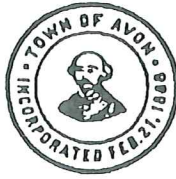


BOARD OF SELECTMEN
Steven P. Rose, Chairman,
Robert F. Brady, Jr., Clerk
Eric S. Beckerman, Associate

Gregory S. Enos
TOWN ADMINISTRATOR

Town of Avon Massachusetts



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TOWN OF AVON
2019 JUN 10 A 11: 01
TOWN CLERK

BOARD OF SELECTMEN
THURSDAY, MAY 16, 2019
7:30 P.M.

Members Present: Steven P. Rose, Chairman
Robert F. Brady, Jr., Clerk
Eric S. Beckerman, Associate

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant to the Town Administrator
Joseph S. Lalli, Town Counsel
William Fitzgerald, DPW Director
Brian Martin, Assistant DPW Director
Fire Chief Robert Spurr
Donald Velozo, Architectural Consulting Group
Michael Josefek, Architectural Consulting Group
Elaine Dombrosky, Designer Selection Committee

Chairman Rose called the meeting to order at 7:30 p.m. with all members present.

Chairman Rose announced that the meeting is being recorded by the local Cable Access Channel.

Matthew Doucet led the meeting in the Pledge of Allegiance.

Public Participation

None

Meeting Minutes

Mr. Beckerman made a motion to accept the minutes of May 2, 2019 (Regular Session) as written. Mr. Brady seconded the motion. The motion carried.

APPOINTMENTS

7:45 p.m. – Public Hearing for Propane Storage Tank License Application for 1-15 Curtis Circle

Chief Spurr appeared before the Board to discuss the application for a propane storage tank license for The Village at Curtis Estates at 1-15 Curtis Circle. Mr. Beckerman read the legal notice which was published in the Brockton Enterprise. Chief Spurr informed the Board that he has reviewed the propane storage license application and recommends approval. Chief Spurr stated that he has no reason to believe

there will be any problems with the additional storage capacity. Chief Spurr recommended approval of the license to store a total of 5000 gallons of propane in five (5) underground tanks with the following conditions: (1) If the license is not fully exercised within 3 years, the maximum quantity shall revert to the actual stored amount; and (2) If the license is not fully exercised at any time for greater than 1 year, it shall be forfeited by the license holder and be automatically rescinded. Mr. Beckerman made a motion to approve the propane storage tank license application for The Village at Curtis Estates Realty Trust at 1-15 Curtis Circle with the conditions as outlined by the Fire Chief. Mr. Brady seconded the motion. The motion carried.

8:00 p.m. – Designer Selection Committee Update

Mr. Velozo and Ms. Dombrosky approached the Board to provide an update on the new Public Safety Building and the Fire Station Renovation Project. Mr. Velozo informed that Board that the Designer Selection Committee issued a Request for Qualifications for Designers interested in designing the Fire Station Renovation and Addition Project. Mr. Velozo informed the Board that four firms submitted proposals. Mr. Velozo stated that the firms' submissions were scored by the Designer Selection Committee pursuant to MGL, Chapter 7C, Section 54. Mr. Velozo stated that the top three firms were invited for interviews which took place on May 14, 2019. Mr. Velozo stated that the next step is for the Committee to invite the top-rated firm to submit a price proposal. Mr. Velozo stated that if the top firm and the Committee will recommend the Board of Selectmen execute the contract with the firm.

Mr. Velozo stated that the Police Station Project is nearing completion. Mr. Velozo stated that the General Contractor's schedule indicates that they will achieve substantial completion on May 28, 2019. Mr. Velozo stated that it may be late June to early July before all systems are 100% operational.

UNFINISHED BUSINESS

Review of Street Opening Permit Applications

Mr. Fitzgerald and Mr. Martin approached the Board to discuss revisions to the Street Opening Permit Application process. Mr. Fitzgerald proposed a non-refundable application fee of \$125 for regular street opening permits. Mr. Fitzgerald suggested a non-refundable fee of \$250 for the emergency repair on roads under the five-year moratorium. Mr. Fitzgerald requested a minimum restoration security bond of \$10,000 which would cover up to four street opening permits. Mr. Fitzgerald requested that the company requesting the Street Opening Permit also provided a Certificate of Liability Insurance. Mr. Fitzgerald also provided some additional restoration conditions in the new Street Opening Permit Application. Mr. Beckerman made a motion to approve the revised Street Opening Permit Application. Mr. Brady seconded the motion. The motion carried.

Street Opening Permits from Columbia Gas

Mr. Beckerman made a motion to approve the Street Opening Permit from Columbia Gas for 110 Ladge Drive to install 400" of gas main and new service. Mr. Brady seconded the motion. Mr. Beckerman amended the motion to include the stipulation that Columbia Gas follow the new Street Opening Permit Process as outlined by Mr. Fitzgerald's May 10, 2019 memorandum. Mr. Brady seconded the amended motion. The motion carried.

Mr. Beckerman made a motion to approve the Street Opening Permit from Columbia Gas for 200 Central Street with a 4' x 6' road cut tie in and a 4' x 650' road cut trench to install a new gas main with the stipulation that Columbia Gas follow the new Street Opening Permit Process as outlined by Mr. Fitzgerald's May 10, 2019 memorandum. Mr. Brady seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the Street Opening Permit from Columbia Gas for 67 Robbins Street to install new gas service with a 4' x 6' road cut tie in and a 4' x 25' road cut trench with the stipulation that Columbia Gas follow the new Street Opening Permit Process as outlined by Mr. Fitzgerald's May 10, 2019 memorandum. Mr. Brady seconded the motion. The motion carried.

Mr. Beckerman made a motion to approve the Street Opening Permit from Columbia Gas for 164 East Spring Street to install gas service with a 4' x 6' road cut tie in and a 4' x 30' road cut trench with the stipulations that Columbia Gas follow the new Street Opening Permit Process as outlined by Mr. Fitzgerald's May 10, 2019 memorandum and that the road is rehabilitated with curb to curb paving two feet beyond the trench edges. Mr. Brady seconded the motion. The motion carried.

Waste Management Contract

Mr. Enos reminded the Board that Howland Disposal Services was acquired by Waste Management as of April 1, 2019. Mr. Enos stated that Town Counsel has reviewed the Consent to Assignment Agreement by Waste Management. Mr. Enos stated that this is the second term of a three-year contract. Mr. Brady stated that he was disappointed with the job that Waste Management is doing since the takeover. Mr. Enos stated that Ms. Waldron is working with the representatives of Waste Management to remedy the issue. He stated that one solution is get a consistent driver who is familiar with the routes and process of waste pickup for the Town. Mr. Enos stated that dissatisfied residents should file complaints with the Board of Health. Mr. Beckerman made a motion to authorize the Board to sign the Consent to Assignment with Waste Management. Mr. Brady seconded the motion. The motion carried.

Security System Update

Mr. Enos presented the Board with a letter from the Park & Recreation Commission stating that they unanimously agreed that there is no need for a security camera to be installed inside the Civic Center. The Commission feels a security camera would be an invasion of privacy and will disrupt the level of comfort of the participants of the teen and youth programs as well as other community groups who use the space. Mr. Enos stated that the Park & Recreation Commission does support the need to install security cameras in public areas such as all of the Town's playgrounds. Mr. Beckerman recommended that the Board reject the request of the Park & Recreation Commission. Mr. Brady agreed with Mr. Beckerman and stated that cameras should be installed for the safety of both the staff and participants of the youth programs. Mr. Beckerman made a motion to install security cameras in the Civic Center. Mr. Brady seconded the motion. The motion carried.

NEW BUSINESS

Designer Selection Committee Change Orders

Mr. Brady made a motion to approve Change Order Number 007 for the new Public Safety Building for the increased amount of \$4,480.08 for contract adjustments including work associated with PCOs 74, 75RI, 80 and 81 which includes: relocating the cell check recorder in male cell vestibule and female cell vestibule; the cost to furnish and install one LED flagpole fixture; and the complete cleaning and waxing of the VCT flooring upon installation at no cost. Mr. Beckerman seconded the motion. The motion carried.

Annual Town Meeting Discussion

Mr. Enos informed the Board that he met with the Town Clerk, Town Counsel and the Town Moderator this week to review the Warrant in preparation for the Annual Town Meeting. Mr. Enos stated that there will be some amendments to certain Articles. Mr. Enos stated that the Town Clerk is working on the

slides for the presentation. Town Counsel is also reviewing the legislature. Mr. Enos reminded the audience that the Town Meeting will be held on May 21, 2019 at 7:00 p.m. at the Avon Middle-High School.

Request to Waive Permit Fee for Avon Public Library HVAC Project

Mr. Enos informed the Board that he received a request to waive the permit fees for the Electrical Permit and Gas Permit from GEM Plumbing & Heating, the company that was hired to install the new HVAC for the Avon Public Library. Mr. Enos praised GEM Plumbing & Heating for their work on this project as well as going above and beyond to make some additional repairs that was beyond the scope of the project. He recommended that the Board waive the permit fees. Mr. Brady made a motion to waive the Electrical Permit and Gas Permit fees for GEM Plumbing & Heating for the Avon Public Library HVAC Project. Mr. Brady seconded the motion. The motion carried.

Seasonal DPW Workers

Mr. Beckerman made a motion to appoint Eric Ficarra as a Seasonal DPW Laborer in the amount of \$16.00 per hour. Mr. Brady seconded the motion. The motion carried.

Surplus Property

Mr. Enos informed the Board that the DPW has four outdated fire hydrants that were removed as part of the Brentwood Rehabilitation Project that Mr. Fitzgerald has requested the Board declare as surplus property. Mr. Enos stated that several citizens have expressed an interest in these fire hydrants. John Walker Kelley of 98 West High Street suggested that the hydrants be used as decorative pieces at the lot of land where the old Avon Pharmacy was located. Chief Spurr expressed concern that placing outdated fire hydrants around Town may cause confusion as to the functional fire hydrants. Mr. Enos informed the Board that the first step in this process would be to declare the hydrants surplus and then the Board can decide at a later date how to dispose of the hydrants. Mr. Enos informed the Board that he has also received a request from the Library Director to declare 20 yellow chairs as surplus property. Mr. Beckerman made a motion to declare four, old fire hydrants and 20 yellow chairs as surplus property. Mr. Brady seconded the motion. The motion carried.

Memorial Drive Easement

Mr. Enos informed the Board that he has received a request from Douglas A. King for an access easement for the area of 29-69 Memorial Drive and 340 East Main Street. Mr. Enos stated that he requested Town Counsel review the easement agreement. Mr. Brady was concerned that Mr. King was requesting the Board's permission for an access agreement on state road. Chairman Rose was concerned that some items were left blank on the Reciprocal Easement Agreement. Mr. Brady made a motion to table the request for the Memorial Drive Easement. Mr. Beckerman seconded the motion. The motion carried.

Resignation Letter of COA Board Member

Chairman Rose read the resignation of Council on Aging Board member Silvio Mercuri effective May 16, 2019 for personal reasons. Mr. Brady made a motion to accept the resignation of Silvio Mercuri with regret. Mr. Beckerman seconded the motion. The motion carried. Ms. Faro will draft a letter thanking Mr. Mercuri for his years of service.

Line Item Transfers

Mr. Brady made a motion to approve the line item transfer in the amount of \$1,000 to be transferred from the Insurance-Personal Services line to the Town Administrator-Expenses line due to unforeseen conferences for various Committees and Boards as well as additional training for recertification for the Massachusetts Certified Public Purchasing Official Program. Mr. Beckerman seconded the motion. The motion carried.

Mr. Brady made a motion to approve the line item transfer in the amount of \$21,000 to be transferred from the Insurance-Personal Services line to the Legal-Expenses Purchase Services line due to legal bills that need to be paid. Mr. Beckerman seconded the motion. The motion carried.

Mr. Brady made a motion to approve the line item transfer in the amount of \$208.60 to be transferred from the Insurance-Personal Services line to the Board of Appeals Expenses-Purchase Supplies line due to expenses needed to meet the requirements by law for certified mailing for the Joanna Road project. Mr. Beckerman seconded the motion. The motion carried.

Mr. Brady made a motion to approve the line item transfer in the amount of \$3,825 to be transferred from the Insurance-Personal Services line to the Norfolk Agricultural Expenses-Regional Assessment line due to the enrollment of more students than anticipated. The invoice due for \$9,825 which exceeds the budgeted amount by \$3,825. Mr. Beckerman seconded the motion. The motion carried.

Mr. Brady made a motion to approve the line item transfer in the amount of \$12,000 to be transferred from the Insurance-Personal Services line to the Treasurer Expenses-Postage line due to expense funds which were used to pay an outside consultant for clerical duties of the Assistant Tax Collector from August 2018 through January 2019. The total consultant fees paid were \$12,035. Money requested is for postage (pre-stamped envelopes), Kelley & Ryan mailings, and office supplies that were not purchased due to the shortage. Mr. Beckerman seconded the motion for discussion. Mr. Beckerman asked if the consultant fees could be paid out of the salary line item to which Mr. Enos replied that an outside contractor cannot be paid out of the salary line item. The motion carried.

Announcements

Chairman Rose announced that the June meetings of the Board will be held on June 6, 2019 and June 20, 2019.

Chairman Rose announced that the Annual Town Meeting will be held on May 21, 2019 at 7:00 p.m. at the Avon Middle-High School.

Chairman Rose announced that the Memorial Day Parade will be held on May 26, 2019 at 1:00 p.m. commencing at St. Michael's Church and ending at the Avon VFW for a celebratory cookout.

Chairman Rose announced that Bulk Collection Day will be held on May 18, 2019. Three to four items may be placed out to the curb for bulk collection.

Chairman Rose announced that Medication and Sharp Collection Day will be held on May 18, 2019 from 9:00 a.m. until 12:00 p.m. at the Holbrook Town Hall parking lot.

Chairman Rose announced that the Zoning Board of Appeals will hold a Public Hearing on May 30, 2019 at 6:30 p.m. at Town Hall to hear the petition of Joanna Hills Estates, LLC for approval of a Comprehensive Permit to construct 80 single family homes, an on-site waste-water sewer disposal system, and associated roadways and appurtenances.

Town Administrator's Report

Mr. Enos stated that a private citizen has offered to allow the Town to use two large electronic message boards on Town property to direct traffic detours during the Memorial Day Parade on May 26, 2019. Mr. Enos requested permission from the Board for acceptance of this donation. Mr. Beckerman made a motion to accept the use of two large electronic message boards to use for the Memorial Day Parade. Mr. Brady seconded the motion. The motion carried. Chairman Rose requested that Ms. Faro send a thank you letter to the private citizen.

Mr. Enos thanked Patricia Besette and Kayla McKenney for their hard work in getting the certified letters out to the abutters notifying them of the public hearing regarding the Joanna Estates LLC project.

Mr. Enos stated that Community Clean-Up Day held on May 11, 2019 was well attended, with 35 people, it was the largest group of volunteers they have had during this annual event.

Mr. Enos reminded the Board that Medical and Sharp Collection Day will be held on May 18, 2019 at the Holbrook Town Hall parking lot.

Mr. Enos informed the Board that the Avon Community Survey is on the Town's website. Mr. Enos reminded the Board that the Town is working with the Old Colony Planning Council through a local technical assistance grant to conduct public outreach and create a plan to guide future development of Affordable Housing and improvements to DeMarco Park.

Mr. Enos informed the Board that with the mailing of the "Opt-Out" letter regarding the Municipal Electricity Aggregation Plan, many residents have questions and concerns. Mr. Enos reminded the audience that the hotline number for more information regarding this plan is (866) 225-5676 and the website is www.avon-cea.com. Mr. Enos informed the Board that he is coordinating a date with Gene Mazzella for John O'Rourke of Good Energy to speak at the Council on Aging.

Adjournment

At 8:45 p.m., Chairman Rose requested the Board make a motion to conclude the Regular Session. An Executive Session would begin after the Open Session for the purposes of discussing Collective Bargaining with Union Bargaining Units (AFSCME, Professional Firefighters, Police Relief Association) and Employment Agreements with Non-Union Personnel (Treasurer/Collector), and to discuss strategy with respect to litigation, all of which could prove detrimental, if discussed during the Open Session. Mr. Beckerman made a motion to adjourn the Regular Session. Mr. Brady seconded the motion. The motion carried.

A roll call vote was taken. Mr. Brady voted aye. Mr. Beckerman voted aye. Chairman Rose voted aye.

The Board would reconvene in Open Session for the sole purpose of adjournment. At 9:40 p.m., Mr. Beckerman moved to adjourn the meeting. Mr. Brady seconded the meeting, so voted 3-0.

Respectfully submitted,



Shanna M. Faro
Executive Assistant to the Town Administrator

LIST OF DOCUMENTS

1. May 16, 2019 Meeting Agenda
2. May 2, 2019 Meeting Minutes (Regular Session)
3. Public Hearing Notice, Application for Propane License, Letter from Chief Spurr to Board of Selectmen recommending approval of Application for Propane License for The Village at Curtis Estates
4. Architectural Consulting Group Memorandum – Update on Fire Station Renovation Project & New Public Safety Building Project
5. Memorandum from William Fitzgerald regarding changes to Street Opening Permit Process
6. Street Opening Permit Application from Columbia Gas for:
 - a. 110 Ladge Drive
 - b. 200 Central Street
 - c. 67 Robbins Street
 - d. 164 East Spring Street
7. Waste Management Consent to Assignment
8. Letter from Park & Recreation Commission Opposing Installation of Security Cameras in Civic Center
9. Finance Committee's Report for the Annual Town Meeting Warrant
10. Electrical Permit Application & Gas Permit Application from GEM Plumbing & Heating Co. for Avon Public Library HVAC Project
11. Personnel Action Form for Eric Ficarra for Seasonal DPW Worker
12. Reciprocal Easement Agreement for 29-69 Memorial Drive
13. Resignation Letter of COA Board Member Silvio Mercuri
14. Line Item Transfers
15. Bulk Collection Day & Medication Sharp Collection Day Announcements
16. Avon Memorial Day Parade flyer
17. Zoning Board of Appeals Public Hearing Notice for May 30, 2019 at 6:30 p.m.