

**AVON TOWN COUNCIL  
MEETING MINUTES  
JULY 6, 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, Woodford and Zacchio.

**II. PUBLIC HEARING: None**

**III. 6:45 p.m. – Tour of Building #7**

The Town Council met at 6:45 p.m. to tour Building 7, which is complete and awaiting a Certificate of Occupancy. The Town Engineer and the Town Clerk who have been managing this project for the past six years were in attendance.

**IV. 7:05 p.m. – Police Promotions: Selectmen's Chamber**

The following officers were promoted and were sworn in by the Town Clerk:

Sergeant Ronald Welch and Sergeant Robert Whitty were promoted to the rank of Lieutenant. Officer Kevin Fleming and Officer David Gannon were promoted to the rank of Sergeant.

**V. MINUTES OF PRECEDING MEETING:**

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

**RESOLVED:** That the Town Council approve the minutes of the July 6, 2006 meeting as read.

Mrs. Hornaday, Messrs Carlson, Shea, Woodford voted in favor. Mr. Zacchio abstained because he was not in attendance at the June 1st meeting.

**VI. COMMUNICATION FROM AUDIENCE-None**

**VII. COMMUNICATION FROM COUNCIL**

Mr. Woodford stated he will be brief because he was very emotional about this. He reported we have received an official letter of resignation from the Town Clerk who will be retiring January 1, 2007. Chairman Carlson reported the Town Clerk has given forty-four years to the town and we are in debt to her forever for her dedicated service.

Mrs. Hornaday reported she represented the Town Council at an Eagle Scout Ceremony for three young men from our community. Also the Playground for all Kids is more positive than just the \$150,000 that we received from the State. The people of this community work very hard, along with the Town, to make good things happen.

Mr. Zacchio reported he represented the Town Council at the Talcott Mountain Science Center at the ribbon cutting for the installation of new equipment which was quite impressive and went through their operations and observed a lot of the new technologies demonstrated by some of the students. They are very appreciative of the Town's support.

**VIII. OLD BUSINESS**

**00/01-07 Review and Discussion: Town Hall Renovations Buildings 5, 6 and 7**

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

**RESOLVED:** That the Town Council table this item to the August 4<sup>th</sup> meeting.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

**01/02-80 Buckingham: Authorize Town Manager to Sign Grant Acceptance; Boundless Playground “Check” Presentation of \$150,000, Kevin Witkos**

State Representative Kevin Witkos stated he was amazed at the amount of hard work and the amount of effort that this group of people have given to raise money and get this project organized over the past three years. On behalf of Governor Roell, the General Assembly, Representative Farr, and Senator Herlihy he presented the Town of Avon with a check for \$150,000 for the Boundless Playground.

A member of Avon’s PAK (Playground for All Kids) reported a group of neighbors came together last year and formed this group, which is a volunteer, non profit organization who wanted to do a fully handicap accessible playground in Avon that would be challenging and fun for children of all abilities. In addition to variety in a place where people with disabilities can play along side other capable children, this playground is also designed for parents, grand parents and caregivers with difficulties and allows them to share in the joy of their children’s lives. We have raised well over \$100,000 through private donations along with other proceeds from a grant to allow the playground to become a reality within the next few months. The design of the playground has been finalized and everyone is very happy with it. The contractors are lined up; the equipment will be ready for erection by the end of August and hopefully finished by the end of September. He also thanked the State of Connecticut, Governor Roell, our State Representatives and the Town of Avon for making this project come together and making our community a better place. He reported we would also like to present our State Representative Kevin Witkos a Certificate of Appreciation for his efforts in making this happen.

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

**RESOLVED:** That Philip K. Schenck, Jr., Town Manager of the Town of Avon be and hereby is authorized to execute on behalf of the Town of Avon a Small Town Economic Assistance Program Grant Agreement with the State of Connecticut for financial assistance to construct the Buckingham Road Recreation Area Playscape at 10 Buckingham road (STEAP-2006-01).

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

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

**RESOLVED:** That the Town Council favorably recommends that the Board of Finance amend the FY 06/07 Budget by increasing:

**REVENUES**

Capital Projects Fund (Facility & Equipment), Intergovernmental, Small Town Economic Assistance Program – Playground Grant, Account #02-0330-43382 in the amount of \$150,000, and increasing

**APPROPRIATIONS**

Capital Projects Fund (Facility & Equipment), Town CIP-Facilities, Buckingham Road Recreational Area – Playground Development, Account #02-4829-53048, for the purpose of acquisition and construction of a handicapped accessible playground on Buckingham Road with funding from the State’s Small Town Economic Assistance Program.

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

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

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

**RESOLVED:** That the Town Council table this item to the August 6, 2006 meeting. Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

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

Chairman Carlson reported this was first brought to our attention several months ago and we have had a great deal of discussion and correspondence from people on both sides of the issues. He also reported, as stated after the discussion of it at the last meeting, we would not be entertaining any further public comment on it. We will invite Council comment on it and then entertain a vote.

Mr. Woodford reported he could not see any compelling reason to connect the trail. I do see potential reasons not to do it. I am not sure they will come to fruition but they are out there. I would move that we do not connect the trail.

Mrs. Hornaday reported she has listened to all the comments, read the letters that we have received and reviewed the material, which was developed by the Police Department. With recreational opportunities like the Rails to Trails or the parks, inter community and State connections are helpful and I think this would be a good idea for the community.

Mr. Zacchio reported he also reviewed all the details on this project and does not think that many of the points that have been made will come to fruition. The Land Trust and the neighborhood have done a lot of work on it and because it is a park, I think we should be using it to the best of our ability. He reported one thing that cannot be ignored is the lack of parking. Inviting, at the state level, a number of people to the park with only ten parking spots just do not make sense. It may only be for two to three weeks out of the year but will cause too much traffic congestion on Nod Road which may lead to other problems. I do not think it is fair to the residents in that area, that we would invite people to come and not have sufficient parking. I would probably not support connecting the trail.

Mr. Shea reported he looks at this- like the Rails to Trails. We will always enter into these types of discussions as the town grows. When we involve town land in neighborhoods there will always be discussions about its use and how it can and cannot be used. I think the parking situation can be worked out and would like to see this project move forward. There is a way we can connect and still not have to advertise it. I would like to see this land used to its maximum usage.

Chairman Carlson reported he heard many of the same comments a number of years ago when we did Rails to Trails. He stated his belief was the same then, as it is today. We do not live, nor should we ever live in a gated community and try to keep this separate. We should invite people in here. He thanked the Land Trust for bringing this to our attention and stated they did a great job in publicizing the opportunity to use public land and Land Trust land for trails. He also reported we hope the level of activity increases throughout all of our trails as a result of this. He also reported he would not be supporting the connection for many of the same reasons as Mr. Zacchio commented on. He stated his main concern was the lack of parking and for this reason would vote against it.

Mr. Woodford moved and Mr. Zacchio seconded – that the Town Council not permit the connecting of the trail.

Mr. Shea requested that Mr. Woodford withdraw his resolution and he would present a positive resolution.

Mr. Woodford moved and Mr. Zacchio agreed to withdraw his resolution.

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

**RESOLVED:** That the Town Council approve the connection of the trail at Hazen Park to the Land Trust property.

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

## **IX. NEW BUSINESS**

### **05/06-83 Review and Discussion: Reaffirmation of Proposed Collector Road on Town Land; Tom Francoline, Jeffrey Sard**

The Town Manager reported on land owned by Jakubiak. The Comprehensive Plan of Development shows a road connection that extends through that property and Town property. This road is only conceptual and not in place yet and the Planning & Zoning Commission could modify the exact location of this road. This would be through the property known as the "Found Land." By way of history in the late 1950's when we were doing our first revaluation with mapping, this property did not have any owners and the Town went to the State Legislature, which by Special Act granted the property to the Town of Avon. There have been several subsequent amendments to that Special Act, which allow for such things as roads, radio towers, schools and accessory type things. He also stated the creation of a road through the "Found Land" property is authorized by State Statute. Its exact location is unknown at this point in time, pending an application before the Planning & Zoning Commission and a final determination on their part as to where that road should go. He reported Mr. Francoline is requesting a confirmation from the Town Council, that depending upon the actual road location recommended or required by the Planning & Zoning Commission as it crosses Town property, that the Town would be willing to allow for that road to go through.

Mr. Sard reported he needs some assurances that the road would not be constructed in a largely different direction than is currently shown on the map.

The Town Manager reported that is not the intent but this would be part of a subdivision review process but if it were to change radically, the Planning & Zoning Commission in the past has always sought the input from the Town Council prior to making a final decision on where the road would go.

Mr. Francoline, owner of Avonridge Incorporated, reported we have done some preliminary studies of the lay of the land and have come to the Town to discuss this road. The connection will go to the point where Lofgren Road would connect into Northington Drive. Basically to keep the open space as one contiguous piece, the concept would be to cross the wetland knob and bring the road as close to the property line as possible. At the same time, we are waiting to hear from the Planning Commission and the Town Engineer in terms of what they say is the final alignment. This also allows us to donate to the Town, through an easement a parcel which would allow the connection of the Town owned Open Space all the way through.

Mr. Shea questioned the amount of land that would be donated to the Town. Mr. Francoline reported it is between 18 and 20 acres and it does not appear to have wetlands on it. There is an area where there is a drainage discharge but from the view of the slope it looks completely dry. We have done soil tests and intermittent tests show modeling that indicates there are apparent wetland soils in this area but it does not have any characteristics of a bog or something like that. Mr. Shea questioned if there have been any discussions regarding the Open Space, as to what kind of use it could have for the Town other than just being open. Mr. Francoline stated in terms of physical access, you could not

have playing fields because of the topography of the area, but we walked it during the wet part of the spring and it was completely traversable. It could be used for hiking.

The Town Manager suggested that Mr. Fracoline write a letter to the Planning & Zoning Commission indicating they be put on their agenda and request the Planning & Zoning Commission to keep you apprised of its progress on how it affects the Town property. Mr. Shea questioned what are the disadvantages of not having a road there. The Town Manager stated the Comprehensive Plan of Development includes the road and the connector, but it is conceptual. It can change depending upon the technical review of the application. The Developer is looking for some assurance that if the Commission changes this alignment somewhat through Town property that the Council will approve it. If the Town Council does not approve the road, the Planning & Zoning Commission would have to answer questions as to why it was not approved when it was a part of the Comprehensive Plan of Development. The road will also help decrease traffic in other areas. Mr. Shea questioned the number of house lots there would be in the subdivision. Mr. Francoline stated there is a new regulation being contemplated by the Commission, which will have impact on the number of house lots.

Mrs. Hornaday questioned if the Planning & Zoning Commission and the Inland Wetlands Commission suggest a different route for the road, will the Developer still make the gift of land to the town? Mr. Francoline stated yes.

It was the general consensus of the four Council members that the Town Manager write a letter to Planning & Zoning Commission confirming the support from the Town Council regarding this project. Mr. Woodford abstained from discussion because of potential conflict.

**05/06-84      Acceptance of Gifts: Child Safety/Amber Alert Program**

The Town Manager reported that several checks from various organizations supporting the Child Safety/Amber Alert Program have been received and it will be necessary to formally accept the gifts in accordance with the Town Charter.

The Chief of Police reported we have received 3 checks from the following agencies:

Avon/Canton Rotary	\$1,600
The Simsbury Bank	1,600
Wal-Mart Foundation	<u>1,000</u>
 TOTAL	 \$4,200

He also requested these checks be deposited in the clearing exchange and funds be reclassified from our Administrative Services, Printing (Crime Prevention) Account, No. 01-2101-052181.

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

**RESOLVED:** That the Town Council authorize the acceptance \$4,200 received from various organizations to be deposited in the clearing exchange and funds be reclassified from the Police Departments Administrative Services, Printing (Crime Prevention) Account No. 01-2101-052181

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

**05/06 –85      Supplemental Appropriation: \$104,418 FEMA Grant Flooding and Snow Storm Costs.**

The Town Manager reported we have received indication that we will be receiving \$104,418 in grant monies from FEMA to help offset the flooding of last October and the snowstorm that we had on January 21<sup>st</sup> and 22<sup>nd</sup>, 2006. This should eliminate any over expenditures in our Overtime and Materials Accounts that were based on those storms.

**RESOLUTION – TOWN COUNCIL**

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

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

**REVENUES**

General Fund, Intergovernmental, FEMA Reimbursement, Account # 01-0330-43313 in the amount of \$104,418 and increasing

**APPROPRIATIONS**

General Fund, Buildings & Grounds, Overtime, Account #01-3401-51015 in the amount of \$36,706.18, General Fund, Buildings & Grounds, Motor Fuel, Account #01-3401-52201 in the amount of \$3,033.45, General Fund, Roadways, Overtime, Account #01-3101-51015 in the amount of \$27,145.55, General Fund, Roadways, Materials-Other, account #01-3101-52239 in the amount of \$30,162.36, General fund, Roadways, Motor Fuel, Account #01-3101-52201 in the amount of \$3,033.46, General Fund, Parks, Overtime, Account #01-5201-51015 in the amount of \$2,500.00, General Fund, Parks, Other, Account #01-5201-52219 in the amount of \$1,837.00 for the purpose of recording additional revenues received as reimbursement from FEMA for exceptional flooding and snow storm costs.

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

**05/06-86 Review and Approval: FY 06/07 CMED (Central Medical Emergency Direction) Contract; \$9,258.09**

The Chief of Police reported we have reviewed the Regional Emergency Medical Services Communications System Agreement (Annual CMED Contract) and recommend that it be signed. He also reported the contract is the same as in previous years with the following exception. The fair share assessment for the Town decreased from \$9,444.43 in FY 05/06 to \$9,258.09 in FY 06/07. The assessment is based on 2004 Connecticut Department of Public Health Census data showing a Town population of 16,992. The per capita charge decreased from \$0.56523 in FY 05/06 to \$0.54485 in FY 05/07.

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

**RESOLVED:** That the Town Council approve FY 06/07 CMED Contract with Central Medical Emergency Direction and authorize the Town Manager to sign the contract on behalf of the Town.

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

**05/06-87 Bid Acceptance and Contract Approval: Avon Middle School Alarm System: \$196,475**

Mr. Franzi reported the Board of Finance approved funding in the 06/07 Capital Plan in the amount of \$233,500 for an alarm system for the Avon Middle School. He also reported the Board of Education received one bid in the amount of \$229,000 from Associated Electronic Systems, East Hartford, CT. This bid was reduced to \$196,475 by the deletion of items that were not required by code.

Mr. Woodford questioned Mr. Franzi as to why we only had one company bid on the Alarm System and how aggressively did you try to find companies to bid on this?

Mr. Franzi reported that they publicly advertised and we solicited known companies to bid on this project but they declined primarily because of existing workloads and the inability to complete the project within a reasonable timeframe.

Chairman Carlson voiced concern that only one company bid on a \$229,000 project and recommended that for next time a list of prospective bidders be given to the Town Council.

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

**RESOLVED:** That the Town Council award the bid in the amount of \$196,475 to Associated Electronic Systems from East Hartford, CT for the Avon Middle School Alarm System and authorize the Town Manager to sign the contract on behalf of the Town.

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

**05/06-88 Bid Acceptance and Contract Approval: Avon Middle School and Roaring Brook School Phone Systems \$43,742**

The Town Manager reported he was informed by the Director of Finance for the Board of Education that there are variances in the proposals that the Town Council received as to the apparent low bidder, who really is not the lowest bidder.

Mr. Franzi reported, in reviewing the bids, Business Electronics Inc. had maintenance charges, after the first year, of \$1,550 per year for both telephone systems. He reported they also had two disclaimers; one required a complete network analysis to be done of the schools as to the phone installation at an estimated cost of \$2,500. This would have to be done prior to any phone installation. He also reported there was a disclaimer requiring the customer to provide adequate cabling at the elementary school. He also reported this would cause an additional financial impact to the Town.

Mrs. Hornaday questioned the Director of Finance for the Board of Education as to why they did not recommend the lowest bidder. She stated there are some occasions when we do that because of our experience with a particular firm but it is not the normal practice of the Town and we need to make note that we are making an exception to our usual practice.

Mr. Franzi reported the bid results as follows:

New England Communications, Corp Rocky Hill, CT	\$57,156
Business Electronics Inc Cheshire, CT	\$43,884
Vision Electric Torrington, CT	\$47, 942 (subsequent agreement based on budget limitations of 43,742)

New England Communications Systems presented a high bid plus maintenance costs over a five-year period for Roaring Brook School at \$9,072 and Avon Middle School at \$16,133. Vision Electric had agreed in their interview to work with the Town to meet our Capital Plan Budget of \$43,742: a reduction in their proposal of \$4,200 and there were no additional charges over a five year period and no disclaimers.

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

**RESOLVED:** That the Town Council award the bid in the amount of \$43,742 to Vision Electric of Torrington, CT and release the funds for the Avon Middle School and Roaring Brook School phone systems appropriated in the Capital Improvement Program for this current budget year.

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

**05/06-89 Bid Acceptance and contract Approval: Avon High School Track Maintenance; \$37,775**

Mr. Franzi reported that the Board of Education is recommending to the Town Council, that the funds for the Avon High School track maintenance project appropriated in the Capital Improvement Program for this forthcoming year, be released, and that a bid in the amount of \$37,775 be accepted from Dalton Construction of Cheshire, CT.

Chairman Carlson questioned the large discrepancy in the bids. Mr. Franzi, Director of Finance for the Board of Education, reported Dalton Construction was the original contractor for the construction of the Avon High School Track and they are very knowledgeable of how it was installed.

Mr. Franzi also reported this project was approved for funding by the Board of Finance in the amount of \$40,000 in the 2006-2007 Capital Plan.

The bid results were submitted for the Avon High School Track Resurfacing as follows:

(1)	ATT Sports, Inc Berlin, NJ	\$57,900
(2)	Tracklite Andover, MA	\$51,853
(3)	Cape and Island Tennis & Track Pocassat, MA	\$49,557
(4)	Dalton Construction Cheshire, CT	\$37,775

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

**RESOLVED:** That the Town Council award the bid in the amount of \$37,775 to Dalton Construction of Cheshire, CT and the funds be released for the Avon High School Track Maintenance Project appropriated in the Capital Improvement Program for this current budget year.

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

**05/06-90 Bid Acceptance and Award: Utility Van \$33,923**

Mr. Trujillo reported the utility vehicle is not being utilized because the frame had rotted away. We have checked on the pricing and are recommending to purchase the Utility Van from the State DAS (Department of Administrative Services) Contract # 06PSX0067 awarded May 24<sup>th</sup>, 2006. We also received a quote outside the DAS program for the same vehicle. The quote exceeded the DAS bid by \$7,000.

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



**RESOLVED:** That the Town Council award the bid in the amount of \$33,923 to Gallagher Buick Pontiac GMC, Inc. of New Britain, CT for the purchase of a Utility Van. Mrs. Hornaday, Messrs Carlson, Woodford and Zacchio voted in favor. Mr. Shea abstained due to a potential business relationship.

**05/06-91 Bid Acceptance: Catch Basin Cleaning; \$55,499**

The Director of Public Works reported the lowest responsible bidder for cleaning catch basins for fiscal year 2006/07 was PYE, Inc. of Southington, CT at \$23.00 per basin. Currently, we have budgeted \$55,000 in the 2006/07 operating budget. This will allow us to clean 2,413 of the 3300 basins this year. He also reported due to a cost increase of 25% per basin and the quality of basins the town is accepting, we will have to increase funding for the line item over the next several years.

Mr. Woodford questioned the cost per hour versus the cost per basin. The Town Manager reported in the past the town did an analysis which shows we are better off do it an a per basin cost rather than hourly rate.

Mrs. Hornaday stated we were notified that the State had come out with new regulations regarding the cleaning of the basins, which would be an increase cost to us. She also stated the Facilities Study Report from the Board of Education included comments about basins that they had. She questioned if the cleaning of those basins is included in this proposal. The Town Manager responded the cost of a lot of the services over the past five to ten years has not been significant but now, if they are energy based, they will continue to escalate at the higher rates. Our utility costs, which are already budgeted for the subsequent year, are going to be significantly off. We have hydrant rental increases, which are higher than what we had budgeted for, from not only Avon Water Co. but from the Connecticut Water Co. also.

Mr. Shea questioned if we should have a log in system for prospective bidders so we know who gets the spec sheet and who actually bids on it. He questioned why 10 vendors would pick up spec sheets and not bid on the job. The Town Manager reported we do have a matrix chart that we do but nobody has mandated that we have to keep track of vendors that request spec sheets and the Board of Education has not done that either. Chairman Carlson suggested that we start to require a list of all the vendors that obtain spec sheets on a project that is going out for bid.

The Town Manager further reported some things are beginning to happen with this Facility Maintenance Study Committee that we set up, which has monthly meetings and that is really starting to move ahead in a lot of areas. A good example of this is we just approved an order for the paint for the lining of the fields. Not only will the Board of Education participate, but we have the Town of Canton, Old Farms School, Westminster School and the Town of Canton taking part also. CCROG does not have a bid for this type of paint but we were able to lower the price per gallon from \$8.65 down to \$6.35 per gallon. We will have it delivered to the Avon Public Works yard and everyone will come here to pick up their orders. We have a list of things on the agendas such as trash pickup, plantings etc. that we can purchase at a considerably lower cost by buying in bulk.

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

**RESOLVED:** That the Town Council award the bid, based on the low bid of \$55,499, to PYE, Inc., Southington, CT for the cleaning of 2,413 catch basins.

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

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

The Town Manager reported Reflexite had leased the former Darworth Building to initiate production of flat screen reflective panels. We had worked with them several years ago. They had been looking at Rochester, NY, China, New Britain and Avon and had decided to try in Avon. They will be shutting down their operation in Avon and will be moving to an area north of Shanghai, China. Labor was not an issue with them, but we could not compete with the utility costs and other general overhead items like transportation, which a lot of that is energy driven. The net loss will be about ten employees. They now are going to be moving to expand certain other aspects of their existing facility on Darling Drive. Ensign Bickford is the one who owns that Darworth Building and it is now on the market. Mr. McGuff informed us of this because we had been involved with helping them get established.

The Avon Water Company did not get their paperwork in early enough to have a public hearing at this meeting but we will have two Public Hearings on easements for the Avon Water Company. One will be on the corner of Northgate and Lovely Street. There is a retention pond there that is overgrown which they will clean out assuming we give them the easement for a water line. The other area is in the neighborhood of that Reflexite building in terms of the right of way that goes through between Darling Drive and Arch Road. The Water Company is also putting in an extension on Scoville Road, which will be servicing the Old Farms School. We had some complaints come in that Simscroft Echo Farms was not following appropriate procedures in terms of erosion and sedimentation control. We have taken care of that through the Planning Department, which is responsible for enforcing the wetland regulations. The Water Company has since asked their contractor to comply. So that will be torn up for while they work on it.

The Town Manager reported we had water damage in the basement of Company 4 on Huckleberry Hill Road to the extent of about \$8,000. We are not sure exactly where this water is coming from. There may be an underground water line underneath the basement that may be leaking. It is coming through the sidewall and could be from fissures in the internal walls. We have people checking it out to determine where it is coming from. He also reported that room was designed to be a recreation room and about 25 years ago they ended up carpeting it and putting in wallboard. We have had periodic water problems over the years.

The Town Manager reported apropos of the increasing presence of the Emergency Management in our lives the Town Council might have to undertake a training program called NIMS (National Incident Management System). The Federal Government has mandated that all elected legislative bodies and employees of the town participate in this program. There is an executive level one that we are trying to get information on as far as a time and place. We may have to schedule a special meeting and have it at the Town Hall, The rationale behind this is they are forcing local governments to have trained people in order to receive federal funds. If we cannot provide certification through the State Department of Emergency Management they will refuse to give us Federal Funding.

The Town Manager reported the State DOT is looking for a letter from the Town of Avon supporting the recommended changes in that project to Route 44. Some of you may remember the public hearing we had at the Senior Center on the widening of Route 44 and the installation of a landscaped median. Tom Daukas and Steve Kushner have been working on this and they are recommending we write a letter of support with one change; that there be a second right hand turn coming out of Parsons Way at the intersection of Route 44. The general consensus of the Town Counsel was to send a letter of support.

The Town Manager reported we have a letter from the Chief of Police wanting to start a program to change the color of the police cruisers. Normally we would not bring this to the Council but because it is so visible and a major change in the community, we need to know if there are major objections to this. He suggested the color of the cruisers be changed to black and white mainly because of cost, visibility and awareness by the public.

The Town Manager reported copies of the latest Quarterly Financial Report have been given to the Town Council for their review and questions. It looks like we will have a positive variance at the end of the year. Part of what we are worried about is the cost of that accident last year in terms of overtime, consultants and other things that are going on with that. There is no worry about an operational deficit where revenues will exceed our expenditures but I wanted you to know from an expenditure standpoint there is a possibility that we might have a slight variance at the end of the year.

The Town Manager reported we received, as an update from the Director of Recreation and Parks, five proposals for the Recreation Master Plan. The Recreation and Parks Committee have not approved them but we are in the process of doing that. They hope at this time is to be prepared to come to the Town Council meeting in August to present that proposal.

The Town Manager reported the reason we asked to have building 5 and 6 tabled is because our initial proposals for that project has escalated significantly and rather than move ahead with it at this point, we have decided to have another meeting with the architect to see how we can trim that whole project back. He reported the project started out six years ago, as a million-dollar cost. We anticipated it would cost 1.5 to 1.6 million as recently as three weeks ago. The initial estimates have come in over 2 million and by the time it is completed, the cost may be up to 2.5 million, depending upon what is in there, so we did not feel comfortable coming forward with that at this time. Hopefully, we will have part of the figures coming in at a reduced cost for the August meeting. The Board of Finance is recommending to move ahead on this project, in conjunction with the high school project, if we have everything ready to go.

Chairman Carlson reported in his conversation with the Chairman of the Board of Finance, the thought process was to get this out to bid this summer because the high school project will start in the fall. The initial thought was to vote on the 5/6 project in August and the high school project in October. Chairman Carlson thought both things should be put on the agenda at the same time. The Town Manager reported if the Building 5/6 project cost comes in under 2 million, it could be voted on at a Town Meeting but over 2 million, it will have to go to Referendum.

Mr. Shea stated before we add another project to the Referendum we would have to meet with the Board of Education because their project basically not changed and adding another issue to be voted on may impact on getting their project approved.

Mrs. Hornaday questioned on the status of Towpath School. The Town Manager reported we are still in the process of getting things out of there, which has been a major problem. We are anticipating for the August agenda we will have the contract for the hazardous materials removed but we still want to hold an open house there and we still have to get it cleaned up. The ultimate demolition will be contracted out. He also reported the more that can be salvaged from the demolition by the vendor, the less of a cost it will be to the town as far as disposing of it. Unless we prespecify things that we want, it is all going. We have already taken furniture that was left behind by the Board of Education and the Health District because we did not want to have to buy new furniture for these expanded projects.

It may not be the newest stuff but it will serve its purpose and keep our costs down. Another thing that can keep costs down is being able to allow the vendor to use the Landfill to dispose of things they do not want. The Director of Public Works is looking into that now to see what the cost would be to dispose of it somewhere else versus hauling it up to our land fill.

**XI. EXECUTIVE SESSION: Litigation/Negotiation**

On a motion made by Mr. Shea, seconded by Mrs. Hornaday, it was voted:  
**RESOLVED:** That the Town Council go into Executive Session at 8:50 p.m.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

On a motion made by Mr. Shea, seconded by Mrs. Hornaday, it was voted:  
**RESOLVED:** That the Town Council go out of Executive Session at 9:40 p.m.  
Mrs. Hornaday, Messrs Carlson, Shea, Woodford and Zacchio voted in favor.

On a motion made by Mr. Shea, seconded by Mr. Zacchio, it was voted:  
**RESOLVED:** To add the following to the agenda: Extension of Vacation

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

**05/06-92 Extension of Vacation**

The Town Manager reported employees are allowed by Personnel Rules, to carry over a maximum of 35 days vacation. He reported he currently has 39.8279 days and requested the Council to allow him to carry over the balance of 4.8279 days with the understanding he will use it by September 1, 2006. He also stated Section 8.3b of the town's Personnel rules allows for such extensions.

On a motion made by Mr. Shea, seconded by Mr. Zacchio, it was voted:  
**RESOLVED:** That the Town Council approve the request from the Town Manager to carry  
over 4.8279 days of vacation time with the understanding he will use it by September  
1, 2006.

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

**XII. ADJOURNMENT**

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

**ATTEST:**

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