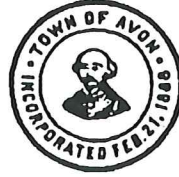


**BOARD OF SELECTMEN**  
Francis A. Hegarty, Chairman  
Steven P. Rose, Clerk  
Robert F. Brady, Jr., Associate

Francis T. Crimmins, Jr.  
**TOWN ADMINISTRATOR**

# Town of Avon Massachusetts



TOWN OF AVON  
2016 MAY -6 AM 9:04  
TOWN CLERK

Town Offices  
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## BOARD OF SELECTMEN MEETING THURSDAY, APRIL 21, 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  
Bruce Hughes, Old Colony Planning Council  
James R. Watson, Old Colony Planning Council

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

Selectman Steven Rose led the meeting in the Pledge of Allegiance.

### **Reorganization of the Board**

Mr. Rose made a motion to nominate Robert F. Brady, Jr. as Clerk of the Board of Selectmen. Mr. Hegarty seconded the motion. The motion carried.

Mr. Rose made a motion to nominate Francis A. Hegarty as Chairman of the Board of Selectmen. Mr. Brady seconded the motion. The motion carried.

### **Meeting Minutes**

Mr. Brady made a motion to accept the minutes of Thursday, April 7, 2016 (Regular Session) as read. Mr. Rose seconded the motion. All were in favor.

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

Mr. Brady made a motion to accept the minutes of Thursday, April 7, 2016 (Executive Session) as read. Mr. Rose seconded the motion. The motion carried.

**7:45 p.m. – Town of Avon Priority Development and Protection Areas Presented by Bruce Hughes and James R. Watson of the Old Colony Planning Council (OCPC)**

Bruce Hughes and James Watson appeared before the Board at 7:45 p.m. for a discussion regarding the Town of Avon's Priority Development and Protection Areas. Mr. Hughes provided each member of the Board with copies of their presentation. Mr. Hughes stated that this report updates the 2009 and 2010 reports concerning this matter. Mr. Hughes stated that Southeastern Massachusetts is growing rapidly from immigration and natural increase and from growth of new and existing businesses. Mr. Hughes further stated that continuing development can be expected as the region is a desirable place to live and work with access to regional highways and the commuter rail. However, Mr. Hughes cautioned that poorly planned development can cost opportunities for balanced land use and sustainability, and is rarely beneficial to individual communities or the region.

Mr. Hughes defined Priority Protection Areas (PPAs) as significant natural or cultural resources, including endangered species habitats, areas critical to water supply, historic resources, scenic vistas and farms. PPAs can vary in size. Mr. Hughes defined Priority Development Areas (PDAs) as areas that are appropriate for increased development or redevelopment due to several factors including good transportation access, available infrastructure (primarily water and sewer), and an absence of environmental constraints, consistency with adopted master plans or community development plans and local support. PDAs can vary in size. Mr. Hughes concluded his part of the presentation by stating that the reason it is important to have an updated study on the Town of Avon's PPAs and PDAs is that it serves as a guide and informs the appropriate Boards for the Town on making municipal decisions about zoning revisions, infrastructure investments, conservation efforts and master plan revisions. Municipalities can implement these designations using technical assistance available through state funding programs.

James Watson recapped the findings of OCPC's findings from the 2009 and 2010 study for the Town of Avon. Mr. Watson informed the Board that the Priority Protection Areas determined from the 2009-2010 study were: (1) approximately 93 acres along the western edge of D.W. Field Park, protecting water supplies in the Reservoir, wildlife habitat and the park; (2) approximately 145 acres of water protection land on the Holbrook town line protecting town wells from potentially contaminating industrial uses in Holbrook; (3) the 26.9 acre Memorial Drive water protection area guarding the Trout Brook wells and (4) approximately 128 scenic Harrison Boulevard corridor area from Pond Street to West Main Street with 100 acres of water supply protection land.

Mr. Watson suggested to the Board that they might want to consider revising the PPAs from the 2009-2010 study for inclusion of all areas protecting the Brockton Reservoir and D.W. Field Park. Mr. Watson suggested guarding against unsympathetic proposals for the southeastern quadrant land area north of the park and Pond Street where an outlet store was once proposed but seen as incompatible and plans were withdrawn. Mr. Watson also suggested reconciling the overlapping PDAs and PPAs designations along Memorial Drive.

Mr. Watson strongly recommended the Board revise the PDAs to include key developed areas with room for potential development or redevelopment such as Industrial Park and Merchants' Park with 12 acres of vacant land. Mr. Watson also recommended examining the potential for major freestanding buildings, such as former warehouses. Finally, Mr. Watson recommended revising the PDAs so that they are consistent with the zoning shown on the Avon Zoning map.

At the conclusion of their presentation, Mr. Hughes asked if the Board had any comments or questions. Chairman Hegarty stated that he would be interested in hearing about how the Harrison Boulevard substation project has affected the PPAs in that area of Town. Mr. Watson asked if the Board was interested in having the Old Colony Planning Council revise and update the PPAs and PDAs from the



2009-2010 study. Chairman Hegarty requested that the Board have time to review thoroughly the lengthy report and consult with the Planning Board before making any decisions. Mr. Hughes and Mr. Watson thanked the Board for their consideration of this project and departed.

## **UNFINISHED BUSINESS**

### **Annual Town Meeting Update**

Mr. Crimmins informed the Board that enclosed in their packets is a copy of the proof of the Annual Town Meeting booklet that has been approved by the Finance Committee and sent to the printer. Mr. Crimmins stated that the Finance Committee has approved the proposed Operating Budget for Fiscal Year 2017, as well as most of the articles in the Warrant. Mr. Crimmins stated that the Finance Committee is withholding their recommendation on a few capital planning projects for discussion on the Town Meeting floor. Mr. Crimmins stated that as far as the Brentwood area project, Article 20, the Finance Committee is receptive to this public works project after more information has been provided to them. The Finance Committee had some questions as to the cost allocation of the project. Mr. Crimmins stated that the major components of the Brentwood area project consist of replacing the water lines as the copper services to each house are thin and have a higher frequency of breakage and repairing the pothole-ridden roads and installing sidewalks. Chairman Hegarty added that the Brentwood area is a rehabilitation project that has been in the works for some time. Mr. Hegarty stated that the Brentwood neighborhood was a subdivision constructed in the 1950's. The Brentwood neighborhood has about 175 homes. Mr. Hegarty stated that the Brentwood area is the last major area that has yet to have significant work done to the roads and storm water systems, creating many issues for that area such as septic failures and road problems. Mr. Hegarty stated that the Pond Street project completed two years ago was Phase One of addressing the draining issues and high groundwater in that section of Town. Mr. Hegarty advised that it is now up to the residents of the Town to vote at the Annual Town Meeting on May 3, 2016 and he urged all residents to attend the Town Meeting.

### **Selectmen's Newsletter Update**

Executive Assistant Shanna Faro approached the Board to discuss further pricing options for the next issue of the Selectmen's Newsletter. At the last meeting of the Board, Mr. Rose asked Ms. Faro for quotes on producing the newsletter with half of the pages in color print, and the other half in black and white print. Ms. Faro informed the Board that the cost for a four-page newsletter as specified is \$762.00. Ms. Faro stated that the cost for an eight-page newsletter as specified is \$1,420.00. Ms. Faro informed the Board that there is money in the Fiscal Year 2016 budget to print an eight-page newsletter as specified at the price of \$1,420.00 or in full color at the price of \$1,455.00. However, Ms. Faro cautioned the members that, depending on the amount of times per year the Board would like the newsletter circulated, color printing might not be an option. Chairman Hegarty requested Ms. Faro gather quotes from other local printers, and not just the company that has printed the newsletter previously. Ms. Faro stated that she will follow up and receive quotes from other print companies.

### **Status of Columbia Gas Requests for Street Opening Permits**

Mr. Crimmins stated that, at the last meeting of the Board, there were some questions as to the policies and procedures of Columbia Gas Requests for Street Opening Permits. Mr. Crimmins provided the Board with copies of the "Restoration Procedure for Street Opening Permits" signed by DPW Superintendent William Fitzgerald. In addition, Mr. Crimmins informed the Board that he had consulted with Fire Chief Robert Spurr regarding trench permits and their fees. Chief Spurr stated in an e-mail dated April 8, 2016 that Columbia Gas does not pay a trench permit fee as utilities were exempted from the fee if another permit was required to do the work. Mr. Crimmins stated that in terms of the incoming requests from Columbia Gas for street opening permits, he has asked Mr. Fitzgerald to put together a list of streets that

need more attention and repair from Columbia Gas before proceeding with new requests. Chairman Hegarty requested that Mr. Crimmins follow up with Columbia Gas as well as other utilities such as National Grid, Comcast and Verizon to bring forth before the Board matters such as the number of double poles throughout the Town and other outstanding issues.

## **NEW BUSINESS**

### **Memorial Day Parade**

Chairman Hegarty announced that this year's Memorial Day parade will be held on Sunday, May 29, 2016 at 1:00 p.m. The parade route will be the same as last year, commencing at St. Michael's Church, marching on East Main Street and concluding at the VFW. Mr. Hegarty stated that if anyone is interested in participating in the parade, please contact Jack McEntee at the Avon VFW.

### **Temporary Sign Permits**

Mr. Rose made a motion to approve the temporary sign permit for Affordable Furniture to Go for two 4' x 8' vinyl banners to display a "Spring Sale" from April 22, 2016 through May 16, 2016. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to approve the temporary sign permit for Affordable Furniture to Go for two 4' x 8' vinyl banners to display a "Spring Sale" from May 25, 2016 through June 20, 2016. Mr. Brady seconded the motion. All were in favor.

### **Request for One-Day Special Alcohol Permit for Party By Design Inc.**

Mr. Rose made a motion to approve the request for a one day special alcohol permit for Party By Design Inc. on April 28, 2016 based on the conditions provided in their application that they secure police detail, all bartenders are certified by TIPs, have liability insurance and the alcohol is purchased by a licensed wholesaler. Mr. Brady seconded the motion. The motion carried. Chairman Hegarty stated that he was unsure that a liquor license is even needed for this event as this event is a 30<sup>th</sup> anniversary celebration and Party By Design will not be making their guests purchase the alcohol. Chairman Hegarty requested that Shanna Faro contact the ABCC to confirm whether a liquor license is needed.

### **Correspondence**

Chairman Hegarty read a notice provided by the Planning Board that they intend to hold a Public Hearing on Thursday, April 21, 2016 at 7:30 p.m. for a potential Zoning Bylaw change related to creating an overlay district at 257-299 Pond Street and Bodwell Street Extension.

Chairman Hegarty read correspondence from Xfinity dated April 7, 2016 regarding upcoming changes to Comcast's Digital Preferred and Digital Premier Services and the launch of new related packages.

Chairman Hegarty summarized correspondence from Comcast dated April 13, 2016 regarding the commencement of the renewal process as dictated by the Cable Communications Policy Act of 1984, Section 626(a)(1). Chairman Hegarty noted that a copy of this correspondence has been sent to the Cable Advisory Board.

### **Announcements**

Chairman Hegarty announced the May meetings for the Board of Selectmen as May 5, 2016 and May 19, 2016.



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. The vote was unanimous.

### **TOWN ADMINISTRATOR'S REPORT**

**Town Administrator** – Mr. Crimmins informed the Board that his office has been busy preparing for the Annual Town Meeting on May 3, 2016. He has scheduled a Department Head meeting for Thursday, April 28, 2016. He met with the AFSCME union today regarding the Collective Bargaining Agreement. Mr. Crimmins reported that the Annual Town Report is in the process of being finalized and will be sent to the printer shortly.

**Fire** – Deputy Chief Stephen Hallissey is currently the Acting Fire Chief while Chief Robert Spurr is out on medical leave.

**Department of Public Works** – Bill Fitzgerald worked hard on preparing the supporting materials and documentation for the Brentwood area project.

**Treasurer/Collector** – Deb Morin has been working on properties with tax liability. She has been reaching out to homeowners to make agreements on a payment scheduled for back taxes. She is still trying to determine whether the property on Memorial Drive will be an asset for the Town or if that property should be sold.

**Town Accountant** – Susan Kane has started her position as Assistant Town Accountant and has already been of great assistance to Shannon MacKenzie with payroll.

**Assessors** – Paul Sullivan has done a great job getting his department up to speed since his arrival. Mr. Sullivan is preparing for the Town's recertification.

**Finance Committee** – The Finance Committee's report for the Annual Town Meeting will be mailed to residents early next week.

**Town Clerk** – Patricia Bessette is preparing for the Annual Town Meeting. Ms. Bessette will keep the minutes of the meeting and will submit to the Attorney General for approval. The Town Election went very well.

**Building Inspector** – Building Inspector Bob Borden has returned from Arizona. Mr. Borden reports that many of the building codes are changing and he will have to keep apprised of all of the revised changes.

**Board of Health** – Tara Tradd will be hosting the Community Clean-Up Day on May 7, 2016, which is a great event for the Town. If anyone is interested in participating or needs to fulfill some community service hours, please contact Ms. Tradd.

**Library** – Karen Johnson is busy working on new programs to keep the children busy during the summer months.

**Council on Aging** – The new COA Director Gene Mazzella started on Tuesday, April 19, 2016. Mr. Mazzella is already up and running and attending training seminars. The COA Board will hold a meeting on Tuesday, April 26, 2016.

**School Department** – The School Department is busy preparing for upcoming graduation and summer vacation.

**IT** – Geno Gingras continually keeps busy with technology issues. As recently as this week, we had major phone issues with Verizon in which no calls could go through to the Council on Aging. Mr. Crimmins informed the Board that they might want to consider going digital for the telephone system. Mr. Gingras will appear before the Board at the meeting of May 5, 2016 to discuss this matter.

**Town Counsel** – Attorney Lalli informed the Board that he has been busy drafting a standardized Agreement for Professional Services for the Department of Public Works. Mr. Lalli will appear in the Stoughton District Court on April 28, 2016 with Chief Martineau regarding litigation for a License to Carry Denial matter. Mr. Lalli stated that he is also assisting Kathleen Kelliher with a lead paint removal agreement for the CDBG Grant. Finally, Mr. Lalli stated that he will be meeting with the Town Clerk tomorrow in preparation for the Annual Town Meeting scheduled for May 3, 2016.

### **ADJOURNMENT**

At 9:05 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, 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,



Shanna M. Faro  
Executive Assistant to the Town Administrator