

**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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**BOARD OF SELECTMEN  
THURSDAY, APRIL 7, 2022  
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  
William Fitzgerald, DPW Director  
Fire Chief Robert Spurr  
Muhammed Itani, Stonebridge Homes, Inc.

TOWN OF AVON  
2022 APR 24 P 3:56  
TOWN CLERK

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](http://www.avontv.org).

Chief Spurr led the meeting in the Pledge of Allegiance.

**Public Participation**

None

**Meeting Minutes**

Mr. Beckerman made a motion to approve the March 17, 2022 (Regular Session) meeting minutes as written. Mr. Suzor seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the March 24, 2022 (Workshop Session) meeting minutes as written. Mr. Suzor seconded the motion. The motion passed.

Mr. Beckerman made a motion to approve the March 31, 2022 (Workshop Session) meeting minutes as written. Mr. Suzor seconded the motion. The motion carried.

## **UNFINISHED BUSINESS**

### **Budget Updates for Fiscal Year 2023**

Mr. Enos informed the Board that the proposed operating budget for Fiscal Year 2023 will be a 2.3% increase overall from last year's budget. He stated that the levy limit will be less due to the increase in state aid. Mr. Enos stated that the Annual Town Meeting Warrant has been finalized and submitted. The Finance Committee is reviewing articles on the warrant in preparation for making their recommendations to the voters. Mr. Enos requested that the Board consider lowering the quorum for Town Meeting as last year there were only 57 voters in attendance. Mr. Enos informed the Board he will have a more detailed presentation complete with a slideshow on the budget at the April 21, 2022 meeting.

### **COVID-19**

Chief Spurr stated that the Board of Health will conduct a Booster Clinic on April 14, 2022 at Town Hall for people aged 50 or older for the fourth shot (or second booster) of the COVID-19 vaccine. Chief Spurr stated that some seniors have been asking about it and the Fire Department still has viable vaccines available.

## **NEW BUSINESS**

### **Discussion of Street Names for Joanna Estates Project**

Mr. Itani appeared before the Board to discuss street names for the Joanna Estates project. Mr. Itani is the developer of the 40B Joanna Estates project. He informed the Board that pursuant to the project, he has two new streets which will need to be named. Mr. Itani stated that the Zoning Board of Appeals had no preference regarding street names for the project. Mr. Itani stated that pursuant to Chapter 55, Section I of the Town's Bylaws, the Board of Selectmen approve street names. Mr. Itani proposed "Issa Lane", in memory of Leo Issa, as the cul-de-sac to be located off Lothrop Street and the street leading to the four condominium buildings to be named "Joanna Court". Mr. Itani stated that he has reviewed these proposed street names with the Fire Chief. Chief Spurr informed the Board the likeness of the proposed street name "Joanna Court" to Joanna Road would not pose as a safety hazard to emergency personnel as the house numbers would be vastly different. All "Joanna Court" house numbers would start in the triple digits as opposed to the double-digit house numbers located on Joanna Road. Mr. Beckerman and Mr. Suzor informed Mr. Itani that Leo's Lane is a street named already in memory of Leo Issa. Mr. Beckerman made a motion to designate the name of the cul-de-sac located off Lothrop Street as "Brady Circle" and approve the "Joanna Court" street name. Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Suzor voted aye. Mr. Beckerman voted aye. Chairman Rose voted aye. The motion passed.

Mr. Itani informed the Board that some residents were requesting a four-way stop sign at the intersection. The Board directed Mr. Itani to contact the Police Chief for a recommendation.

### **Letter in Support of Brave Estates Friendly 40B Project**

Mr. Enos stated that part of the Brave Estates Friendly 40B Project includes a letter in support of the LIP Comprehensive Permit from the Board to the Department of Housing & Community Development ("DHCD"). Mr. Enos stated that Town Counsel, Brian Winner, has prepared a letter in support of the project for the Board to sign. Mr. Enos stated that the project will ultimately comprise of fifty (50) rental units if approved. Mr. Beckerman made a motion to approve the letter in support of the Brave Estates



Friendly 40(B) Project to the DHCD and authorize the Chair to sign on behalf of the Board. Mr. Suzor seconded the motion. The motion carried.

Mr. Enos informed the Board that the DHCD will perform a Site Visit at Brave Estates on April 19, 2022 in which representatives from the town will attend such as himself and the Fire Chief among others.

#### **DEP SRF Cybersecurity Grant Matching Funds**

Mr. Fitzgerald reminded the Board that they previously voted to apply to the Department of Environmental Protection's Revolving Fund for several projects, including a \$249,485 project for water system cyber security. Mr. Fitzgerald was pleased to report that the town was awarded the grant, and is in the process of filing the paperwork, including local appropriation, to commence the project. Mr. Fitzgerald informed the Board that although the town's cash match will be \$43,300 or less, the regulations require an appropriation for the full \$249,48 which includes the 60% funded \$149,691 by the grant. Mr. Fitzgerald stated that ARPA money can be used for this project. Mr. Fitzgerald stated that the ultimate source of the town's cash match will be through the DPW's security upgrades article. Mr. Fitzgerald stated that this project aims to improve the cybersecurity resilience and continuity of operations of the town's drinking water system's digital and physical assets. Mr. Fitzgerald informed the Board that he hopes to begin this project next month. Mr. Beckerman made a motion to approve the DEP SRF Cybersecurity Grant Appropriation as proposed by Mr. Fitzgerald. Mr. Suzor seconded the motion. The motion carried.

#### **Appointments to the Zoning Board of Appeals**

Chief Spurr informed the Board that pursuant to the town's bylaws, the Zoning Board of Appeals is a seven-member board which must contain a member of the Fire Department. Chief Spurr stated that Kevin Foster was the ZBA member from the Fire Department. Unfortunately, Mr. Foster retired from the Fire Department in February. He was also the Chair of the Zoning Board of Appeals. Chief Spurr stated that he has spoken to Mr. Foster regarding this issue. Chief Spurr stated that he is interested in remaining on the Zoning Board of Appeals as the member representing the Fire Department. Chief Spurr informed the Board that he has spoken to the other members of the Fire Department and there is a lack of interest in joining the ZBA. Chief Spurr proposed reinstating Mr. Foster as a member of the Fire Department for administrative purposes only. This would be an unpaid position in which Mr. Foster would serve the Fire Department in the sole capacity as an advisor/member for the Zoning Board of Appeals. The Board asked whether this position would affect the retirement of Mr. Foster. Town Counsel Lalli did not see an issue with his retirement with this proposal. Chairman Rose requested that Chief Spurr consult all Fire Department members again to see if anyone had interest in joining the ZBA. He also requested that Chief Spurr contact the Norfolk County Retirement Board to see if this new role would present a problem with his pension. Chief Spurr will report back to the Board.

#### **Procurement for Veteran's Memorial**

Mr. Enos informed the Board that the Veteran's Memorial Committee has available funding for the creation of two memorials at the veteran's park. Mr. Enos stated that the project was bid in accordance with Chapter 30B and quotes were received from two vendors. Many vendors were non-responsive or had issues with the delivery time as the committee was seeking to finalize the project prior to Veteran's Day in August. Mr. Enos stated that the lowest bidder who was able to meet the preferred deadline was Quincy Memorial with a price of \$49,900. Mr. Beckerman made a motion to award the bid for the creation of two memorials at the veteran's park to Quincy Memorial. Mr. Suzor seconded the motion. The motion passed.

### **Updated Policy for Disposition of Surplus Materials**

Mr. Enos informed the Board that he has revised the policy for the disposition of surplus materials. The significant change is the elimination the newspaper advertisement prior to holding a “tag or yard sale”. Mr. Enos stated that newspaper publication costs are more expensive than any profit benefited from the tag sale. Mr. Enos informed the Board that the disposition of surplus materials would continue to be posted on the at Town Hall and the town’s website fourteen (14) calendar days prior to the sale or auction. Mr. Beckerman made a motion to approve the updated policy for the disposition of surplus materials. Mr. Suzor seconded the motion. The motion carried.

### **Flea Market Permit for Avon Baptist Church Men’s Fellowship**

Mr. Beckerman made a motion to approve the Flea Market Permit for 2022 for the Men’s Fellowship on Saturdays only beginning May 14, 2022 through October 29, 2022 from 7:00 a.m. to 3:00 p.m. at the Avon Baptist Church and waive the permit fee. Mr. Suzor seconded the motion. The motion passed.

### **Town Administrator’s Report**

Mr. Enos informed the Board the Alcoholic and Beverages Control Commission (“ABCC”) had a hearing regarding outdoor dining today. Outdoor dining permits will be extended through April 2023. Mr. Enos stated that he will review these regulations and ensure that current permitholders are in compliance with the law.

Mr. Enos informed the Board that the Treasurer/Collector and Department of Public Works are currently working on tax title properties and delinquent water bills and will need direction from the Board on how to proceed with these unpaid bills.

Mr. Enos informed the Board that he, Ms. Faro, and Ms. Bessette had a meeting regarding review and updates to the town’s website last week. Mr. Enos stated that several towns have “SeeClickFix” software on their websites which is a community-driven tool in which residents can help report non-emergency problems to the town. Mr. Enos is researching the cost of the software.

Mr. Enos stated that the City of Brockton recently received a grant from Wildlands Trust for improvements to DW Field Park. The City of Brockton is currently in the first phase of the project. Brockton has submitted a MassTrails grant to address eight areas for improvement to the park, including road improvements and some portions of the park located in Avon.

### **Announcements**

Mr. Suzor announced that the Annual Town Election will be held on April 14, 2022 in the Mary McDermott room at Town Hall from 11:00 a.m. to 7:00 p.m. He reminded voters that there is also a ballot question this year pertaining to the tree warden position.

### **Adjournment**

At 7:00 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); to discuss strategy with respect to litigation (PFAS) as an open meeting may have a detrimental effect on the government’s

litigating position; 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 (Fire Chief). Mr. Suzor seconded the motion. A roll call vote was taken. Mr. Suzor voted aye. Mr. Beckerman voted aye. Chairman Rose voted aye. The motion passed.

Respectfully submitted,



Shanna M. Faro  
Executive Assistant to the Town Administrator

#### **LIST OF DOCUMENTS**

1. April 7, 2022 Meeting Agenda
2. March 17, 2022 Meeting Minutes
3. March 24, 2022 Meeting Minutes
4. March 31, 2022 Meeting Minutes
5. Letter from M. Itani to S. Rose dated 03/14/22 re: street name request for Joanna Hills, LLC
6. Letter from S. Rose to DHCD dated 04/07/223 re: LIP Comprehensive Permit for Brave Estates
7. Memo from W. Fitzgerald to G. Enos dated 04/05/22 re: DEP SRF Cybersecurity Grant Appropriation
8. Memo from G. Enos to Selectmen dated 04/07/21 re: procurement for Veteran's Memorial
9. Updated Policy for Disposition of Surplus Materials
10. Flea Market Permit for Avon Baptist Church Men's Fellowship