

BOARD OF SELECTMEN
Eric S. Beckerman, Chairman
Jason L. Suzor, Sr., Clerk

Gregory S. Enos
TOWN ADMINISTRATOR

Town of Avon Massachusetts



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TOWN OF AVON

2022 NOV 18 A 9:55

TOWN CLERK

BOARD OF SELECTMEN THURSDAY, NOVEMBER 3, 2022 6:30 P.M.

Members Present: Eric S. Beckerman, Chairman
Jason L. Suzor, Sr., Clerk

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant
Joseph S. Lalli, Esq., Town Counsel
William A. Fitzgerald, DPW Director
Brian Martin, Assistant DPW Director
Pinakin Patel, A-1 Market, (via videoconference)
Matthew Porter, Esq., Viera DiGianfilippo (via videoconference)

Chairman Beckerman 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 Beckerman reminded the viewing audience that people who would like to view this meeting while in progress may do so by 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.

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

Public Participation

None

APPOINTMENTS

6:45 p.m. – License Transfer of A-1 Nivniva Corp. d/b/a A-1 Market

Mr. Porter and Mr. Patel appeared before the Board to request a Section 15 Package Store – Wines and Malt Beverages license transfer of A-1 Nivniva Corp. d/b/a A-1 Market. Mr. Suzor read the Public Hearing notice which was published in the Brockton Enterprise on October 20, 2022. Mr. Porter informed the Board that the purpose of this transfer request was for estate planning purposes. Mr. Porter stated that the applicant, Oanh Quach is the wife of Pinakin Patel. Mr. Porter stated that the seller is financing the sale. Mr. Porter did acknowledge the recent violation of A-1 Market and the affidavit which was signed by the seller stating that the former employee in violation of the ABCC's rules is no longer employed by A-1 Market and will not be employed by the store in the future. Mr. Porter stated

that the Affidavit will transfer with the license as well as all prior violations. Mr. Enos requested an Affidavit from the new owner as well regarding the former employee who violated the policies. Ms. Faro requested that Mr. Porter draft up this Affidavit as soon as possible so that she could include it in the transfer application package to the Alcoholic Beverages Control Commission. Mr. Porter agreed to do so. Mr. Suzor made a motion to approve the Section 15 Package Store – Wines and Malt Beverages license transfer of A-1 Nivniva Corp. d/b/a A-1 Market from Pinakin Patel, Store Manager to ON Avon Corporation d/b/a A-1 Market, Store Manager Oanh Quach. Chairman Beckerman seconded the motion. The motion passed.

Mr. Porter requested the Board vote on Pledge of Collateral as well. Mr. Suzor made a motion to approve the Pledge of Collateral of A-1 Nivniva Corp. d/b/a A-1 Market from Pinakin Patel, Store Manager to ON Avon Corporation d/b/a A-1 Market, Store Manager Oanh Quach. Chairman Beckerman seconded the motion. The motion carried.

Meeting Minutes

Mr. Suzor made a motion to approve the October 20, 2022 (Regular Session) meeting minutes as written. Mr. Beckerman seconded the motion. The motion passed.

UNFINISHED BUSINESS

None

NEW BUSINESS

Request to Display Political Campaign Lawn Signs

The Board reviewed the request of Peter Marinelli to display up to 100 political campaign lawn signs for his bid for Selectman on December 10, 2022. Mr. Suzor stated that he would approve this request as long as the candidate placed the signs up thirty (30) days prior to the election and removed them approximately ten (10) days after the election. Mr. Marinelli stated that Selectman candidate Shannon Coffey has her signs displayed throughout the Town already despite it being more than 30 days prior to the election. Ms. Coffey stated that she was given permission by the Town through a letter to display hers signs immediately. Mr. Suzor recommended to Chairman Beckerman that to be fair to all candidates, permission should be given for all to place their signs up immediately as opposed to 30 days before the election. The Chair agreed. Mr. Suzor made a motion to approve the request of Peter Marinelli to display up to 100 political campaign signs on private properties throughout the town. Chairman Beckerman seconded the motion. The motion carried.

The Board received a similar request from Paul Garcia. Mr. Garcia was unsure as to the size dimensions of his sign. Mr. Enos stated they should be the standard size for political lawn signs and that most print shops are familiar with the sizing. Mr. Suzor made a motion to approve the request of Paul Garcia to display up to 100 political campaign lawn signs on private properties for his bid for Selectman on December 10, 2022. Chairman Beckerman seconded the motion. The motion passed.

The Board received a similar request from Daniel Norian. Mr. Suzor made a motion approve the request of Daniel Norian to display up to 50 signs on private properties for his bid for Selectman on December 10, 2022. Chairman Beckerman seconded the motion. The motion carried.

Street Opening Permit Application Extension Requests by Eversource Gas Company

Mr. Suzor made a motion to approve the request by Eversource Gas Company to extend the deadline for the Street Opening Permits of 102 West High Street (Permit #35-22) and 161 West High Street (Permit #36-22) for gas maintenance work until the winter moratorium deadline of November 15, 2022. Chairman Beckerman seconded the motion. The motion passed.

Appointment of DPW Working Foreman II

The Board reviewed a Personnel Action Form promoting Michael Guilbault from DPW Laborer to Working Foreman II. Mr. Suzor stated that Mr. Guilbault has requested a step higher than step one for this promotion and submitted a letter requesting the same. Mr. Enos stated that pursuant to the AFSCME contract, employees who receive a promotion should be elevated to the next step on the new grade which provides at least the same rate of pay in the new position. Mr. Suzor asked if this position was probationary to which Mr. Enos replied that pursuant to the contract, the probationary period would be for ninety (90) days. Mr. Suzor suggested revisiting the possibility of a higher step after the probationary period has concluded. Mr. Enos reminded the Board that it is hard to deviate from the Collective Bargaining Agreement and expect all union employees to follow the contract accordingly. Mr. Suzor made a motion to approve the Personnel Action Form as written and promote Michael Guilbault to DPW Working Foreman II at a Grade PW-4, Step One. Chairman Beckerman seconded the motion. The motion passed.

Request to Extend Appointment of Seasonal DPW Laborer

Mr. Martin requested permission to extend the seasonal DPW Laborer Steven Bates for another sixty (60) days. Mr. Martin informed the Board that there are still field work projects which he would like to complete before the winter. In addition, Mr. Bates would help cover some upcoming planned vacations. Mr. Suzor made a motion to extend Seasonal DPW Laborer Steven Bates' employment until December 31, 2022. Chairman Beckerman seconded the motion. The motion carried.

Contract for Apparatus Building Insulation at Fire Station

Mr. Enos informed the Board that the contract for the new insulation for the apparatus building of the Fire Station has been prepared and reviewed by Town Counsel. Mr. Lalli stated that he has no objections to the contract. Mr. Suzor stated that the Designer Selection Committee contacted nine companies for this project and only two companies replied with bids. Mr. Suzor stated that Marine Insulation Services, Inc. was the lowest bidder for this project in the amount of \$87,000. Mr. Suzor made a motion to approve and execute the contract between the town and Marine Insulation Services, Inc. for insulation of the apparatus building at the Avon Fire Station. Chairman Beckerman seconded the motion. The motion passed.

Disposition of Surplus Property

Mr. Suzor made a motion to approve the disposition of two metal tables, one small non-folding table, one fax machine, and one coat rack located in Town Hall which are items that are no longer needed or useful. Chairman Beckerman seconded the motion. The motion carried.

Personnel Action Forms

Mr. Suzor made a motion to approve the Personnel Action Form of Outreach Coordinator Louise Hardiman for a step increase to a Grade 8, Step 4 based on her anniversary date effective Chairman Beckerman seconded the motion. The motion passed.

Mr. Suzor made a motion to approve the Personnel Action Form of DPW Director William Fitzgerald for a merit-based step increase to a Grade 19, Step 3 effective July 1, 2022. Chairman Beckerman seconded the motion. The motion carried.

Mr. Suzor made a motion to approve the Personnel Action Form of Treasurer/Collector Deb Morin for a merit-based step increase to a Grade 17, Step 8 effective July 1, 2022. Chairman Beckerman seconded the motion. The motion passed.

Mr. Suzor made a motion to approve the Personnel Action Form of Assistant DPW Director Brian Martin for a merit-based step increase to a Grade 15, Step 4 effective July 1, 2022. Chairman Beckerman seconded the motion. The motion carried.

Mr. Suzor made a motion to approve the Personnel Action Form of Police Chief Jeffrey Bukunt for a 2% merit-based rate change effective July 1, 2022. Chairman Beckerman seconded the motion. The motion passed.

One Day Special Permit

Mr. Suzor made a motion to approve the One Day Special All Alcoholic Beverages license for the Avon Fish & Game Association on November 19, 2022 (Valid 11/18/22 to 11/21/22) for an outdoor club function. Chairman Beckerman seconded the motion. The motion carried.

Per Ride Assessment Funds Distribution

Mr. Enos informed the Board that he received notice from the Division of Local Services that the Town of Avon has received a total of \$3,379.30 for its disbursement of the 2021 per-ride assessment funds. The amount of these funds was calculated based on the number of Transportation Network Company (TNC) rides (e.g., Uber and Lyft) that originated within the municipal boundaries that year. Mr. Enos recommended that the town deposit the funds into the bank until it is needed for a substantial road improvement project. Mr. Suzor made a motion to bank the per-ride assessment funds for 2021. Chairman Beckerman seconded the motion. The motion passed.

Announcements

Chairman Beckerman congratulated the Girls Varsity Soccer Team of the Avon Middle High School for making the finals.

Chairman Beckerman announced that there will be a "Meet the Candidates" night on November 14, 2022 at 7:00 p.m. at the Mary McDermott room of Town Hall for the upcoming Selectman's race which will be held on December 10, 2022.

Chairman Beckerman announced that the State Election will take place on November 8, 2022 from 7:00 a.m. to 8:00 p.m. in the Mary McDermott room of Town Hall.

Town Administrator's Report

Mr. Enos informed the Board that he received one bid for the Trailer Mounted Portable Pump for the Department of Public Works System from Xylem Dewatering Solutions, Inc. in the amount of \$98,296. Mr. Enos informed the Board that he has no objections to awarding this company with the project. Town Counsel will review the contract.

Mr. Enos informed the Board that the Town has received two One Stop Grant Awards: (1) the Rural and Small-Town grant award in the amount of \$150,000 to develop a full, inclusive master plan, and (2) the MassWorks grant award in the amount of \$1,000,000 for the Gill Street/Rock Street culvert replacement and street replacement project.

Mr. Enos informed the Board that he is looking into electronic signage for Town Offices as the electronic sign donated by Jordan's Furniture a few years ago is outdated. The approximate cost of electronic signage is \$50,000 to \$60,000.

Mr. Enos stated that he has received a filming permit from The Collective the Film, Inc. to file a feature film at a private residence located at 440 South Street on November 6, 2022 from 11:00 a.m. to 1:00 a.m. With approximately 30-40 cars involved in the filming, the company was seeking permission to park on Parkview Lane and Old South Street. Mr. Enos stated that Police Chief Bukunt has been informed about the production and both he and Fire Chief Spurr were concerned about parking issues and blocking road access. Mr. Suzor made a motion to approve the film permit for "The Collective" with the stipulation that Town Administrator, Police Chief, Fire Chief, Building Inspector, and DPW Director work collectively to make the proper parking arrangements for the film company. Chairman Beckerman seconded the motion. The motion carried.

Town Counsel's Report

None

Adjournment

At 7:30 p.m., Mr. Suzor made a motion to adjourn the regular session and 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. Mr. Beckerman seconded the motion. A roll call vote was taken. Mr. Suzor voted aye. Chairman Beckerman voted aye. The motion carried.

Respectfully submitted,



Shanna M. Faro
Executive Assistant to the Town Administrator

LIST OF DOCUMENTS

1. November 3, 2022 Meeting Agenda
2. October 20, 2022 Meeting Minutes
3. Application for Section 15 Beer & Wine License Transfer of A-1 Nivniva Corp. d/b/a A-1 Market
4. Requests to Display Political Campaign Lawn Signs (Peter Marinelli, Daniel Norian, Paul Garcia)
5. Request from Karen Lively of Eversource Gas to extend Street Opening Permit Application deadline for 102 West High Street and 161 West High Street
6. Personnel Action Form for DPW Working Foreman II (Michael Guilbault)
7. Contract for Apparatus Building Insulation at Fire Station
8. Disposition of Surplus Property Form
9. Personnel Action Form for Outreach Coordinator Louise Hardiman
10. Personnel Action Form for DPW Director William Fitzgerald
11. Personnel Action Form for Treasurer/Collector Deb Morin
12. Personnel Action Form for Assistant DPW Director Brian Martin
13. Personnel Action Form for Police Chief Jeffrey Bukunt
14. One Day Special Alcohol License for Avon Fish & Game Association
15. Meet the Candidates Night Flyer for November 14, 2022