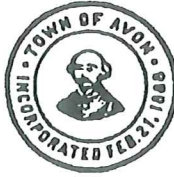


BOARD OF SELECTMEN
Steven P. Rose, Chairman
Eric S. Beckerman, Clerk
Jason L. Suzor, Associate

Gregory S. Enos
TOWN ADMINISTRATOR

Town of Avon Massachusetts

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Buckley Center 02322
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BOARD OF SELECTMEN
THURSDAY, NOVEMBER 19, 2020
6:30 P.M.

Members Present: Steven P. Rose, Chairman
Eric S. Beckerman, Clerk (via videoconference)
Jason L. Suzor, Associate (via videoconference)

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant (via videoconference)
Joseph S. Lalli, Esq., Town Counsel (via videoconference)
Fire Chief Robert Spurr (via videoconference)
Kathleen Waldron, Health Agent (via videoconference)
William Fitzgerald, DPW Director (via videoconference)
Brian Martin, Assistant DPW Director (via videoconference)
Ann Fogg, Library Director (via videoconference)
Dan Hart, Park & Recreation Commission Chair (via videoconference)

Chairman Rose announced that pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public can adequately access the proceedings as provided for in the Order. Chairman Rose reminded the viewing audience that persons who would like to view this meeting while in progress may do so by watching local cable on Channel 9 or joining the Zoom link for the videoconference in session. Links to watch the recorded meeting will be available on the Avon Cable Access website www.avontv.org.

Chairman Rose called the meeting to order at 6:30 p.m. with all members present. Chairman Rose was present in the Mary McDermott meeting room, while Mr. Beckerman and Mr. Suzor were present through the videoconference Zoom. Each Board member acknowledged their presence at the meeting by responding in the affirmative during the roll call. In addition, all anticipated speakers acknowledged their presence by responding in the affirmative when Chairman Rose called their names.

Executive Assistant Shanna Faro led the meeting in the Pledge of Allegiance.

Public Participation

None

Meeting Minutes

Mr. Beckerman made a motion to accept the meeting minutes of November 5, 2020 (Regular Session) as written. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

UNFINISHED BUSINESS

COVID-19 Updates & Update on Town Offices Opening Plan

Ms. Waldron informed the Board that Avon has had 20 positive cases in the past two weeks from November 1, 2020 through November 14, 2020. Ms. Waldron stated that there has been an increase in positive cases throughout the state of Massachusetts. Ms. Waldron cautioned residents to celebrate the Thanksgiving holiday with immediate family and household members only to prevent the spread of the disease. Ms. Waldron stated that a Code Red alert has been sent out today regarding potential exposure at Sammy K's Barbershop. She stated that anyone who visited this establishment between November 10, 2020 through November 19, 2020 should contact the Health Agent. Chief Spurr stated that the rise of COVID-19 cases is nearing the statistics in April 2020 and cautioned everyone to be safe during this time. Mr. Enos stated that due to the increase in COVID-19 cases, he recommended that the Town Hall, Council on Aging and Library continued to be closed to the public and open by appointment only. Mr. Enos stated that all public meetings should remain remote until further notice from the Selectmen.

NEW BUSINESS

Curtis Estate Indemnification Agreement

Mr. Enos presented the Board with a General Release by Robert Erlichman and Trudy Becker, Trustees of the Village of Curtis Estates Realty Trust and as Trustees of the Village at Curtis Estates Condominium Trust to the Town of Avon. Town Counsel recused himself from this hearing. Mr. Enos stated that there were some issues from the Planning Board pertaining to Curtis Estates and matters that need to be rectified prior to releasing Certificates of Occupancy. Mr. Enos summarized that the issue pertained to ensuring an acceptable level of water pressure to the individual units and the debate over whether boosters needed to be installed. Mr. Enos stated that water pressure tests conducted revealed water pressure above minimum requirements, although such pressure remains lower than levels recommended by the Town's consultants. Mr. Enos stated that by signing the agreement, the Town will be released and indemnified from any and all liability in connection with water pressure provided to the condominium and the individual units and unit owners thereof. Mr. Enos stated that should the Board sign the agreement; it will then be forwarded to the Planning Board for their approval. Should the Planning Board deny the waiver, the booster pumps will still have to be installed prior to the release of the occupancy permits. Mr. Beckerman made a motion to approve the Curtis Estate Indemnification Agreement. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

FY 21 Snowplow Rates

Mr. Fitzgerald informed the Board that he has received a request from the contractors to increase the snowplow rates for the loaders. Mr. Fitzgerald stated that the rates have not been increased for loaders since Fiscal Year 2017. Mr. Fitzgerald proposed to raise the rate of the large loaders to \$225 per hour and smaller loaders to \$200 per hour. Mr. Fitzgerald stated there will be no change in rates for trucks which will remain at \$105 per hour. Mr. Beckerman made a motion to increase the rates of the loaders at

the rates recommended by the DPW Director. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Walmart Hours of Operation Change

Mr. Beckerman informed the Board that he received a request from Walmart Store Manager Bert Cabral requesting an expansion of hours for the store on Sundays. Walmart currently is open from 8:00 a.m. to 8:00 p.m. on Sundays. Mr. Cabral requested that the store operate from 6:00 a.m. to 9:00 p.m. on Sundays. In his written request, Mr. Cabral stated that the purpose of the 6:00 a.m. is to allow for elderly customers or those with health concerns to shop early with less congestion in the store. Mr. Cabral also stated that by closing the store later, it will help spread out customer flow to allow for greater social distancing. Mr. Beckerman made a motion to approve the request from Walmart to operate from 6:00 a.m. to 9:00 p.m. on Sundays through December 31, 2020. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Appointments to Park & Recreation Commission

Mr. Enos informed the Board that the Park & Recreation Commission has received two letters of interest from residents seeking to fill the vacant positions on the Board. Mr. Enos informed the Board that the Park & Recreation Commission has approved and requested the Selectmen's consideration for appointment. Each new appointee will run for the remainder of the vacant term and will have to seek election in April 2021. Mr. Beckerman made a motion to appoint Michael Ives and Jocelyn Lyons to the Park & Recreation Commission. Mr. Ives will fill the term to expire 2021, while Ms. Lyons will fill the term to expire 2022. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Gift Acceptance Forms

Mr. Beckerman made a motion to accept the gift donation of \$500 from BC Tent to be used for the purchase and general maintenance of new scoreboards in memoriam of Carl Fischer. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Mr. Beckerman made a motion to accept the gift donation of \$250 from Dirt Dawgs to be used for the purchase and general maintenance of new scoreboards in memoriam of Carl Fischer. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Personnel Action Forms

Mr. Beckerman made a motion to appoint Emily Smith to the Senior Circulation Assistant position at the Avon Public Library for a Grade OAL 2, Step 1 at the rate of \$19.36 per hour effective November 23, 2020. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Mr. Beckerman made a motion for a classification change and appoint Chelsea Faria to the full-time Public Safety Dispatcher position at the Avon Police Department for a Grade D-1, Step 4 at the rate of \$23.35 per hour effective November 30, 2020. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Mr. Beckerman made a motion to approve the Personnel Action Form for a rate change for part-time Circulation Assistant Paul Kerwin at the Avon Public Library for a Grade F6, Step 5 at the rate of \$13.16 per hour effective October 16, 2020. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Request to Lower the Speed Limit of Route 28 in Avon

Mr. Enos presented the Board with a letter from Chief Bukunt requesting a review of Special Speed Regulation 331, which was originally established in 1966 and set the speed limits for Route 28 in accordance with the provisions of Section 18 of Chapter 90 of the Massachusetts General Laws. Chief Bukunt stated that when the Special Speed Regulation was developed over 54 years ago, speed limits were designated based upon the existing infrastructure, conditions, and other factors at that time. Chief Bukunt stated that the environment has changed along this stretch of roadway in that there are more businesses situated along Route 28 in Avon, as well as more traffic control devices such as lights and crosswalks. Upon review of the order, Chief Bukunt requested permission from the Board to petition the Massachusetts Department of Public Works to consider a partial speed zone modification for Route 28 in Avon. Chief Bukunt recommends leaving as is, the 40-mph zone from the Brockton line to the set of lights at Walmart on 30 Memorial Drive. Chief Bukunt recommends modifying the speed from 40-mph to 30-mph the section of Route 28 from Walmart to the Randolph town line, 1.22 miles distance of the total 1.62 miles of Route 28 in Avon. The reason for this request is far too many operators of motor vehicles exceed the posted speed limits, including those operating large, commercial vehicles. Avon has also seen an increase in the number of businesses since the current zones were adopted more than 50 years ago. Several businesses, like Walmart, see a very significant number of vehicles. Other businesses experience traffic of high frequency or short-term visits, such as the two gas stations or Dunkin Donuts, which has a drive-through, which at times can trigger slowed or stopped vehicles onto Route 28. In addition, the Avon Police Department has seen several fatal motor vehicles crashes on that stretch of road over the years. Mr. Beckerman made a motion to support the request of Police Chief Bukunt to petition for a partial speed modification for Route 28. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Request to Surplus Items from the Council on Aging

Mr. Beckerman made a motion to approve the request of Council on Aging Director Christine Quinn and declare surplus items from the Senior Center which include tables (some of which are broken), a broken desk, a water cooler, microwave, and speakers. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Announcements

Chairman Rose announced that the December meetings of the Board will be December 3, 2020 and December 17, 2020.

Chairman Rose announced that Town Offices, the library, and the Council on Aging will be closed on November 27, 2020, the day after Thanksgiving.

Chairman Rose thanked DPW Director William Fitzgerald for his efforts with the MassWorks Grant in which the Town of Avon has been awarded \$1 million for the Central Street Improvement Project.

Town Administrator's Report

Mr. Enos wish the Board, staff, and all citizens a happy Thanksgiving.

Mr. Enos informed the Board since a new Civil Service list has not yet been released, he requested the Board approve posting for a lateral transfer as the Police Department is in need for additional Police Officers. Mr. Beckerman made a motion to approve posting for a lateral transfer. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Mr. Enos stated that the Designer Selection Committee has requested the Board approve ENE Systems for IT security of the Fire Station upon completion of the renovation project. Mr. Enos stated that he received two bidders for this project. Mr. Enos stated that ENE was the lowest, most qualified bidder. Mr. Enos stated that ENE Systems also did the security at the Police Station. Mr. Beckerman made a motion to approve the quote from ENE Systems in the amount of \$55,256. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Adjournment

At 7:45 p.m., Chairman Rose requested the Board make a motion to adjourn the Regular Session and to convene in Executive Session for the review and approval of executive session minutes to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements – and more specifically the Open Meeting Law, G.L. Chapter 30A, Sections 22(f) and (g). The Board will reconvene in open session for the sole purpose of adjournment. Mr. Beckerman made a motion to adjourn the Regular Session and to convene in Executive Session. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

Respectfully submitted,



Shanna M. Faro
Executive Assistant to the Town Administrator

LIST OF DOCUMENTS

1. November 19, 2020 Meeting Agenda
2. November 5, 2020 Meeting Minutes
3. Curtis Estate Indemnification Agreement
4. Memorandum from W. Fitzgerald regarding FY 21 snowplow rates
5. Letter from Walmart Store Manager requesting change of Sunday operating hours
6. Letter from M. Ives requesting appointment to Park & Recreation Commission
7. Letter from J. Lyons requesting appointment to Park & Recreation Commission
8. Personnel Action Form for Senior Library Circulation Assistant
9. Personnel Action Form for Full-Time Public Safety Dispatcher
10. Personnel Action Form for Part-Time Library Circulation Assistant
11. Letter from Chief Bukunt to Greg Enos regarding Special Speed Regulation 331 for Route 28 in Avon
12. Letter from COA Director Christine Quinn requesting to surplus items in the Senior Center
13. Quote from ENE Systems for IT security at Avon Fire Station