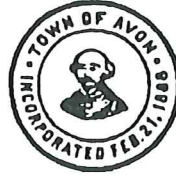


BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Robert F. Brady, Jr., Clerk
Steven P. Rose, Associate

Francis T. Crimmins, Jr.
TOWN ADMINISTRATOR

Town of Avon Massachusetts

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BOARD OF SELECTMEN MEETING THURSDAY, JULY 7, 2016 7:30 P.M.

Members present:

Francis A. Hegarty, Chairman
Steven P. Rose, Associate

Others present:

Francis T. Crimmins, Jr., Town Administrator
Shanna M. Faro, Executive Assistant to the Town Administrator
Joseph S. Lalli, Town Counsel
Gene Mazzella, COA Director
Karen Johnson, Library Director

Library Trustees:

Charles Comeau, Chair
Pat Olson, Vice Chair
Paul Chute, Secretary

Chairman Hegarty called the meeting to order at 7:30 p.m.

Library Director Karen Johnson led the meeting in the Pledge of Allegiance.

Meeting Minutes

Mr. Rose made a motion to accept the minutes of Monday, June 13, 2016 (Workshop Session) as read. Chairman Hegarty seconded the motion. The motion carried.

Mr. Rose made a motion to accept the minutes of Monday, June 13, 2016 (Regular Session) as read. Chairman Hegarty seconded the motion. All were in favor.

Mr. Rose made a motion to accept the minutes of Monday, June 13, 2016 (Executive Session) as read. Chairman Hegarty seconded the motion. The vote was unanimous.

Mr. Rose made a motion to accept the minutes of Tuesday, June 28, 2016 (Workshop Session) as read. Chairman Hegarty seconded the motion. The motion carried.

7:45 p.m. – Library Trustees

Library Director Karen Johnson and the Library Trustees approached the Board at 7:45 p.m. to discuss the library feasibility study. Chairman Hegarty stated that Article 7 of the Annual Town Meeting of May 2, 2016 passed the creation of a Library Building Study Committee which will be composed of seven members. Chairman Hegarty stated that he would like to see at least one of these committee members be a Library Trustee or a representative of the library. Ms. Olson asked if there could be more than one

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trustee as a member on the committee to which Chairman Hegarty replied in the affirmative. However, he cautioned Ms. Olson that two trustees on the committee would constitute a quorum and therefore, every time the Library Building Study Committee met, a public meeting would have to be posted for the Library Trustees as well. Mr. Rose asked if a staff member such as the Library Director could be on the committee to which Chairman Hegarty replied in the affirmative. Chairman Hegarty provided some suggestions as to qualified members for the committee such as people who have familiarity with the daily operations of a library such as frequent patrons or Friends of the Library, a Library Trustee, a Library employee, a school librarian, and perhaps someone with a construction background. Mr. Rose stated that the Board of Selectmen will be looking for letter of interest for people wanting to join this committee. Chairman Hegarty agreed with Mr. Rose and stated that he would like to get this committee up and running as soon as possible. Mr. Comeau mentioned that in the meantime, there are some grants available that he would like to apply for, if it is possible to get the paperwork in by the October deadline. Mr. Comeau stated that should the Town opt to apply for grant funding, the soonest construction could begin with grant money for a new library is 2021. Mr. Rose informed Mr. Comeau that if the Library Building Study Committee needed money for an expert to come in and help with the process of writing a grant, the Board of Selectmen could look into the funding for an expert. Mr. Chute stated that Rosemary Walton of the Massachusetts Commissions on Libraries came to visit the Avon Public Library a few weeks ago and she was very informative and gave many helpful suggestions as to how to proceed with this process. Mr. Chute summed up tonight's meeting by noting that the next step is to draft a letter and request interested citizens to join the Library Building Study Committee. Chairman Hegarty stated that he would like candidates to submit their letter to the Board of Selectmen by the end of July so that the Board can make appointments to this committee in August. Mr. Rose suggested posting for candidates for this committee in the library and on the website. Karen Johnson stated that she is sending out a survey regarding the functionality of the library and she will include the request for participants to join this committee on her survey. With a plan for the Library Building Study Committee in motion, the Library Trustees departed.

UNFINISHED BUSINESS

Designer Selection Committee

Mr. Crimmins provided the Board with an update from the Designer Selection Committee on their progress. Tracy Self wrote in an e-mail dated July 6, 2016 to Shanna Faro that the Committee did not meet as scheduled on June 9, 2016 as they did not have a quorum. Ms. Self stated in the e-mail that the Designer Selection Committee will meet on July 14, 2016 to finalize the Request for Proposal for the Owner's Project Manager. Once the RFP is finalized, it will be forwarded to Mr. Crimmins so that it can be reviewed by Town Counsel and the Board of Selectmen.

Correspondence with the Board of Health

Mr. Crimmins informed the Board that his office received correspondence from the Board of Health regarding the Employment Agreement for the Health Agent. Mr. Crimmins stated that he had a few questions regarding the language in the Agreement. Mr. Crimmins informed the Board that he has spoken to Board of Health Chairman Gerald Picardi regarding this matter. This item will be addressed in an Executive Session of the Board of Selectmen.

Recommendation for 29 Memorial Drive

Mr. Crimmins informed the Board that the property existing at 29 Memorial Drive has recently been acquired by the Town through tax title. The Town now owns the property at 29 Memorial Drive. Mr. Crimmins stated that he is seeking guidance from the Board as to whether the Town would be interested in keeping this property due to its close proximity to the Town's water supply and prime location or if the property should be placed on the market. Mr. Crimmins informed the Board that he has inquired of the

best use of this property to the Town to both Assistant Assessor Paul Sullivan and the Building Inspector Robert Borden. Mr. Crimmins also thanked Bill Self of Curley & Hansen for providing the Board of Selectmen with the surveyed plan of 29 Memorial Drive. Chairman Hegarty suggested to his colleagues on the Board that they make this decision a priority and take action on this property prior to the winter season so that the Town does not have to pay heating bills or turn the pipes off on this property.

Summer Newsletter

Ms. Faro presented the Board with a copy of the Summer 2016 Town of Avon Newsletter which will be distributed to Avon residents through the Moneysaver in mid-July. Ms. Faro stated that the summer version of the newsletter will be in full color and features an article on the new Council on Aging Director Gene Mazzella, a two-page spread on Avon's new Recycling Program and summer events such as the Avon Civic Association Summer Gazebo Concert Series.

NEW BUSINESS

Insurance Program for the Town of Avon

Mr. Crimmins provided each Board member with a summary of the Town's insurance plan for July 1, 2016 through July 1, 2017. Mr. Crimmins explained that the Town is right on target with what was budgeted for insurance for Fiscal Year 2017. Mr. Crimmins informed the Board that he intends to create a chart containing a detailed list of all buildings that are owned by the Town of Avon to help keep track of the maintenance of each building. The chart will list when each building has had a permit pulled, has had a repair, and the location of each repair. Mr. Crimmins informed the Board that he intends to create a similar chart for the Town's automobiles, listing each Town-owned automobile, truck or tractor, in which garage the vehicle is stored, the maintenance done on vehicle in the fleet and the tracking of mileage.

After reviewing the insurance summary, Chairman Hegarty questioned the significant rise in the rate for Workers' Compensation claims. Chairman Hegarty noted that the biggest amount of Workers' Compensation claims came from the School Department and questioned if there was one central location to report a Workers' Compensation claim. Mr. Crimmins informed Chairman Hegarty that general government claims go through his office to the Human Resources Coordinator Shanna Faro who then reports it to MEGA. Mr. Crimmins informed Chairman Hegarty that School Department handles their claims and reports to MEGA directly. Chairman Hegarty requested that Mr. Crimmins set up a meeting between his office and the School Department and inform the School Department that going forward they will now be required to file all Workers' Compensation claims through the Town Administrator's Office so that the Board of Selectmen can monitor claims and ensure that they are filed in a timely fashion. Chairman Hegarty also suggested the Town Administrator contact MEGA and inquire about training for supervisors on what incidents to report, how to fill out an accident report and the safety programs available that may help reduce the amount of claims incurred by the Town.

Comcast Cable Contract

Mr. Crimmins stated that he was asked by Bruce Lane to discuss with the Board of Selectmen the issue of renewal for the Comcast Cable Contract that will expire in November 2018. Bruce Lane, in his capacity as President of the Avon Community Access & Media has proposed that ACAM do the negotiations and pay all of the costs associated with the negotiations of a new contract with Comcast. Mr. Lane proposed that ACAM would monitor and work to resolve all service issues with Comcast for the length of the contract. Chairman Hegarty stated his concern that having ACAM negotiate a contract for the Town of Avon would be a conflict of interest since ACAM receives quarterly payments from Comcast for their local cable Channel 9. Chairman Hegarty was unclear as to whether the Board of Selectmen has a right to

subordinate contract negotiations to a private group and asked for further clarification before the Board of Selectmen could act on this request.

Request of Ed Selman to be Appointed to the Council on Aging

Council on Aging Director Gene Mazzella informed the Board that since Jason Miller recently resigned from his position on the Council on Aging, Mr. Selman has expressed an interest in joining the Board. Mr. Selman is currently serving as an alternate member of the Board and has been attending meetings. Mr. Mazzella stated that the other members of the Council on Aging approve Mr. Selman's request to be appointed to the Council on Aging Board. Mr. Rose made a motion to appoint Ed Selman to the Council on Aging Board to serve out the term left vacant by Jason Miller. Chairman Hegarty seconded the motion. The motion carried.

Appointment of Seasonal DPW Worker Andrew Pepe

Mr. Rose made a motion to appoint Andrew Pepe to the position of Seasonal DPW at the rate of \$13.14 per hour not to exceed 16 weeks. Chairman Hegarty seconded the motion. All were in favor.

Request for Street Opening Permits from Columbia Gas

Chairman Hegarty made a motion to approve the street opening request for a 4' x 6' x 55' road cut at 405 West Main Street to install new gas service with the following stipulations: 1) Columbia Gas provide a complete report updating the Board of Selectmen on all existing repair work that was scheduled and to be performed. 2) A police detail is secured. 3) The work must be performed during the specified hours of 9:00 a.m. to 2:00 p.m. in order to lessen the traffic impact. 4) The trench must be rehabilitated per the requirements of the Department of Public Works. Mr. Rose seconded the motion. The motion carried.

Mr. Rose made a motion to approve the street opening request for a 4' x 6' x 10' road cut at 295 East Spring Street to install new gas service with the following stipulations: 1) Columbia Gas provide a complete report updating the Board of Selectmen on all existing repair work that was scheduled and to be performed. 2) A police detail is secured. 3) The work cannot start until August 15, 2016. 4) The new curb on East Spring Street is not to be removed. 5) The trench must be rehabilitated per the requirements of the Department of Public Works. Chairman Hegarty seconded the motion. All were in favor.

Mr. Rose made a motion to approve the street opening request for a 4' x 6' x 35' road cut at 214 East High Street to install new gas service with the following stipulations: 1) Columbia Gas provide a complete report updating the Board of Selectmen on all existing repair work that was scheduled and to be performed. 2) A police detail is secured. 3) The work cannot start until August 15, 2016. 4) The trench must be rehabilitated per the requirements of the Department of Public Works. Chairman Hegarty seconded the motion. The vote was unanimous.

Mr. Rose made a motion to approve the street opening request for a 4' x 6' road cut at 101 Wales Avenue to replace the gas service with the following stipulations: 1) Columbia Gas provide a complete report updating the Board of Selectmen on all existing repair work that was scheduled and to be performed. 2) A police detail is secured. 3) The trench must be rehabilitated per the requirements of the Department of Public Works. Chairman Hegarty seconded the motion. All were in favor.

Mr. Rose made a motion to approve the street opening request for a 4' x 6' road cut and possible 4' x 10' road cut trench at 509 Page Street to replace the gas service with the following stipulations: 1) Columbia Gas provide a complete report updating the Board of Selectmen on all existing repair work that was scheduled and to be performed. 2) A police detail is secured. 3) The trench must be rehabilitated per the

requirements of the Department of Public Works. Chairman Hegarty seconded the motion. The motion carried.

Requests for One-Day Special Alcohol Permits for Avon Fish & Game Association

Mr. Rose made a motion to approve the request from Avon Fish & Game Association for a One-Day Special Alcohol Permit on July 11, 2016 (Valid July 10, 2016 through July 13, 2016). Chairman Hegarty seconded the motion. The motion carried.

Mr. Rose made a motion to approve the request from Avon Fish & Game Association for a One-Day Special Alcohol Permit on August 3, 2016 (Valid August 2, 2016 through August 5, 2016). Chairman Hegarty seconded the motion. All were in favor.

Request from Park & Recreation Commission to use DeMarco Park on August 19, 2016

Chairman Hegarty reviewed the request from the Park & Recreation Commission to use DeMarco Park on August 19, 2016 from 6:00 p.m. to 10:00 p.m. for a Teen Dance. Mr. Crimmins informed the Board that his office received this request on July 5, 2016 and it may be premature for the Board to act on this request as he has not received all the information regarding the total number of teens expected at this dance, as well as the number of chaperones. In addition, Mr. Crimmins stated that he will request input from the Police Chief regarding this request. Mr. Rose made a motion to table this request until further information was provided. Chairman Hegarty seconded the motion. The vote was unanimous.

Correspondence

Chairman Hegarty reviewed correspondence from the Alcoholic Beverages Control Commission dated June 15, 2016 regarding a Notice of Suspension for A-1 Nivniva Corp. D/B/A A-1 Market in which the Commission suspends the Beer & Wine license on Wednesday, August 3, 2016 at 9:00 a.m. through August 4, 2016. The reason for the suspension is for the sale or delivery of an alcoholic beverage to a person under 21 years of age on March 24, 2016. Mr. Rose made a motion for Shanna Faro to notify the Police Chief of A-1 Market's suspension and to receive the license for the Board of Selectmen from A-1 Market on August 3, 2016. Chairman Hegarty seconded the motion. The motion carried.

Chairman Hegarty acknowledged correspondence from Daniel Deutsch of Deutsch Williams on June 22, 2016 regarding a Site Suitability Application for a New Site Assignment regarding the TLA-Holbrook, LLC Municipal Waste Transfer Station.

Chairman Hegarty acknowledged correspondence from Comcast dated June 24, 2016 regarding two new packages which will be available on August 3, 2016, the HD Preferred Extra XF Triple Play Bundle and the HD Premier XF Triple Play Bundle.

Chairman Hegarty summarized correspondence from the Town of Holbrook Regionalization School District Planning Committee dated June 27, 2016 to the Avon Regionalization Study Committee regarding the possibility of forming a joint Holbrook-Avon Regionalization Planning Board.

Announcements

Chairman Hegarty thanked Anchor Concrete Products, Inc. for their donation of three pallets for a new flowerbed for the Town of Avon's beautification program.

Chairman Hegarty announced that the Avon Civic Association Summer Concert series will hold their next concerts on Wednesday, July 13, 2016.

Approval of Vouchers for the Payment of Bills

Mr. Rose made a motion to approve the encumbrances for Fiscal Year 2016. Chairman Hegarty seconded the motion. The motion carried.

Mr. Rose made a motion to pay the bills. Chairman Hegarty seconded the motion. The vote was unanimous.

Town Administrator's Report

Police – Chief Martineau reports that Officer Buccella was the recipient of the “Meritorious Support and Service Award” on June 1, 2016 at the annual awards night held by the Stoughton Police Department. Officer Buccella went above and beyond the call of duty on September 25, 2015 in assisting a Stoughton police officer.

Fire – Chief Spurr reports that for the month of June there were 117 calls to the Fire Department. An accident in Avon Square on June 17, 2016 caused a loss of utility power and the resulting electrical surge caused considerable damage to the instrumentation and control equipment at Porter Well.

Department of Public Works – Bill Fitzgerald will be sending out a report to all residents regarding the incident on June 17, 2016 which wreaked havoc on the Porter Well. Another car accident on July 1, 2016 resulted in a chemical spill in the catch basins on Malley Avenue which was contained and remedied a few hours after the incident.

Treasurer/Collector – Deb Morin reminds the Board of Selectmen that the Town now owns the property at 29 Memorial Drive. In addition, the revenue from the Meals Tax has totaled \$39,592.56 from October to May 2016.

Town Accountant – Shannon MacKenzie is currently working on closing out the year end and gathering information to certify free cash.

Town Clerk – Patricia Bessette reports that she received notification from the Attorney General's office that Article #5 (Zoning Map) and Article #11 (General) from the Annual Town Meeting of 2016 were approved. The Special Town Meeting held on June 28, 2016 was a success.

Building Inspector – Bob Borden reports that there has been a significant increase in permitting. Mr. Borden will be at the International Code Council Conference from October 16 through October 23, 2016.

Board of Health – Tara Tradd reports that the new recycling program is underway and the feedback has been very positive. Every house in Avon has now received a new recycling tote.

Library – Karen Johnson thanks her library staff for filling in and helping out during the staff shortage. Council on Aging – Gene Mazzella celebrated his 70th day as the Council on Aging Director in Avon on June 30, 2016. Mr. Mazzella has focused his efforts on developing an initiative called “Avon Seniors Count” which will systematically enable the Council on Aging to connect to seniors, their care partners and families. Mr. Mazzella plans to reach out to the most vulnerable, frail and isolated seniors first.

Adjournment

At 9:35 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 purpose of discussing litigation, Collective Bargaining with Union Bargaining Units 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. Chairman Hegarty seconded the motion. The motion carried.

A roll call vote was taken.

Mr. Rose 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". The signature is written in dark ink and is positioned above the printed name and title.

Shanna M. Faro

Executive Assistant to the Town Administrator