

BOARD OF SELECTMEN MEETING
THURSDAY, NOVEMBER 3, 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, October 20, 2011 (Regular Session) as written. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to accept the minutes of Thursday, October 20, 2011 (Executive Session) as submitted. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to approve the minutes of Saturday, October 22, 2011 (Workshop Meeting) as submitted. Mr. Brady seconded the motion. All were in favor.

There were no public comments during the Open Forum.

At 7:30 p.m. Library Trustees Chair Wilma MacDonald and Charles Comeau appeared before the Board in a joint meeting to vote to fill the vacancy on the Board of Library Trustees created by the resignation of Ellen Nagle.

Chairman Hegarty read a letter of interest from Patricia Olson expressing her desire to be appointed to the Board of Library Trustees, term to expire in April, 2012.

Chairman Hegarty announced placing the name of Patricia Olson in nomination. Ms. MacDonald made the motion to nominate Patricia Olson. Mr. Rose seconded the motion. It was unanimously voted to appoint Mrs. Olson to the Board of Library Trustees by acclamation, term to expire: April, 2012.

7:35 p.m.—Opening of Rock Salt Bids

Three (3) bids were received for 350 tons of Rock Salt as follows:

- | | |
|--|---------------------------|
| 1. American Rock Salt—Mt. Morris, New York | \$52.25/per ton Delivered |
| 2. Eastern Minerals, Inc.—Lowell, MA | \$48.39 per ton Delivered |
| 3. International Salt—Clarks Summit, PA | \$62.28 per ton Delivered |

Mr. Rose made a motion to take the bids under advisement. Mr. Brady seconded the motion. The vote was unanimous.

7:40 p.m.—Opening of Sand Bids

Two (2) bids were received for 1600 tons of washed coarse sand as follows:

- | | |
|---------------------------------------|-----------------|
| 1. Kingstown Corporation—Plymouth, MA | \$20.23 per ton |
| 2. T.L. Edwards, Inc.—Avon, MA | \$15.38 per ton |

Mr. Rose made a motion to take the bids under advisement. Mr. Brady seconded the motion. The motion carried.

DISCUSSION ON APPOINTMENT OF CONSTABLES

A discussion ensued regarding the elected and appointed Constables in the Town of Avon. Chairman Hegarty reported there are currently two (2) elected and seven (7) appointed Constables. There have been significant issues with appointed Constables in the Town as far as complaints issued.

Mr. Rose commented that we currently have two (2) Constables that are elected. He is not opposed to not renewing the appointed Constables.

Mr. Brady made a motion not to appoint any appointed Constables for the Town of Avon going forward. Mr. Rose seconded the motion with discussion. Mr. Rose stated notification must be given to the current appointed Constables whose term would expire on December 31, 2011. The motion carried.

Mr. Rose asked Mr. McCue to draft a letter providing proper notification to the current list of appointed Constables.

Chairman Hegarty stated the elected Constables can still operate within the Town.

Chairman Hegarty announced a Special Town Meeting would be held on Tuesday evening, November 15, 2011 at 7:30 p.m. It is a very important meeting and all residents are urged to attend. The warrant contains articles pertaining to the 2012 operating budget.

Memorandum of Agreement for the Professional Firefighters of Avon and Avon Police Relief Association

Mr. Rose made a motion to ratify the Memorandum of Agreement between the Town of Avon and the Professional Firefighters of Avon, I.A.F.F., Local 3857, for the term beginning July 1, 2010 through June 30, 2011, with a retroactive 2% salary increase. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Rose made a motion to ratify the Memorandum of Agreement between the Town of Avon and the Avon Police Relief Association, I.B.P.O., Local 383, for the term beginning July 1, 2010 through June 30, 2011, with a retroactive 2% salary increase. Mr. Brady seconded the motion. All were in favor.

A request for a temporary sign permit was received from the Holbrook Sportsmen's Club to display three (3) signs advertising their Sportsmen's Show on November 19th and 20th.

Mr. Rose made a motion to approve the temporary sign license for the Holbrook Sportsmen's Club with the understanding that we do not give authorization to attach signs to utility poles. Mr. Brady seconded the motion.

Chairman Hegarty made a motion to amend the previous motion as follows: "to approve the temporary sign license for Holbrook Sportsmen's Club with the stipulation that if they do not obey regulations, this is the last license the Board would issue."

It was unanimously voted to approve the original motion and the amended motion.

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.

Chairman Hegarty announced a letter, authored by Mr. McCue, was sent to the Department of Public Utilities Commission and the Attorney General's office informing both that the Town of Avon was very disappointed in the slow response time and piecemeal communication received by National Grid during the recent hurricane. In addition, their poor response added to the heavy burden of our Emergency Management team of Fire, Police and Highway departments. Chief Spurr concurred with the letter's content.

FY '12 COMMUNITY DEVELOPMENT GRANT

Ms. Kathleen Kelleher of Community Opportunities Group, Inc. appeared before the Board. Ms. Kelleher reported the FY 2009 grant and Housing Rehabilitation Program is now completed. 24 housing units were completed with 18 applications still on a waiting list.

The Town of Avon is planning for a FY 2012 Massachusetts CDBG Program Community Development Fund-1 (CDF-1) grant application that will be submitted to the Massachusetts Department of Housing and Community Development (DHCD) by December 16, 2011. A requirement of this application process is for the Town to update its Community Development Strategy. (CDS) Tonight is the opportunity to update anything in the CDS, especially the Town's priority projects list. The current priority project areas were listed. One update already

proposed at the COA luncheon (and which needs to be approved at the November 17th BOS meeting) is adding Fellowship Circle/Housing Authority property as a rehabilitation priority project.

The Town is considering requesting funding to continue (1) a housing rehabilitation program to improve housing conditions and (2) to provide rehabilitation assistance to the Avon Housing Authority's Fellowship Circle housing development. The proposed housing rehabilitation program would be available to income eligible residents on a town-wide basis because Avon has a population of fewer than 5,000 residents.

The Board thanked Ms. Kelleher for her work on the FY '09 grant.

A public hearing will be held on Thursday, November 17, 2011 at 7:30 p.m. to discuss a proposed grant application to the Massachusetts Department of Housing and Community Development. All residents are welcome to attend.

Ms. Kelleher discussed four (4) components of the Community Development Strategy:

- A. Housing—to support the construction, redevelopment, rehabilitation or preservation of housing to ensure that people of all abilities, income levels and household types have access to suitable affordable, safe and decent housing. Housing Rehabilitation Programs and a future Fellowship Circle Rehabilitation Project come under this component.
- B. Social Services—to ensure that all Avon residents, especially elderly, disabled, lower income and disadvantaged residents have access to needed services so that they can attain or maintain economic, social and physical independence to the greatest extent possible. Ms. Kelleher noted that the FY '09 grant funded a Community Needs Assessment and Action Plan which was completed in May, 2011 and that there is now a Community Resource Manual on the Town's website.
- C. Economic Development—to support the continued health, vitality and expansion of the Town's commercial and industrial base as a source of jobs, and to meet the retail and service needs for residents and tax revenue for Town government, while balancing environmental and quality of life concerns
- D. Public Infrastructure, Community Facilities and Environmental Quality—to ensure that the Town's infrastructure and facilities meet the needs of Avon's population by placing a priority on reuse, rehabilitation and expansion of existing facilities when feasible

Ms. Kelleher and Mr. Peter Sanborn will return on November 17th for a Public Hearing. Comments on the above or suggestions for other potential activities for the grant application may be made at the November 17th hearing or in writing before the hearing by contacting Mr. Michael McCue, Town Administrator at the Avon Town Offices. The Town encourages a broad spectrum of participation by residents and other interested parties in order to better understand and serve the needs of the community.

Ms. Kelleher announced community participation is vital to Avon's Community Development Strategy.

TOWN ADMINISTRATOR'S REPORT

Mr. McCue gave a brief update on the Pond Street project. The last bits of work are being completed for this season. The binder coat is scheduled for the week ending November 12th; sidewalks and driveways to be completed the week ending November 17th.

Mr. Rose expressed his concern with any work being done after the November 15th deadline. Mr. Rose stated we may have to speed up the schedule. It is not a good idea to have the contractor work after Thanksgiving because of the potential for bad weather. All paving should be completed by November 15th.

Mr. Rose reported he still sees several safety issues relative to the sidewalks. He asked who do we contact in the winter if there is a problem with the road—such as settling, etc.? An inspection should be done by Mr. Sarni before the project closes for the winter. Mr. Rose is requesting to get the area around the school passable. This should be a high priority. Mr. McCue agreed to forward these concerns.

At 8:20 p.m. a motion was made by Mr. Rose to recess until 8:30 p.m. Mr. Brady seconded the motion. The motion carried.

At 8:30 p.m. the Board reconvened.

MEETING WITH AVON SCHOOL COMMITTEE

School Committee members John Nolan, Carol Marinelli and Jeanne Martineau-Fernald appeared before the Board. School Superintendent Dr. Margaret Frieswyk was also in attendance.

Mr. Nolan opened up the discussion relative to the Special Town Meeting scheduled for November 15th. He asked the Board to explain the \$111,000 of available funds to add to the School Department's budget and how that figure was calculated when the School Department was asking for \$221,269.

Chairman Hegarty explained back in February the information the Board had was based on the facts they had then for local revenues. Chairman Hegarty provided a handout to all present showing 2012 revenues, explaining each item on the handout for local receipts. He went on to explain new growth figures and the total available levy figure of \$792,997. Many line items have increased such as Workers Compensation, snow and ice deficit, debt is hitting this year, Fire and Police retroactive salaries; COA handicap ramp, etc. Chairman Hegarty explained the Board took the School Department's figure of \$221,269 and cut it in half to \$111,000. The Board worked very hard in coming up with these figures and worked aggressively to fund as many items as they could for all departments.

Mr. Nolan reported that a reduced budget meant a reduction in staffing. This would be discussed at the next School Committee meeting, but ultimately, the voters would decide.

The next item brought up by the School Committee was Article 15 on the Special Town Meeting Warrant relative to a special unpaid committee to be known as a Regional School District Planning Committee, consisting of three (3) members, including one (1) member of the School Committee. This individual would be appointed by the Town Moderator.

Chairman Hegarty reported that the Town needs to look at all options available—regionalization can be a good thing and we have to look ahead and do long-term planning. It can be a 3-5 year process and there is funding available through the State—The Department of Education—to provide funding for studies for regionalization. Chairman Hegarty stressed that there are advantages to the Town of Avon to seek out other towns and pursue whatever options are available. We want to provide the best quality education to our children that we can.

Mrs. Martineau-Fernald stated she feels there was miscommunication with the Board and the School Committee after the initial meeting with the Town of Holbrook. She also reported that she feels miscommunication occurred with the budget numbers as well. The School Committee tried to meet sooner with the Board of Selectmen but was told their prior meeting agenda “was full.”

Chairman Hegarty stated the Special Town Meeting date scheduled in the month of November was accelerated because the Town needs to get the certified tax rate.

Mr. Brady asked how these miscommunication scenarios could be avoided in the future?

Chairman Hegarty suggested planning quarterly meetings going forward, alternating between Monday night meetings (School Committee) and Thursday night meetings (Board of Selectmen) to increase communication. The Board agreed.

The School Committee members present asked if the School Committee could be dropped from Article 15 regarding regionalization and the Board of Selectmen’s name placed as the sponsor?

Dr. Frieswyk brought up the \$111,000 budget funding figure for the School Department and asked how this figure was calculated?

The item was again open for discussion. School Department members referred back to the handout regarding the levy capacity and asked if the last four (4) items could be taken out of the levy limit and paid out of free cash? That would enable the School Department to receive the funding needed to maintain services. The following four (4) items discussed were:

Software/Town Treasurer	\$12,000
COA Handicap Ramp	7,000
Highway Dept. truck	64,776
125 th Anniversary Celeb.	25,000

After further discussion, the following motions were made:

Mr. Rose made a motion that the School Committee be removed as sponsor of the Special Town Meeting article dealing with Regionalization and put the Board of Selectmen as sponsor of the article. Mr. Brady seconded the motion. All were in favor.

Mr. Rose made a motion to amend Article 1 of the Special Town Meeting Warrant to reflect a revised line item total for the School Department to reflect \$221,269 under the levy capacity of items. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to recommend taking the funds from the four (4) items from free cash as follows: Software/Town Treasurer, COA Handicap Ramp, Highway Department Truck, and the 125th Anniversary celebration for a total of \$108,776. Mr. Brady seconded the motion. The motion carried.

With all business completed, Mr. Rose made a motion at 10:45 p.m. to adjourn the meeting. Mr. Brady seconded the motion. All were in favor.

The meeting adjourned at 10:46 p.m.

Respectfully submitted,

Miriam Rothstein
Secretary

EXHIBITS:

- Board of Selectmen's minutes of October 20, 2011 (Regular Session)
- Board of Selectmen's minutes of October 20, 2011 (Executive Session)
- Board of Selectmen's minutes of Saturday, October 22, 2011 (Workshop Meeting)
- Letter of Interest from Patricia Olson regarding Board of Library Trustees appointment
- Memorandum of Agreement for Professional Firefighters of Avon and Avon Police Relief Association
- Request for temporary sign permit from Holbrook Sportsmen's Club
- Handout from Ms. Kelleher—Community Opportunities Group, Inc. regarding Community Development Strategy (CDS)
- Handout from Board of Selectmen regarding FY 2012 revenues