

BOARD OF SELECTMEN  
Francis A. Hegarty, Chairman  
Steven P. Rose, Clerk  
Robert F. Brady, Jr., Associate

TOWN ADMINISTRATOR  
Michael W. McCue

# Town of Avon Massachusetts

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## BOARD OF SELECTMEN MEETING THURSDAY, SEPTEMBER 5, 2013 MINUTES

**Present:** Chairman Frank Hegarty, Board Members Steven Rose and Robert Brady.

Joe Lalli, Town Counsel  
Mike McCue, Town Administrator

Selectman Rose led the meeting in the Pledge of Allegiance.

Chairman Hegarty asked for a moment of silence in the memory of Salvatore Bonasera, former member of the Board of Library Trustees.

Chairman Hegarty called the meeting to order at 7:30 p.m. with all members present.

### Approval of Minutes

**Motion:** To approve the minutes of Thursday, August 15, 2013 (Regular Session) as submitted. (Rose/Brady). 3:0 motion passes.

**Motion:** To approve the minutes of Thursday, August 15, 2013 (Executive Session) as submitted. (Rose/Brady). 3:0 motion passes.

### Council on Aging Gift Acceptance

**Motion:** To accept an anonymous donation of \$100.00 to the Council on Aging to be used for the Grandparents' Day luncheon on September 5, 2013 (Rose/Brady). 3:0 motion passes.

### Street Paving and Appurtenant Work Bid Opening

Clerk Rose opened and, finding them in order, read the bids for Street Paving and Appurtenant Work as follows:

Aggregate Industries - \$1,550,810.00

TL Edwards - \$1,397,089.00

**Motion:** To take the bids under consideration. (Rose/Brady). 3:0 motion passes

The Contract will be awarded at the meeting of September 19, 2013.

### **Public Comment**

Mr. Joseph Merlo of Brentwood Avenue discussed with the Board its road repair and repaving strategy, pointing out the current condition of the Brentwood Avenue neighborhood. The Board assured Mr. Merlo that the area was on its list of priorities and it would be addressed as soon as adequate funds were available.

### **Media Policy**

The Board reviewed the draft Media Policy as written by Mr. McCue. The Board asked Mr. McCue to make some changes to the policy and represent it at a future meeting.

**Motion:** To table consideration of the policy until a future date. (Rose/Brady). 3:0 motion passes

### **SLT Construction Corp./15 Doherty Avenue Street Opening**

**Motion:** To approve the street opening permit for SLT Construction Corp. at AccuRounds, 15 Doherty Avenue. (Rose/Brady). 3:0 motion passes

### **Payment of outstanding invoices**

**Motion:** To approve all vouchers for the payment of bills. (Rose/Brady). 3:0 motion passes.

### **September 10, 2013 Special Town Election**

The Board opened a discussion of the single question found on the September 10, 2013 Special Town Election ballot which reads –

Question 1 -

Shall the Town of Avon be allowed to assess an additional Three Hundred and Twenty Thousand (\$320,000) Dollars in real estate and property taxes for the

purpose of funding the salary budget of the Avon Fire Department for the fiscal year beginning July 1, 2013?

Chairman Hegarty explained that the action of the June 13, 2013 Special Town Meeting created an imbalanced FY14 budget by increasing funding to the Fire Department Salary Line. The Town is now required to vote to approve the raising of these funds above Proposition 2 ½. If the question is approved no further action is required. If the question fails a Special Town Meeting will be held September 16, 2013 for reconsideration of the budget.

Chairman Hegarty stated that the action of the Special Town Meeting was not in keeping with accepted budgeting practice and approve of the funds would result in the need for negotiations with the Fire Fighters' Union. The current contract agreements would be placed question. He also stated that the amount requested is insufficient to fund the goal of four new positions as stated in the Special Town Meeting motion as consideration was not given to benefits and other non-salary costs.

Selectmen Brady agreed that the amount requested is insufficient to address the goal of four new employees. It will also not create any saving by avoiding overtime costs.

Selectman Rose discussed his involvement in recent Fire Fighters' Union negotiations and noted that, while a general concern regarding staffing was broached, there were no official additional full time manpower requests presented in those meetings.

The Board addressed questions from the audience in regards to the ballot question.

### **Town Administrator's Report**

Mr. McCue presented the Board with a draft of an RFP for rental of land at the former Crowley School for cell tower construction. He stated that the former contract had expired without development and that we were now free to re-advertise. The Board suggested that Mr. McCue reach out to other communities that recently engaged such a contract to see what the current landscape provides. The Board wished to see a clause that penalizes a developer for non-development.

Mr. McCue reported that the first Selectmen's newsletter was delivered yesterday via the Money Saver and that it will continue to come out on a quarterly basis.

Mr. McCue updated the Board in regards to the documents being crafted for the demolition of the Crowley School. He expects delivery in the next week and a half and will then post as required.

Mr. McCue presented the Board with copies of the unaccepted roads survey and stated copies had also been given to the Planning Board. A meeting with the author would be scheduled in the very near future.

The Chairman reminded the Town that two events involving the 125<sup>th</sup> Anniversary would occur this Saturday – a volunteer drive for the October 20<sup>th</sup> Parade would begin at 9:00 a.m. at Town Hall; and at 10:00 a.m. a workshop regarding submitting a float for the parade would commence.

**Motion:** (at 9:35 p.m.) To convene in executive session to both discuss strategy with respect to litigation as an open meeting may have a detrimental effect on the litigating position of the public body, so declared by the chair, and to reconvene in open session for the sole purpose of adjournment. (Rose/Brady). Roll call vote: Chairman Hegarty – Aye, Selectman Rose – Aye, Selectman Brady – Aye 3:0. Motion passes.

Submitted by,

A handwritten signature in black ink, appearing to read "Michael W. McCue". The signature is written in a cursive, flowing style.

Michael McCue  
Town Administrator