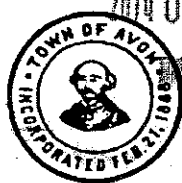


BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Steven P. Rose, Clerk
Robert F. Brady, Jr., Associate

Francis T. Crimmins, Jr.
TOWN ADMINISTRATOR

Town of Avon Massachusetts

Town Offices
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2014 OCT 17 AM 9:39

TOWN CLERK

BOARD OF SELECTMEN MEETING THURSDAY, OCTOBER 2, 2014 7:30 p.m.

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
William Fitzgerald, DPW Superintendent

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

Attorney Lalli led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Thursday, September 18, 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 18, 2014 (Executive Session) as submitted. Mr. Rose seconded the motion. The vote was unanimous.

UNFINISHED BUSINESS

A request was received from Columbia Gas of Massachusetts to install new gas service at 28 Malley Avenue. The item, requiring a road cut, needed further clarification from DPW.

After some discussion, Mr. Rose made a motion to deny the road cut for installation of a new gas service at 28 Malley Avenue since this is a newly paved area and a 5 year moratorium exists on recently paved roads. Mr. Brady seconded the motion. The vote was unanimous.

M.G.L. CHAPTER 138 SECTION 15—OFF PREMISES RETAIL LICENSEES SUNDAY OPENING TIME ALLOWED AT 10:00 A.M.

Chairman Hegarty explained the new legislation for a "Change of Hours" for Off Premises Retail Licensees, which becomes **effective October 23, 2014**. Licensees must use the Change of Hours

Form to notify the Local Licensing Authority of the change in hours for their establishment with an attached corporate vote authorizing the change.

Costco Atlantic Liquors, Inc. filed an application to change the hours of sale on Sundays for liquor sales to start at 10:00 a.m. instead of 12 noon.

With all paperwork completed and an approved Form 43, Mr. Rose made a motion to acknowledge a change of hours for Costco Atlantic Liquors, Inc.; Sunday liquor sales to start at 10:00 a.m. instead of noon. Mr. Brady seconded the motion with a friendly amendment to include beginning on Sunday, October 26, 2014. It was unanimously voted to approve the amended motion as stated above.

A-1 Nivniva Corporation, located at 85 East Main Street, submitted an application for a change in Sunday hours; open hours for selling beer and wine to start at 10:00 a.m. instead of noon time.

With all paperwork completed and an approved Form 43, Mr. Rose made a motion to acknowledge a change in hours for Sunday liquor sales; A-1 Market can begin to sell on Sundays at 10:00 a.m. instead of 12 noon. Mr. Brady seconded the motion with a friendly amendment to include beginning on Sunday, October 26, 2014. It was unanimously voted to approve the amended motion as stated above.

COLUMBIA GAS OF MASSACHUSETTS—STREET OPENING PERMITS/ROAD CUTS

A request was received from Columbia Gas for a street opening permit to raise the test box at **64 East Street**.

After some discussion, Mr. Rose made a motion to grant the request to raise the test box at 64 East Street. Mr. Brady seconded the motion. The motion carried.

Chairman Hegarty questioned whether the gas company had responded to the patching needed on Peterson Road? DPW Superintendent Bill Fitzgerald responded "yes. Patching was done two days ago."

A request was received from Columbia Gas for a street opening permit to install new gas service at **85 East High Street**.

Mr. Rose made a motion to approve the request for a road cut to install new gas service at 85 East High Street. Mr. Brady seconded the motion.

At this point Chairman Hegarty stated that this is a second request for a road cut at this location and the first request was denied. East High Street is a newly paved street under the 5 year moratorium policy. Chairman Hegarty asked if Mr. Rose would like to reconsider his motion.

Mr. Rose made a motion to reconsider the motion on the floor. Mr. Brady seconded the motion. All were in favor.

Mr. Rose made a motion to deny the request for a street opening permit to install new gas service at 85 East High Street due to the 5 year moratorium on newly paved roads. Mr. Brady seconded the motion. The motion carried.

NOVEMBER 4, 2014 STATE ELECTION WARRANT

Chairman Hegarty read the Tuesday, November 4, 2014 State Election Warrant with added questions for voters. Polls will be open from 7:00 a.m. to 8:00 p.m.

Mr. Brady made a motion to post the November 4, 2014 State Election Warrant as read. Mr. Brady seconded the motion. The motion carried.

TEMPORARY SIGN PERMIT

A request for a temporary sign permit was received from the Friends of the Avon Public Library with a fee waiver request to advertise a Craft & Vendor Fair on Wednesday, October 8, 2014 from 5:00 p.m. to 8:00 p.m.

Mr. Brady made a motion to approve the request with the fee waived for the Friends of the Avon Public Library to advertise a Craft & Vendor Fair on Wednesday, October 8th from 5:00 p.m. to 8:00 p.m. Mr. Rose seconded the motion. All were in favor.

ANNOUNCEMENTS

Chairman Hegarty announced a "Hazardous Waste and Medication Take Back Day" on **Saturday, October 18, 2014** from 8:00 a.m. to Noon at the Randolph High School Parking lot. Proof of residency is required. Hazardous items include flammable liquids and aerosols, gasoline, motor oil mixtures, automotive fluids, tires, oil based paint and stains. There is a cost on some items. If you are not sure what is hazardous, contact the Avon Board of Health at (508) 588-0414.

Medications must be in their original container from the pharmacy. Medications not in their original packaging will take longer to process and may be subject to further inspection.

DPW CONTRACTS

DPW Superintendent William Fitzgerald submitted three (3) contracts for the Board's approval. Mr. Fitzgerald would like to renew last year's snow plowing contractors, T.L. Edwards and Nye Corporation at last year's rates.

A motion was made by Mr. Brady to award a snow plowing contract to Nye Corporation, based on the recommendation of DPW Superintendent William Fitzgerald. Mr. Rose seconded the motion. The motion carried.

A motion was made by Mr. Brady, seconded by Mr. Rose, to approve a snow plowing contract to T.L. Edwards, Inc., based on the recommendation of William Fitzgerald, DPW Superintendent. The vote was unanimous.

A motion was made by Mr. Brady to award a contract to Wells Landscaping, Inc. for catch basin cleaning, based on the recommendation of William Fitzgerald, DPW Superintendent, at a rate of \$92.50 per hour. Mr. Rose seconded the motion. All were in favor.

Chairman Hegarty stated as a result of Town Meeting action one year ago, the Town voted to merge the Highway and Water Departments, effective July 1, 2014, to a Department of Public Works. Mr. William Fitzgerald started his position as Superintendent of the Department of Public Works on September 8, 2014. Chairman Hegarty introduced Mr. Fitzgerald and welcomed him to his new position for the Town of Avon. Chairman Hegarty reviewed Mr. Fitzgerald's past employment history where he held various positions such as the Director of Public Works in Manchester-by-the Sea; Superintendent of Public Works in Fairhaven; Director of Public Works in Franklin and Planning Director in Norton.

TOWN ADMINISTRATOR'S REPORT

Town Administrator Crimmins reported that department heads are busy!

Mr. Borden has supervised the renovation of the Town Hall building. This past week, with the help of DPW staff, many Town Hall employees have moved into their new offices.

Town Administrator Crimmins received a letter from the **Old Colony Planning Council** (OCPC). OCPC is seeking an elected official from a community with a population under 14,000 to serve as a signatory member on the Old Colony Metropolitan Planning Organization (MPO). The Old Colony MPO is the organization of officials that are charged with making and prioritizing transportation policy and funding decisions. Self-nomination forms are due back by October 24, 2014.

The Board received in their packets a 2014 **Fire Department Study** compiled by Fire Department Consultant James Tobin. Mr. Tobin offered suggestions on how to improve and move the department forward.

Police Chief David Martineau reported that Officer Timilty has already become a valuable asset to the Police Department. There was a major setback when our newest recruit dropped out of the Police Academy. The Squad Room has been finished with an extra work station dedicated to the more delicate issues of juvenile and sex crimes.

Mr. Crimmins will give Mr. Fitzgerald the opportunity to give a DPW Report when his report is completed.

Treasurer/Collector Deb Morin—Budget building for FY '2016.

Town Accountant—compiling of contracts for the Town as many contracts had expired.

Board of Assessors—Board of Selectmen's first meeting in November (November 6) for the Tax Classification Hearing to be held.

At the Special Town Meeting held on September 16, 2014—voters approved the **TIF Agreement** with Accu Rounds (Tax Increment Financing Agreement). The Board of Selectmen has signed the agreement.

Town Clerk Patricia Bessette is working on posting of the State Election Warrant of November 4th. Ms. Bessette would like the Board to consider appointing a third member on the Registrar of Voters. Ms. Bessette reported dog citation fees continue to slowly come in. We currently have 125 unregistered dogs and 450 registered dogs.

Health Agent Tara Tradd reported on upcoming events. A Flu Clinic would be held on Wednesday, October 8th at the Town Hall. A program where folks get one-on-one personalized instruction on how to properly use their child's car seat is available. Call the Board of Health to ask about CPS certification in your community. A majority of parents still misuse their child restraints and need help to get it right.

Council on Aging Director Jane Hanley reported on Programming/Outreach. Outreach Coordinator Louise Hardiman had success in finding a physician who makes house calls for a senior who finds it too difficult to travel to the doctor's office; a new senior with a real estate tax exemption for blindness came to the Senior Center to participate in a low vision group meeting; family caregivers came to the Senior Center for an Alzheimer's speaker and voiced the need for a local support group; implementation of a monthly caregiver support group at the COA beginning in October, 2014. A Resident's Survey was sent to all seniors. The survey will help the COA in providing programs and services for seniors.

Mr. Crimmins spoke of the **AIPA** outing yesterday and reported a good turnout in spite of the bad weather.

At this point Mr. Crimmins asked for Mr. Fitzgerald's **DPW Report**.

Mr. Fitzgerald reported that Peter Marinelli and Town Accountant Shannon MacKenzie assisted him in submitting highway reimbursement requests to the Winter Rapid Recovery Road Program (WRRRP).

Mr. Fitzgerald discussed road programs for next year. He is working on a list of streets by year that will be eligible to be cut. This will help us and also let the gas company know before they start moving a project forward. The other items discussed were:

- (1) Stormwater
- (2) New time sheets for accountability
- (3) Procurement
- (4) Security
- (5) Water Department billing

Mr. Fitzgerald stated the DEP Administrative Consent Order issues are making progress. Mr. Fitzgerald spoke of a chemical control system and an environmental control system.

Chairman Hegarty mentioned the stockpiling of snow and safe passage on sidewalks for residents.

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.

Chairman Hegarty stated the Board would like to invite Stephanie Kaiser of CHA to give an update of the sewer feasibility study at the next Board of Selectmen's Meeting on October 16th.

Chairman Hegarty attended a Metro South presentation on Wastewater Treatment. It is his belief that we should still continue to look at a self-sustaining system.

Town Administrator Crimmins reports that the closing of the property at 133 Main Street took place today.

At 8:55 p.m. Mr. Rose made a motion to convene in 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,



Miriam Rothstein

Secretary