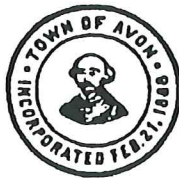


BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Steven P. Rose, Clerk
Robert F. Brady, Jr., Associate

Francis T. Crimmins, Jr.
TOWN ADMINISTRATOR

Town of Avon Massachusetts

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BOARD OF SELECTMEN MEETING
THURSDAY, APRIL 7, 2016
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
Barbara Littlefield, Park & Recreation Chair
Michael Lawler, Park & Recreation Member

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

Town Administrator Francis T. Crimmins, Jr. led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Thursday, March 17, 2016 (Regular Session) as read.
Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Monday, March 28, 2016 (Workshop Session) as read.
Mr. Rose seconded the motion. All were in favor.

Mr. Brady made a motion to accept the minutes of Thursday, March 17, 2016 (Executive Session) as read.
Mr. Rose seconded the motion. The vote was unanimous.

7:45 p.m. – Park & Recreation Board

Barbara Littlefield and Michael Lawler approached the Board to discuss several issues concerning the Park & Recreation Board including the Summer Program, the Avon Community Theater, as well as an unpaid invoice for a Youth Coordinator for the Teen Program.

Chairman Hegarty expressed his concern that the Park & Recreation Board does not adhere to the hiring policies and procedures of the Town. Mr. Lawler stated his opinion that the Park & Recreation Board receives little to no guidance as to the correct procedures for the Town. Chairman Hegarty presented both Ms. Littlefield and Mr. Lawler with a packet of materials containing the Administrative Hiring Policies and Procedures of the Town, the Conflict of Interest Law and the General Bylaws, along with an Acknowledgement Form to be signed and returned confirming receipt of the packet of materials. Chairman Hegarty informed Ms. Littlefield and Mr. Lawler that if the Park & Recreation Commission

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TOWN CLERK

hires a relative of the Board, a Disclosure Form needs to be filed with the Town Clerk, and that the Commission had failed to file a Disclosure Form in the past.

The second item discussed was the Summer Program. Mr. Lawler expressed his great dismay that the Board of Selectmen did not wish to hire minors as "Junior Counselors" if not for pay then for community service hours. Chairman Hegarty stated assigning a minor the title of "Junior Counselor" was problematic as a CORI check cannot be performed on anyone under the age of 16. In addition, the Town is liable for any misconduct when assigning the title of "Junior Counselor" despite whether it is a paid position or not. Chairman Hegarty suggested that the Park & Recreation Commission check with other Towns to see how they handle volunteer work for minors to find some type of structure and report back to the Board of Selectmen. Ms. Littlefield agreed to Mr. Hegarty's request and stated that she will address this issue.

Ms. Littlefield requested that the Board consider increasing the Grade and Step levels for the Director, Assistant Director and Counselors of the Summer Program. Chairman Hegarty requested that Ms. Littlefield draft a memorandum to the Board regarding this request so that the Board can review this request at a later meeting. In addition, Chairman Hegarty requested job descriptions for each job position of the Summer Program. Ms. Littlefield stated that she has job descriptions and she will scan them and e-mail them to Shanna Faro. Mr. Crimmins cautioned the Board that raising the pay scale for the Summer Program could upset the balance of other part-time workers for the Town of Avon such as the Council on Aging van drivers and cooks and Seasonal DPW workers.

The next issue addressed was a request from Park & Recreation to transfer funds from the Reserve Account. Ms. Faro stated that she had not received any paperwork yet concerning that matter. Ms. Littlefield informed the Board that Park & Recreation is requesting \$12,000 to get the fields in shape for the softball/baseball season. Ms. Littlefield stated that Park & Recreation has \$11,000 in their expense account that has not been used and requested using that money to fund the field projects. Chairman Hegarty informed Ms. Littlefield that the Commission could use that money if they could confirm with the Town Accountant that they did, in fact, have that money in their account.

Park & Recreation's relationship with the Avon Community Theater was the next subject addressed. Mr. Lawler informed the Board that, as of right now, the "Peter Pan" play scheduled for later on this month is the last project that the Park & Recreation Board will sponsor with the Avon Community Theater due to the poor reporting and accountability of certain members of the theater group to the Commission. Mr. Lawler stated that the "Peter Pan" play was the final test for the viability of having the theater group fall under the Park & Recreation Board and, unfortunately, the relationship continued to degrade over the course of play preparation. Ms. Littlefield presented an invoice in the amount of \$220 for the cost of two costumes for the production and wanted to know if she could present that invoice to be paid. Chairman Hegarty stated that as long as the majority of the Park & Recreation Commission approves and signs the invoice and it is a legitimate invoice, it can be paid. Mr. Crimmins reminded Ms. Littlefield to check with the Town Accountant regarding the available funds for the invoice to be paid.

The final matter addressed was the issue of the Youth Coordinator for the Teen Program who had not yet been paid for her services. Chairman Hegarty stated that the problem with this invoice was that it was submitted several months after the Youth Coordinator had already started work. In addition, the contract was signed by only one member of the Commission and not the majority. Furthermore, a 1099 was not done for this individual as well as proof in the form of a certificate of insurance for any outside contractors. Chairman Hegarty stated that in order to resolve this issue and get the Youth Coordinator paid, the Board of Selectmen would be willing to accept a separate warrant for this invoice with four signatures of the Commission (excluding Ms. Littlefield's signature as she is related to the Youth Coordinator) to rectify this situation. However, Chairman Hegarty reminded the Commission that going

forward only the Board of Selectmen can bind the Town through a contract and all contracts need to be run through legal counsel as well as the Town Accountant.

UNFINISHED BUSINESS

Annual Town Meeting Update

Mr. Crimmins informed the Board that the Finance Committee has been working hard on compiling their recommendations regarding the articles on the warrant for the Annual Town Meeting. Mr. Crimmins stated that the Finance Committee does have a question concerning the dollar amount needed for an article submitted by the Department of Public Works regarding the Brentwood section of Town. This article requested a substantial amount of money to design, engineer, reconstruct, and resurface roads and install drainage, water mains and related infrastructure where necessary upon certain streets and roads within the Brentwood area. Chairman Hegarty informed Mr. Crimmins and members of the viewing audience that several years ago there was a major study conducted concerning the Brentwood area of Town due to the high water table in that section. Mr. Hegarty stated that a drainage system was put into place on Pond Street a few years ago to help relieve some of the water problems in that area. This has helped to relieve some of the problem. However, this is a multi-faceted project, according to Mr. Hegarty, and the plan has always been to move forward with a major project to address the drainage problems in that area. Mr. Hegarty stated that 25-30% of the Town's population reside in the Brentwood section of Town and they have experienced major problems related to the high water table such as flooding, and a higher rate of failed septic systems. Mr. Hegarty expressed his opinion that a major public works project will help address these issues.

Council on Aging Update – Appointment of Council on Aging Director

Mr. Crimmins approached the Board along with Gene Mazzella. Mr. Crimmins informed the Board that as recent as this afternoon, he and Gene Mazzella attended an informational workshop at the Council on Aging regarding the state's funding for Elder Services presented by Chairwoman of the House Committee on Elder Affairs, Representative Denise Garlick and Representative William Galvin. This workshop was well received by the patrons of the Senior Center. Mr. Crimmins informed the Board that he was pleased to announce that the offer extended to Gene Mazzella for Council on Aging Director has been accepted. Chairman Hegarty announced that Mr. Mazzella has a Master's Degree in Gerontology from the University of Southern California as well as an extensive background in Elder Services. On behalf of the Board, Chairman Hegarty welcomed Mr. Mazzella to the Town of Avon. Mr. Brady made a motion to sign the Employment Agreement and appoint Gene Mazzella to the position of Council on Aging Director. Mr. Rose seconded the motion. The motion carried.

NEW BUSINESS

Selectmen's Newsletter

Executive Assistant Shanna Faro approached the Board to discuss pricing options for the next issue of the Selectmen's Newsletter. Ms. Faro informed the Board that she has asked the print company for pricing quotes for an eight-page newsletter in black and white copies, as well as an eight-page newsletter in color copies. Ms. Faro stated that the cost for color copies is significantly higher and may not be within the budget to produce color copies of the newsletter. Ms. Faro stated to the Board that one option to produce color copies of the newsletter within the budget is to limit the number of pages in the newsletter from eight to four pages. Ms. Faro stated that another factor to consider would be the number of times per year the Selectmen would like a newsletter distributed. Ms. Faro stated that her goal is to distribute the newsletter on a quarterly basis. Mr. Brady asked Ms. Faro whether she would have enough information to produce eight pages in the next issue of the newsletter to which she replied in the affirmative. Mr.

Rose asked Ms. Faro for quotes on producing the newsletter in four pages of color and four pages of black and white print. Ms. Faro will report back to the Board on the pricing per Mr. Rose's request.

Technology Update

Mr. Crimmins informed the Board that IT Director Geno Gingras has made a request to switch the phone lines from copper analog lines commonly known as POTS (Plain Old Telephone System) to a PRI (Primary Rate Interface) end to end digital circuit. Mr. Crimmins stated that, according to Mr. Gingras, switching from an analog phone system to a digital system would address the phone line quality issues staff at the Town Hall have been experiencing such as the call quality, volume, call drops and system line hangs, and the inability to perform outside call forwarding. Mr. Gingras proposed using a digital phone system using Comcast as the phone carrier. Chairman Hegarty expressed his concern over the integrity of the phone lines when switching to digital especially with the Police and Fire Station. Secondly, Mr. Hegarty was concerned that if the Comcast service goes down, the Town's phone systems would go down as well. Mr. Crimmins stated that he will ask these questions of Mr. Gingras and report back to the Board.

Request from Columbia Gas for a Road Cut at 12 West High Street

Mr. Brady made a motion to approve a request from Columbia Gas for a 4' x 6' road cut at 12 West High Street for gas service replacement. Mr. Rose seconded the motion. Chairman Hegarty accepted the motion with discussion. Mr. Hegarty stated that it appears that Columbia Gas has new forms including a Trench Permit from the Avon Fire Department. Mr. Hegarty asked whether the Fire Department had seen this request from Columbia Gas. Mr. Hegarty also expressed his concern that the Board had previously requested Columbia Gas to make suitable repairs to road cuts they had made on both Bartlett Street and Pond Street and to date they have not seen the repairs made. Mr. Rose amended the motion to approve the request from Columbia Gas for a 4' x 6' road cut at 12 West High Street for gas service replacement contingent upon Columbia Gas proving to the Board that they have made the necessary repairs to the streets previously requested by the Board. Mr. Brady seconded the motion. All were in favor. Mr. Crimmins informed the Board that he will check to find out what Departments should get a copy of street opening requests from Columbia Gas, and in what order so that a system for these requests will be in place.

Request for a One-Day Special Permit from Avon Fish & Game Association

Mr. Brady made a motion to approve the one-day special alcohol permit for April 23, 2016 (Valid April 22, 2016 through April 25, 2016) from Avon Fish & Game Association for a club function. Mr. Rose seconded the motion. The vote was unanimous.

Request from Avon Baptist Church – Men's Fellowship for a Flea Market Permit

Mr. Brady made a motion to waive the fee and approve a flea market permit for the Avon Baptist Church - Men's Fellowship, Saturdays only beginning May 14, 2016 through October 29, 2016 from 7:00 a.m. to 3:00 p.m. Mr. Rose seconded the motion. All were in favor.

Surplus Water Meters for Scrap

Chairman Hegarty informed the Board that a request was received from DPW Director William Fitzgerald to scrap a few hundred surplus water meters currently at the garage. Mr. Brady questioned how surplus water meters have been handled in the past. Mr. Brady made a motion to table the surplus water meters for scrap until the Board discusses with Mr. Fitzgerald how this matter has been handled in the past. Mr. Rose seconded the motion. The motion carried.

Correspondence

Mr. Crimmins informed the Board that they had received correspondence from an engineering company interested in performing percolation tests on two plots of land in Town. Mr. Crimmins stated that his intention in showing this correspondence to the Board was to fulfill the duties of his new Development Team, which he has devised with certain members of Town Hall so that the Board of Selectmen can be apprised of large projects in Town before they come to fruition such as the case with the Harrison Boulevard substation project.

Mr. Crimmins stated to the Board that he had included a public hearing from the Zoning Board of Appeals that was scheduled for April 4, 2016 but due to inclement weather on Monday night that hearing was cancelled and will be rescheduled.

Mr. Crimmins stated that his office had received correspondence from the Massachusetts Department of Transportation regarding the spring state highway sweeping operations which began on March 28, 2016.

Mr. Crimmins stated his office had received correspondence from Norfolk County Sheriff's Department regarding the Community Work Service program and their assistance with the fields on Fagan Drive.

Finally, Mr. Crimmins informed the Board he had received correspondence from Keolis Commuter Services regarding Right of Way Maps and the identification on these maps of private drinking water supply wells.

Announcements

Chairman Hegarty announced the Annual Town Election on Tuesday, April 12, 2016 from 11:00 a.m. to 7:00 p.m. at Town Hall.

Chairman Hegarty announced the opening of the Compost Site on Wednesday, April 13, 2016 from 9:00 a.m. to 2:00 p.m.

Chairman Hegarty announced the Town Wide Clean-Up Day on Saturday, May 7, 2016 from 9:00 a.m. to 11:30 a.m.

Approval of Vouchers for the Payment of Bills

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

TOWN ADMINISTRATOR'S REPORT

Town Administrator – Mr. Crimmins informed the Board that his office has been busy preparing for the Annual Town Meeting by gathering supporting documentation for the articles in the Warrant. Mr. Crimmins stated that he has been negotiating the Collective Bargaining Agreements with the AFSCME and Police Unions. In addition, Mr. Crimmins stated that both he and Shanna Faro have been occupied with the hiring of the new COA Director Gene Mazzella and meeting with the MIIA representative Jill Gallant-Shaw regarding the new health insurance rates for Fiscal Year 2017 for the Town's employees. Finally, Mr. Crimmins stated that his office is finalizing the Annual Town Report to head to the printer shortly.

Police – Chief Martineau reported that the Alcoholic Beverages and Controls Commission performed compliance checks in the liquor establishments in the Town. Two selling establishments failed to ask for

proper identification which will result in either reprimands or fines from the ABCC. Chief Martineau also reported that the reduction in staffing has resulted in a substantial overtime budget. Special Officer Cutts has resigned for a full time officer position in the Town of Harwich.

Fire – Mr. Crimmins reported that Chief Spurr is out on medical leave. Deputy Chief Stephen Hallissey is currently the Acting Fire Chief. Mr. Hallissey reported that there was a house fire on West Spring Street which resulted in significant property damage.

Treasurer/Collector – Deb Morin reported that 29 Memorial Drive is now a town owned property. Ms. Morin is securing insurance of this property through our carrier Estabrook and Chamberlain. Mr. Crimmins asked the Board to consider if this property could be of use to the Town due to its close proximity to the DPW garage and water operation plant. Mr. Crimmins suggested that perhaps this property could be the future home of the Department of Public Works.

Town Accountant – Mr. Crimmins reported that Assistant Town Accountant Susan Kane reported to work two weeks ago and she has been an asset and of great assistance to Shannon MacKenzie. Ms. Kane's arrival will allow Ms. MacKenzie to focus on procurement issues.

Assessors – Paul Sullivan reported that his office has begun receiving income and expense forms and Forms of List for the Recertification Year 2017. Mr. Sullivan also reports that Northeast Revaluation Group LLC is out in the field completing inspections for personal property and sales verification.

Town Clerk – Patricia Bessette reported that March was a busy month for her office as they held the Primary Election. The Town Clerk's Office is planning for the Annual Town Election and Annual Town Meeting. Ms. Bessette reported that very shortly her office will have to purchase a new voting machine as the Accuvote machine is no longer being made and will no longer be serviced after the next five years.

Building Inspector – Mr. Crimmins reported that the Building Inspector Bob Borden is in Arizona this week and that Alternate Building Inspector Chuck Comeau is assisting in Bob's absence.

Board of Health – Tara Tradd reported that she performed two percolation tests and inspected two septic system installations in the month of March. Ms. Tradd reported that five failed septic systems have been upgraded with the assistance of the Septic Loan Program. Ms. Tradd reported that her Board has received five bids for the Trash & Recycling Collection Program for 2016 through 2020. Her Board received two very favorable proposals and will be meeting with those vendors in early April.

Library – Karen Johnson reported that the library was closed to the public from March 28, 2016 through April 1, 2016 for carpet installation. The staff was assigned to work on special projects at the library during this time.

IT – Geno Gingras has been busy with upgrading computer systems throughout the Police Department, Fire Department and Town Hall.

Town Counsel – Attorney Lalli informed the Board that he and Chief Martineau will appear for a Judicial Review at Stoughton District Court on April 28, 2016 regarding the Police Chief's denial of a license to carry. Mr. Lalli stated that he has been working with Kathleen Kelliher to finalize the Lead Paint Agreement for the CDBG Grant. Mr. Lalli reported that he had some insurance questions in the contract which were answered by the Town's insurer, Estabrook & Chamberlain, and he is working on finalizing this agreement. Mr. Lalli informed the Board that he is still working with the Fire Chief and the IT Director on changes to the OCI Confidential contract. Mr. Lalli stated that he is waiting for the company to send him an electronic version of the document so that he can insert the Town's terms in the contract. Finally, Mr. Lalli reported that he has reviewed the Mass Transit Grant Program sent to the Town regarding the Council on Aging van from Kathy Riddell, the Grant Manager for the Brockton Area Transit in which the Town must give their certifications and assurances to receive funds from the federal government for their public transportation. Mr. Lalli advised the Board to sign this agreement in order to receive the federal funding.

ADJOURNMENT

At 10:45 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 discussing strategy for Collective Bargaining with Union Bargaining Units including the AFSCME and Police

Unions, 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. The motion carried.

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,

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

Shanna M. Faro

Executive Assistant to the Town Administrator