

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

# Town of Avon Massachusetts

Town Offices  
Buckley Center 02322  
(508) 588-0414  
FAX (508) 559-0209

Michael McCue, Town Administrator



## BOARD OF SELECTMEN MEETING THURSDAY, DECEMBER 6, 2012 7:30 P.M.

Members present: Francis A. Hegarty, Chairman  
Steven P. Rose  
Robert F. Brady, Jr.

Others present: Michael McCue, Town Administrator  
Joseph Lalli, Town Counsel

Chairman Hegarty called the meeting to order at 7:40 p.m. with all members present.

Mr. Rose made a motion to accept the minutes of Thursday, November 15, 2012 (Regular Session) as written. The motion was seconded by Mr. Brady. The motion carried.

Mr. Rose made a motion to accept the minutes of Thursday, November 8, 2012 (Tax Classification Hearing—Open Session) as submitted. Mr. Brady seconded the motion. The vote was unanimous.

At 7:45 p.m. Water Commissioners Charles Linfield, Peter Marinelli and Charles Comeau, Jr. appeared before the Board. Also present were Bruce Baldwin, Interim Water Superintendent, Mark Abrahams of the Abrahams Group, Tighe & Bond Project Manager Michael Schrader and Brian Getts, Project Engineer with Tighe & Bond.

Chairman Hegarty stated that we are all here to discuss the scope of work to be done on the Water Department's operations.

Mr. Abrahams stated that the Abrahams Group, in conjunction with Tighe & Bond, is submitting their proposal to conduct a comprehensive review of the Avon water system. The proposal describes the project's objectives, work plan, staffing, timing and fees. The objective of this project is to assess the efficiency, effectiveness and integrity of the Town's water policies, procedures, billing system, management systems, and overall operation. The audit model designed will present a factual analysis of the system and develop findings and recommendations.

Mr. Abrahams explained that there are two (2) main tasks for this project—a water operations assessment and a water financial assessment. The tasks to be completed were discussed and outlined in the proposal.

Mr. Rose asked what is the estimated time frame to complete the process. Mr. Schrader replied that it would take eight (8) weeks to complete the assessments. Based on the project objectives, professional fees and out-of-pocket expenses would not exceed \$32,000.

Mr. Brady made a motion to move forward with the proposal to conduct a comprehensive review of the Avon water system. Mr. Rose seconded the motion. All were in favor. The Water Commissioners, Mr. Abrahams and Tighe and Bond members departed at 8:10 p.m.

**REQUEST FROM LEVEL DESIGN GROUP, LLC ON BEHALF OF RD AMERICA, LLC, FOR A CURB CUT/DRIVEWAY ACCESS TO BODWELL STREET (RESTAURANT DEPOT)**

Nick Facendola, Project Manager for Level Design Group, LLC, on behalf of RD America, LLC has submitted an application for a proposed curb cut/driveway access to Bodwell Street from 291 Pond Street/30 Bodwell Street located in an Industrial District. The applicant is seeking to redevelop the parcel into a Restaurant Depot. Mr. Facendola was in attendance.

Planning Board members Charles Comeau, Matt Curley, Dolores Daigle, Charles Marinelli, Robert Pillarella and Secretary Doree Gouthro were in attendance.

Mr. Larry Cohen was present from Restaurant Depot. Ken from Bayside Engineering was also in attendance.

Mr. Facendola described the site plan with primary access on Bodwell Street and secondary access on Pond Street. Bodwell Street is for truck access and cars exiting and Pond Street will be entrance for cars only.

Mr. Cohen of Restaurant Depot stated that Restaurant Depot is a wholesale food service supplier for independent restaurants, caterers and non-profits with 93 locations in 26 states, current 2 in Massachusetts. Restaurant Depot is a warehouse for restaurant supplies. Restaurant Depot is not open to the public and draws a lot of small restaurant owners. The intended hours of operation are 7 days a week—Monday through Friday from 7:00 a.m. to 6:00 p.m.; Saturdays 7:00 a.m. to 5:00 p.m. and Sundays from 9:00 a.m. to 3:00 p.m.

Ken Cran from Bayside Engineering reviewed a traffic report which was completed for the area. Mr. Cran noted that he sees no problem with using Pond Street as an entrance.

Mr. Curley expressed his concern and noted that the area on Pond Street at the proposed entrance is a very busy area. Mr. Comeau reported that there are three left hand turns once you turn onto Pond Street off of Harrison Blvd. and they are within a short distance of each other. He is concerned with people stopping quickly and getting hit from behind. There was further discussion as to the striping which was done on Pond Street.

After a site plan review, Mr. Comeau stated that the Planning Board is in support of the curb cut/driveway access to Bodwell Street.

A discussion followed asking for clarification as to the proper signage to be placed at the Pond Street entrance.

Mr. Cohen stated he is open to any recommendations by the Board.

It was noted that it will take about 8 months for Restaurant Depot to open.

After further discussion, Mr. Brady made a motion to approve the curb cut/driveway access for Restaurant Depot. Mr. Rose seconded the motion with discussion.

Mr. Rose is requesting to amend the motion as follows: "to approve the curb cut but that the Board places some conditions on the approval and is asking that Restaurant Depot go back to the Planning Board after 3 months from the time of opening for Planning Board review, especially if there are safety concerns."

It was unanimously voted to approve the motion as amended.

**8:30 p.m.—Columbia Gas of Massachusetts—Seth Krueger, Engineer**

Mr. Seth Krueger and Ms. Shavaughn Baldwin of Columbia Gas appeared before the Board.

Chairman Hegarty expressed his concern about the number of requests for street openings received. The Board is concerned with street opening requests for roads that were recently resurfaced. Chairman Hegarty reported that once the road is opened again, the road deteriorates rapidly. We need to have much better communication with Columbia Gas, especially going forward with future road projects.

Mr. Rose asked Mr. McCue to communicate a list of future road projects to the gas company. Mr. Rose also noted that the latest requests received for street openings were relative to discontinued service or gate valve boxes. Mr. Rose stressed that the deadline for street openings in the Town is November 15<sup>th</sup>. Mr. Rose mentioned that the patching work done on West High Street had to be done three times to satisfy the Town's restoration procedures.

Mr. Krueger informed the Board that Columbia Gas will now subcontract work out to Riley Brothers.

Mr. Krueger asked for the Board's assistance regarding a customer at 100 South Street who was denied gas installation because the request was received around the November 15<sup>th</sup> deadline for a street opening permit. Mr. Krueger asked if some consideration could be given to Katherine Edwards of 100 South Street.

Mr. Rose stated the Board would have to be assured that the patching work is done properly and it must be done within the next few days of good weather. Inspection of the work would be required by the Town.

After some discussion, Mr. Rose made a motion to grant permission for a street opening permit to install gas service at 100 South Street for Katherine Edwards. Mr. Brady seconded the motion. All were in favor.

Mr. Krueger and Ms. Baldwin departed.

**ANNUAL LICENSE RENEWALS FOR 2013**

1. Liquor Licenses for 2013

Shooters, Inc.	36 East Main St.
Jeffrey Sinkiewicz D/B/A Slap-Shotz Family Sports Pub	39-43 East Main St.
Avon Post #8892, V.F.W. Inc.	263 East Main St.
Avon's Generations	81 Memorial Drive
Janet Ashton-Geiss D/B/A Blanchard's Tavern	98 North Main St.
A-1 Nivniva Corp. D/B/A A-1 Market	85 East Main St.
Big Jim's Liquors, Inc.	155 East Main Street
Costco Atlantic Liquors, Inc. D/B/A Costco Liquors	120 Stockwell Drive
Avon Food Mart, Inc.	17 North Main St.
E-Vineyard Retail Sales-Massachusetts, Inc. D/B/A wine.com	33 Wales Ave., Unit E
Avon Variety, Inc. D/B/A Avon Variety	490 West Main St.
Sulamita Figueiredo D/B/A Mainha Restaurant	160 Memorial Drive

Mr. Rose made a motion to renew for 2013 the liquor licenses as read. Mr. Brady seconded the motion. The motion carried.

2. Class I and Class III licenses for 2013

Ballard Mack Sales and Service, Inc.	One Mack Drive	Class I
Bayside Trucks, Inc.	11 Ledin Drive	Class I
George's Garage, Inc.	340 East Spring St.	Class III

Mr. Brady made a motion to renew for 2013 Class I and Class III licenses as read. Mr. Rose seconded the motion. All were in favor.

3. Class II licenses for 2013

George's Garage	340 East Spring St.
Mr. Steven DeAcetis	
Avon Auto Center	104 Memorial Dr.
Robert Nicholson	
D/B/A Brittanic Motors	110 Memorial Dr.
Brian G. White	
D/B/A Cycle Performance Auto Body	271 East High St.
Robert Sneider	21 Ledin Drive
Avon Auto Brokers, Inc.	159 Memorial Dr.
Avon Auto Brokers, Inc.	109 Memorial Dr.
C.N. Wood, Co., Inc.	140 Wales Ave.
Avon Gas & Service, Inc.	284 E. Main St.

Mr. Brady made a motion to renew the Class II licenses for 2013 as read. Mr. Rose seconded the motion with discussion. Mr. Rose reminded the Board that an activity report for 2012 is required from Mr. Sneider as a condition of renewal. The Board agreed. The vote was unanimous.

4. Livery Licenses for 2013

TAZ, Inc.	185 Main St.
TAZ, Inc. (Handicap Van)	185 Main St.
TAZ, Inc. (Handicap Van)	185 Main St.

Mr. Brady made a motion to approve the renewal of Livery licenses for 2013 as read. Mr. Rose seconded the motion. The motion carried.

5. Common Victualler's licenses for 2013

Costco Wholesale Corp. D/B/A Costco Wholesale	120 Stockwell Dr.
Avon House of Pizza	163 Main St.
Delops, Inc.	600 Page St.
Randolph Donuts, Inc.	600 Page St.
Independence Foods, LLC D/B/A Dunkin Donuts	20 Memorial Dr.
Linda D. Lewis Martin D/B/A Shooter's, Inc.	36 E. Main St.
Janet Ashton-Geiss D/B/A Blanchard's Tavern	98 North Main St.
Jeffrey Sinkiewicz D/B/A Slap-Shotz Family Sports Pub	39-43 E. Main St.
Nana's Pizza & Subs	490 W. Main St.
Wal-Mart	30 Memorial Dr.
Avon Variety, Inc. D/B/A Avon Variety	490 W. Main St.
Dunkin Brands D/B/A Dunkin Donuts	5 Stockwell Dr.
Independence Foods, LLC D/B/A Dunkin Donuts	30 Memorial Dr. (at Wal-Mart)
Sulamita Figueiredo D/B/A Mainha Restaurant	160 Memorial Dr.
NN Business Development, LLC	5 Stockwell Dr.
Pizzas Galore D/B/A Geri's	147 Main St.
A-1 Nivniva Corp. D/B/A A-1 Market	85 E. Main St.
Avon's Generations, Inc. D/B/A Generation	81 Memorial Dr.
A-1 Market Deli	85 E. Main St.
Top Spot Pizza	17 N. Main St.

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to renew for 2013 the Common Victualler's licenses as read.

6. Entertainment Licenses for 2013

Avon V.F.W. Post #8892  
263 East Main St.

Five (5) Video Entertainment Machine Licenses (includes one license for juke box)  
One (1) pool table license  
One (1) Public entertainment License for one juke box to include karaoke and a live band

Shooters, Inc.  
36 East Main St.

Three (3) pool table licenses  
Eight (8) automatic amusement device licenses (includes license for one juke box)  
One (1) Public entertainment License for one juke box

Jeffrey Sinkiewicz  
D/B/A Slap-Shotz Family Sports Pub  
39 E. Main St.

Two (2) Amunchie Video Games  
One (1) Platinum Touch II Video Game  
One (1) Touch Tunes Juke Box  
One (1) Public entertainment License for one juke box to include live bands, singers and comedy acts.

Generations  
81 Memorial Dr.

One (1) Public entertainment License for 2013

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to approve the 2013 renewals of entertainment licenses as read.

Mr. Rose made a motion to appoint Susan Monahan to the position of Administrative Assistant I, OAL 4/1, at the rate of \$18.54 an hour, effective December 26, 2012, contingent upon successful fulfillment of the Town of Avon hiring policy requirements. Mr. Brady seconded the motion. All were in favor.

Mr. Brady made a motion to appoint Michael DePesa as Deputy Tax Collector for the Town of Avon for a term to expire: December 31, 2012. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to appoint Gerald Picardi, Sharon Kelly and Warren Bruce Lane to the Cable TV Advisory Committee for a term to expire on June 30, 2013. Mr. Rose seconded the motion. All were in favor.

### **VEHICLE USAGE POLICY**

Mr. Rose noted that clarification was received from the Town's insurance company regarding auto policy non-owned liability coverage. Mr. Rose made a motion to approve the Vehicle Usage Policy as written. Mr. Brady seconded the motion. The motion carried.

### **Announcements:**

Chairman Hegarty announced this coming Sunday at noon there will be a Flag Burning Ceremony for tattered flags as required by Federal law. The event will take place at the Avon V.F.W.

This coming Sunday, December 9<sup>th</sup>, from 6:00 p.m. to 7:30 p.m., the Annual Christmas Tree Lighting Ceremony will be held on the corner of Harrison Blvd. and West Main Street. Thank you to the Fire Department for decorating and IKEA for sponsoring the event.

## Town Administrator's Report

The carpentry class from Blue Hills Regional has made a proposal to repair the footbridge at the Avon Public Library. The cost will be \$350.00 plus \$100.00 for bus transportation.

Mr. McCue reported that he has reached out to Home Depot for a donation to help out the community and the students in the carpentry class at Blue Hills Regional. He will update the Board.

Mr. McCue will remind all departments that FY '14 budgets are due on Friday, December 14<sup>th</sup>.

Mr. McCue has been in touch with Amory Engineering for a status report on candidates for the Water Superintendent's position. Resumes will be accepted until the close of business on Friday, December 14<sup>th</sup>.

Mr. McCue informed the Board that applications for the Water Department Laborer's position closes on Friday, December 14<sup>th</sup>. This is a swing shift position from Wednesday through Sunday.

On November 27<sup>th</sup> a meeting with IKEA was held. IKEA is seeking to expand its location and warehouse space.

The next Board of Selectmen's meeting will take action on the reappointment of Constables for the next calendar year. Mr. McCue will require a CORI check as part of the renewal process.

A MEPA study will review the intersection of Stockwell Drive and Harrison Blvd.

Mr. Rose made a motion to approve all vouchers for the payment of bills minus Paolini Corp. Mr. Brady seconded the motion. The motion carried.

At 9:50 p.m., with all business completed, Mr. Rose made a motion to adjourn. Mr. Brady seconded the motion. All were in favor.

Respectfully submitted,



Miriam Rothstein  
Secretary