

**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, NOVEMBER 3, 2016 7:30 P.M.**

**Members present:**

Francis A. Hegarty, Chairman  
Robert F. Brady, Jr., Clerk  
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  
Robert Borden, Building Inspector  
William Fitzgerald, DPW Director  
Paul Sullivan, Assistant Assessor  
Tracy Self, Chair, Designer Selection Committee  
Daniel Klasnick, Esq., Duval & Klasnick

**Board of Assessors:**

Warren B. Lane, Chairman  
Cynthia Bernasconi, Clerk  
Kristin Kopke, Member

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

Building Inspector Robert Borden led the meeting in the Pledge of Allegiance.

### **Meeting Minutes**

Mr. Brady made a motion to accept the minutes of Thursday, October 20, 2016 (Regular Session) as read.  
Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Monday, October 24, 2016 (Workshop Session) as read.  
Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Thursday, October 20, 2016 (Executive Session) as read.  
Mr. Rose seconded the motion. The motion carried.

### **7:45 p.m. – Tax Classification Hearing**

Chairman Hegarty read the legal advertisement for the Tax Classification Hearing for Fiscal Year 2017 which was published in the Brockton Enterprise on October 31, 2016 and November 1, 2016.

TOWN OF AVON  
2016 NOV 18 AM 8:58  
TOWN CLERK

Paul Sullivan introduced himself to the audience and members of the viewing public as Assistant Assessor for the Town. Mr. Sullivan read from a report to the Board of Selectmen, which was prepared by the Board of Assessors. Mr. Sullivan made sure each member of the audience had a copy of his report. Mr. Sullivan stated that for Fiscal Year 2017, the Board of Assessors recommends the Board of Selectmen use a residential factor of 68.05%. Mr. Sullivan informed the Board and members of the audience that by choosing this factor, the tax rate for each class decreases by .15 cents for Residential and .53 cents for Commercial Industrial.

Mark Roy of Roy Elevator Cabs and Entrances, Inc. was the first member of the audience to speak. Mr. Roy objected to the proposal made by the Board of Assessors. Mr. Roy made the case that since his property value assessment rose this year, he will actually be paying more in taxes this year despite the proposed decrease. Mr. Roy further elaborated that he was speaking for all members of the Avon Industrial Park Association when he noted that Avon's commercial class has a higher tax rate than neighboring communities such as Bridgewater, Holbrook, Easton and Braintree. Mr. Roy also stated that the Industrial Park would like to get more professional looking signs at the entrances of the Park, better landscaping, public transit bus routes, and sewer if possible. Several business owners agreed with the suggestions of Mr. Roy, namely, Brian Delano of Weiss Sheet Metal, Ted Parker and Robert Costa of B.C. Tent & Awning. Chris Cooney of the Metro South Chamber of Commerce, who was also in attendance, echoed their sentiments. Finally, Mr. Roy suggested that the tax rate should be more balanced between the residential and commercial taxes, even proposing equal tax rates if possible. Chairman Hegarty disagreed with Mr. Roy stating there are residents in the Town struggling to pay their taxes now and would not be able to afford such a tax rate hike.

After listening to all comments by the audience members, Mr. Rose made a motion to set the tax rate for Fiscal Year 2017 using a residential factor of 69.3499%. Mr. Brady seconded the motion. The motion carried.

Mr. Brady made a motion to approve the Small Commercial Exemption of up to 10% which may be granted to qualifying commercial (Class 3) properties. Mr. Rose seconded the motion. All were in favor.

At 9:35 p.m., Chairman Hegarty made a motion for a brief recess at the conclusion of the Tax Classification Hearing. Mr. Rose seconded the motion. The vote was unanimous.

At 9:48 p.m., Mr. Rose made a motion to reconvene the Open Session of the meeting. Mr. Brady seconded the motion. The motion carried.

## **UNFINISHED BUSINESS**

### **Status Report from the Designer Selection Committee**

Tracy Self, Chair of the Designer Selection Committee, approached the Board to discuss the progress of the Public Safety Building. Ms. Self informed the Board that the opening of bids for the Owner's Project Manager for the new Police Station took place on Tuesday, November 1, 2016 at 2:00 p.m. Ms. Self was present along with the Town Administrator. Ms. Self stated that while eight companies signed out for the Request for Proposal package, only seven companies submitted bids. Ms. Self informed the Board that the Designer Selection Committee met at 6:30 p.m. on November 1, 2016 to begin reviewing the bids. Ms. Self stated that out of the seven bids, two companies did not meet the criteria and were immediately eliminated. Ms. Self further stated that the remaining five companies will be asked to appear before the Designer Selection Committee for separate interviews, each consisting of one-hour long session. Ms. Self stated that the Committee is using the specifically designed rubrics system as laid out in the Request for Proposal to measure and judge each candidate for the project. Chairman Hegarty agreed that the Owner's Project Manager is a key piece in this project.



## **NEW BUSINESS**

### **Cell Phone/Utility Tower Request**

Daniel Klasnick of Duval and Klasnick LLC appeared before the Board. Mr. Klasnick introduced himself as the attorney representing Verizon Wireless in the permitting of small cell antenna attachments to utility poles in the Town. Mr. Klasnick informed the Board that he was requesting the filing of a Grant of Location Petition pursuant to Chapter 166, Section 22 of the Massachusetts General Laws. Mr. Klasnick explained the locations in which Verizon Wireless is requesting antenna attachments as Pole #62 on West Main Street, Pole #26 on Ledin Drive, Pole #42 on the Bodwell Street Extension, and Pole #66 on Main Street. Mr. Klasnick stated that since Pole #66 is located within the state highway, Verizon Wireless has submitted an Application for Permit to Access State Highway with the Massachusetts Department of Transportation. Chairman Hegarty expressed his concern to Mr. Klasnick that Verizon has not yet resolved the problematic number of double poles throughout the Town. As such, he is hesitant to grant the request for antenna attachments to utility poles. Mr. Klasnick explained that Verizon Wireless is a licensee of Verizon and is not responsible for double poles. Mr. Rose was concerned about who would maintain the equipment on the utility poles. Mr. Brady made a motion to table the request from Mr. Klasnick on behalf of Verizon Wireless for the permitting of small cell antenna attachment to utility poles. Mr. Rose seconded the motion. The motion carried.

### **Appointment of Assistant Director for the Department of Public Works**

William Fitzgerald presented Keith Nastasia to the Board as the final candidate for the position of Assistant Director for the Department of Public Works. Mr. Brady made a motion to sign and execute the Employment Agreement for Mr. Nastasia. Mr. Rose seconded the motion. The motion carried. Mr. Nastasia will begin with the Town of Avon on November 28, 2016.

### **Requests for Street Opening Permits from Columbia Gas**

Mr. Brady made a motion to refer the request for a 3' x 3' road cut for gas maintenance repair at Stockwell Drive (Costco Pole #25) back to Columbia Gas as Stockwell Drive is a private road. Mr. Rose seconded the motion. All were in favor.

Mr. Rose made a motion to approve the request for a 4' x 6' x 10' road cut for new gas service installation at 150 East High Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Rose made a motion to approve the request for a 4' x 6' x 40' road cut for new gas service installation at 24 East Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to approve the request for a 3' x 3' road cut for gas maintenance repair at 253 Central Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. All were in favor.

Mr. Rose made a motion to approve the request for a 3' x 3' road cut for gas maintenance repair at 101 Wales Avenue (near the intersection of T.L. Edwards Drive) with the stipulation that all work be

completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Brady made a motion to refer the request for a 3' x 3' road cut for gas maintenance repair at 21, 26 Uarco Way (across from 21 Parker Drive) back to Columbia Gas as Uarco Way is a private road. Mr. Rose seconded the motion. The motion carried.

Mr. Rose made a motion to approve the request for a 3' x 3' road cut for gas maintenance repair at 3 Shawn Drive with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. All were in favor.

Mr. Rose made a motion to approve the request for a 3' x 3' road cut for gas maintenance repair at 35 Rock Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Brady made a motion to refer the request for a 3' x 3' road cut for gas maintenance repair at 145 Main Street back to Columbia Gas as Main Street is a state road. Mr. Rose seconded the motion. The motion carried.

Mr. Rose made a motion to approve the request for a 4' x 6' x 15' road cut for new gas service installation at 54 West High Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. All were in favor.

Mr. Rose made a motion to approve the request for a 4' x 6' x 40' road cut for new gas service installation at 407 Page Street with the stipulation that all work be completed before November 15, 2016 and that the trench be rehabilitated per the specific requirements of the Department of Public Works. Mr. Brady seconded the motion. The vote was unanimous.

#### **CDBG Requests for Single Case Waiver Approvals**

Kathleen Kelleher presented the Board with two requests for waivers of the \$35,000 per-unit cost cap for housing rehabilitation program cases. Each request contained a packet of information including a description of the projects and the justification for needing to exceed the \$35,000 cap, the low bids, the "before" photos of the projects, and the bank denial letters.

Mr. Brady made a motion to approve the Single Case Waiver for Case No. A-96 for a total of \$49,950 for the project. Mr. Rose seconded the motion with discussion. Mr. Rose expressed his concern that by granting these requests, it would limit the number of properties that the Community Development Block Grant would be able to assist. The motion carried.

Mr. Brady made a motion to approve the Single Case Waiver for Case No. A-99 for a total of \$38,900 for the project. Chairman Hegarty seconded the request. All were in favor.

#### **Correspondence**

Chairman Hegarty read correspondence from Secretary Jay Ash of the Executive Office of Housing and Economic Development dated October 31, 2016 to William Fitzgerald informing him that his application for the 2016 MassWorks Infrastructure Program, in particular, the West Main Street Reconstruction Project, was approved for a \$965,000 grant.



## **Announcements**

Chairman Hegarty announced the Norfolk Registry of Deeds will be holding office hours at Avon Town Hall on Thursday, November 17, 2016 from 10:00 a.m. until 12:00 p.m. The Register and members of his staff will be available to help answer questions or concerns about any Registry of Deeds matter. No appointment is needed.

Chairman Hegarty announced that Bulk Collection Day is Saturday, November 5, 2016. All items are to be placed curbside by 7:00 a.m.

Chairman Hegarty thanked Town Clerk Patricia Bessette and her staff for their hard work and efforts to make Early Voting a success for the residents of Avon.

Chairman Hegarty thanked Police Chief Martineau and members of the community for a fun and safe Halloween. He also thanked Jodee Frias for her Halloween Costume Drive that benefited the community.

## **Approval of Vouchers for the Payment of Bills**

Mr. Brady made a motion to pay the bills. Mr. Rose seconded the motion. The motion carried.

## **Town Administrator's Report**

A Department Head meeting was held on October 27, 2016 to discuss Year-to-Date Status Reports for FY 17, Departmental Budget Discussion Meetings for FY 18 with the Town Administrator, Capital Planning Projects and the Discussion of Articles for the Annual Town Meeting of May 2017.

The Human Resources Department of the Town Administrator's Office is working on finalizing the hiring of a new Assistant Director for the DPW, narrowing down candidates for the Police Dispatcher position, preparing to post the AFSCME union positions of Water Laborer and Library Technician. The Library Director position has been posted.

**Library** – There will be an Art Exhibit on November 17, 2016 displaying the works of Janet Landry-Borden. There was a smart phone picture taking workshop on November 1, 2016.

**School** – The schools celebrated Red Ribbon Week from October 23, 2016 through October 31, 2016. The Butler Elementary School had their annual Trunk or Treat Halloween Celebration on Saturday, October 29, 2016. The High School Drama Club performed the "Monologue Show" on October 28 & October 29, 2016. There will be no school on Election Day, November 8, 2016.

**Treasurer/Collector** – Tax bills were due Tuesday, November 1, 2016. Credit cards are now accepted for payment.

**Police** – Halloween was a big night for the Police Department. Chief Martineau is pleased to report it was a fun night without any reported events. The next big holiday for the Police Department will be Black Friday on November 25, 2016.

**Fire** – The Open House at the Fire Station on Saturday, October 15, 2016 was well attended.

**DPW** – Bill Fitzgerald is preparing for the winter. The Salt & Sand bids were just put on COMMBUYS. He is also looking into uniforms for his crew. He has several new trucks coming in. He is also working on the Holiday Lighting Project and plans to light up the Town Hall with white lights.

**Assessors** – Paul Sullivan has been busy preparing for tonight's Tax Classification Hearing.

**Town Accountant** – Shannon MacKenzie has prepared the AFSCME union retro checks which were in this week's payroll.

**Town Clerk** – The Clerk's Office has been extremely busy with Early Voting. Over 700 people have already voted.

**Building** – Bob Borden was in Kansas City, MO last week at the International Code Council Conference. He alerted all Department Heads to review and research what mitigation should be requested of potential developers looking to build in a few different areas of Town to enable the Town to accommodate these sizeable developments.

**Town Counsel** – Mr. Lalli is currently working on a Public Records Request, finalizing engineering contracts for the Department of Public Works and met this week with Superintendent Paul Zinni regarding the ACES grant for security cameras around Town.

### **Adjournment**

At 10:30 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 Collective Bargaining with Union Bargaining Units, Employment Agreements with Non-Union Personnel, and the review of the Call Firefighter Agreement, 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. Hegarty voted aye.

Mr. Brady voted aye.

Mr. Rose 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