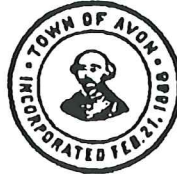


BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Steven P. Rose, Clerk
Robert F. Brady, Jr., Associate

Francis T. Crimmins, Jr.
TOWN ADMINISTRATOR

Town of Avon Massachusetts



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TOWN OF AVON
2015 NOV - 6 AM 9:04
TOWN CLERK

BOARD OF SELECTMEN MEETING
THURSDAY, OCTOBER 15, 2015
7:30 p.m.

Members present: Steven P. Rose, Clerk (*Acting Chair due to Francis A. Hegarty's absence*)
Robert F. Brady, Jr., Associate

Others present: Francis T. Crimmins, Jr., Town Administrator
Joseph S. Lalli, Town Counsel
Deb Morin, Treasurer/Collector
Shannon MacKenzie, Town Accountant
Sherry Guilbault (Executive Director, Avon Housing Authority)

Present for Hearing: Peter Ng (National Grid)
Paul Feldman (Contractor for Page Street condominium project)

Selectmen Rose called the meeting to order at 7:30 p.m.

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

Mr. Brady made a motion to accept the minutes of Thursday, October 1, 2015 (Regular Session) as read.
Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Thursday, October 1, 2015 (Executive Session) as read. Mr. Rose seconded the motion. The vote was unanimous.

7:30 p.m. – Public Hearing on Petition #15467308 for Joint or Identical Pole Locations by National Grid and Verizon for Page Street Pole #45 and King Street Pole #1

Peter Ng of National Grid and Paul Feldman, Contractor for the Page Street condominium project appeared before the Board at 7:30 p.m. for the Public Hearing on Petition #15467308 for Joint or Identical Pole Locations by National Grid and Verizon for Page Street Pole #45 and King Street Pole #1. Mr. Rose questioned page two of the petition in which the paragraph read, "There may attached to said poles by said Massachusetts Electric Company not to exceed twenty wires and by said Verizon New England, Inc. not to exceed forty wires and four aerial cables, and all of said wires and cables shall be placed at a height of not less than eighteen feet from the ground." Mr. Rose questioned Mr. Ng as to why the poles would need that much electrical capacity given the poles will be located in a residential area. Mr. Ng stated that he had not been given a copy of the pole petition and he was unsure as to why the petition would ask for that much electrical capacity and that he would have to find out the answer to that question. Mr. Brady made a motion to table Petition #15467308 for Joint or Identical Pole Locations by National Grid and Verizon for Page Street Pole #45 and King Street Pole #1 until the November 5, 2015 meeting. Mr. Rose seconded the motion. All were in favor.

7:45 – Sherry L. Guilbault, Executive Director of the Avon Housing Authority

Mr. Crimmins informed the Board that Ms. Guilbault's presence was requested to discuss a vacancy on the Housing Authority Board. Ms. Guilbault requested her appointment be removed from the agenda as that issue is not ready to be presented to the Board yet. The Board excused Ms. Guilbault and she departed.

UNFINISHED BUSINESS

Update on Assistant Assessor

Mr. Crimmins announced to the Board that there have been four candidates who have applied for the Assistant Assessor position to date. The position has been posted on the MMA, MAAO and the Town of Avon websites. In addition, the Board of Assessors would like to post this position in the November issue of The Beacon. Mr. Brady made a motion to place an advertisement for the Assistant Assessor position in the November issue of The Beacon. Mr. Rose seconded the motion. All were in favor.

In addition, Mr. Crimmins informed the Board of Selectmen that the Board of Assessors is requesting permission to hire a temporary Assessor on an hourly basis to follow up with the Department of Revenue in setting the new tax rates during the interim until a new Assistant Assessor is hired. Mr. Rose questioned whether this individual would be a Town employee. Mr. Crimmins answered no to Mr. Rose's question. Mr. Brady made a motion to approve the Board of Assessor's request to hire a temporary Assessor. Mr. Rose seconded the motion. The motion carried.

Mr. Crimmins informed the Board of Selectmen that the Board of Assessors submitted a Request for Proposals for the Update Program to Maintain Equitable Personal Property Assessments for Fiscal Year 2017 Within the Town of Avon, Massachusetts. Mr. Crimmins told the Board that the Town Accountant has approved this Request for Proposal. Mr. Brady made a motion to approve the Request for Proposals for the Update Program to Maintain Equitable Personal Property Assessments for Fiscal Year 2017 Within the Town of Avon, Massachusetts. Mr. Rose seconded the motion. The vote was unanimous.

Update on the Administrative Assistant Position in the Town Clerk's Office

Mr. Crimmins informed the Board that he and Town Clerk Patricia Bessette interviewed Doreen Gouthro on Tuesday, October 13, 2015 for the Administrative Assistant position vacant in the Town Clerk's office. Mr. Crimmins requested that the Board appoint Doreen Gouthro for that position. He also requested that the Board waive the CORI check and pre-employment physical as Ms. Gouthro is already an employee of the Town of Avon. Mr. Brady made a motion to appoint Doreen Gouthro for the Administrative Assistant position in the Town Clerk's office, union position OAL, Grade 2, Step 1 at the starting salary of \$16.71 per hour, waiving both the CORI check and the pre-employment physical. Mr. Rose seconded the motion. The motion carried.

Adoption of Designer Selection Policies

Mr. Lalli and Ms. MacKenzie approached the Board to discuss the adoption of Designer Selection Policies for the new Public Safety Building. Mr. Lalli presented each member of the Board with a packet of folders labeled as follows: (1) Town of Avon Proposed Designer Selection Procedures; (2) Designer Selections Procedures Example; (3) Designer Selection Committees Examples; (4) Designer Selection Procedure Laws; (5) Request for Qualifications (RFQ) Examples; and (6) August 2014 Inspector General Manual. Mr. Lalli informed the Board that for tonight's meeting, the Board should only be focusing on the first folder, which is the Town of Avon Proposed Designer Selection Procedures. Mr. Lalli explained

some of the terminology listed in the Designer Selection Procedures. The "Awarding Authority" for this project is the Town of Avon. The "Approving Body" for this project is the Board of Selectmen. Mr. Lalli also stated that the first step in the entire project of designing, constructing and building a new Public Safety Building is adopting written Designer Selection Procedures as required by the Inspector General. Mr. Lalli stated that it was his belief that the five page procedures he drafted and that sits before the Board tonight is the most comprehensive draft that falls in line with all of the guidelines and will serve this requirement. Mr. Rose asked Mr. Lalli if there were any options that would be approved by the Inspector General that were not in the procedures that Mr. Lalli had prepared. Mr. Rose expressed his concern in ensuring that these procedures were in the best interest for the Town of Avon. Mr. Lalli answered that the Designer Selection Procedures that he was proposing the Board approve incorporated the most current recommendations from the Inspector General's 2014 Manual and the most recent laws from the Appellate Court. Ms. MacKenzie interjected that it was her belief as well that Mr. Lalli has incorporated the most recent procurement laws in his proposed Designer Selection Procedures. Mr. Crimmins stated that he agreed with Mr. Lalli and Ms. MacKenzie that the Board should approve the proposed Designer Selection Procedures. He also stated that the bigger issue would be selection of the Designer Selection Committee as it is the Committee that will pick the architect and oversee the construction of the new building. Mr. Crimmins stated that being selected as a committee member will be a big time commitment for people.

Mr. Rose asked whether it would be the Designer Selection Committee or the Board of Selectmen that hire the Owner's Project Manager (OPM). Ms. MacKenzie replied that the Board of Selectmen hires the OPM. Furthermore, Mr. Rose questioned if the Board of Selectmen can have discussions with an OPM prior to adopting the written Designer Selection procedures. Mr. Rose stated that he did not see anywhere in the written procedures when in the process the Board of Selectmen could hire an OPM. Mr. Lalli stated it was his legal advice to first adopt the written procedures as stated in the manual of the Inspector General. Ms. MacKenzie agreed with Mr. Lalli that the Board of Selectmen should first adopt the written procedures. However, she noted that the procedures could be adjusted or modified after they were adopted by the Board, should the Board feel the need to do so at any time. Mr. Brady made a motion to adopt the Town of Avon Designer Selection Procedures presented before the Board. Mr. Rose seconded the motion. The motion carried.

After the motion to adopt was passed, Mr. Rose stated that he would like to have a discussion on the selection of the members for the Designer Selection Committee. There was a brief discussion as to how many members should be on the Committee, qualifications and background credentials for each member as well as the length of time a member should serve on the Committee. Mr. Brady made a motion for the Designer Selection Committee to have seven members, including one member from the Police Department, which could include the Chief; as well as one member from the Fire Department, which could include the Chief; with five additional members to be appointed by the Board of Selectmen. Mr. Brady's motion further stated that this Committee would be dissolved after the architect for this project is selected, to give various people the opportunity to participate and serve on the different committees involved with the creation of this new building, including those members that were previously on the Public Safety Building Committee. Interested applicants are to submit a letter in writing to the Board of Selectmen by the November 19, 2015 meeting. Mr. Rose seconded the motion. The vote was unanimous.

NEW BUSINESS

Clean Water Trust Loan – CWT-15-12

Treasurer/Collector Deb Morin presented the Board with the Community Septic Management Program Loan relating to Financing Agreement No. CWT-15-12 from the Massachusetts Clean Water Trust. Under the terms of this agreement, the Town shall issue a bond or bonds in an aggregate principal amount

not to exceed \$400,000 pursuant to Chapters 29C and 111 of the Massachusetts General Laws and a vote of the Town passed June 9, 2015 (Article 37), which authorized a total borrowing of \$400,000, for a community septic management loan program. Mr. Brady made a motion to accept and execute signature on the terms and conditions to the Massachusetts Clean Water Trust Financing Agreement. Mr. Rose seconded the motion. All were in favor. Mr. Brady made a motion to accept and execute a signature on the Town of Avon Community Septic Management Program Interim Loan Note. Mr. Rose seconded the motion. The vote was unanimous.

Appointment of Five New Call Firefighters/EMTS

Mr. Crimmins explained to the Board that he received paperwork from Fire Chief Robert Spurr late last week for the appointment of five new call firefighters/EMTs. Mr. Rose inquired as to whether these five individuals would be employees of the Town, and if so, have they passed all of the pre-employment requirements. Mr. Crimmins replied that these individuals would be considered employees of the Town of Avon. Mr. Crimmins also stated that, according to Chief Spurr, all five of these individuals have passed the Town of Avon's pre-employment requirements. Mr. Brady asked why these personnel action forms were presented to the Board as it appears that Chief Spurr has already appointed these individuals. Mr. Crimmins replied that, according to Chief Spurr, under the terms of the AFFRA agreement, he is the appointing authority. Mr. Brady made a motion to table the appointment of the five new call firefighters/EMTs until the Board receives further clarification from Chief Spurr. Mr. Rose seconded the motion. The motion carried. The Board requested Chief Spurr's presence at the November 5, 2015 meeting.

Request for One Day Special Alcohol Permit for Avon Fish & Game on October 25, 2015

Mr. Brady made a motion to approve the request for a one day special alcohol permit for Avon Fish & Game on October 25, 2015 (Valid October 24, 2015 through October 27, 2015). Mr. Rose seconded the motion. All were in favor.

Requests for Street Opening Permits

Shanna Faro explained to the Board that there were two requests for street opening permits on the agenda, one request for 19 Bartlett Street and the other for 106 Highland Street. Ms. Faro informed the Board that, pertaining to the Bartlett Street request, the Department of Public Works had inquired of Brady Rogers of Columbia Gas as to the status of the overlay of the road, as previously requested by the Board of Selectmen to Columbia Gas at the meeting of June 4, 2015. Mr. Rogers informed Ms. Faro earlier that day that he had not yet found out the status of that project and he requested that the Board table the Bartlett Street request for tonight. As to the 106 Highland Street opening request, unfortunately, the DPW was short staffed this week and not able to approve the request prior to tonight's meeting.

Mr. Brady made a motion to table the request for street opening permit at 19 Bartlett Street. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to table the request for street opening permit at 106 Highland Street. Mr. Rose seconded the motion. The motion carried.

CORRESPONDENCE

Mr. Rose read a letter from Jeanne Martineau to Town Moderator Francis Staffier requesting appointment of a new member to the Avon School Regional Planning Committee as one of the members of the Board appears to have moved to France. Mr. Rose stated that, if any Avon residents are interested in joining the Committee, please contact Mr. Staffier.

Mr. Crimmins submitted a letter from Mark Southard, Community Development Manager for the Department of Housing & Community Development dated October 1, 2015 regarding FY 2013 Monitoring of the Town of Avon (joint with Town of West Bridgewater) Community Development Block Grant Fiscal Year 2013 CDF Grant #0699). Mr. Crimmins informed the Board that the Town of Avon has addressed and resolved the issue brought forth in the CDBG grant audit. Furthermore, Mr. Crimmins stated to the Board that he heard from Mr. Southard this week and the Town of Avon is all set, fully compliant with DHCD's regulations and policies.

Mr. Rose read a letter from Mark Dakers, Chief of the Bureau of Air and Waste, Solid Waste Management Section for the Department of Environmental Protection to Vincent Barletta of TLA-Holbrook, LLC and the Town of Holbrook Board of Health dated October 9, 2015 regarding the Response to the Motion for Reconsideration and Motion to Reopen Record regarding Negative Report on Suitability for Site Assignment. The DEP is allowing TLA Holbrook, LLC's Motion for Reconsideration and Motion to Reopen Record. Mr. Rose requested that Avon residents continue their opposition to this project by writing letters in support of House Bill 675 to Representative William Galvin, Senator Brian Joyce and Lieutenant Governor Karyn Polito. Mr. Rose requested Shanna Faro repost this matter on the website.

Mr. Rose read a notice from the Massachusetts Department of Telecommunications and Cable dated October 8, 2015 regarding FCC action on cable rate regulation. Mr. Rose made a motion to send this notice to the Cable Advisory Committee and have them make a recommendation to the Board at the November meeting on how to proceed with this matter. Mr. Brady seconded the motion. All were in favor.

ANNOUNCEMENTS

Mr. Rose announced that the Household Hazardous Waste and Medication Take Back Day will take place on Saturday, October 17, 2015 for Avon and Randolph residents at the Randolph High School parking lot from 8:00 a.m. to 12:00 p.m. Proof of residency is required such as a driver's license.

Mr. Rose announced that the Norfolk County Registry of Deeds, William P. O'Donnell, Register, will hold Avon office hours on Thursday, November 12, 2015 from 10:00 a.m. to 12:00 p.m. at the Mary McDermott meeting room in Avon Town Hall. The Register and members of his staff will be available to help answer questions about any Registry of Deeds matter.

Mr. Rose announced that the November meeting dates for the Board of Selectmen will be November 5, 2015 and November 19, 2015.

Approval of Vouchers for the Payment of Bills

Mr. Brady made a motion to approve the payment of bills. Mr. Rose seconded the motion. The vote was unanimous.

Request to Display Political Lawn Signs

Mr. Rose read a request written by Sally Theil that the Bill Carpenter Mayor Committee would like permission from the Board to display twenty political lawn signs in the Town of Avon. Mr. Brady made a motion to approve the request from the Bill Carpenter Mayor Committee to display twenty political lawn signs in the Town of Avon. Mr. Rose seconded the motion. The vote was unanimous.

TOWN ADMINISTRATOR'S REPORT

Town Administrator – There was a Department Head meeting on October 6, 2015 in which important items such as the budget and Human Resources forms were among the topics of conversation.

Police Department – Chief Martineau is working on staffing issues.

Fire Department – The Board will get further clarification from Chief Spurr on the proposed new Call Firefighters/EMTs at the next meeting.

Department of Public Works – Mr. Fitzgerald and his staff have started preparing for winter and the new town truck is ready to go. Dennis Corvi is still working on the GIS mapping project for a report of town owned land.

Treasurer/Collector – Tax bills are due November 2, 2015. There is a tax title that will be taken on October 20, 2015. The tax title for 86 Oliver Street sold, bringing in a total of \$69,000 to the Town, including a CDBG loan and a septic loan.

Town Accountant – Shannon MacKenzie has been busy with the Designer Selection Procedures for the new Public Safety Building. In addition, she has submitted a job description for a part-time assistant in her office.

Town Clerk – The Open Meeting Law and Conflict of Interest Seminar held on October 8, 2015 was very well attended with at least 50 people in attendance. Thanks to Patricia Bessette, Sally Theil and Shanna Faro for their assistance in preparation for the seminar.

Building Inspector – Bob Borden is still inspecting all of the town owned buildings to see what maintenance they may need.

Board of Health – As Mr. Rose announced, the Hazardous Waste Day will be on Saturday, October 17, 2015 at the Randolph High School. A flu clinic was also held today at the Council on Aging.

Library – The library's Fall Craft Fair was held last Wednesday, October 7, 2015.

Council on Aging – The CDBG Grant that funded the position of the Outreach Coordinator has expired. The Outreach Coordinator is still employed temporarily by a Formula Grant. The new CDBG Grant for FY 2015 has been authorized so hopefully those funds will come in shortly.

School – Superintendent Paul Zinni has asked for support for the play "Hooked", stories about addiction that will be put on October 23 and October 24, 2015 at 7:00 p.m. at the Avon Middle High School.

Town Counsel – Mr. Lalli is working with the DPW on locating all of the town owned properties using GIS mapping. In addition, Mr. Lalli is working with William Fitzgerald on the SCADA bid. Currently, the DPW is in the process of rebidding for this project.

ADJOURNMENT

At 10:45 p.m., Mr. Rose 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 regarding AFSCME, contract negotiations with non-union personnel and potential litigation regarding the Brockton casino, all of which could prove detrimental if discussed during the open session. Mr. Brady made a motion to adjourn the regular session. Mr. Rose seconded the motion. All were in favor.

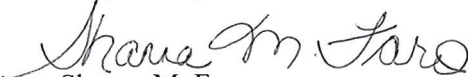
A roll call vote was taken

.Mr. Brady voted aye.

Mr. Rose voted aye.

The Board would reconvene in open session for the sole purpose of adjournment.

Respectfully submitted,


Shanna M. Faro