

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 NOV 21 AM 9:58

TOWN CLERK



BOARD OF SELECTMEN MEETING THURSDAY, NOVEMBER 6, 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

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

Town Administrator Crimmins led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Thursday, October 16, 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, October 16, 2014 (Executive Session) as submitted. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to accept the minutes of Thursday, October 2, 2014 (Executive Session) as written. Mr. Rose seconded the motion. The vote was unanimous.

OPENING OF ROCK SALT BIDS AND WASHED COARSE SAND

Chairman Hegarty read the Legal Notice for rock salt bid specifications.

The following bids were opened at 7:35 p.m.:

1. Eastern Minerals, Inc. Lowell, MA \$69.90/ton delivered— Minimum truck load of 25-30 tons
2. Morton Salt, Inc. Chicago, IL \$82.15/ton delivered— 32 ton minimum
3. American Rock Salt Co. Inc. Mt. Morris, NY Unable to bid at this time.

Mr. Rose made a motion to take the bids under advisement with the DPW Superintendent. Mr. Brady seconded the motion. All were in favor.

Chairman Hegarty read the Legal Notice for washed coarse sand. The following bids were opened at 7:40 p.m.:

1. Kingstown Corp.	Plymouth, MA	\$22.95/ton (Trailer load)
2. T.L. Edwards, Inc.	Avon, MA	\$14.98/ton (Trailer load)

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

NEW BUSINESS

A request to accept a \$30.00 donation was received from the Council on Aging; funds to be used to purchase desserts.

Mr. Brady made a motion to accept the \$30.00 donation from Constance Vieira to the Council on Aging. Mr. Rose seconded the motion. The vote was unanimous.

COA Director Jane Hanley sent in a request asking for 65 chairs at the Council on Aging to be declared as surplus. Most of the chairs are stained and used.

Mr. Brady made a motion to declare the 65 chairs at the COA as surplus. Mr. Rose seconded the motion. The motion carried.

REAPPOINTMENT OF OFFICIAL WEIGHERS

Chairman Hegarty read the list of Official Weighers to be reappointed, term of expiration: June 30, 2015.

Mr. Rose made a motion to approve the request to reappoint the Official Weighers as follows:

Terry L. Edwards
Kevin Edwards
Stephen Edwards
Christopher Edwards
Mark Klim
Edward Doherty
Albert Weigel
David Young

With a term of expiration: June 30, 2015.

Mr. Brady seconded the motion. All were in favor.

COLUMBIA GAS OF MASSACHUSETTS

A request was made from Columbia Gas to excavate for gas maintenance repair and remove end cap in the gas main at 25 Grant Drive.

Chairman Hegarty noted that the request was approved by the DPW Superintendent.

After some discussion, Mr. Rose made a motion to grant permission for a 3 x 5 road cut at 25 Grant Drive. The motion was seconded by Mr. Brady. Chairman Hegarty stated as a reminder that the work must be completed by November 15, 2014 and the DPW restoration procedure must be followed. The vote was unanimous.

Jordan's Furniture submitted a request for a temporary sign permit to display three (3) 12 x 70 banners advertising the "Enchanted Village" from November 6, 2014 through January 1, 2015.

Mr. Brady made a motion to approve the temporary sign permit for Jordan's Furniture displaying three (3) banners advertising the "Enchanted Village." Mr. Rose seconded the motion. The motion carried.

ANNOUNCEMENTS

Chairman Hegarty announced William P. O'Donnell, Register of the Norfolk County Registry of Deeds, will hold office hours at the Avon Senior Center on Thursday, November 13, 2014 from 10:00 a.m. to 12:00 noon. The Register and members of his staff will be available to help answer questions or concerns about any Registry of Deeds matter. No appointment is needed.

A letter was received from Community Opportunities Group, Inc. asking the Board if they wish COG to again prepare and submit a FY 15 MA CDBG application on behalf of the Town of Avon. COG is recommending that the Town of Avon contacts West Bridgewater to discuss partnering for another regional application. Applications are due by Friday, February 13, 2015.

Mr. Brady made a motion to notify COG to file a FY 15 CDBG application on behalf of the Town of Avon and to have Town Administrator Crimmins get in touch with the Town Administrator of West Bridgewater. Mr. Rose seconded the motion. The vote was unanimous.

Chairman Hegarty announced Veteran's Day is Tuesday, November 11th. Thank you to all who have served this country. The Town Hall will be closed on November 11th.

Monday's rubbish will be taken as scheduled. Due to the November 11th holiday, Tuesday's normal pick up will be on Wednesday; Wednesday moves to Thursday, etc.

A winter parking ban is in effect beginning Saturday, November 15th through April 15, 2015. There is no overnight street parking allowed.

Town Hall will be closed to the public on the following dates:

Friday, November 28, 2014

Friday, December 26, 2014

Friday, January 2, 2015

Town Administrator Crimmins announced in the lawsuit of Yvonne Goodman against the Town of Avon, the court found her claim meritless. The lawsuit was dismissed by the Judge as it had no fact or substance.

Chairman Hegarty announced the Town of Avon's Holiday Celebration will be held on Saturday, December 6th and Sunday, December 7th at DeMarco Park. Some of the events include horse and carriage rides, Santa, ice sculptures, Christmas tree lighting, a concert, a turkey dinner, etc. More information will follow. Contributions can be sent to the Avon Town Hall.

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 asked the Board to consider voting to approve an invoice submitted by Eugene Gingras to replace the existing servers which are currently housed in the Fire and Police Department. The servers are several years old and in constant need of reboots and repair. This new server and the back-up devices are specified with growth in mind as well as redundant components. The total invoice is for \$32,394.30.

Mr. Brady made a motion to approve the invoice submitted by Mr. Gingras to replace the existing servers. Mr. Rose did not vote. The motion was seconded by Chairman Hegarty.

Mr. Rose questioned whether any research was done and is this the most economical way to go?

Town Administrator Crimmins reported that Mr. Gingras checked out other quotes and explained the entire process to him.

With that said, the vote was unanimous.

TOWN ADMINISTRATOR'S REPORT

Town Administrator Crimmins reported that November 4th (State Election Day) went very well. Town Clerk Patricia Bessette did an excellent job assisting voters. The Town Clerk's website is up and running and looks excellent. Thank you to Shanna Faro who is our Webmaster.

Police Chief David Martineau is looking for another member via a lateral transfer. He is requesting the filling of the Deputy Chief's position.

Fire Chief Robert Spurr reported that Chief Tobin met with all interested members of the Fire Department regarding the Fire Department's staffing study.

Town Administrator Crimmins announced there is a Winter Parking Ban in effect beginning on November 15th and ending on April 15, 2015. There is no overnight parking allowed on streets.

Town Administrator Crimmins received a report from DPW Superintendent Bill Fitzgerald informing the Board that all water bills have been mailed. The rates did not change. Christine Clifford and the staff are working diligently to correct numerous issues related to the conversion process. The DEP Administrative Consent Order is ongoing and on track.

Treasurer/Collector—Property taxes for the Town were due on Monday, November 3rd. Mr. Crimmins reported that there is a meeting scheduled on November 13th with MIIA to discuss health insurance rates for the next fiscal year. The increase in health insurance rates affects the budget.

Town Accountant Shannon MacKenzie reported on the status of Free Cash for 2014. Ms. MacKenzie is responsible for holding all contracts for the Town.

Building Department—Mt. Borden reported on Building Department activity for the month of October; residential permits, commercial permits and other miscellaneous permits and inspections. Mr. Borden is also overseeing the renovation of Town Hall. A storage container will be placed in the rear of the Town Hall parking lot for items that are no longer needed.

Mr. Crimmins informed the Board that the outside parking lot lights are not working due to the disintegration of the wiring. Dennis Collum, Wire Inspector, will be repairing the wiring.

Tara Tradd, Health Agent, reported a Flu Clinic was held on Tuesday, November 4th at the Town Hall. An Emergency Preparedness Meeting is scheduled for November 12th at 9:30 a.m. to discuss an Emergency Dispensing Site for Avon/Holbrook. There is a trash delay for the November 4th holiday. Trash will be picked up on the following day due to Veterans Day.

Mr. Crimmins reported he met with the Board of Library Trustees this past Wednesday.

Mr. Crimmins met with School Business Manager Kathy McDonald to discuss bulk purchasing of supplies and equipment.

Mr. Crimmins mentioned a letter he received from AFSCME's staff representative, Joseph Geary, to notify the Town that the Union desires to enter into negotiations for the purpose of extending the agreement presently in effect and proposing certain changes and amendments.

TAX CLASSIFICATION HEARING—8:15 P.M.

Board of Assessors members Warren B. Lane, Cynthia Bernasconi and Kristin Kopke appeared before the Board with Assistant Assessor David Wood.

Chairman Hegarty read the Legal Notice published in the "Moneysaver." The purpose of the public Classification Hearing is for the Board of Selectmen to determine the allocation of the local tax burden to be borne by the four (4) classes of real property for fiscal year 2015. The

Selectmen must adopt a residential factor which is used to determine the percentage of tax levy to apply to each class of real and personal property.

Mr. Wood passed around handouts and gave a lengthy presentation to the audience. Mr. Wood reported that the Town of Avon has traditionally chosen a factor of less than one. A chart showed what the factors had been for the last ten (10) years.

Mr. Bob Costa, President of AIPA, had questions for the Assessors. Mr. Costa did not feel it is fair to have the businesses pay the brunt of the property taxes. He said this is very difficult for his business and the small businesses in the Industrial Park. Many businesses are struggling; they simply cannot pay more. Mr. Costa reported he is paying 100% of what residential property owners are paying.

Mr. Shawn Gibbons stated a low tax rate and a working class town is what attracted him to Avon in the first place.

Matt Curley stated his real estate value has gone down.

Chairman Hegarty explained there are certain constraints in the Town of Avon and he wanted to let the audience know about that. Chairman Hegarty stated Avon receives the least amount of state aid. That works against us. Avon receives a minimal amount of school reimbursement. We are also at maximum build-out. The stagnant real estate market over the last bunch of years has not helped real estate values.

Mr. Jeff Ward complained that he has three (3) kids; his wife works and he can't pay any more in taxes.

Chairman Hegarty suggested setting up a meeting with the State Senator and State Rep to air our complaints and try to make a "fair share" of state aid for this small community.

Mr. Brady interjected that we need other small communities to voice their opinions.

Mr. Ed Mekjian stated he has lived in Avon since the 50's and the businesses have always paid twice as much. Mr. Mekjian submitted a letter to the Board which would be read at the end of the questioning period. The letter would be recorded into the record. (**Attachment "A"**).

Mr. Howard Davis was at the meeting. He stated he pays over \$100,000 in property taxes and enough is enough.

Chairman Hegarty read the letter submitted by Mr. Mekjian. It is the only written testimony received.

The Board of Assessors is only responsible to give the Board of Selectmen the information they need to make an informed choice. The Board of Assessors recommend this year a residential factor of 68.0%. By choosing this factor, the tax rate for each class increases around the same amount; 46 cents for Residential and 42 cents for Commercial/Industrial.

After further discussion, Mr. Brady made a motion to use a factor of .680 as recommended by the Board of Assessors. Mr. Rose seconded the motion with discussion. Mr. Rose wanted to clarify that increases in the residential and commercial rate are the same. Chairman Hegarty stated "yes." The vote was unanimous.

The Town of Avon has been granting a small business exemption of 10% for many years. The Board of Assessors recommends that the Town continues to grant this exemption.

Mr. Brady made a motion to grant a small business exemption of 10%. Mr. Rose seconded the motion with discussion. Mr. Rose questioned whether this was the same as in prior years? Chairman Hegarty stated "yes." The vote was unanimous.

Mr. Brady made a motion to close the Compost Site on Sunday, November 30th. Mr. Rose seconded the motion. All were in favor.

At 10:00 p.m. Mr. Rose made a motion to enter Executive Session to discuss contract negotiations as an open meeting may have a detrimental effect on the litigating position of the public body, so declared by the Chair. Mr. Brady seconded the motion. The motion carried.

The Board would not reconvene in Open Session.

A roll call vote was taken:

Mr. Rose voted aye

Mr. Brady voted aye

Chairman Hegarty voted aye

Respectfully submitted,


Miriam Rothstein

Attachment "A"

Edward R. Mekjian
103 School Street
Avon, MA 02322
508-584-5610

October 29, 2014

Avon Selectmen
Town of Avon
Avon, MA 02322

Dear Selectmen:

RE: Real Estate Tax Classification Hearing
November 6, 2014 @ 8:15 PM

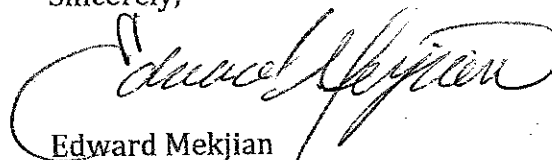
This letter is to request that the Board choose the option to lower the residential tax rate and raise the commercial rate. For the last two years, the Board has chosen the option of **lowering** the **commercial** tax rate and **raising** the **residential**.

The Selectmen of Avon are voted in by the residents and answer to the residents. I don't understand why the 2 Selectmen continue to give business owners a tax reduction at the expense of the many elderly residents and families living check to check. It seems that many businesses turn our small town into a truck stop. We have extremely high consumer traffic, dangerous accidents, and big trucks abusing our residential side streets.

The home values have dropped because of our high taxes and high traffic. Avon homes are not selling. Many businesses in Avon are doing great, and many have had additions built. The struggling businesses are not because of Avon real estate tax rates. The new health insurance requirements, government fees, regulations and fuel prices are hurting businesses throughout Massachusetts.

If Avon businesses don't like our town, that sits conveniently on Rte. 24, protected by our police department, without high water and sewer fees, lower property insurance rates; they can move to another town with higher tax rates, pay higher water/sewer rates, hire security to protect their businesses and make long trips to get to the highway.

Sincerely,



Edward Mekjian