

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

Francis T. Crimmins, Jr.  
**TOWN ADMINISTRATOR**

# Town of Avon Massachusetts

Town Offices  
Buckley Center 02322  
(508) 588-0414  
FAX (508) 559-0209



BOARD OF SELECTMEN MEETING  
THURSDAY, SEPTEMBER 18, 2014  
7:30 p.m.

2014 OCT -3 AM 11:38  
TOWN OF AVON  
TOWN CLERK

Members present: Francis A. Hegarty, Chairman  
Steven P. Rose  
Robert F. Brady, Jr.

Others present: Francis T. Crimmins, Jr., Town Administrator  
Joseph Lalli, Town Counsel

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

Selectman Rose led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Thursday, September 4, 2014 (Regular Session) as written. Mr. Rose seconded the motion. All were in favor.

Mr. Brady made a motion to approve the minutes of Thursday, September 4, 2014 (Executive Session) as submitted. Mr. Rose seconded the motion. The vote was unanimous.

## **COMMUNITY OPPORTUNITIES GROUP—CDBG HOUSING REHABILITATION PROGRAM**

Mr. Wayne Darragh and Ms. Kathleen Kelleher of Community Opportunities Group, Inc. appeared before the Board.

Mr. Darragh, Program Director of the Avon Housing Rehabilitation Program reported that he has a single case waiver request for Housing Rehabilitation Program case #WB-017E. The Avon-West Bridgewater Housing Rehabilitation Program requests that the Avon Board of Selectmen approve a Single Case Waiver (SCW) of the per unit spending cap for a single family home in West Bridgewater. In accordance with the program guidelines, a Single Case Waiver is required for a housing rehabilitation project where the budget exceeds the \$35,000 per unit spending cap.

Mr. Darragh explained the house in question is in substandard condition. The home needs significant rehabilitation work including the demolition and rebuilding of a room at the rear of the house that was constructed directly on the ground and is currently covered by a tarp. The home requires a new roof and extensive window, flooring and interior and exterior wall replacements due to water penetration and wood rot.

The client qualifies as a low-income household and is eligible to receive 100% program assistance. The client has proven that she does not have the personal funds to obtain a loan for the cost of the project beyond the spending cap.

On September 15, 2014 the Avon-West Bridgewater Community Development Advisory Committee (made up of two Avon residents and two West Bridgewater residents) unanimously voted to recommend granting the Single Case Waiver.

Mr. Darragh stated granting a Single Case Waiver will not impact the Town's ability to meet its program goal of 26 units; the program is currently on pace to exceed its goal.

Mr. Rose made a motion to approve the request for a Single Case Waiver for a property in West Bridgewater. Mr. Brady seconded the motion. The motion carried.

### **UNFINISHED BUSINESS**

Chairman Hegarty asked the Board to sign an approved, updated all alcohol restaurant license change for Avon's Generations. There is no vote required as the change of license was approved by the Alcoholic Beverages Control Commission (ABCC).

### **NEW BUSINESS**

#### **APPOINTMENT OF SPECIAL POLICE OFFICERS**

Chairman Hegarty reported there are two (2) candidates recommended by Police Chief David Martineau to be appointed Special Police Officers for the Town of Avon; Michael Theil and Alexander Cutts. Both candidates will be enrolled in the Police Academy until February, 2015.

Mr. Brady made a motion to approve the appointment of Michael Theil and Alexander Cutts as Special Police Officers for the Town of Avon, term of expiration: June 30, 2015. Mr. Rose seconded the motion. All were in favor.

#### **TEMPORARY SIGN PERMIT FOR AVON COOPERATIVE BANK**

A temporary sign permit request was received from Sign Design/Avon Cooperative Bank to display one large banner advertising Avon Cooperative Bank's 100 year celebration through March 19, 2015.

Mr. Brady made a motion to approve the request from Sign Design/Avon Cooperative Bank to display one banner advertising its 100 year celebration. Mr. Rose seconded the motion with

discussion. Mr. Rose stated temporary sign requests are not usually approved for such a long period of time but this being the bank's 100<sup>th</sup> Anniversary, he will go along with the request. The motion carried.

A temporary sign permit request was received from Jordan's Furniture at 100 Stockwell Drive to display three (3) 12 x 70 vinyl mesh banners advertising the Boston Rocks Laser Show through November 1, 2014.

Mr. Brady made a motion to approve the temporary sign request from Jordan's Furniture to display three (3) banners through November 1, 2014. Mr. Rose seconded the motion. The vote was unanimous.

A request was received from AIPA (Avon Industrial Park Association) for permission to display three (3) 2 x 4 signs on each end of Bodwell Street and one (1) at 105 Bodwell Street advertising AIPA's Annual Picnic on Wednesday, October 1, 2014 with a fee waiver request.

Mr. Brady made a motion to approve the temporary sign permit for AIPA through October 1, 2014. Mr. Rose seconded the motion with a friendly amendment to include the Board's willingness to waive the temporary sign permit fee. The vote was unanimous.

#### **REQUESTS FROM COLUMBIA GAS FOR STREET OPENING PERMITS/ROAD CUTS**

A request was received from Columbia Gas to abandon gas service at **58 East Main Street**.

Mr. Rose made a motion to deny the request since Route 28 is a state road and a permit should be obtained from the state. Mr. Brady seconded the motion. The vote was unanimous.

A request was received from Columbia Gas to abandon gas service at **57 Page Street**.

After some discussion, Mr. Brady made a motion to approve the road cut request for 57 Page Street. Mr. Rose seconded the motion with discussion. Mr. Rose amended the motion to include "with the stipulation that the restoration of the road is followed to the DPW Superintendent's specifications and to use infrared patching."

A request was received from Columbia Gas to abandon gas service at **185 Bodwell Street**.

Mr. Brady made a motion to approve the request at 185 Bodwell Street with the stipulation that the restoration of the road is followed to the DPW Superintendent's specifications. Mr. Rose seconded the motion. All were in favor.

A request was received from Columbia Gas to abandon gas service at **160 East High Street**.

After some discussion, Mr. Rose made a motion to deny the request since it was determined that East High Street is a road less than five (5) years old and there is a moratorium on street openings/road cuts at that location. Mr. Brady seconded the motion. The motion carried.

A request was received from Columbia Gas to install a new gas service at **28 Malley Ave.**

Mr. Brady made a motion to approve the installation of a new gas service at 28 Malley Ave. Mr. Rose seconded the motion with discussion. Mr. Rose questioned whether this location is a newly paved section of Pond Street. Chairman Hegarty did not think this location was part of the newly paved section on Pond Street. Mr. Rose seconded the motion to approve the installation of gas service with the stipulation that the restoration of the road is followed to the DPW Superintendent's specifications. The vote was unanimous.

A request was received from Columbia Gas to install new gas service at **527 West Main Street.**

Mr. Rose made a motion to approve the request with the stipulation that the restoration of the road is followed to the DPW Superintendent's specifications. Mr. Brady seconded the motion. The vote was unanimous.

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to reappoint Joanne Grenham of 86 Pond Street to the Avon Cultural Council, term of expiration: June 30, 2019.

A letter of resignation was received from Matthew Doucet, Commissioner of the Avon Park and Recreation Department, for the Board's acceptance.

Mr. Brady made a motion to accept Mr. Doucet's resignation with regret and thanked him for his service. Mr. Rose seconded the motion. The motion carried.

## **ANNOUNCEMENTS**

Chairman Hegarty announced Avon's evening Seasonal Flu Clinic will be held on Wednesday, October 8, 2014 from 3:00 p.m. to 7:00 p.m. for ages 9 years and older. The Flu Clinic will be held at the Avon Town Offices. If you have any questions, please contact the Avon Board of Health Agent, Tara Tradd, at (508) 588-0414 Ext. 1016.

October meeting dates are **October 2<sup>nd</sup>** and **October 16<sup>th</sup>** at 7:30 p.m.

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to approve all vouchers for the payment of bills as submitted.

## **TOWN ADMINISTRATOR'S REPORT**

Town Administrator Crimmins thanked the voters for attending a Special Town Meeting on Tuesday, September 16<sup>th</sup>. He reported the results of some of the articles on the warrant—the passing of bills from a prior year; the lot in the square for which closing will take place soon

(133 Main Street); the TIF agreement (Tax Increment Financing Agreement) with AccuRounds which will be signed by the Board of Selectmen and the article approving the Town Administrator's salary line item to fund his contract.

Mr. Crimmins stated a Department Head Meeting was held on Tuesday, September 16<sup>th</sup>. He would like to update the Board on the following items:

1. **Council on Aging**—Programming for September included a Caregiver support group scheduled on September 11<sup>th</sup> in the evening designed specifically for adult children, many of whom work during the day. A low vision support meeting was held on September 16<sup>th</sup> sponsored by the Massachusetts Commission for the Blind, providing an educational workshop for elders with vision loss.
2. Thank you to Shanna Faro who works very hard to add programming to the Avon website [www.avonmass.org](http://www.avonmass.org).
3. **School Department**—School Superintendent Zinni was not able to attend the meeting. Kathy McDonald, School Business Manager, was in attendance. Mr. Zinni's monthly report included information on a 3 day Administrative Retreat that was held for the 2014-2015 Administrative Team. The retreat was held at Stonehill College. The 2014-2017 District Improvement Plan was finalized at the retreat and presented to the School Committee at its August 11, 2014 meeting.
4. Karen Johnson, Library Director, spoke about upcoming **Library** programs and renovations that are ongoing at the Avon Public Library.
5. **Town Accountant**—Shannon MacKenzie discussed payroll projects. A Finance Team Meeting was held on Thursday, September 11<sup>th</sup>.
6. **Board of Assessors**—David Wood discussed the upcoming Tax Classification Hearing. The legal notice will be published on October 22<sup>nd</sup> in the "Moneysaver."
7. **Department of Public Works**—DPW Superintendent Bill Fitzgerald and Town Administrator Crimmins attended a meeting at DEP in Lakeville on Tuesday, September 16<sup>th</sup>. Mr. Crimmins reported that on January 17, 2014 an Administrative Consent Order was issued to the Town (Order #ACOP-SE-12-5D-001). The Consent Order contained a schedule of actions and deadlines which the Town must adhere to. The Town was given 90 days to supply information to the DEP on how to fix problems with the water supply. The response was due by April 17, 2014. No report was furnished to the DEP and no letter requesting extension of the time was sent.
8. **Town Clerk**—Ms. Besette discussed the upcoming Special Town Meeting and updated the results of the State Primary Election.
9. **Town Administrator Crimmins** announced AIPA will hold its Annual Picnic Outing on Wednesday, October 1<sup>st</sup>. A Legislative Meeting will be held at Stonehill College on October 1<sup>st</sup>. A "Road Safety Audit" was received regarding the Harrison Boulevard Corridor. The audit was prepared for the Massachusetts Department of Transportation (MASS DOT) on August 22, 2014. A packet was received from Stephanie Kaiser at CHA. Mr. Crimmins will look into this with Mr. Fitzgerald so that the CHA invoice can be processed.
10. **Town Counsel**—Thank you to Attorney Lalli for updates on several legal projects.

Town Administrator Crimmins reported he has contacted Charlie Rourke of Estabrook and Chamberlain Insurance. He is meeting with Mr. Rourke on Friday, September 19<sup>th</sup> at 9:30 a.m. for an update on insurance matters.

Town Administrator Crimmins informed the Board that **effective October 23, 2014** off premises retail alcoholic beverages licensees (MGL Chapter 138, Section 15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours. Applications are available on the ABCC website.

Chairman Hegarty commented on the DEP Administrative Consent Order. Chairman Hegarty would like to suggest imposing a freeze on payments to those parties responsible for no action taken. Mr. Brady and Mr. Rose agreed.

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to impose a freeze on payments to those vendors responsible for no action taken on the DEP Consent Order.

Chairman Hegarty thanked Mr. Crimmins for his report.

Avon resident Sam Kamel appeared before the Board. As an abutter to 133 Main Street, he asked for the Board to keep him informed about the clean up and landscaping of the property. Chairman Hegarty commented that the clean-up is about 30 days away.

At 8:30 p.m. Mr. Rose made a motion to enter Executive Session to discuss a collective bargaining matter as an open meeting may have a detrimental effect on the litigating position of the public body, so declared by the Chair, and to reconvene in open session for the sole purpose of adjournment. Mr. Brady seconded the motion.

A roll call vote was taken:

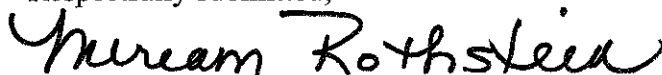
Mr. Rose voted aye

Mr. Brady voted aye

Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Miriam Rothstein". The signature is fluid and cursive, with the first name "Miriam" and last name "Rothstein" clearly distinguishable.

Miriam Rothstein  
Secretary