Town Manager reported we have a very positive indication yesterday from Representative Kevin Witkos that it looks like the Boundless Playground group will receive their STEAP Grant, which is the Small Town Economic Assistance Program Grant, of \$150,000. If they do get that, and it looks like they will, they have already raised approximately \$100,000, so that would mean \$250,000, and that would mean that we would be looking at moving ahead with that project at the Buckingham Fields location, as indicated on the site plan map.

The Town Manager reported in terms of looking forward to the next agenda, one of the things we are going to want to start looking at is that Caroline B. LaMonica, Town Clerk, will be leaving in January and we need to look at some different staffing alternatives and changes. He will be working on some preliminary recommendations that we can discuss probably for the next meeting.

**IX. EXECUTIVE SESSION – Land Negotiations**

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

**RESOLVED:** That the Town Council go into Executive Session at 9:25 p.m.  
Mrs. Hornaday, Messrs Carlson, Shea and Woodford voted in favor.

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

**RESOLVED:** That the Town Council come out of Executive Session at 10:25 p.m.  
Mrs. Hornaday, Messrs Carlson, Shea and Woodford voted in favor.

**X. ADJOURNMENT**

The meeting was adjourned at 10:25 p.m.

**ATTEST:**

**Caroline B. LaMonica  
Town Clerk**