

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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BOARD OF SELECTMEN MEETING
THURSDAY, NOVEMBER 19, 2015
7:30 p.m.

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

Others present: Francis T. Crimmins, Jr., Town Administrator
Joseph S. Lalli, Town Counsel
Shanna M. Faro, Executive Assistant to the Town Administrator
William A. Fitzgerald, Jr., Department of Public Works Director

Board of Assessors: Warren B. Lane, Chairman
Cynthia A. Bernasconi, Clerk
Kristin J. Kopke, Member
Richard Finnegan, Consultant

National Grid: Joseph Cardinal, Community Relations Manager
George Maximovich, Project Manager
Jose Vazquez, Technician
Casey-Lee Bastien, Landscape Architect, Sub-Consultant from BSC Group

Chairman Hegarty called the meeting to order at 7:30 p.m. with all members present.

Selectman Rose led the meeting in the Pledge of Allegiance.

Chairman Hegarty asked for a moment of silence for the victims of the Paris attacks on November 13, 2015.

Mr. Brady made a motion to accept the minutes of Thursday, November 5, 2015 (Regular Session) as read. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Tuesday, November 10, 2015 (Workshop Session) as read. Mr. Rose seconded the motion. The vote was unanimous.

Mr. Brady made a motion to accept the minutes of Thursday, November 5, 2015 (Executive Session) as read. Mr. Rose seconded the motion. All were in favor.

TOWN OF AVON
2015 DEC -4 AM 9:02
TOWN CLERK

7:45 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

Joseph Cardinal and Jose Vazquez approached the Board at 7:45 p.m. to discuss petition #15467308. Chairman Hegarty inquired as to why National Grid has petitioned for as many as twenty wires on a pole with Verizon petitioning for as many as forty wires and four aerial cables on a pole. Mr. Cardinal responded that since this question was first posed by Mr. Rose at the October 15, 2015 meeting, he set out to research the poles in that area. Mr. Cardinal was surprised to discover that the Pond Street and Industrial Park area do have more wires than usual. Mr. Cardinal stated that the poles in the Avon Industrial Park have a minimum of twenty-five (25) wires. Mr. Cardinal explained that the reason for voluminous wires in the Industrial Park is because the businesses in the park want quick access to restore power in the event that something goes out. Mr. Cardinal stated that he believed the poles in question for the petition would only require about twenty wires. Mr. Rose made a motion to grant Petition #15467308 for Joint or Identical Pole Locations by National Grid and Verizon for Page Street Pole #45 and King Street Pole #1 based on the conditions of the petition. Mr. Brady seconded the motion. The motion carried.

Harrison Boulevard Substation Project

Joseph Cardinal, George Maximovich and Casey-Lee Bastien approached the Board regarding the Harrison Boulevard Substation Project. Mr. Hegarty announced the Board's displeasure at what they are seeing at the Substation. Mr. Hegarty stated that when this project was presented to the Board, they were informed that the substation would not be visible from the road. Mr. Hegarty stated that not only is the substation visible from the road, the lights are so bright at night at the substation, it appears to be "glowing". Mr. Hegarty expressed the Board's displeasure at the small trees that were planted to conceal the substation. In conclusion, Mr. Hegarty informed the members of National Grid that he did not believe the project was going the way it was presented to the Board two years ago with regards to the layout, and the amount of trees and shrubbery, which does nothing to absorb the sound for neighboring residents.

Mr. Maximovich spoke first and reminded the Board that the Substation Project is a work in progress. Mr. Maximovich stated that the tree removal was defined from the beginning of the project and National Grid has not strayed from that plan. Mr. Maximovich reminded the Board that the planting of trees and shrubbery is a process and it is not finished yet. Mr. Maximovich also stated that since it is late fall, it is the time of year when there are no leaves on the trees. Mr. Hegarty noted that there is only one single row of plantings at the moment, which is not enough to cover the sight of the substation and provide a buffer to the noise of Harrison Boulevard to neighboring residents. Mr. Hegarty stated that he did not want the substation to become an eyesore to the Town of Avon. Mr. Cardinal replied that National Grid still has a long way to go until the completion of the Substation Project. Mr. Maximovich stated that National Grid will follow the instructions of the Board. Mr. Maximovich further stated that it is National Grid's intent to comply with all three Boards for the Town of Avon: the Board of Selectmen, the Planning Board and the Conservation Commission. Mr. Maximovich declared that it is National Grid's intent to show the Conservation Commission the plantings at the Substation Project in September. Furthermore, Mr. Maximovich stated that National Grid is open to revising the initial, conceptual plans if necessary. Mr. Rose asked if there was any additional clearing that wasn't anticipated to which Mr. Maximovich responded that the clearing limits matched the initial plan. Mr. Bastien informed the Board that, as far as the planting of trees and shrubbery to replace what has been cleared, National Grid is following the plan of the Conservation Committee to replicate the plants for that are there. He stated that there is an ecological relationship to the existing vegetation and cultural seed mixings that have been planted. Mr. Bastien informed the Board that as far as tree planting close to Harrison Boulevard, they are limited at the moment until the number of distribution poles needed is sorted out. Mr. Bastien asked which Board should be the point of contact for the next round of design and plantings to which Mr. Hegarty replied that National Grid should make that presentation to all three Boards and that a joint meeting will be arranged.

Mr. Rose inquired as to security at the Substation. Mr. Hegarty asked whether the entry road to the Substation would be gated to which Mr. Cardinal replied in the affirmative. He stated there is security in place, the road will be gated and the Fire Chief will be given a key.

Status of Utility Poles

Mr. Hegarty expressed the Board's concern with the status of the utility poles for the Town given the impending winter. Mr. Hegarty stated that there are a large number of either double poles or loosely lashed poles on streets such as West Main Street and South Street that will prohibit the DPW from plowing sidewalks. Mr. Hegarty was particularly concerned that, in the event of another bad winter, the weight of the snow on loosely lashed poles will do some serious damage and that these poles need to be addressed as soon as possible. Mr. Cardinal responded that he will certainly send someone out to take a look at the loosely lashed poles to ensure that the poles will be secured tightly according to the National Electric Safety Code rules and regulations. Mr. Cardinal also suggested that a representative from Verizon be contacted by the Board as they should be instructed to complete their transfer work and remove the double poles. Mr. Rose asked Mr. Cardinal to please assist DPW Director William Fitzgerald, if possible, in contacting Verizon and Comcast so that they can complete their pole transfers in a timely fashion. Mr. Fitzgerald agreed and stressed that any help Mr. Cardinal could provide would be greatly appreciated as there are safety issues with the upcoming winter approaching.

8:15 p.m. Tax Classification Hearing

The Board of Assessors consisting of Chairman Warren B. Lane, Cynthia A. Bernasconi and Kristin J. Kopke, along with Consultant Richard Finnegan approached the Board for the Tax Classification Hearing. Chairman Hegarty read the legal notice published in the October 28, 2015 issue of the "Moneysaver". Mr. Finnegan explained that the purpose of the Tax Classification Hearing is for the Board of Selectmen to determine the allocation of the local tax burden to be borne by the four classes of real property for Fiscal Year 2016. Mr. Finnegan stated that the Selectmen must adopt a residential factor, which is used to determine the percentage of tax levy to apply to each class of real and personal property. Mr. Finnegan passed out handouts to the Board in draft form in the sense that the numerical projections in the handouts were based on the anticipation that all articles presented at the December 1, 2015 Special Town Meeting will pass. Mr. Finnegan stated that the total valuation from FY2015 to FY2016 has increased by 1.1%. Mr. Finnegan informed the Board that residential values have risen at the highest rate in ten years due to the market increasing. He stated that commercial values show a slight decrease and that industrial values in the Industrial Park have also increased due to market rents as well as the limited amount of sales. Mr. Finnegan also explained that Personal Property has decreased due to depreciation and equipment retirements as well as an exemption from personal property taxation that was recently allowed a manufacturer.

During Mr. Finnegan's presentation, Mr. Crimmins interjected that he was under the impression that the Tax Classification Hearing would be opened and then immediately reconvened until after the Special Town Meeting. Mr. Crimmins informed the Board that there were several business owners in the AIPA community as well as concerned residents that were interested in attending this hearing. Mr. Hegarty informed the viewing audience that no action would be taken tonight on this matter. The Board will take the presentation from the Board of Assessors under advisement and will recess the hearing until December 3, 2015 at 7:45 p.m.

Mr. Finnegan concluded his presentation by stating that the Board of Assessors is only responsible to give the Board of Selectmen the information they need to make an informed choice. Mr. Finnegan stated that the Board of Assessors has, in the past, chosen to recommend the residential factor used from FY2006 to FY2012 of 65%. Mr. Finnegan further stated that this year, the Board of Assessors recommends the

Board of Selectmen use a residential factor of 68.6268%. Mr. Finnegan explained that by choosing this factor, taxes are shifted an additional 39% from the residential class to the other classes - Commercial, Industrial, and Personal Property. Mr. Finnegan concluded that the tax rate would increase 75 cents for the Residential class, \$1.84 for the Commercial and Industrial class and \$1.85 for Personal Property.

Mr. Brady made a motion to recess the Tax Classification Hearing until December 3, 2015 at 7:45 p.m. Mr. Rose seconded the motion. The motion carried.

UNFINISHED BUSINESS

Update on Assistant Assessor Position

Town Administrator Crimmins reported that the first round of interviews for the Assistant Assessor position was held on Tuesday, November 17, 2015. Five candidates were interviewed by Mr. Crimmins, Bruce Lane, Chairman of the Board of Assessors, and Treasurer/Collector Deb Morin. Mr. Crimmins informed the Board that since the deadline to submit resumes was November 18, 2015, he would like to conduct another set of first round interviews after the Thanksgiving holiday and then choose finalists for the Board to interview. Mr. Crimmins requested that the Board review the salary for that particular position to see if there is any flexibility in the budget for an adjustment to raise the salary for that position if possible. Mr. Rose made a motion for the Board to take under advisement and reconsider the salary structure for the Assistant Assessor position. Mr. Brady seconded the motion. The motion carried.

Snow Plowing Services Agreements for Nye Corporation, Inc. and T.L. Edwards, Inc.

Mr. Brady made a motion to sign and execute the Snow Plowing Services Agreement between the Town of Avon and Nye Corporation, Inc. and T.L. Edwards, Inc. Mr. Rose seconded the motion. All were in favor.

NEW BUSINESS

Resignation of Council on Aging Director

Mr. Hegarty read the resignation letter of Council on Aging Director Jane Hanley in which Ms. Hanley stated that she intends to retire. Ms. Hanley's last day with the Town of Avon will be Thursday, December 3, 2015. Mr. Hegarty asked the Board to accept Ms. Hanley's letter with regret and to thank her for her service to the Town of Avon and wish her the best of luck with her retirement. Mr. Brady made a motion to accept the resignation of Council on Aging Director Jane Hanley. Mr. Rose seconded the motion. The vote was unanimous.

Gift Donation for Veteran's Services

Ms. Faro informed the Board that her office had not yet received the expected gift donation for Veteran's Services. Mr. Brady made a motion to table the gift donation for Veteran's Services. Mr. Rose seconded the motion. The motion carried.

Requests for Street Opening Permits from Columbia Gas of Massachusetts

Mr. Brady made a motion to approve the street opening permit from Columbia Gas of Massachusetts for a 4' x 6' x 38' road cut to install new gas service at 323 Page Street with the stipulation that work commence on April 15, 2016 and that Columbia Gas will first contact Department of Public Works Director William Fitzgerald for approval prior to the start of the project. Mr. Rose seconded the motion. All were in favor.

Mr. Brady made a motion to approve the street opening permit from Columbia Gas of Massachusetts for a 4' x 6' x 15' road cut to install new gas service at 304 Central Street with the stipulation that work commence on April 15, 2016 and that Columbia Gas will first contact Department of Public Works Director William Fitzgerald for approval prior to the start of the project. Mr. Rose seconded the motion. The vote was unanimous.

Request for One Day Special Alcohol Permit for Avon Fish & Game Association for December 5, 2015

Mr. Brady made a motion to approve the one day special alcohol permit for the Avon Fish & Game for December 5, 2015 (Valid December 4, 2015 through December 7, 2015). Mr. Rose seconded the motion. The motion carried.

Review Letters of Intent to be a Member on the Designer Selection Committee

Mr. Brady made a motion for the Board to take under advisement the letters of intent from interested parties requesting to become a member on the Designer Selection Committee until the December 3, 2015 meeting. Mr. Rose seconded the motion. All were in favor.

Correspondence

Mr. Hegarty announced correspondence from Mark Southard, Community Development Manager for the Department of Housing & Community stating that the Town of Avon's FY 2015 Community Development Block Grant – CDF I Grant #0746 has been approved and ready for implementation.

Mr. Hegarty acknowledged several letters regarding the TLA-Holbrook LLC Municipal Solid Waste Transfer Station. The first letter was from Mark Dakers of the Department of Environmental Protection to Vincent Barletta of TLA-Holbrook LLC dated November 10, 2015 regarding the Motions for Consideration and to Reopen Record. The second letter was from Senator Brian Joyce to Mark Dakers dated November 4, 2015 urging the DEP to determine that this site is unsuitable for a municipal waste transfer station. The third letter was from Daniel Deutsch of Deutsch Williams, Special Counsel for the Town of Randolph to Mark Dakers dated November 16, 2015 enclosing a copy of their October 2, 2015 Preliminary Comments letter. The final letter was from Daniel Deutsch to Mark Dakers dated November 16, 2015 enclosing a comment letter from TetraTech, Inc., engineering consultant to the Town of Randolph.

Mr. Hegarty announced a Petition of Bay State Gas Company, d/b/a Columbia Gas of Massachusetts, pursuant to G.L. c.25, §21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2016 through 2018. The petition was dated November 2, 2015.

Announcements

Mr. Hegarty announced that the winter parking ban is now in effect from November 15, 2015 to April 15, 2016. No overnight parking is allowed on the streets. In addition, Mr. Hegarty announced that basketball hoops, soccer nets or any other items obstructing the roadways and/or sidewalks need to be removed immediately. The Town of Avon will not be liable for any damage to personal items obstructing snow removal in the streets and sidewalks.

Mr. Hegarty announced that the seasonal closing of the compost site will be Wednesday, December 2, 2015 at 2:00 p.m.

Mr. Hegarty announced that the Special Town Meeting will be Tuesday, December 1, 2015 at the Avon Middle High School auditorium at 7:30 p.m.

Mr. Hegarty announced that the December meeting dates for the Board of Selectmen will be December 3, 2015 and December 17, 2015.

Mr. Hegarty announced that on Friday, November 27, 2015 (the day after Thanksgiving) the Town Hall will be closed to the public.

Mr. Hegarty announced that the last day to register to vote for the Special Town Meeting will be Saturday, November 21, 2015. Residents can register to vote at the Town Hall on Saturday from 9:00 a.m. to 1:00 p.m. Residents can register to vote at the Police Station from 1:00 p.m. to 8:00 p.m.

Mr. Hegarty announced to residents that the annual Holiday Celebration will be the weekend of December 12 – 13, 2015. The celebration will begin with the Christmas tree lighting at DeMarco Park. There will also be concerts, amusement rides for the children, carriage rides, craft sessions, family entertainment movies and refreshments.

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.

TOWN ADMINISTRATOR'S REPORT

Town Administrator – Mr. Crimmins has been working with the Department Heads on budgets and preparation for the Special Town Meeting.

Police Department – Chief Martineau is busy preparing his department for the demands of Black Friday. Walmart will require several officers for detail work on Black Friday.

Fire Department – The Call Firefighters have asked for an adjustment on their compensation. Mr. Crimmins is ready to meet with the Call Firefighters but asked the Board for advisement as to which meeting date would be more convenient for them either December 3, 2015 or December 17, 2015.

Department of Public Works – Mr. Fitzgerald has been busy communicating with National Grid and getting ready for the upcoming winter and snow removal.

Treasurer/Collector – Deb Morin has been very helpful preparing for the Special Town Meeting and with the upcoming budget. Ms. Morin, along with Shanna Faro, attended a conference on Wednesday, November 18, 2015 in which they learned helpful information about the Affordable Care Act and its reporting requirements.

Town Accountant – Shannon MacKenzie has been busy assisting with procurement needs and getting Personnel Forms up to date.

Town Clerk – Registration is still open to vote in the Special Town Meeting. Patricia Bessette has been busy with vital statistics and training Doreen Gouthro. The website is doing well and has been entered in the Massachusetts Municipal Association website contest.

Building Inspector – Bob Borden has been active performing inspections and code enforcements.

Board of Health – The Board of Selectmen acknowledged Tara Tradd for her excellence and achievement as a recipient of the Michael D. Saraco award by the Massachusetts Health Officers Association. Covanta Energy is looking to lower rates for the Town of Avon and that is a savings that will benefit everyone.

Library – The Library's Adult Coloring Nights was featured in the Sunday edition of the Boston Globe on November 15, 2015.

Council on Aging – Mr. Crimmins asked the Board for authority to advertise the position of Council on Aging Director upon the resignation of Jane Hanley. Mr. Crimmins also announced that the vacant

Administrative Assistant position will be placed on hold temporarily. The Council on Aging Board has also vacancies. Any interested persons wanting to join the Board for the Council on Aging should submit a letter of interest to the Board of Selectmen.

School – Mr. Crimmins thanked Superintendent Zinni and the members of the School Committee for their assistance in preparation for the Special Town Meeting.

IT – Geno Gingras has been busy assisting the Public Safety Departments.

Town Counsel – Joseph Lalli reported that the private auditor/tax abatement access issue has been formalized with the Town Clerk. Mr. Lalli is still working on the town owned properties project. Finally, the snowplowing agreements were signed by the Board this evening.

ADJOURNMENT

At 9:40 p.m., Mr. 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 regarding AFSCME, International Association of Firefighters and the Police Association, the Brockton Casino/Surrounding Community Agreement and Employment Agreements with Non-Union Personnel, all of which could prove detrimental if discussed during the Open Session. Mr. Rose made a motion to adjourn the Regular Session. Mr. Brady seconded the motion. The vote was unanimous.

A roll call vote was taken.

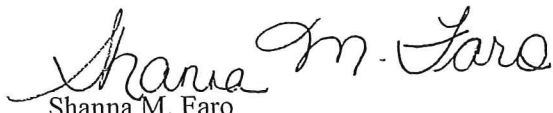
Mr. Rose voted aye.

Mr. Brady voted aye.

Mr. Hegarty voted aye.

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

Respectfully submitted,



Shanna M. Faro

Executive Assistant to the Town Administrator