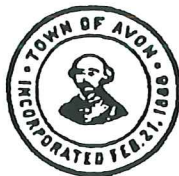


**BOARD OF SELECTMEN**  
Steven P. Rose, Chairman  
Eric S. Beckerman, Clerk  
Jason L. Suzor, Associate

Gregory S. Enos  
**TOWN ADMINISTRATOR**

# Town of Avon Massachusetts



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TOWN OF AVON  
2022 JAN -6 P 7:20  
TOWN CLERK

**BOARD OF SELECTMEN**  
**THURSDAY, DECEMBER 16, 2021**  
**6:30 P.M.**

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

**Others Present:** Gregory S. Enos, Town Administrator (via videoconference)  
Shanna M. Faro, Executive Assistant  
Donald Velozo, Architectural Consulting Group (via videoconference)  
William Fitzgerald, DPW Director (via videoconference)  
Kathleen Waldron, Health Agent (via videoconference)  
Francis T. Crimmins, Jr., Esq., Ab Initio Elder Law Solutions, LLC  
Steve Reilly, General Counsel, Insa (via teleconference)  
Katherine Feodoroff, Mead, Talerman, and Costa, LLC  
Meghan Mallett  
Karen Johnson  
Nancy Puckett  
Paul Barker  
Timothy Flanigan  
Elaine Flanigan  
George Berry

Chairman Rose called the meeting to order at 6:30 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](http://www.avontv.org).

Timothy Flanigan led the meeting in the Pledge of Allegiance.

**Public Participation**

None

## **Public Discussion on West Spring Street Traffic Study/Discussion on Possible Heavy Truck Exclusion**

Mr. Fitzgerald informed the Board that the Old Colony Planning Council recently performed a traffic study on West Spring Street due to complaints from residents and numerous accidents at the intersection of West Spring Street and East Main Street (Route 28). Mr. Fitzgerald stated that based on their data, OCPC does believe the town is justified in petitioning the Massachusetts Department of Transportation for a Heavy Commercial Vehicle Exclusion (HCVE) for West Spring Street. Mr. Fitzgerald informed the Board that the engineer for the Harrison Boulevard/Route 28/East and West Spring Street Project recommends that the HCVE be petitioned as soon as possible. This way, as the engineers design improvements, they can account for the lower amounts of trucks coming out of West Spring Street during their traffic counts. Mr. Fitzgerald stated that both the Fire Chief and Police Chief approve of the recommendation for the exclusion. Ms. Mallett asked Mr. Fitzgerald what the next steps in this process are. Mr. Fitzgerald stated that should the Board vote to approve a HCVE exclusion, the petition would be filed with the Massachusetts Department of Transportation, District Five in Taunton for their approval. Mr. Fitzgerald stated that waiting for approval may take up to six months. Ms. Mallett informed the Board that she has expressed her concern via numerous e-mails to the DPW Director and Police Chief regarding the truck traffic, speeding issues, and lack of sidewalks on West Spring Street. Ms. Mallett expressed her disappointment that she was not informed of this meeting earlier given her concerns about this street. Ms. Puckett asked if the alternate route for trucks would now be through East High Street to which Chairman Rose answered that it would be Harrison Boulevard. Mr. Barker asked why the truck exclusion would have to be approved from the state. Chairman Rose stated that an HCVE can only be enforced if it is approved by the state. Mr. Fitzgerald stated that traffic apps such as Waze will only deter trucks for streets that have been approved and are listed on the state's website. Mr. Barker approved of applying for the HCVE as he stated that West Spring Street is a street not designed to handle heavy truck traffic. Mr. Fitzgerald reminded audience members that certain trucks will still be allowed to travel through that street such as school buses and trucks making deliveries on that street would be exempt. Mr. Beckerman made a motion to approve and file a petition for a Heavy Commercial Vehicle Exclusion on West Spring Street. Mr. Suzor seconded the motion. The motion carried.

## **Meeting Minutes**

Mr. Beckerman made a motion to accept the meeting minutes of November 30, 2021 (Workshop Session) as written. Mr. Suzor seconded the motion. The motion carried.

Mr. Suzor made a motion to accept the meeting minutes of December 2, 2021 (Regular Session) as written. Chairman Rose seconded the motion. Mr. Beckerman abstained. The motion carried.

## **UNFINISHED BUSINESS**

### **COVID-19 Updates**

Ms. Waldron informed the Board that her office has received 1440 home kits for COVID-19 tests. She stated that each kit contains two tests in a package. Ms. Waldron stated that anyone who needs a test and experiencing financial hardship should contact her office to obtain a home kit. Ms. Waldron was pleased to report that the Board of Health held a booster clinic this afternoon where 76 residents and employees received a booster vaccine. Ms. Waldron thanked the Fire Department, Avon Housing Authority, and Council on Aging for their assistance during the clinic. Ms. Waldron wished all citizens a happy holiday season but cautioned everyone to use their judgment as we are still in the pandemic. Ms. Waldron informed the Board that while there is no mask mandate yet for town offices, it is recommended that unvaccinated or immunodeficient individuals wear a mask for safety.



## **NEW BUSINESS**

### **Designer Selection Committee Change Order**

Mr. Velozo presented what he anticipated to be the final Change Order for the Fire Station Renovation Project to the Board. Mr. Velozo stated that a wrong switch was initially installed during the project so he presented a change order for an extractor disconnect so that the proper switch could be installed. Mr. Beckerman made a motion to approve Change Order No. in the amount of \$1,089.65. Mr. Suzor seconded the motion. The motion carried.

### **Medical Marijuana Host Community Agreement**

Ms. Feodoroff informed the Board that the town and Insa have reached an agreement and all revisions requested by the Board have been finalized in the Host Community Agreement. Mr. Beckerman made a motion to approve the Host Community Agreement for the Insa's proposed Medical Marijuana facility to be located on Stockwell Drive. Mr. Suzor seconded the motion. The motion carried.

### **Discussion about Revisions to IMA with Brockton**

Mr. Enos reminded the Board that they signed a Water/Wastewater Intermunicipal Agreement with the City of Brockton and T.L. Edwards a few months ago. Mr. Enos stated that the City of Brockton has reviewed the original agreement and made some revisions in the second version of the IMA presented to the Board at tonight's meeting. Mr. Beckerman made a motion to approve the revisions as presented and sign the second version of the Intermunicipal Agreement. Mr. Suzor seconded the motion. The motion carried.

### **Annual License Renewals**

#### **Alcoholic Beverages Licenses**

Mr. Beckerman made a motion to approve the renewal of the following Alcoholic Beverages licenses for 2022:

<b>Business Name</b>	<b>Address</b>	<b>Manager</b>	<b>Type of License</b>
David Benvissuto d/b/a Ben's Pour House	39-43 East Main Street	David Benvissuto	All Alcohol – Restaurant
Avon Post #8892 VFW, Inc.	263 East Main Street	Joseph Bernardo	All Alcohol – Club
Avon's Generations	81 Memorial Drive	John Kalinowski	All Alcohol – Restaurant
Wine.com-Massachusetts, Inc. d/b/a Wine.com	33 Wales Avenue	Michael Arico	Beer & Wine Package Store
Sulamita Figueiredo d/b/a Mainha Restaurant	160 Memorial Drive	Sulamita Figueiredo	Beer & Wine – Restaurant

Mr. Suzor seconded the motion. The motion carried.

## Entertainment Licenses

Mr. Beckerman made a motion to approve the renewal of the following Entertainment licenses for 2022:

Business Name	Address	Manager	Type of License
Avon VFW Post #8892	263 East Main Street	Joseph Bernardo	One (1) Video Entertainment License for one (1) jukebox; One (1) Pool Table License; and One (1) Public Entertainment License for one (1) jukebox to include karaoke and a live band
David Benvissuto d/b/a Ben's Pour House	39-43 East Main Street	David Benvissuto	One (1) Touch Tunes Juke Box; One (1) Public Entertainment License for one (1) juke box to include live bands, singers, and comedy acts; and One (1) Pool Table License
Avon's Generations, Inc. d/b/a Generations	81 Memorial Drive	John Kalinowski	One (1) Public Entertainment License

Mr. Suzor seconded the motion. The motion carried.

## Common Victualler's Licenses

Mr. Beckerman made a motion to approve the renewal of the following Common Victualler's licenses for 2022:

Business Name	Address	Type of License
David Benvissuto d/b/a Ben's Pour House	39-43 East Main Street	Common Victualler's License
Sulamita Figueiredo d/b/a Mainha Restaurant	160 Memorial Drive	Common Victualler's License
NN Business Development LLC	5 Stockwell Drive	Common Victualler's License
Avon's Generations, Inc. d/b/a Generations	81 Memorial Drive	Common Victualler's License
Avon V.F.W., Inc., Post #8892	263 East Main Street	Common Victualler's License

Mr. Suzor seconded the motion. The motion carried.

## Auditor Contract

Mr. Enos presented a new three-year contract from Melanson CPAs to the Board. He stated that Melanson has been the town's auditors for the past four years and they have been working closely with the Town Accountant and Treasurer/Collector who both recommended a new contract with these auditors. Mr. Beckerman made a motion to approve the auditor contract with Melanson through December 31, 2024. Mr. Suzor seconded the motion. The motion carried.

## Preliminary Budget Update

Mr. Enos informed the Board that he, Ms. Barry, and Ms. Morin are still working on the budget software for implementation. He stated that the next step is to provide log-in usernames and passwords for the



Department Heads, which should be completed in the next week. Mr. Enos requested that the Board consider scheduling a Budget Workshop meeting the week following the Christmas holiday.

### **Meter Reading Software and Installation Purchase**

Mr. Fitzgerald informed the Board that the DPW's current Itron meter reading software is reaching its end of life on December 31, 2021 and will no longer be supported. Mr. Fitzgerald stated that the new Itron meter reading software is Temetra and it will require new reading equipment. Mr. Fitzgerald provided the Board a proposal from Core & Main, which is the sole source supplier of Itron for this region, in the amount of \$13,750. Mr. Fitzgerald presented an additional proposal for Rayburn Utility Solutions for a one-time installation cost of \$7,425. Mr. Fitzgerald stated that the new system is more advanced than the town's current MVRS reading software and will include the ability to check for leaks and provide additional reporting features. Mr. Beckerman made a motion to approve the purchase of Temetra Meter Reading Software from Core & Main and installation from Rayburn Utility Solutions. Mr. Suzor seconded the motion. The motion carried.

### **Personnel Action Forms**

Mr. Beckerman made a motion to approve the Personnel Action Form to appoint KellyAnn Cole as Head Cook for the Council on Aging for a Grade F-8, Step 3 at the rate of \$15.52 per hour. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the Personnel Action Form to appoint Kevin Flynn as Assistant Cook for the Council on Aging for a Grade F-7, Step 1 at the rate of \$13.87 per hour. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the Personnel Action Form for a classification change for William Salter from Part-Time Van Driver to Per-Diem Van Driver for the Council on Aging effective January 2, 2022 at the same rate of pay he is currently making. Mr. Suzor seconded the motion. The motion carried.

### **Gift Acceptance Forms**

Mr. Beckerman made a motion to approve the gift donation in the amount of \$25 from Stop & Shop on Montello Street in Brockton to the Park & Recreation Commission to purchase supplies for the Cookies with the Clauses event. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the gift donation in the amount of \$75 from Walmart to the Park & Recreation Commission to purchase supplies for the Cookies with the Clauses event. Mr. Suzor seconded the motion. The motion carried.

### **New Year's Eve Closing Time for All On-Premises Liquor License Establishments**

Mr. Beckerman made a motion to approve the extended closing time for all On-Premises Liquor License Establishments on December 31, 2021 to 2:00 a.m. for the New Year's Eve holiday. Mr. Suzor seconded the motion. The motion carried.

### **Announcements**

Chairman Rose announced that the January meetings of the Board will be January 6, 2022 and January 27, 2022.

Chairman Rose wished everyone a happy holiday season.

### **Town Administrator's Report**

Mr. Enos congratulated Mr. Fitzgerald on his successes regarding the OneStop grant applications in which he has received several awards. Mr. Fitzgerald will be working with Tata & Howard on the grant awarded for the emergency interconnect. Mr. Enos informed the Board that Mr. Fitzgerald also received a Planning Assistance Grant from the Executive Office of Energy and Environmental Affairs. This grant ties into an additional grant for the industrial park sewer project, including the review of various buildouts and zoning needs for that project.

Mr. Enos stated that he has also received funding from the IT Community Compact Grant to work on online permitting as well as scanning documents to tie into the new system. Mr. Enos stated that the award is for \$60,000, however, some funding from the town will be required for the annual cost of the new system.

Mr. Enos thanked the Avon Civic Association for hosting the Annual Holiday Celebration on December 4, 2021. He also thanked the Park & Recreation Commission for the Cookies with the Clauses event on December 11, 2021. Both events were well attended.

Mr. Beckerman informed the Board that he attended a meeting last week for the Norfolk County Advisory Board and he stated that Norfolk Aggie is reviewing their tuition structure which may have an impact on the town's budget. Mr. Beckerman stated that Norfolk County is also performing a technology study in part due to the ongoing dispute with William O'Donnell and the Registry of Deeds regarding hiring a IT professional for that department.

### **Adjournment**

At 7:45 p.m., Mr. Beckerman made 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), and to discuss strategy with respect to collective bargaining (AFSCME, Police, Fire, Call Firefighters) or litigation as an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions 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. December 16, 2021 Meeting Agenda
2. November 30, 2021 Meeting Minutes (Workshop Session)
3. December 2, 2021 Meeting Minutes (Regular Session)
4. OCPC Report on West Spring Street HCVE
5. Designer Selection Committee Change Order No. 9
6. Host Community Agreement
7. Intermunicipal Agreement for Wastewater with the City of Brockton
8. Melanson CPA Contract
9. Alcoholic Beverages License Renewals
10. Entertainment License Renewals
11. Common Victualler's License Renewals
12. Proposal for Temetra Meter Reading Software
13. Personnel Action Forms for Head Cook, Assistant Cook, and Van Driver
14. Gift Acceptance Forms from Park & Recreation Commission
15. December 31, 2021 Closing Time for All On-Premises Liquor Establishments