

BOARD OF SELECTMEN MEETING
THURSDAY, OCTOBER 20, 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
Robert Borden, Building Inspector

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, October 6, 2011 (Regular Session) as written. Mr. Brady seconded the motion. The motion carried.

Mr. McCue reported the minutes of Thursday, October 6, 2011 (Executive Session) were still pending and needed to be checked with counsel. Mr. Rose made a motion to table the Executive Session minutes of Thursday, October 6, 2011. Mr. Brady seconded the motion. The motion carried.

There were no public comments during the Open Forum.

UNFINISHED BUSINESS

An Inter-Municipal Agreement was presented by Mr. McCue to the Board for signatures between the Town of Holbrook and the Town of Avon to share the services of an Animal Control Officer.

Mr. Rose questioned Item #6 of the agreement. It was explained that the item would be subject to Town Meeting vote each year and the appropriation would be a separate line item.

Mr. Rose questioned Item #7. Mr. McCue explained Avon would retain its license fees and that they are minimal. Any court imposed fines would be paid to the Town of Holbrook. Mr. McCue stated that he would calculate fines and fees.

After further discussion, Mr. Rose made a motion to approve the Inter-Municipal Agreement between the Town of Avon and the Town of Holbrook. Mr. Brady seconded the motion. All were in favor.

NEW BUSINESS

Mr. Rose made a motion to appoint Laurice Hedges to the position of Animal Control Officer, term to expire: June 30, 2012, pursuant to the terms of the agreement between the Town of Avon and the Town of Holbrook. Mr. Brady seconded the motion. The motion carried.

Mr. McCue presented the Board with a contract between the Town of Avon and the Avon Community Access & Media, Inc. for approval per Special Counsel's recommendation. Mr. McCue asked for the Board's permission to forward the document to the Cable Corporation for signatures. Mr. McCue stated that the document was prepared by Attorney Peter Epstein. A similar agreement was done in the Town of Milton and Westwood and Cape Cod communities.

Mr. Brady made a motion to approve giving the documents to the Cable Corporation for signatures. Mr. Rose seconded the motion. The motion carried.

Meeting dates for the month of November were set as follows:

Thursday, November 3, 2011 at 7:30 p.m.
Thursday, November 17, 2011 at 7:30 p.m.

Mr. Borden, Avon's Building Inspector, appeared before the Board to discuss temporary sign rules and fees. He has been in discussion with Town Administrator Michael McCue regarding the temporary sign fees.

Mr. Borden reported that according to the National models, temporary signs may extend up to 180 days. What does the Board consider to be temporary or permanent?

Mr. Borden reported that he and the Town Administrator visited one of the local businesses in Avon. It was agreed that a three (3) month time span would be the maximum time for banners to be displayed. Then the business would have to fill out another temporary sign application and re-apply for additional display time.

Mr. Borden issues the Yard Sale permits, which fall under temporary signs. 14 Yard Sale permits have been issued so far.

The following changes in the fee schedule are proposed by Mr. Borden in discussion with Mr. McCue:

1. The basic permit application fee should be set at \$25.00 per application.
2. A period of display fee to be assessed to all signs at \$.10 per square foot of sign face per day of display, limited to 180 days.

3. A flat rate fee be assessed of “Yard Sale” signs at \$1.00 per face of sign per day; to be paid with the Yard Sale permit.
4. “Yard Sale” signs to be limited to 3 square feet.
5. The Board of Selectmen may waive or reduce fees at their discretion.

Mr. Rose commented that it is important to control the number of temporary signs.

Mr. Borden stated that it is far cheaper for a business to hang up a permanent sign. Business owners should approach their landlords, developers, etc. to display permanent signage.

Mr. Borden commented that with Yard Sales, it must be a requirement to remove the temporary sign right after the Yard Sale is over. Mr. Borden reported that any contractor doing work (roofs, etc.) can place a sign on private property for the duration of the job. Mr. Brady agreed that imposing penalties for temporary signs not removed when indicated on the permit, as well as Yard Sale temporary signs that seem to be displayed well after the Yard Sale is over.

After further discussion, the Board agreed to have the Building Inspector work with Town Administrator McCue to fine tune and bring forward the rules and regulations for temporary signs.

ANNOUNCEMENTS

Chairman Hegarty announced that on Saturday, October 29, 2011 from 10:00 a.m. to noon Avon Medication Take-Back Day will be held at the Avon Town Hall. Join us to protect our youth and our environment to safely dispose of potentially dangerous medications. Just follow these simple steps:

- Keep all medications in their original containers
- Black out your name/personal information from the label but make sure the medication name and dose is visible.
- You can also bring medical sharps (needles) in puncture proof containers.

NO mercury thermometers can be accepted.

Avon’s Medication Take-Back Day is jointly sponsored by the Avon Coalition for Every Student (ACES), the Avon Board of Health, the Avon Police Department, Good Samaritan Medical Center and the Federal Drug Enforcement Agency (DEA). The program is free.

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.

TOWN ADMINISTRATOR’S REPORT

Mr. McCue reported that he is drafting letters to the Attorney General’s office and the Department of Public Utilities regarding the poor response time by National Grid restoring power to the Town of Avon during the recent hurricane. Mr. McCue will forward the letters in draft form for the Board’s review and input.

Mr. McCue met last week with Thelma Murphy of the Environmental Protection Agency (EPA) to review Avon's Storm Water Permit. The Town of Avon is in compliance with many things but some minor areas need work. The new permits coming out will be more detailed.

On Friday, October 21st a shredding service (Shred It) will be visiting Town Hall to shred over 30 boxes of old documents. Shred It is on the State's Bid list.

We received communication from the City of Woburn. A proposed Resolution in support of H1972, "An Act Regulating Election Primaries" is now pending before the General Court at the State House. Adoption of H1972 will ensure that the votes of our troops serving overseas will count on Election Day.

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to support House Bill 1972 and adopt the following Resolution:

"Now, Therefore, Be It Resolved by the Board of Selectmen of the Town of Avon, that the Town of Avon supports the adoption of HB1972 "An Act Regulating Election Primaries" pending before the 187th General Court of the Commonwealth of Massachusetts and directs the Town Clerk to transmit a copy of this action to the municipality's State Delegation and to the Joint Committee on Election Laws."

A letter will be forwarded to our State Representatives in support of HB1972.

Chairman Hegarty reported a letter was received from the MIIA Health Benefits Trust. MIIA has applied for participation in the Early Retiree Reinsurance Program (ERRP) on behalf of its governmental unit members. ERRP is a federal program established as part of recent national health reform legislation, formally known as the Patient Protection and Affordable Care Act of 2010. MIIA will be allocating the reimbursed funds based upon the amounts attributable to each members "early retirees." \$77,943 is attributable to the claims of the Town of Avon's retirees. Members will be required to execute a stipulation that the Employer and subscribers will share in the reduced working rates in accordance with the usual contribution ratios. Town Treasurer Jean Kopke has recommended Option 3 which states: "used, together with any future additional reimbursements, to reduce working rates for the next plan year."

Mr. Brady made a motion to take Option 3 with the following stipulation:

"We, the governing authority of the Town of Avon agree that the reduced working rates attributable to ERRP reimbursements will be shared between our governmental unit and its subscribers in accordance with our usual contribution ratios."

Mr. Rose seconded the motion with discussion. Mr. Rose stated he is concerned with the mechanics of how we account for this reduction of \$77,943. The motion carried.

Mr. McCue stated a staff meeting was held on October 11th. Letters will be going out early this year to schedule department head meetings to start the budget process.

On Thursday, November 3, 2011 a Flu Clinic will be held from 2:00 p.m. to 6:00 p.m. at the Avon Town Hall.

At 8:20 p.m. Mr. Rose made a motion to enter Executive Session to discuss a 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,

Miriam Rothstein
Secretary

Exhibits:

- Board of Selectmen's Minutes of Thursday, October 6, 2011 (Regular Session)
- Inter-Municipal Agreement between the Town of Holbrook and Town of Avon for Regional Animal Control Officer
- Contract between the Town of Avon and Avon Community Access & Media, Inc.
- Proposed Resolution from City of Woburn in support of H1972—"An Act Regulating Election Primaries"
- Letter from MIIA Health Benefits Trust regarding participation in Early Retiree Reinsurance Program (ERRP)