

SELECT BOARD

Eric S. Beckerman, Chair
Jason L. Suzor, Sr., Clerk
Shannon M. Coffey, Associate

Jonathan L. Beder
TOWN ADMINISTRATOR

Town of Avon Massachusetts



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AVON TOWN CLERK
REC'D MAR 8 2024 AM 9:54

SELECT BOARD
THURSDAY, FEBRUARY 15, 2024
MARY MCDERMOTT MEETING ROOM
6:30 P.M.

Members Present: Eric S. Beckerman, Chair (via videoconference)
Jason L. Suzor, Sr., Clerk
Shannon M. Coffey, Associate

Others Present: Jonathan L. Beder, Town Administrator
Shanna M. Faro, Executive Assistant/Human Resources Coordinator
Richard Jordan, Town Planner
Brian Martin, Interim DPW Director
Debra Morin, Finance Director
Richard Jordan, Town Planner

Finance Committee: Derek Staffier, Chair
Suzzette Waters, Vice Chair
Paul Smith, Member
Janet Shaw, Member
Jarrett Beeley, Member

Mr. Beckerman called the meeting to order at 6:30 p.m. with all members present. Mr. Beckerman announced that this meeting of the Select Board is being conducted via a hybrid method. The public may attend the Select Board meetings in-person or may continue to participate via remote Zoom access. Mr. Beckerman reminded the viewing audience that people who would like to view this meeting while in progress may do so by joining the Zoom link for the videoconference. Links to watch the recorded meeting will be available on the Avon Cable Access website www.avontv.org.

Mr. Suzor led the meeting in the Pledge of Allegiance.

Public Participation

None

Meeting Minutes

Mr. Suzor made a motion to approve the February 1, 2024 (Regular Session) meeting minutes as written. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Mr. Beckerman voted aye. The motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

Execute Purchase & Sale Agreement for T.L. Edwards Property

Mr. Beder presented the Board with a Purchase and Sale Agreement for 30 +/- acres of land, certain parcels of land located on Fieldstone Way, Katherine's Way, and Parkview Lane in Avon from South Street and Route 24 Realty Trust by T.L. Edwards Realty, LLC in the amount of \$1,050,000.00. The town's counsel, Kathleen O'Donnell, Esq. appeared via telephone to verify that all the paperwork was in order for the Board to execute the Purchase and Sale Agreement. Mr. Beder informed the Board that 75% of the purchase of this land would be funded through the MVP grant, with the other 25% of funding coming from the Wildlands Trust. The Assessor's Parcels Reference are B1-2-10, B2-4-10, B1-2-13, B1-2-14, B2-4-11, C2-2-2, C2-2-3, C2-2-8, and B2-4-12. Counsel for the seller, Francis T. Crimmins, Esq. was in attendance. He thanked the Board and Mr. Beder for getting this agreement executed tonight. Mr. Suzor made a motion to approve and execute the Purchase & Sale Agreement for the properties listed below. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Mr. Beckerman voted aye. The motion passed.

In relation to this matter, Mr. Beder requested the Board sign a Memorandum of Understanding between the town and the Wildlands Trust, Inc. This is an agreement that the Wildlands Trust will support the funding for the purchase of the land with the understanding that the land will only be used for conservation and recreational purposes only and related easements. Mr. Suzor made a motion to approve and authorize the Town Administrator to sign the Memorandum of Understanding. Ms. Coffey seconded the motion. A roll call vote was taken. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Mr. Beckerman voted aye. The motion passed.

Fire Chief Appointment

The Board held an interview for the finalist candidates for the Fire Chief position on February 12, 2024. Mr. Beckerman thanked Select Board member Jason Suzor for his participation in all interviews and the Assessment Center. Mr. Beckerman thanked BadgeQuest and the candidates for their participation in this process. Mr. Beckerman opened up the discussions as to who should be selected as Avon's next Fire Chief. Ms. Coffey stated that all three candidates were highly qualified, and no choice would be a bad choice for the town. However, Ms. Coffey was present for part of the Assessment Center in which she saw a technical scenario and a personnel matter scenario. Ms. Coffey's selected Timothy Vamosi as her candidate of choice for the Fire Chief position. Mr. Suzor agreed with Ms. Coffey's sentiments. However, he selected David Charest as his candidate of choice for the Fire Chief position. Mr. Beckerman agreed with Mr. Suzor and selected David Charest as his candidate for the Fire Chief position. Ms. Coffey had no objections with Mr. Suzor making a motion to appoint Mr. Charest and she expressed again that all candidates were highly qualified for the position. Mr. Suzor made a motion to appoint David Charest as Fire Chief and instructed the Town Administrator and Human Resources Coordinator to draft a proposed Employment Agreement for the Board to execute at a later date. Mr. Beckerman seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Chair Beckerman voted aye. The motion passed.

Joint Meeting of the Select Board and Finance Committee – 2024 Annual Town Meeting Warrant

Mr. Beckerman called the joint meeting of the Select Board and Finance Committee to order. He stated that the purpose of the Finance Committee is to review the draft Annual Town Meeting Warrant and to address any questions and concerns. However, Mr. Beckerman clarified that only the Select Board has the authority to determine which proposed articles will be removed or will remain on the final warrant. At 6:57 p.m., Chair Derek Staffier opened up the meeting for the Finance Committee and took a roll call vote. Suzette Waters, Jarrett Beeley, Janet Shaw, Paul Smith, and Derek Staffier were in attendance and therefore the Finance Committee did have a quorum. Chair Beckerman read aloud each of the draft warrant articles and asked for questions or comments from both Boards.

Article 1 – no questions

Article 2 – no questions

Article 3 – no questions

Article 4 – no questions

Article 5 – Ms. Coffey asked if Septic Loans Account figure changed every year to which Ms. Morin replied yes based on loan payments.

Article 6 – no questions

Article 7 – Ms. Morin explained that when the town started to see settlement money from the opioid litigation, there was no mechanism to place these funds, so a stabilization account was created. Ms. Morin stated that the laws have since changed, which allow this type of funding to be placed in a revolving account. Changing the opioid settlement funding from a stabilization account to a revolving account will allow access to the money without requiring a town meeting vote every time a withdrawal is made. Ms. Morin stated that this settlement money is earmarked for departments such as Fire, Police, and Board of Health who are directly impacted financially by opioid use.

Article 8 – Mr. Beckerman stated that this article is for a change to the Dimensional and Density Regulations Table which would amend the Zoning Bylaws and would be subject to approval at a public hearing prior to a vote of town meeting.

Article 9 – This article is a proposed zoning bylaw change pertaining to wetlands in industrial areas. Mr. Jordan informed the Board that the consultant on the Master Plan recommended this draft article. Mr. Jordan has discussed this article with the Conservation Commission, and they are supportive and plan to hold a public hearing soon regarding this matter.

Article 10 – This article is a proposed zoning bylaw change pertaining to wetlands and construction projects. He has discussed it with the Conservation Commission, and they are supportive and plan to hold a public hearing soon regarding this matter.

Article 11 – This is a proposed general bylaw change regarding the printing and distribution of the Finance Committee books prior to the town meeting. Mr. Staffier informed the Board that this article has been proposed due to the rising costs of printing and mailing costs. Over the last few years, the cost of the Finance Committee books has increased from \$750 to \$1250 for each town meeting. The Finance Committee is seeking to save some money.

Article 12 – Mr. Beckerman stated that this article pertaining to a schematic design and the Owners Project Manager for a new Town Hall is not seeking any capital funding or money that will be raised or appropriated. The funding sources would all be transferred from previous articles, the Assessors Excess Overlay, and free cash. Ms. Coffey objected to using old articles intended for water purposes to be used for the town hall study. She stated that old water article funding should be repurposed for water-related articles only. Mr. Beder informed Ms. Coffey that there is a stabilization account for drinking water. The MBTE stabilization account is being used for rehabilitation of the water tank which he thought was a good fit for that purpose. Mr. Beckerman explained that if any funding for Article 12 came from a stabilization account, it would require a 2/3 vote at the town meeting which would get confusing with the different funding sources requested for this article.

Article 13 – no questions

Article 14 -no questions

Article 15 – no questions

Article 16 – no questions

Article 17 – Mr. Beckerman asked if the phone system upgrade would include the phones at the garage and water treatment plants. Mr. Beder will ask Brian Cream.

Article 18 – no questions

Article 19 – no questions

Article 20 – no questions

Article 21 – no questions

Article 22 – This article is a Citizen's Petition filed by Randolph Councilor Jesse Gordon. He is requesting that the town set aside \$50,000 for compensation and settlement of damage claims to residents of Randolph whose homes were damaged by the town-permitted blasting adjacent to the Randolph-Avon border. The funds will be administered by an appropriate entity set up by the T.L. Edwards company. Mr. Beder informed the Board that he has had legal counsel review this petition. Legal counsel checked with the Department of Revenue who confirmed that town meeting does not have authority for this article as public funds cannot be distributed to a private entity. Mr. Suzor made a motion to remove this article from the draft warrant. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Mr. Beckerman voted aye. The motion passed. Mr. Beckerman requested that the Town Administrator and Town Clerk draft a letter to Mr. Gordon informing him of this decision based on the discussion with legal counsel.

Articles 23 & 24 – These articles depend on how much money is left over after the operating budget and all articles are funded.

At 7:26 p.m., Mr. Beeley made a motion to adjourn the Finance Committee meeting as all proposed articles on the Annual Town Meeting Warrant were reviewed. Mr. Smith seconded the motion. A roll call vote was taken. Mr. Smith voted aye. Mr. Beeley voted aye. Ms. Shaw voted aye. Ms. Waters voted aye. Chair Staffier voted aye. The motion passed. The Finance Committee departed from the meeting.

Request to use Capital Reserve to Purchase Woodchipper

Mr. Martin informed the Board that the DPW does not own a brush chipper. Currently, the DPW rents a woodchipper several times a year depending on storms. Renting is based on availability and costs the DPW approximately \$5,000 to \$10,000 per year. If there is a major storm, it may be difficult to rent a woodchipper. Mr. Martin stated that purchasing a woodchipper would allow the DPW to keep up with the ever-increasing number of vegetative debris being dropped off at the compost site by residents. Also, chipping on location during a storm saves valuable time and effort as to not having to remove debris twice. Mr. Martin requested an 18-inch chipper that would meet the needs of the DPW. He found one off the state bid list from Bobcat Equipment in the amount of \$63,429.30 for the purchase of a Bandit 18xp woodchipper from the Capital Planning Reserve Account if the Select Board approves. Mr. Suzor made a motion to approve the request from Interim DPW Director Brian Martin to purchase a woodchipper from the Capital Reserve. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Chair Beckerman voted aye. The motion carried.

Assessors Overlay Reserve

Mr. Beder informed the Board that there is currently a balance of \$701,509.20 in the Assessors Overlay Reserve. The Board of Assessors is processing a settlement in the amount of \$39,256.86, leaving a total overlay balance of \$662,252.34. Mr. Beder informed the Board that the Assessors may transfer excess amounts in the overlay account that are no longer needed to cover potential abatements, exemptions, and uncollectable taxes to overlay surplus. Mr. Beder informed the Board that the Assessors have discussed it and are comfortable releasing \$212,000 which will leave approximately \$450,252 in the reserve. In

accordance with MGL Chapter 59 Section 25, the Select Board can take a motion to formally request release of the funds as presented. Mr. Beder stated that if the funds are released, they would be used to fund Fiscal Year 2025 Warrant articles. Mr. Suzor made a motion to request the release of \$212,000 from the Assessors Overlay Reserve. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Chair Beckerman voted aye. The motion passed. Mr. Beder will inform the Board of Assessors of the Select Board's formal request.

Request to use ARPA funds from Police Department

Mr. Beder presented the Board with a request from the Police Department to use ARPA funds for new laptops and camera storage. Mr. Beder informed the Board that the town has ARPA funds which must be spent down before the firm deadline from the state. Mr. Beder stated that Chief Bukunt is requesting to purchase laptop computers for the police cruisers in the amount of \$22,835.73. The Police Department has five cruisers containing hardware mounted/removable laptop computers. Three out of the five computers are rapidly reaching the end of their life cycle as they are approximately 5-6 years old. The IT Department has informed the Police Department that they cannot purchase new laptop computers at this time due to budgetary constraints. The new laptops would come from Advanced Electronic Design Inc. (Patrol PC) which is a sole source vendor for these products.

The second item Chief Bukunt is requesting to purchase is a security camera storage upgrade in the amount of \$9,885.58. Presently, the camera system is used for monitoring the exterior and interior of the building, the booking area, cells, sallyport, and interview rooms. When the equipment was purchased five years ago, the storage needs, and daily volume of data were estimated on a limited budget. The volume of data has surpassed that original estimate. The quote for additional storage and a system upgrade was from CC-Teknologies who is a vendor on the state bid list.

Mr. Suzor made a motion to approve the use of ARPA funds for the Police Department to purchase new laptops and camera storage. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Chair Beckerman voted aye. The motion passed.

Civic Association Events at DeMarco Park for 2024

Mr. Beckerman read correspondence from Paul Chute of the Avon Civic Association requesting to use DeMarco Park for its 2024 events. The dates are as follows:

Summer Concert Series – Wednesdays from 3:00 p.m. to 9:00 p.m. from June 12, 2024 through August 7, 2024.

Oktoberfest – October 5th and 6th 2024 from 10:00 a.m. to 6:00 p.m.

Holiday Festival – December 7th and 8th from 10:00 a.m. to 6:00 p.m.

Mr. Suzor made a motion to approve the request of the Avon Civic Association to use DeMarco Park for its 2024 dates as listed above. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Mr. Beckerman voted aye. The motion carried.

Announcements

Mr. Beckerman acknowledged the correspondence the Board received from Xfinity regarding their Form 500 and Annual Notice of Filing.

Mr. Beckerman announced the March meetings of the Board as March 7, 2024 and March 21, 2024.

Town Administrator's Report

Mr. Beder informed the Board that the electronic message boards at the corner of Harrison Boulevard and West Main Street were installed this week. The DPW will be installing the decorative block and cap in the coming weeks. The electrician will connect the signs to the power source soon. Requests for messages to be displayed on the electronic message boards will be centralized by the Town Administrator.

Mr. Beder stated that he and Library Director Elise LaForge will meet with the principal of Avon Middle High School on February 16, 2024 regarding parking concerns at the library. Students are parking in the library lot without authorization. Also, parents are using the library cut-out on West Main Street for drop off and pick up. The intended use of the cut-out was for library patrons dropping off books. Mr. Beder informed the Board that better signage is needed in that area.

Finally, Mr. Beder informed the Board that three candidates were issued conditional offer of employment letters this week for the Police Officer position. Mr. Beder stated that this process involved 19 preliminary interviews, and 8 secondary interviews. He thanked Chief Bukunt, Deputy Chief Bartolotta, the three sergeants, and Ms. Faro for their assistance in this process. Once the conditional offers are returned, the background check and pre-employment process will begin.

Town Counsel's Report

None

Adjournment

At 7:45 p.m., Mr. Suzor made a motion to adjourn the regular session. Ms. Coffey seconded the motion. A roll call vote was taken. Ms. Coffey voted aye. Mr. Suzor voted aye. Chair Beckerman voted aye. The motion passed.

Respectfully submitted,



Shanna M. Faro
Executive Assistant to the Town Administrator

LIST OF DOCUMENTS

1. February 15, 2024 Meeting Agenda
2. February 1, 2024 Meeting Minutes
3. Purchase and Sale Agreement for T.L. Edwards Property
4. Draft Annual Town Meeting Warrant
5. Memorandum from Interim DPW Director to Select Board requesting the use of capital funds to purchase a woodchipper.
6. Memorandum from Town Administrator to Select Board requesting release of the Assessors Overlay Reserve in the amount of \$212,000.
7. Memorandum from Police Chief to Select Board requesting the use of ARPA funds to purchase laptops and camera storage for the Police Department
8. Letter from the Avon Civic Association to the Select Board requesting the use of DeMarco Park for 2024 events.

9. Xfinity correspondence to Select Board – Form 500 and Annual Notice of Filing
10. Town Administrator's Report