

BOARD OF SELECTMEN

Francis A. Hegarty, Chairman

Steven P. Rose, Clerk

Robert F. Brady, Jr., Associate

Michael McCue, Town Administrator

Town of Avon Massachusetts

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**BOARD OF SELECTMEN MEETING
THURSDAY, AUGUST 4, 2011
7:30 P.M.**

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

Others present: Michael McCue, Town Administrator
Joseph Lalli, Town Counsel

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

Mr. Rose made a motion to accept the minutes of Thursday, July 21, 2011 (Regular Session) as submitted. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to accept the minutes of Thursday, July 21, 2011 (Executive Session) as written. Mr. Brady seconded the motion. All were in favor.

A request was received from the Park & Recreation Commission for the Board's acceptance of a gift donation from the Amateur Baseball League of Massachusetts. The donation, in the amount of \$400.00, is for use of the Butler field. The item was tabled from the last meeting because clarification was needed regarding the donation. With clarification received from Mrs. Littlefield, Mr. Rose made a motion to accept the \$400.00 donation to the Park & Recreation Commission. Mr. Rose questioned whether the deposit goes into the General Fund and would like clarification that the donation be processed in the way it was previously done? Mr. Rose amended his motion as follows: "to accept the \$400.00 donation from the Amateur Baseball League of Mass. to the Park & Recreation Commission with the stipulation that the funds be deposited as previously done last year." Mr. Brady seconded the motion. All were in favor.

Building Inspector Robert Borden presented a draft registration form with fees and procedures as required by the Town of Avon General By-Law X, "Abandoned and Dilapidated Buildings." Article X would regulate the security and maintenance of abandoned and dilapidated buildings within the Town of Avon.

Mr. Borden explained failure to complete the entire form and pay all fees in full shall be non-compliance and a violation of the By-Law requirements, subject to additional fines and fees.

Failure to repair and maintain the property would constitute a violation of the By-Law.

Mr. Borden presented to the Board registration fees as follows:

Residential one and two family	\$250.00
Residential three plus families	\$450.00
Commercial	\$450.00

Mr. Borden and Fire Chief Spurr designed a sign that would be attached to the exterior of an abandoned/dilapidated building. The reflective sign would be important to emergency responders.

The registration fee includes the cost to manufacture and exterior installation of signage required in By-Law X.

Town Counsel Lalli reported that on all abandoned properties there is a universal marking system. The sign fits residential and commercial buildings.

Chairman Hegarty reported that the By-Law states fees are paid **annually**. This should be noted on the final form in several places.

Mr. Rose argued that fees should be increased for commercial structures. Mr. Brady agreed.

Mr. Rose recommended increasing the commercial fee from \$450.00 annually, to \$500.00 annually.

Mr. Borden stated the By-Law reads "any unpaid fees;" where the Town can put a lien on the property.

After further discussion, Mr. Rose made a motion to approve the draft form "Abandoned/Dilapidated Structure" with the following changes:

- (1) That the commercial fee is changed from \$450.00 to \$500.00 and (2) the word "**Annual**" is added to the form title "**Annual** Registration Form" and "**Annual** Registration Fee."

Mr. Brady seconded the motion. The vote was unanimous.

Avon Fish & Game Association—Request for One Day Special Alcohol Permit

A request was received from Avon Fish & Game Association for a one-day special alcohol permit on Saturday, September 10, 2011 (Club Function – Baby Shower).

Mr. Rose made a motion to approve the request for a one-day special alcohol permit for Avon Fish & Game Association on Saturday, September 10, 2011 (Valid 9/9/11 to 9/12/11). Mr. Brady seconded the motion. The motion carried.

The ABCC disapproved the Form 43 application for transfer of an all alcohol restaurant license for Jeffrey Sinkiewicz, D/B/A Slap-Shotz Family Sports Pub. Chairman Hegarty reported the issue has since been resolved. Mr. Paulding is currently the valid liquor license holder for the business.

Town Administrator McCue reported that a certified letter was sent to Mr. Paulding notifying him that the transfer application was denied by the ABCC and returned to the Selectmen's office. Mr. Paulding remains the holder of the liquor license and the party responsible for its proper use.

Mr. Sinkiewicz completed a Form 43 "for ABCC reconsideration" to be forwarded to the ABCC, since the matter has been resolved. Form 43 "for reconsideration" requires the Board's signature.

Mr. Rose made a motion to approve the request "for reconsideration" and to sign Form 43. Mr. Brady seconded the motion. The motion carried.

Appointment of Assistant Assessor

Based on the recommendation from Town Administrator McCue and the Review Committee, consisting of the Town Accountant and the Board of Assessors Chair, Mr. Rose made a motion to appoint Mr. David Wood of East Bridgewater, Mass. to the position of Assistant Assessor; contingent upon the successful fulfillment of Town of Avon hiring policies. Mr. Brady seconded the motion. All were in favor.

Announcements

Chairman Hegarty announced there are several vacancies on Town Boards. If you are interested in serving on the Finance Committee and/or the Personnel Board, please send a letter of interest to the attention of Mr. Frank Staffier at the Avon Town Hall.

There are openings on the Conservation Commission and the By-Law Committee. Please send a letter of interest to the Board of Selectmen at the Avon Town Hall.

There is an opening on the Water Commission. An appointment will be made at a joint meeting with the Water Commissioners and the Board of Selectmen. The individual would serve until the Annual Town Election next year. Please submit a letter of interest by September 1st.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve all vouchers for the payment of bills as submitted.

Reminder: On Monday, August 8, 2011 at 7:30 p.m., a Special Town Meeting will be held. There is one article on the Special Town Meeting Warrant to be settled—the Town's operating budget for fiscal year '12. We urge all residents to attend.

Town Administrator's Report

Mr. McCue reported that he would be meeting with Constellation Energy to discuss the installation of solar panels on municipal buildings.

Mr. McCue announced that a grant the Town submitted for improvements to trails at DeMarco Park was turned down. Mr. McCue will continue to look for future grants to fund improvements at DeMarco Park.

Mr. McCue reported that some adjustments will be made for telephone service in Avon's municipal buildings from Chambers Advisory Group at a cost savings to the Town of approximately \$300.00 per month.

At 8:10 p.m. Mr. Rose made a motion to enter Executive Session to discuss a pending litigation matter. Mr. Brady seconded the motion.

A roll call vote was taken:

Mr. Rose voted aye

Mr. Brady voted aye

Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

A handwritten signature in cursive script, reading "Miriam Rothstein".

Miriam Rothstein

Secretary

Exhibits of the meeting of Thursday, August 4, 2011

Board of Selectmen minutes of Thursday, July 21, 2011 (Regular Session)

Board of Selectmen minutes of Thursday, July 21, 2011 (Executive Session)

Donation acceptance form from the Park & Recreation Commission

Draft of form "Abandoned/Dilapidated Structure Annual Registration Form" from Building Inspector

One day special alcohol permit request from Avon Fish & Game Association