

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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TOWN OF AVON
2021 SEP 24 P 12:34
TOWN CLERK

BOARD OF SELECTMEN
THURSDAY, SEPTEMBER 9, 2021
6:00 P.M.

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

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant
Joseph S. Lalli, Esq., Town Counsel
Karen Johnson, Council on Aging Board Chair
Police Chief Jeffrey Bukunt
Emmanuela Isidor, Prevention Coordinator
Barbara Littlefield
William A. Fitzgerald, DPW Director
Fire Chief Robert Spurr (via videoconference)
Joseph Devlin, Esq., Upton, Connell & Devlin, LLP for Wine.com
William Tomaszewski, Esq., General Counsel, Wine.com

Chairman Rose called the meeting to order at 6:00 p.m. with all members present. He announced that this meeting of the Board of Selectmen is being conducted via a hybrid method. The public may attend the Selectmen meetings in-person or may continue to participate via remote Zoom access. Until further notice, in-person attendees, who are not vaccinated, will be recommended to wear a mask. Chairman Rose reminded the viewing audience that people 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. Links to watch the recorded meeting will be available on the Avon Cable Access website www.avontv.org.

Executive Session

At 6:05 p.m., Mr. Beckerman made a motion to convene in Executive Session to conduct strategy sessions in preparation for negotiations with non-union personnel (Building Inspector and Town Accountant) as an open meeting may have a detrimental effect on the government's bargaining position. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Suzor voted aye. Mr. Beckerman voted aye. Mr. Suzor voted aye. The motion carried.

At 6:35 p.m., Mr. Beckerman made a motion to reconvene in Open Session. Mr. Suzor seconded the motion. The motion carried.

Mr. Lalli led the meeting in the Pledge of Allegiance.

Chairman Rose held a Moment of Silence for the victims of the September 11, 2001 terrorist attacks. This Saturday will mark the 20th anniversary of the attacks.

Public Participation

None

Introduction of Prevention Coordinator

Emmanuela Isidor appeared before the Board to introduce herself as the new Prevention Coordinator. Ms. Isidor informed the Board that she has a background in human services and has worked in education in different school systems for many years. Ms. Isidor stated that she is dedicated to community service and is an active participant in her local church. Ms. Isidor stated that since starting in her new role, she has participated in her first coalition meeting this week with the Steering Committee. She has also been attending various training sessions. She has met with many students now that school is back in session. The biggest project Ms. Isidor is currently working on is Red Ribbon Week which will take place from October 23, 2021 through October 31, 2021. Ms. Isidor asked the Board if they had any questions. Chairman Rose requested that Ms. Isidor work with the Council on Aging Director and Park & Recreation Director so that she can get involved with all members of the community. Chairman Rose stated that he felt it was important that the Prevention Coordinator reach out to all age groups in the fight against substance and drug abuse.

Citation for Barbara Littlefield

Chairman Rose read a Proclamation for Barbara Littlefield, who retired from the Park & Recreation Commission in April 2020, after serving in the Finance Committee followed by the Park & Recreation Board for a total of thirty years. Ms. Littlefield was given a fleece sweatshirt as well as a gift from the Town.

Discussion of Special Legislation License for Wine.com

Mr. Devlin and Mr. Tomaszewski appeared before the Board to introduce themselves as counsel for Wine.com and to discuss a special legislation license for Wine.com. Mr. Devlin informed the Board that Wine.com has been operating at 33 Wales Avenue since 2000. He stated that the company is primarily an on-line retailer selling upscale wine and beer throughout the state of Massachusetts. Mr. Devlin stated that Wine.com would like to expand their business by selling spirits. Unfortunately, the Town of Avon has reached its quota for Section 15 all alcohol package store licenses. Mr. Tomaszewski stated that it is the intent of Wine.com to stay in Avon and operate their business. He stated that the business owners have confirmed with the landlord that they would be able to expand their business on both sides of the 33 Wales Avenue property. He stated that Wine.com currently employs eleven employees and if their license is expanded that number would move up to approximately twenty employees. Therefore, Mr. Tomaszewski was requesting that the Board of Selectmen consider supporting a special legislation license in which Wine.com would petition with the state. Chairman Rose informed Mr. Devlin and Mr. Tomaszewski that the Board would review this request. With no further questions from the Board, Mr. Devlin and Mr. Tomaszewski thanked the Board for their consideration and departed the meeting.

Meeting Minutes

Mr. Beckerman made a motion to accept the meeting minutes of August 12, 2021 (Regular Session) as written. Mr. Suzor seconded the motion. The motion carried.

UNFINISHED BUSINESS

COVID-19 Updates

Chief Spurr informed the Board that there has been a cumulative total of 550 coronavirus cases in Avon. He stated that the vaccination rates are trending upward with over 70% of Avon residents already receiving their first dose of the vaccine. Chief Spurr stated that the number for vaccinated children is low with only 4% of children aged 12 to 16 years old fully vaccinated.

Update on Town Opening Plan

Mr. Enos informed the Board that he has purchased additional hand sanitizer dispenser stations throughout the building. Mr. Enos stated that the building is still open to the public. He also mentioned that most of the Council on Aging programs have resumed.

NEW BUSINESS

Street Opening Permits

Mr. Beckerman made a motion to approve the Street Opening Permit Application of Eversource Gas Company for 189 Page Street for a proposed 3' x 5' x 3' road cut to replace the gas service line relocate the outside meter. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to table the Street Opening Permit Application of Eversource Gas Company for 3 Howard Lane as the application did not contain all the required signatures on the forms. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to table the Street Opening Permit Application of Eversource Gas Company for 35 Rock Street as the application did not contain all the required signatures on the forms. Mr. Suzor seconded the motion. The motion carried.

Snowplowing Contract

Mr. Fitzgerald recommended that the Snowplowing Contract for the 2021-2022 season be awarded to T.L. Edwards at the rate of \$225 per hour for the large loader, \$200 per hour for the loader, and \$105 per hour for the six-wheel, four-wheel drive plow vehicle. Mr. Beckerman made a motion to approve the Snowplowing Contract for the 2021-2022 season to T.L. Edwards. The motion carried.

Surplus Equipment Forms

Mr. Beckerman made a motion to approve the surplus equipment request of the Police Department for a 2017 Ford Interceptor for trade-in value for a new 2021 Ford Interceptor police cruiser. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the surplus equipment request of the Council on Aging for a shaky, unstable cabinet located in the dining area of the Senior Center. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the surplus equipment request of the Library for two wire media racks no longer needed with limited space in the building, one bent metal coat rack, one metal book shelf missing parts, broken and defective sneeze shields, one karaoke machine and stand in which

the library has no compatible CDs for, one broken printer cart, one broken chair, and one wooden CD/DVD rack no longer needed with limited space in the building, one broken pop-up tent, one broken typewriter, one broken HP Inkjet computer printer, and one broken HP LaserJet computer printer. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the surplus equipment request of the Department of Public Works for one Kubota mower attachment which is old and can be replaced with a newer model, one valve exerciser turning system for the filter plant, which is very used, one skid steer, backhoe attachment which is an older model, one 6' pickup bed for a 2019 Chevy Silverado, and one 2002 International no longer usable. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the surplus equipment request of the Fire Department for a breathing air compressor unit which has been replaced with a newer model. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to deny the surplus equipment request of the Fire Department for a Kato Light 50KW 120/208 3 phase diesel generator as the Fire Chief recommended that this unit be kept and repurposed to the trailer mounted unit for the Department of Public Works. Mr. Suzor seconded the motion. The motion carried.

Request to Pull a Civil Service List for New Police Officer

Chief Bukunt appeared before the Board to address staffing issues at the Police Department. He stated his department lost two Police Officers this year, one who resigned, while another officer retired. He stated that there was also funding in the budget for an additional Police Officer. Chief Bukunt stated that the new Civil Service list became available on September 1, 2021 and he recommended that the Board pull a list seeking to hire three Police Officers. Mr. Beckerman made a motion to pull a Civil Service list for three new Police Officers. Mr. Suzor seconded the motion. The motion carried.

Vote to Remain a Single Precinct Town

Mr. Enos stated that the Town Clerk has received updated data from the US Census Bureau and the Town's population has remained under 6,200 people. Therefore, Avon is eligible to remain a single precinct town. The Board of Selectmen will need to vote for the Town to remain one precinct. Once approved by the Local Election District Review Commission (LEDRC), the Town would remain one precinct for ten years. Mr. Beckerman made a motion for the Town to remain a single precinct town. Mr. Suzor seconded the motion. The motion carried.

One Day Special Permit for Alcohol License

Mr. Beckerman made a motion to approve the One Day Special Permit for an Alcohol License for the Avon Fish & Game Association for a club event on September 25, 2021. Mr. Suzor seconded the motion. The motion carried.

Gift Acceptance Forms

Mr. Beckerman made a motion to approve the gift acceptance form for the Council on Aging for the \$200 donation of Priscilla Whittall to be used for raffle prizes at the Council on Aging cookout at the Fish & Game Association on September 9, 2021. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the gift acceptance form for the Council on Aging for the \$1,000 donation of Robert Brugnoli in memory of Jean Brugnoli for any program or event that benefits the seniors. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the gift acceptance form for the Avon Public Library for the \$200 donation of Judy Bishop requested by the late Francis Gammon, Jr. to be used anyway the library sees fit. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the gift acceptance form for the Avon Public Library for the \$1,000 donation of Robert Brugnoli in memory of Jean Brugnoli to be used anyway the library sees fit. Mr. Suzor seconded the motion. The motion carried.

New Hire Appointments

Mr. Beckerman made a motion to appoint Margaret Duggan to the Temporary Administrative Assistant position to the Board of Health and Town Clerk's office at the rate of \$22.00 per hour with the stipulation that all pre-employment requirements are satisfied. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to appoint Elise LaForge to the Library Director position with the stipulation that all pre-employment requirements are satisfied including negotiating an Employment Agreement. Mr. Suzor seconded the motion. The motion carried.

Zoning Board of Appeals

Mr. Enos reminded the Board that the Zoning Board of Appeals requested to increase their application fees from \$300 to \$800 due to the increase cost in advertisements. Mr. Enos stated that after discussing this matter with the Town Clerk, she recommended an increase fee of \$600 as that figure seemed more in line with the recent invoices for advertisements. Mr. Beckerman made a motion to approve the application fee increase for the Zoning Board of Appeals to \$600 effective September 1, 2021. Mr. Suzor seconded the motion. The motion carried.

Outreach Coordinator Vacation Request

The Board reviewed the request of the Outreach Coordinator for an additional week of vacation time. Ms. Johnson informed the Board that the Council on Aging Board voted to approve this request effective on her anniversary date of October 30, 2021. Ms. Johnson stated that although this request was one-year earlier than the customarily five-year increments for employees, the COA Board took into consideration the three years that Ms. Hardiman was employed by the Town as the part-time Outreach Coordinator before it became a full-time position in 2018. Mr. Beckerman made a motion to approve the additional week of vacation time for Ms. Hardiman effective October 30, 2021. Mr. Suzor seconded the motion. Chairman Rose opposed the motion. The motion passed by a 2-1 vote.

Council on Aging Van Drivers – Minimum Hours

Ms. Johnson stated that the Council on Aging Board was recommending a two-hour minimum pay for the van drivers when scheduled hours are cancelled suddenly and without notice. Ms. Johnson stated that those two-hours would be spent on-site at the Senior Center working on tasks appointed and approved by the Director. Ms. Johnson informed the Board that this happens very seldom. She stated that she did check with other towns to see if they had minimum pay requirements for their drivers. Ms. Johnson stated that most COA van drivers are full-time employees. She stated that one neighboring town had a four-hour minimum pay which the COA Board felt was excessive. Chairman Rose requested that we

contact the U.S. Department of Labor for more information on this matter. Mr. Beckerman made a motion to table the recommendation of the COA Board for a two-hour minimum pay for the van drivers until more information is obtained. Mr. Suzor seconded the motion. The motion carried.

Interim Council on Aging Director Stipend

Ms. Johnson informed the Board that Jane Carthas was appointed as the Interim Council on Aging Director at the June 17, 2021 meeting of the Board of Selectmen. However, Ms. Carthas did not receive her employment agreement letter until the week of July 12, 2021 and subsequently signed the letter on July 16, 2021. Ms. Johnson stated that Ms. Carthas began performing the duties of the Interim Council on Aging Director immediately and requested some compensation for gap between the appointment and the signing of the agreement letter. Ms. Johnson stated that the Council on Aging Board recommended a stipend in the amount of \$1,693.27. Ms. Johnson stated that the calculation is based on the actual number of hours Ms. Carthas worked and the difference between the pay rates of her Volunteer Coordinator position and the Interim Director position, which is a difference of \$10.55 per hour. Mr. Beckerman noted that the first pay period requested in the calculation was dated prior to the Board's appointment of Ms. Carthas as the Interim Director. Mr. Beckerman recommended that Ms. Carthas be compensated in the amount of \$1,292.37, a deduction in the week proposed by the COA Board prior to her appointment as Interim Director. Chairman Rose made a motion to award Ms. Carthas a stipend in the amount of \$1,292.37. Mr. Suzor seconded the motion. The motion carried.

Town Administrator's Report

Mr. Enos informed the Board that he had a meeting this week with the Old Colony Planning Council regarding the Harrison Boulevard, Main Street, West Spring Street and East Spring Street Project.

Mr. Enos stated that the Police Department has installed the speed radar located on East Main Street to deter speeders. Chief Bukunt reports that the speed radar is also accumulating data and approximately 10,000 cars per day pass through Route 28.

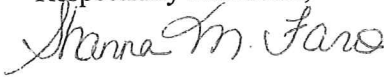
Mr. Enos stated that he met with the arborist for the DeMarco Park redesign project. Chairman Rose requested a public hearing on this matter before any decisions are finalized.

Mr. Enos stated that the Park & Recreation Director is seeking to post for Fall Counselors and is requesting to use the same pay rates as was posted for the Summer Counselors. The Board had no objections to this request.

Adjournment

At 8:32 p.m., Mr. Beckerman made a motion to adjourn the regular session and to convene in Executive Session to review and approve executive session meeting minutes to comply with the Open Meeting Law, G.L. Chapter 30A, Sections 22 (f) and (g); and to discuss strategy with respect to collective bargaining (AFSCME, Police, Fire, and Call Firefighters) or litigation as an open meeting may have a detrimental effect on the government's bargaining or litigating position; and to conduct a strategy session in preparation for negotiations with non-union personnel. 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. September 9, 2021 Meeting Agenda
2. Street Opening Permits (189 Page Street, 3 Howard Lane, 35 Rock Street)
3. Memo from W. Fitzgerald re: recommendation for Snowplowing Contract
4. Surplus Equipment Forms (Library, Council on Aging, Police Department, Fire Department, Department of Public Works)
5. Single Precinct Town Authorization Form
6. One Day Special Permit for Fish & Game Association
7. Gift Acceptance Forms (Library, Council on Aging)
8. Personnel Action Forms (Library Director, Temporary Administrative Assistant)
9. Zoning Board of Appeals Fee Increase Recommendation
10. Letters from Council on Aging Board regarding Outreach Coordinator vacation time accrual, van driver minimum pay, and Interim Director stipend