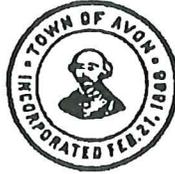


BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Steven P. Rose, Clerk
Robert F. Brady, Jr., Associate

Francis T. Crimmins, Jr.
TOWN ADMINISTRATOR

Town of Avon Massachusetts

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



BOARD OF SELECTMEN MEETING
THURSDAY, JANUARY 28, 2016
7:30 p.m.

TOWN OF AVON
2016 FEB - 9 AM 9:17
TOWN CLERK

Members present: Francis A. Hegarty, Chairman
Robert F. Brady, Jr., Associate

Others present: Francis T. Crimmins, Jr., Town Administrator
Joseph S. Lalli, Town Counsel (*arrived late*)
Shanna M. Faro, Executive Assistant to the Town Administrator
Warren Bruce Lane, Board of Assessors Chair
Paul J. Sullivan, Assistant Assessor
James Yundt, Avon Community Theater
Michelle Yundt, Avon Community Theater

Conservation Commission: David Young, Chairman
Kevin Mooney, Vice Chairman

Park & Recreation: Barbara Littlefield, Chair
Michael Lawler, Member

Chairman Hegarty called the meeting to order at 7:30 p.m.

Selectman Brady led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Thursday, January 7, 2016 (Regular Session) as read. Mr. Hegarty seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Monday, January 11, 2016 (Emergency Session) as read. Mr. Hegarty seconded the motion. The vote was unanimous.

Mr. Brady made a motion to accept the minutes of Thursday, January 21, 2016 (Workshop Session) as read. Mr. Hegarty seconded the motion. All were in favor.

Mr. Brady made a motion to accept the minutes of Thursday, September 3, 2015 (Executive Session) as read. Mr. Hegarty seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Thursday, January 7, 2016 (Executive Session) as read. Mr. Hegarty seconded the motion. The vote was unanimous.

7:35 p.m. – Paul J. Sullivan, Assistant Assessor

Bruce Lane, Chairman for the Board of Assessors, officially introduced the Board and members of the viewing audience to Paul J. Sullivan, the new Assistant Assessor and welcomed Mr. Sullivan to the Town of Avon. Mr. Brady made a motion to sign the employment contract for Mr. Sullivan as Assistant Assessor. Mr. Hegarty seconded the motion. All were in favor.

7:45 p.m. – Update with the Conservation Commission

Chairman David Young and Vice Chairman Kevin Mooney of the Conservation Commission approached the Board to provide an update on the activities of the Conservation Commission. Mr. Mooney stated that the biggest project the Conservation Commission is currently working on is updating the Wetlands Bylaw, as well as Regulations for the Conservation Commission. Mr. Mooney provided the Board with a draft revision dated March 12, 2015 of the Wetlands Protection Bylaw. Mr. Mooney stated that the proposed, updated bylaw would be consistent with other inland communities in Avon's region of the Commonwealth. Mr. Mooney explained to the Board that the other change would be a change in a regulation for the Conservation Commission. Mr. Mooney stated that the current bylaws do not allow for the hiring of a consultant to act as a Conservation Agent for the Commission. Mr. Mooney further stated that the Conservation Commission is looking to hold two public hearings on the proposed changes to the bylaws and regulations, ideally one would be in the evening while the other on a Saturday morning. Mr. Mooney stated he would like the hearing recorded on the Public Access Channel if possible. In conclusion, Mr. Mooney informed the Board that the changes to the bylaws would require a vote at Town meeting to move forward. The regulation changes need to be approved by the Commission at a public hearing held by the Conservation Commission.

8:00 p.m. – Avon Community Theater/Park & Recreation

James Yundt and Michelle Yundt appeared before the Board representing the Avon Community Theater. Barbara Littlefield and Michael Lawler appeared before the Board representing Park & Recreation. Ms. Littlefield stated to the Board that approximately three years ago, a commissioner on the Board of Park & Recreation requested that their Board sponsor the Avon Community Theater. Ms. Littlefield informed the Board that the initial grant for the Avon Community Theater was \$10,000. Ms. Littlefield stated that since that time the Theater is subsidized by Park & Recreation. Ms. Littlefield further stated that since the Avon Community Theater has grown so large in its scale and show productions, she believes that Park & Recreation no longer has the time or financial means to continue to support the Avon Community Theater. Ms. Littlefield expressed that Park & Recreation needs to refocus and spend more time on the Town's parks. Mr. Lawler stated that the reason for this meeting before the Board of Selectmen tonight is to seek advice and find the mechanism by which the Avon Community Theater could separate from the Park & Recreation Department.

Michelle Yundt informed the Board of Selectmen that the Avon Community Theater has been highly successful and has been embraced by the community. Ms. Yundt mentioned that planning a production is a lot of work. Ms. Yundt expressed her agreement with Ms. Littlefield's assertion that Park & Recreation no longer has the time or resources in which to manage the Avon Community Theater. James Yundt provided the Board with a presentation to support his belief that the Theater should separate from Park & Recreation and be its own separate entity. Mr. Yundt explained to the Selectmen that the Avon Community Theater has established its own Board of Directors. He also stated that the Community Theater has 60 active participants. Mr. Yundt further stated that, aside from the \$10,000 grant money, the Community Theater does generate some revenue in ticket sales and advertising; however, it does have some additional operating expenses such as storage costs, truck rental for sets, sound equipment, custodial

expenses and marketing expenses. Mr. Yundt noted that Park & Recreation does not have the means in their budget for these additional expenses. In summary, Mr. Yundt requested to the Board of Selectmen a budget of \$40,000 (\$15,000 currently in the account with an additional \$25,000 being requested) for the full operation of the group along with increased fees for the upcoming 2016-2017 theater season.

Chairman Hegarty informed both parties that separating the Avon Community Theater from Park & Recreation is a little more complicated than just requesting a budget. Mr. Hegarty stated that the Avon Community Theater would be a private entity, which would require its own bank account. Furthermore, Mr. Hegarty stated that to split from the Park & Recreation Department officially would require a vote at Town meeting. Mr. Hegarty advised Mr. Yundt that the next steps in this endeavor would be to establish a Board of Directors and Bylaws for the Avon Community Theater. In addition, the Avon Community Theater would need to establish a tax identification number (Form 501c3 for a Non-Profit Organization). Mr. Hegarty informed Mr. Yundt that once the Avon Community Theater has fulfilled all of those requirements, this issue can then be addressed at a Town meeting. Mr. Yundt thanked the Board for this helpful information and all parties departed.

UNFINISHED BUSINESS

Update on Council on Aging

Executive Assistant Shanna Faro informed the Board that she had received 19 resumes for the position of Council on Aging Director. Ms. Faro also informed the Board that the deadline for these applications was Wednesday, January 27, 2016. Town Administrator Crimmins informed the Board that the Interview Committee for the COA Director will consist of the Town Administrator, Debra Morin, Shanna Faro and Jean Kopke. Mr. Crimmins stated that the Committee will have a rating system and bring forth the top candidates to meet with the Board. Regarding the vacancies for the van driver and Administrative Assistant, Mr. Crimmins stated that Shanna Faro has received several resumes; however, he would like to fill the COA Director position first. Finally, Mr. Crimmins noted that Jean Kopke has been very helpful with her suggestions and assistance during the ongoing search for a new director. Mr. Crimmins credited Ms. Kopke for the enhancement of the lunch menu, which received positive feed from the patrons this week.

Mr. Hegarty read letters of interest from Karen Johnson, Linda Chute and Deborah Greene requesting to be appointed to the Board of Directors for the Council on Aging. Mr. Brady made a motion to appoint Ms. Johnson, Ms. Chute and Ms. Greene to the Board of Directors for the Council on Aging. Mr. Hegarty seconded the motion. The motion carried.

Budget Update

Mr. Crimmins stated that a Budget Workshop meeting was held on Thursday, January 21, 2016 in which the Board was able to meet with four large departments consisting of the Police Department, Fire Department, Department of Public Works and Technology Department. Mr. Crimmins informed the Board that he has also had the opportunity to speak to smaller departments about their proposed budgets for Fiscal Year 2017. Mr. Crimmins stated that the next Budget Workshop is scheduled for Saturday, January 30, 2016 in which the Board will meet with the School Committee, Town Accountant, Park & Recreation and the Board of Assessors. Mr. Crimmins thanked Debra Morin, Shannon MacKenzie, Shanna Faro and Paul Sullivan for their assistance with the budget preparation for Fiscal Year 2017.

Update on Lease with T-Mobile for Additional Antennae on Water Tank

Mr. Crimmins informed the Board that he and DPW Director William Fitzgerald have been working with Gerry Squires from T-Mobile on the lease for additional antennae on the Central Street water tank. Mr.

Crimmins stated that for purposes of moving the project forward, T-Mobile has proposed funding the engineering services of Haley and Ward, Inc. in the amount of \$5,700 per MGL Chapter 44, Section 53A for work on the Central Street tank. Mr. Crimmins stated that should the Board approve T-Mobile's gift donation, T-Mobile would provide \$2,600 for Phase I, which is to establish a peer plan and specification review, and \$3,100 after approval of the plans and specifications for review and construction oversight related services. Mr. Crimmins noted that it is understood in the agreement that T-Mobile will provide additional funds, if required, to complete the review and construction services. Also, the Town will refund any remaining balance to T-Mobile should the Town's payments to Haley and Ward be less than \$5,700. Mr. Brady made a motion to accept the gift acceptance from T-Mobile in the amount of \$5,700. Mr. Hegarty seconded the motion. The vote was unanimous.

Mid-American Salt Contract

Mr. Brady made a motion to approve the signing of the Mid-American Salt Contract presented by DPW Director William Fitzgerald. Mr. Hegarty seconded the motion. The motion carried.

NEW BUSINESS

Mass Water Works Grant

Mr. Brady made a motion to approve the request submitted by DPW Director William Fitzgerald to allow Chairman Hegarty to sign the RFR BRP 2016-06 Sustainable Water Management Initiative Grant. Mr. Hegarty seconded the motion. The vote was unanimous.

FY17 Budget Approval Norfolk County Mosquito Control District

Chairman Hegarty stated that the Town of Avon shares 1.1% of the total budget of the Norfolk County Mosquito Control District. Mr. Hegarty informed the Board that there is a 2.4% increase in their budget this year, which will bring Avon's share to the sum of \$19,391. Mr. Brady made a motion to authorize the Chairman of the Board to approve and sign the budget approval for the Norfolk County Mosquito Control District for Fiscal Year 2017. Mr. Hegarty seconded the motion. All were in favor.

Temporary Sign Permits

Mr. Brady made a motion to approve the temporary sign permit for Affordable Furniture to Go to display two (2) 4' x 8' vinyl banners advertising a sale from January 29, 2016 through February 29, 2016. Mr. Hegarty seconded the motion. The motion carried.

Mr. Brady made a motion to approve the temporary sign permit for Affordable Furniture to Go to display two (2) 4' x 8' vinyl banners advertising a sale from March 4, 2016 through April 4, 2016. Mr. Hegarty seconded the motion. The motion carried.

Announcements

Mr. Hegarty announced the February meeting dates of February 4, 2016 and February 18, 2016.

Mr. Hegarty announced the Town ordered auction of 7 Stratford Avenue on Friday, January 29, 2016 at 2:00 p.m. More information can be found at the auctioneer's website at www.zekosgroup.com.

Mr. Hegarty announced that tax bills are due on Monday, February 1, 2016.

Mr. Hegarty announced a public hearing for the Zoning Board of Appeals on Monday, February 1, 2016 at 7:30 p.m. at Town Hall to hear the following petition requesting a variance from the Avon Zoning Bylaws. Case #16-1, Petitioner Casey Brothers Trust of 430 East First Street, Boston, Massachusetts requesting a variance of the requirements of Avon Zoning Bylaw Section 8-6 #4, for a reduction of the required number of parking spaces for the property located and known as 101 Wales Avenue, Avon, MA, Assessors Map B8-Block 4-Lot 1.

Approval of Vouchers for the Payment of Bills

Mr. Brady made a motion to approve the payment of bills. Mr. Hegarty seconded the motion. All were in favor.

TOWN ADMINISTRATOR'S REPORT

Town Administrator – Mr. Crimmins stated that his office has been busy with the budget season and personnel decisions such as the recruitment of Paul J. Sullivan as Assistant Assessor and vacancies at the Council on Aging. Mr. Crimmins thanked his Executive Assistant Shanna Faro for her assistance. Mr. Crimmins asked the Board of Selectmen for some guidance regarding the hanging of additional pictures on the walls of the Town offices.

Fire Department – Chief Spurr reports that open burning season has begun.

Department of Public Works – Bill Fitzgerald submitted a grant to the New England Interstate Water Pollution Control Commission which was approved. The Town of Avon will be receiving a \$24,000 grant to examine storm water pollution to Trout Brook.

Treasurer/Collector – Deb Morin reports that the auction date for 7 Stratford Avenue is January 29, 2016 at 2:00 p.m. The Town has also foreclosed on 674 West Main Street.

Town Accountant – Shannon MacKenzie has provided the Board a free cash figure and has provided all departments their monthly statements through December 31, 2015. Ms. MacKenzie also made the Excel templates to assist all departments with their budgets.

Town Clerk – Patricia Bessette reports that 2016 is a very busy election year including state primaries, a town election and a state election.

Building Inspector – Bob Borden has been busy with inspections.

Board of Health – Tara Tradd has been distributing large recycle totes to residents. Ms. Tradd has reported that this year, the flu vaccine will only be distributed to uninsured adults. Friday, April 22, 2016 is Earth Day. Ms. Tradd will provide more details on Earth Day as we get closer to the date.

IT – Geno Gingras is helping the Police Department with troubleshooting their new computer system. Mr. Gingras has also been of assistance to the Fire Department with their ambulatory software and updating the firewalls in the computers in Town Hall.

Library – Mr. Crimmins stated that he intends to contact the Library Trustees regarding some capital planning projects for the library.

Town Counsel – Joseph Lalli reported that as recently as earlier this afternoon, he, Gino Gingras and Shannon MacKenzie met with a representative from the phone company Voice Systems to resolve some disputed issues with the Town Hall's phone system. Mr. Lalli stated that he continues to work on vendor contracts by attempting to have the Town replace Agreements/Contracts that have been provided by other parties and instead have the Town draft these Agreements. Finally, Mr. Lalli reviewed a public records request and advises all boards and departments to be cautious of public records requests and to advise the Town Administrator whenever such a request is made.

ADJOURNMENT

At 9:16 p.m., Chairman Hegarty requested the Board make a motion to conclude the Regular Session. An Executive Session would begin at the conclusion of the Open Session for the purposes of Collective Bargaining with Union Bargaining Units and Employment Agreements with Non-Union Personnel, all of

which could prove detrimental if discussed during the Open Session. Mr. Brady made a motion to adjourn the Regular Session. Mr. Hegarty seconded the motion. The motion carried.

A roll call vote was taken.

Mr. Brady voted aye.
Mr. Hegarty voted aye.

The Board would reconvene in Open Session for the sole purpose of adjournment.

Respectfully submitted,

A handwritten signature in cursive script that reads "Shanna M. Faro".

Shanna M. Faro
Executive Assistant to the Town Administrator