

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

Michael McCue, Town Administrator

Town of Avon Massachusetts

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



BOARD OF SELECTMEN MEETING THURSDAY, JUNE 6, 2013 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 7:30 p.m. with a quorum being present.

Town Counsel Lalli led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to approve the minutes of Thursday, May 16, 2013 (Regular Session) as written. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Thursday, May 30, 2013 as submitted. Mr. Rose seconded the motion. All were in favor.

Annual Reappointments for 2013/2014

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to reappoint/appoint the following individuals as previously read for 2013/2014:

<u>Board/Commission</u>	<u>Name</u>	<u>Term to Expire</u>
Board of Appeals	Peter Crone	6/30/16
Avon Cultural Council	Ann Houhoulis	6/30/18
Avon Cultural Council	Josephine Balboni	6/30/18
Building Inspector (ALT.)	Charles Comeau	6/30/14
By-Law Committee	Kevin Mooney	6/30/16
Cable TV Advisory Committee	Warren B. Lane	6/30/14
Cable TV Advisory Committee	Gerald Picardi	6/30/14
Cable TV Advisory Committee	Sharon Kelly	6/30/14

Conservation Commission	Kevin Mooney	6/30/16
Council on Aging	Gail Gorman	6/30/16
Plumbing/Gas Inspector	Alexander Campbell	6/30/14
Plumbing/Gas Inspector (ALT.)	Brian Campbell	6/30/14
Plumbing/Gas Inspector (ALT.)	Joseph Donovan	6/30/14
Industrial Development Finance Authority	Gerald Picardi	6/30/16
Official Weighers/Bituminous Concrete	Albert Weigel	6/30/14
Official Weighers/Bituminous Concrete	Terry L. Edwards	6/30/14
	Kevin Edwards	6/30/14
	Mark Klim	6/30/14
	David Young	6/30/14
	Steven Edwards	6/30/14
	Edward Doherty	6/30/14
	Christopher Edwards	6/30/14
Old Colony Area Agency On Aging	Marie Markunas	6/30/16
Old Colony Planning Council	Frank Staffier	6/30/16
Keeper of the Town Clock	Paul Barker	6/30/14
Town Counsel	Joseph Lalli	6/30/14
Veteran's Agent	Michael Stanley	6/30/14
Wire Inspector	Dennis Collum	6/30/14
Wire-Inspector (ALT.)	Dennis M. Collum	6/30/14
Wire Inspector (ALT.)	Brian T. Collum	6/30/14
Wire Inspector (ALT.)	George Davey	

ANNOUNCEMENTS

Chairman Hegarty wants to remind all residents that a Special Town Meeting will be held on Monday evening, June 24, 2013 at 7:30 p.m. The residents will be re-voting the operating budget articles from the May 7, 2013 Annual Town Meeting. Voters will also be asked to re-

vote on "Interim Regulations for Medical Marijuana Uses" from Article 3 of the Special Town Meeting of May 7, 2013.

Avon's 125th Anniversary Celebration continues this coming Saturday, June 8, 2013 with a Family Field Day. The celebration will be held at Butler Elementary School on Patrick Clark Drive from 10:00 a.m. to 10:00 p.m. At 10:00 a.m. an opening Ribbon Cutting Ceremony will be held. There are many attractions throughout the day. Shuttle buses will be running from 9:30 a.m. through 10:30 p.m., every ½ hour. Parking will be available around the Brockton Reservoir in D.W. Fields Park. There is no parking allowed on South Street or the surrounding streets. Fireworks begin at 9:00 p.m.

On Sunday, June 9, 2013 at 7:00 p.m. "Ball in the House" Concert will be held at Avon High School. The concert is free. Admission is a non-perishable food item for the Avon Food Pantry.

A request was received from AIPA (Avon Industrial Park Association) for the Town to once again waive tent and permit signage fees for their annual picnic to be held this year on October 2, 2013.

Mr. Brady made a motion to approve the request for waiver from AIPA. Mr. Rose seconded the motion. The vote was unanimous.

A request was received from Ed Sarni for a street opening permit at 11 Klondike Road. The road cut is necessary to make modifications and repairs to the water service at 11 Klondike Road.

Mr. Brady made a motion to approve the request for a street opening permit at 11 Klondike Road. Mr. Rose seconded the motion with discussion. Mr. Rose suggested the request be approved with the stipulation that the Highway and Water Department sign-offs are received. There are no sign-offs on the request at this time.

It was unanimously voted to approve the request for a street opening permit at 11 Klondike Road with the stipulation that the Highway and Water Department sign-offs are received.

REQUEST FOR APPROPRIATION TRANSFER BETWEEN OR WITHIN DEPARTMENTS

1. A request for transfer from Fire Department Salary, in the amount of \$12,995.00, to Building Maintenance due to funds needed to lock into state awarded contractual amount which will expire on June 30, 2013. The request was submitted by Town Administrator McCue.

Mr. Brady made a motion to approve the transfer request. Mr. Rose seconded the motion with discussion. He questioned why the balance in the Fire Department Salary account line item was so large? \$262,877.31 remains in the Fire Department salary account. Mr. Rose asked Mr. McCue to look into the matter and report back to the Board at the next meeting. The vote was unanimous.

REQUESTS FOR TRANSFER FROM THE RESERVE FUND

A request for transfer from the Reserve Fund, in the amount of \$650.00, was received from Town Treasurer Jean Kopke. Ms. Kopke reported several unions settled contracts, resulting in extra checks. We also returned to a weekly instead of bi-weekly payroll for some employees. Additional payroll data processing fees were unforeseen.

Mr. Rose made a motion to approve the request for a transfer from the Reserve Fund, in the amount of \$650.00, due to changes in the payroll system. Mr. Brady seconded the motion. All were in favor.

A request was received from Town Treasurer Jean Kopke, in the amount of \$2430.00, to transfer from the Reserve Fund, to cover unforeseen additional expenses from an unemployment bill.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve the recommended transfer from the Reserve Fund, in the amount of \$2430.00.

A letter was received from Rick Mansur of 26 King Street informing the Board that as a result of the snowplowing this winter, large chunks of loose asphalt have been dragged down King Street and deposited at the bottom of the street in front of his driveway. Mr. Mansur also reports that

his snow blower has been damaged beyond repair caused by the poor condition of the road surface. Mr. Mansur states in his letter that “he is holding the Town directly responsible.”

Mr. Brady asked if this is an accepted road? Chairman Hegarty responded no, not in that area. Mr. Rose questioned who bears the responsibility here if the road is in disrepair?

The Board agreed that the Town Administrator and Highway Superintendent should report back to the Board.

Mr. Rose made a motion to refer the matter back to the Town Administrator and take the matter up at the next Board of Selectmen meeting. Mr. Brady seconded the motion. The motion carried.

Chairman Hegarty announced that Senator Brian A. Joyce will be holding office hours at the Avon Town Hall on Tuesday, June 11th from 10:30 a.m. to 11:30 a.m. If anyone has an issue they would like to discuss with the Senator, please feel free to stop by. No appointment is necessary.

Street Opening Permit—R.J. Messina, Inc. at 30 Bodwell Street

A street opening permit request was received from R.J. Messina, Inc. for a one-time road opening to install a new hydrant at 30 Bodwell Street for Restaurant Depot.

Chairman Hegarty checked for sign-offs from the Highway and Water Department. There were none. The Board agreed to deny the street opening permit until approval was received from the Highway and Water Department.

It was unanimously voted to deny the street opening permit for R.J. Messina, Inc. at 30 Bodwell Street until sign-offs was completed. The matter would be continued at the next Board of Selectmen’s meeting.

Avon Fish & Game Association—One day special alcohol permits

A request for a one-day special alcohol permit was received from Avon Fish & Game Association for July 6, 2013.

Mr. Rose made a motion to approve the one-day license for Avon Fish & Game Association for July 6, 2013 (Valid July 5 to July 8). Mr. Brady seconded the motion. The motion carried.

A request for a one-day special alcohol permit was received from Avon Fish & Game Association for July 20, 2013.

Mr. Rose made a motion to approve the one-day license for Avon Fish & Game Association for July 20 (Valid July 19 to July 22). Mr. Brady seconded the motion. All were in favor.

MIIA Health Benefits Trust Enrollment Audit Participation Agreement

A letter was received from MIIA stating that “the Municipal Healthcare Reform legislation included a provision (MGL Chap. 32B, Section 26) that requires governmental units to conduct an enrollment audit not less than once every 2 years.” The Trust has contracted with HMS Employer Solutions to offer a comprehensive subscriber and dependent audit to the Trust’s member governmental units. The Trust is offering the subscriber and dependent audit to all of its governmental unit members on a voluntary basis at no charge to member governmental units for participation in the audit.

Chairman Hegarty responded that to be in compliance, governmental units are required to conduct an enrollment audit every 2 years. It is Chairman Hegarty’s recommendation to execute this agreement.

Mr. Rose questioned “enforcement” issues whereby governmental units will be required to abide by the eligibility determinations that are reached. A participating governmental unit will be required to remove from health coverage any subscriber or dependent who is determined to be ineligible for health coverage. Those determinations will be made to the Trust based upon the information developed by HMS.

Chairman Hegarty discussed with the Board situations where a member might be ineligible for coverage, such as a dependent child reaching the age of 27 where they would no longer be eligible for coverage after age 26.

After further discussion, Mr. Brady made a motion to sign and execute the Enrollment Audit Participation Agreement. Mr. Rose seconded the motion. The vote was unanimous.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve all vouchers for the payment of bills minus Tibbetts Engineering Corp.

TOWN ADMINISTRATOR'S REPORT

Mr. McCue reported the footbridge at the library will be finished tomorrow. Painting of the bridge will follow in about one month.

Sheriff Bellotti's Community Service Program will assist the Town of Avon yet again in a painting project. The Sheriff's Department has agreed to paint the police station cells. Community Service workers will be here on Monday.

Mr. McCue sent a letter to Joseph Cardinal, Manager of Community and Customer Management for National Grid. Mr. McCue conveyed the Board's disappointment in the absence of any National Grid officials at the pole location hearing on May 16, 2013.

Mr. McCue informed the Board that Mr. Cardinal will be in attendance at the June 20th meeting. Double poles and additional poles need action. Some poles require Verizon and Comcast.

Chairman Hegarty wanted to remind residents again of the 125th anniversary celebration. Parking will be available at D.W. Fields Park. Shuttle buses will be running. There is no parking allowed on South Street. A concert will be held on Sunday evening at 7:00 p.m. at Avon Middle/High School.

At 8:25 p.m. Mr. Rose made a motion to enter Executive Session to discuss strategy with respect to litigation, as an open meeting may have a detrimental effect on the litigating position of the public body, and to conduct strategy sessions in preparation for negotiations with non-union personnel. Mr. Brady seconded the motion.

A roll call vote was taken:

Mr. Rose voted aye
Mr. Brady voted aye
Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

Miriam Rothstein

Miriam Rothstein
Secretary