

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, APRIL 18, 2013 MINUTES

Present: Chairman Frank Hegarty, Board Members Steve Rose and Bob Brady.

Joseph Lalli, Town Counsel
Mike McCue, Town Administrator

Frank Staffier, Town Moderator

Chairman Hegarty opened the meeting with all members present at 7:30 p.m.

Chairman Hegarty gave comments regarding the bombings at the Boston Marathon on April 15, 2013 and requested a moment of silence.

Moderator Staffier led the meeting in the Pledge of Allegiance.

Motion: To approve the minutes of Thursday, April 4, 2013 (Regular Session) as submitted. (Rose/Brady). 3:0 motion passes

Public Hearing on Proposed Bylaw changes

Clerk Rose read the public notice regarding the hearing.

Chairman Hegarty read Article 28 addressing reducing the quorum for Town Meetings from seventy-five to fifty. Moderator Staffier, the proponent of the article, explained that such a reduction in the quorum is necessary due to the lack of recent participation and its effect on attending to Town business in a timely manner. While stating it wishes that as many voters as possible come to such meetings, the Board expressed its support of the Article.

Motion: To support Article 28 as written. (Rose/Brady). 3:0 motion passes.

Chairman Hegarty read Article 29 addressing allowing the Town Moderator to declare a two-thirds vote without calling for a vote or division of the meeting, unless requested by

seven or more voters. Moderator Staffier, the proponent of the article, explained that many towns are adopting this change to facility efficient town meetings by avoiding counting votes that are obvious.

Motion: To support Article 29 as written. (Rose/Brady). 3:0 motion passes.

Moderator Staffier thanked the Board and departed.

Chairman Hegarty requested a motion to recess the hearing until such time as the Planning Board could join them in the discussion of the final proposed bylaw change.

Motion: (at 7:40 p.m.) To recess the public hearing. (Rose/Brady). 3:0 motion passes.

Chapter 90 funds review

The Chairman noted that the Town currently has \$274,947.72 in Chapter 90 money for road work. This does not include proposed funding for the coming fiscal year. The Board requested that Mr. McCue obtain estimates for the roads which Highway Superintendent Sarni described as 'real bad'.

Memorial Day Parade

The Chairman announced that the Town and VFW Avon Post 8892 have agreed to a modified parade route and commemoration of Memorial Day. The route will start at Town Hall, march to the World War Two memorial, then to the Civil War Memorial, to Moses Curtis Park and the World War One, Korea and Vietnam memorials, concluding at Town Hall. There will be no floats or vehicles, other than for veterans who cannot march. The Post will host its usual barbeque afterwards. Cemeteries will be decorated but the rolls will not be read.

Pre-Annual Town Meeting

Chairman Hegarty announced that the Board would host a Pre-Town Meeting session on May 2, 2013 at 7:30 p.m. He requested that Mr. McCue ask all department heads to attend to address any questions from the public.

Perambulation of Town Borders

Chairman Hegarty noted that technically Massachusetts General Law requires that the borders of the town are to annually be walked by the Board of Selectmen. While this law is rarely observed in any community, he suggested that given this is the 125th anniversary of the Town of Avon that we reach out to Board in our contiguous communities and meet them at their respective borders. The Board was receptive to the notion. Chairman Hegarty would reach out to those other communities.

Blanchard Trust

Chairman Hegarty asked the Board if would meet with the members of the Blanchard Trust to discuss any cooperation it could give to ensuring the continuance of its current operations. He stressed the two properties' importance to the Town. The Board agreed and asked Mr. McCue to reach out to the Trust.

Compost Site

Chairman Hegarty announced the opening of the Compost Site for the season. It will be open Wednesday, Saturday and Sunday from 9:00 a.m. to 2:00 p.m.

Special Town Meeting

Chairman Hegarty stated that a Special Town Meeting would be held prior to the Annual Town Meeting on May 7, 2013 at 7:00 p.m. He proceed to read the three articles on the warrant which address funding potential agreements between the Town and the Police Union and AFSCME, respectively, as well as an article addressing a moratorium on permitting Medical Marijuana Facilities in Avon. The latter would be discussed at the reconvention of the public hearing.

Motion: To sign the Special Town Meeting warrant. (Brady/Rose). 3:0 motion passes.

Road Cut requests

Chairman Hegarty noted that three road cut requests had been received.

The first, located at 71 South Street, did not require permission as it was technically not in the road, but rather on private property.

The other two, one at 58 School Street and one at 310 East Main Street, had not yet received comment from the Water or Highway Departments. The latter of these is located on a state road.

Motion: To table action until comment is received from Water and Highway Departments. (Rose/Brady). 3:0 motion passes.

May 2013 Meeting Schedule

Chairman Hegarty announced that regular meetings of the Board would be held on May 2 and May 16, 2013.

Reserve Fund Transfer

The Board was asked by Mr. McCue to consider the following Reserve Transfer:

\$12,741.34 to Police Department Expenses.

Motion: To approve the transfer as presented by Mr. McCue (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.

Town Administrator's Report

Mr. McCue informed the Board that per it request he spoke with State Representative William Galvin regarding the status of funding for Avon projects within line item 6121-1217, Massachusetts Department of Transportation - Highway Division 242 of the Acts of 2012, titled an Act Financing Improvements to the Commonwealth's Transportation System. Representative Galvin stated that there had been no action on any funding for any community and suggested the Board write to Governor Patrick to request such. The Board directed Mr. McCue to compose such a letter.

Motion: To direct Mr. McCue to compose said letter to Governor Patrick. (Brady/Rose). 3:0 motion passes.

Mr. McCue reported that the Blue Hills Regional High School repairs the covered bridge between Town Hall and the Public Library should commence next week, at which time he will request a representative from the Sheriff's office look at the structure as a potential painting project.

Mr. McCue reported that he had tentatively set up a meeting on May 9, 2013 at which the Planning Board and members of the Avon Industrial Park Association could meet a discuss the findings of Coler and Colentionio in regard to onsite waste water treatment. Planning Board has confirmed but Mr. McCue was awaiting AIPA confirmation.

Mr. McCue reported that he had submitted the last of the 10-year required storm water reports to EPA/DEP and that in each year was able to should progress towards the goals originally outlined. It is still uncertain what the new regulations will require.

Mr. McCue reported that final arraignments for the Arbor Day ceremony had been made.

Motion: (at 8:15 p.m.) To recess the meeting. (Rose/Brady). 3:0 motion passes.

Public Hearing on Proposed Bylaw changes - continued

(at 8:23 p.m.)

Planning Board: Chairman Charles Comeau, Jason Suzor, Robert Pillarella, Charles Marinelli and Matthew Curley.

The Board was joined by the Planning Board

Chairman Hegarty presented Article 3 addressing a moratorium on permitting Medical Marijuana Facilities in Avon. He noted similar bylaws were accepted in both Cambridge and Needham. The purpose of such is to provide time for the Town to receive the yet to be created guidelines from the Commonwealth.

The Planning Board stated its support of the article and noted that since it was a zoning bylaw change it would need to also hold a hearing, which it believed it could do before May 7, 2013.

Selectman Rose noted that the expiration of the moratorium should line up with the date of the next Town meeting so as not to allow any lapse in coverage between it and permanent regulations and bylaws. Such was agreed to be done on the Town Meeting floor.

Motion: (at 8:45 p.m.) To adjourn. (Brady/Rose). 3:0 motion passes.

Submitted by

Michael McCue
Town Administrator