

BOARD OF SELECTMEN MEETING  
THURSDAY, DECEMBER 1, 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, November 17, 2011 (Regular Session) as written. Mr. Brady seconded the motion. The motion carried.

Mr. Rose made a motion to accept the minutes of Thursday, November 17, 2011 (Executive Session) as submitted. Mr. Brady seconded the motion. The vote was unanimous.

Mr. Rose made a motion to release all Executive Session minutes prior to December 31, 2010. Mr. Brady seconded the motion. All were in favor.

**7:35 P.M.—POND STREET SEASON END REPORT—GEORGE MELLO, TIBBETTS ENGINEERING**

Mr. George Mello, Senior Project Engineer of Construction Services for Tibbetts Engineering, appeared before the Board to report on the status of the Pond Street project. Mr. Mello reported that by Saturday noon the paving we want done, will be done. All wheelchair ramps will be completed. Poles will be moved to the back side of the sidewalk next spring. Guardrails and fencing will be finished next week. The only obstruction reported is at 89 Pond Street. The contractor will clean all debris in the catch basins before season end. The road will be clean to allow for snow plowing. Signage will be installed according to Mass. Highway standards. Hydro seeding will be done next week. As far as the gas company, there are a few outstanding issues to resolve; there are 2 gas mains left to be relocated. Mr. Mello reported there are 10 or 12 driveway complaints remaining. There is a temporary stripe down the center of the road. No

crosswalks will be painted until next spring. Mr. Mello's total cost figure for the project: \$1,379,000.

Mr. Rose had several comments to make regarding the season end update. (1) Mr. Rose stressed the importance of painting crosswalks now and not waiting for the spring for safety reasons. Mr. Rose also explained that the hydro seeding should not be done now; it will not take as it is too late in the year; it is an expense that the Town needs to pay only once and the contractor is responsible for the hydro seeding. We do not want to pay twice for this item.

Chairman Hegarty mentioned that there is one pole in the roadway that is a concern to him.

The Board thanked Mr. Mello for his update.

### **8:00 p.m.—Town Moderator Frank Staffier**

Mr. Staffier appeared before the Board with two issues of importance. Being Town Moderator, he must maintain neutrality and stated he would never sponsor an article on a warrant. He stated it is difficult to obtain a quorum of 75 people at Town Meeting; he is suggesting putting the by-law back to 50 people for a quorum. He stated there are some towns in Massachusetts that need no quorum to conduct town business. Mr. Staffier is concerned about the time it takes to reach a quorum of 75. He is also concerned with apathy in the Town and feels it has taken over. Some communities in the Commonwealth require a 2/3 vote for an article to pass. The Town Moderator must call for a count if it is not a unanimous vote. He is proposing that the Town leave the count to the discretion of the Moderator.

Mr. Staffier brought to the Board's attention the difficulty he has observed with residents trying to cross the street from the Avon Cooperative Bank to the Avon Post Office. On two occasions, he has had to help elderly residents cross because even though there is a crosswalk, there is no sign where the State requires vehicles to stop for pedestrians. Signage and a better lined crosswalk is needed for pedestrians crossing the street.

### **Annual License Renewals for 2012**

#### **1. Liquor License Renewals for 2012**

Shooters, Inc.	36 East Main Street
Jeffrey Sinkiewicz	
D/B/A Slap-Shotz	39-43 East Main Street
Avon Post #8892 V.F.W. Inc.	263 East Main Street
Avon's Generations, Inc.	81 Memorial Drive
Janet Ashton-Geiss	
D/B/A Blanchard's Tavern	98 North Main Street
A-1 Nivniva Corp.	
D/B/A A-1 Market	85 East Main Street
Big Jim's Liquors, Inc.	155 East Main Street
Alan Group, Inc.	

D/B/A Avon Line Beer & Wine	2 Memorial Drive
Costco Atlantic Liquors, Inc.	
D/B/A Costco Liquors	120 Stockwell Drive
Avon Food Mart, Inc.	17 North Main Street
Wine.com-Massachusetts, Inc.	33 Wales Ave.
D/B/A wine.com	
Thong Van Pham	
D/B/A Avon Variety	490 West Main Street
Sulamita Figueiredo	
D/B/A Mainha Restaurant	160 Memorial Drive

Mr. Rose made a motion to approve the liquor licenses as previously read. Mr. Brady seconded the motion. The motion carried.

## **2. Livery License Renewals for 2012**

TAZ, Inc.	185 Main Street, Suite 40
TAZ, Inc.	
TAZ, Inc.	
TAZ, Inc.	
TAZ, Inc.	
TAZ, Inc.	
TAZ, Inc.	
TAZ, Inc. (Handicap Van)	
TAZ, Inc. (Handicap Van)	

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve the livery license renewals for 2012 as previously read.

## **3. Common Victualler's License Renewals for 2012**

Costco Wholesale Corp.	120 Stockwell Drive
Avon House of Pizza	163 Main Street
Delops, Inc.	600 Page Street
Randolph Donuts, Inc.	600 Page Street
Independence Foods, LLC	
D./B/A Dunkin Donuts	20 Memorial Drive
Linda D. Lewis Martin	
D/B/A Shooters, Inc.	36 East Main Street
Janet Ashton-Geiss	
D/B/A Blanchard's Tavern	98 North Main Street
Jeffrey Sinkiewicz	
D/B/A Slap-Shotz Family Sports	
Pub	39-43 East Main Street
Erion Konini and Justin Dano	
D/B/A Supreme Pizza	17 North Main Street

Nana's Pizza and Subs	490 West Main Street
Wal-Mart	30 Memorial Drive
Avon Variety	490 West Main Street
Dunkin Donuts	5 Stockwell Drive
Independence Foods, LLC	
D/B/A Dunkin Donuts	30 Memorial Drive (at Wal-Mart)
Sulamita Figueiredo	
D/B/A Mainha Restaurant	160 Memorial Drive
Subway of Avon, LLC	5 Stockwell Drive
Pizzas Galore	
D/B/A Geri's	147 Main Street
Avon Chinese Restaurant Corp.	
D/B/A Charlie Chan's	9 North Main Street
A-1 Nivniva Corp.	
D/B/A A-1 Market	85 East Main Street

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve the Common Victualler license renewals for 2012 as previously read.

#### **4. Class I and Class III licenses**

Class I licenses:

Ballard Mack Sales & Service, Inc.	One Mack Drive
Bayside Trucks, Inc.	11 Ledin Drive

Class III license:

George's Garage, Inc.	340 East Spring Street
-----------------------	------------------------

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve the Class I licenses and Class III license for 2012 as previously read.

#### **5. Class II licenses**

George's Garage	340 East Spring Street
Steven DeAcetis	
Avon Auto Center, Inc.	104 Memorial Drive
Robert Nicholson	
D/B/A Brittanic Motors	110 Memorial Drive
Brian G. White	
D/B/A Cycle Performance Auto Body	271 East High Street
Robert Sneider	
E.J. Auto, Inc.	21 Ledin Drive
Avon Auto Brokers, Inc.	159 Memorial Drive
Avon Auto Brokers, Inc.	109 Memorial Drive

C.N. Woods Co., Inc.  
41 North Main Used Cars

140 Wales Ave.  
41 North Main Street

Mr. Rose made a motion to approve the Class II licenses for 2012 renewal as previously read.  
Mr. Brady seconded the motion. All were in favor.

## **6. Entertainment Licenses for 2012 Renewal**

Avon V.F.W. Post #8892                      263 East Main Street

Eight (8) Video Entertainment Machine licenses (includes license for one (1) juke box)  
One (1) Pool table license  
One (1) Public entertainment license for one (1) juke box to include karaoke and a live band

Shooters, Inc.                                      36 East Main Street

Three (3) Pool table licenses  
Eight (8) automatic amusement device licenses (includes license for one (1) juke box)  
One (1) Public entertainment license for one (1) juke box

On a motion made by Mr. Rose, seconded by Mr. Brady, it was unanimously voted to approve all Entertainment Licenses for 2012 renewal as previously read.

Chairman Hegarty reported that when licenses are available for pick-up, no license will be given unless real estate taxes, personal property taxes, water bills and necessary insurance papers (bonds, etc.) are provided with payment.

A request for gift acceptance was received from the Council on Aging from Avon resident, Connie Vieira, for \$50.00 to be used for their Christmas party desserts.

Mr. Rose made a motion to approve the gift acceptance from Connie Vieira to the Council on Aging. Mr. Brady seconded the motion. The motion carried.

The Board discussed a date for closing of the compost site. After some discussion, Mr. Rose made a motion to close the compost site on Sunday, December 18, 2011, or on the first plowable snow storm. Mr. Brady seconded the motion. All were in favor.

Chairman Hegarty announced volunteers are needed to serve on the following Boards: Capital Planning Committee, Conservation Commission and the By-Law Committee. Anyone interested in serving should send a letter to the Avon Town Hall, Board of Selectmen's office.

A general meeting for volunteers to serve on the 125<sup>th</sup> Anniversary Celebration Committee will be held during the month of January. Please drop a letter to the Town Hall if you are interested in serving on this committee. The celebration would be held in 2013.

Mr. Brady made a motion to approve all vouchers for the payment of bills as submitted. Mr. Rose seconded the motion with discussion. Mr. Rose questioned an invoice from the "Enterprise" newspaper relative to the CDBG application. Would the Town receive reimbursement for this invoice if the grant is approved and funding is available? Chairman Hegarty responded "yes." It would be taken out of the grant money.

The vote was unanimous.

The Board discussed an outstanding invoice for Paolini Corporation. Mr. Rose suggested doing nothing with the bill until the work is complete on Pond Street. The Board agreed.

Mr. Rose made a motion to table payment of the invoice from Paolini Corporation. Mr. Brady seconded the motion. The motion carried.

### **Town Administrator's Report**

Mr. McCue reported that he attended two (2) FEMA meetings recently. One was an exploratory meeting regarding the October 29<sup>th</sup> snow event to see if Norfolk County was an area warranting reimbursement from FEMA.

The second meeting was with FEMA representatives regarding the tropical storm damage in August. Paperwork needs to be completed for the storm.

Mr. McCue attended a local emergency planning meeting with Holbrook to discuss regionalizing some approaches to emergency management planning.

Mr. McCue reported that a review of DEP issues at the compost site meeting was held. It is his intention to return the responsibility of the compost site issues to the Board of Health office.

At 8:30 p.m. Chairman Hegarty called for a brief recess.

At 8:35 p.m. the Board reconvened.

At 8:35 p.m. Planning Board members Charles Comeau, Matt Curley and Bob Pillarella appeared before the Board to discuss the unaccepted streets and possible solutions regarding these streets in the Town of Avon, especially in the Industrial Park location.

A listing of all streets in the Town of Avon was presented and read by Chairman Hegarty. Some of the streets were accepted; some non-accepted; some paper streets, etc.

Chairman Hegarty explained the more roads the Town has, the more money the Town receives from the State. All streets must be accepted at Town Meeting. Acceptance of a street goes to the State for mileage.

Chairman Hegarty read the list of streets one by one and each street was discussed. The Planning Board and Board of Selectmen agreed that some streets needed to be researched to

determine if the street listing information is in fact correct. The list has not been updated since January of 2008. Some streets in the Town were not listed, such as Gaffney Way and Lambert Drive.

Mr. Curley was concerned about the time it might take to research the information needed and if this would be cost effective for the Town. Do we need to hire someone from the outside?

After some discussion, it was agreed that both Boards would compile a list and meet again around the first of February to determine what streets should be accepted and brought to the voters at future Town Meetings.

At 10:45 p.m., with all business completed, Mr. Rose made a motion to adjourn. Mr. Brady seconded the motion. The motion carried.

Respectfully submitted,

Miriam Rothstein  
Secretary