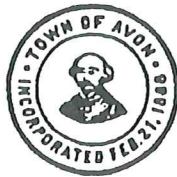


BOARD OF SELECTMEN  
Steven P. Rose, Chairman,  
Robert F. Brady, Jr., Clerk  
Eric S. Beckerman, Associate

Gregory S. Enos  
TOWN ADMINISTRATOR

# Town of Avon Massachusetts



Town Offices  
Buckley Center 02322  
(508) 588-0414  
FAX (508) 559-0209

BOARD OF SELECTMEN  
THURSDAY, AUGUST 15, 2019  
7:00 P.M.

TOWN OF AVON  
2019 SEP - 6 A 9:55  
TOWN CLERK

**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  
Police Chief Jeffrey Bukunt  
Deputy Police Chief Denis Linehan  
Fire Chief Robert Spurr  
Deb Morin, Treasurer/Collector  
William Fitzgerald, DPW Director  
Ben Chapman, Park & Recreation Commission  
Carl Fischer, Park & Recreation Commission  
Paul Chute, Avon Civic Association  
W. Bruce Lane

Chairman Rose called the meeting to order at 7:00 p.m. with all members present. He also acknowledged that Representative William Galvin and State Senator Walter Timilty were in attendance tonight.

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

Senator Walter Timilty led the meeting in the Pledge of Allegiance.

Chairman Rose called for a Moment of Silence for Wilma MacDonald, Lisa DeMarco Chute and Joseph DeMarco.

## Public Participation

None

## Meeting Minutes

Mr. Beckerman made a motion to accept the minutes of July 25, 2019 (Regular Session) as written. Mr. Brady seconded the motion. The motion carried.

## **APPOINTMENTS**

### **7:00 p.m. – Swearing-In Ceremony of Three New Police Officers**

Chief Bukunt congratulated the three new Police Officers on their graduation from the Police Academy and welcomed them to the Avon Police Department. Officer Owen Carrel was pinned by his mother Linda Carrel and his girlfriend Linda Kennedy. Officer Thomas DiNatale was pinned by his stepmother Victoria DiNatale. Officer Joubert Barbosa was pinned by his wife Leane and daughters Joulee and Leila. Both Representative Galvin and Senator Timilty presented the three new Police Officers with Citations for the beginning of their careers with the Avon Police Department and for their dedication, protection and service to the community.

### **7:15 p.m. – Recognition of the Avon Fire Department**

Chief Spurr informed the Board that during the winter of 2018-2019, there were three significant structure fires in Avon. Chief Spurr stated that the members of the Avon Fire Department worked tirelessly to protect the lives and property of the people of Avon. The Fire Chief, along with the Board of Selectmen and Representative Galvin and Senator Timilty expressed their profound appreciation to the firefighters involved in those incidents and for their constant dedication and hard work. All public safety officials were thanked once again for their devotion to the community.

### **7:45 p.m. – Discussion of Oktoberfest and Annual Holiday Celebration**

Mr. Chute, Mr. Lane, Mr. Chapman and Mr. Fischer approached the Board to discuss upcoming events. Mr. Chute informed the Board that the Avon Civic Association is proposing the date of Sunday, December 1, 2019 commencing at noon for the Annual Holiday Celebration. Mr. Chute stated that the event would resemble the past celebrations and would include decorating the park, amusement rides for the children, a horse and buggy ride, and concessions. Mr. Chute stated that he will also contact the local churches for this event as well. Mr. Beckerman made a motion to approve December 1, 2019 as the date for the Annual Holiday Celebration.

Mr. Chute informed the Board that this year, the Avon Civic Association is suggesting planning an Oktoberfest, which would be like celebrations held in neighboring towns. Mr. Chute suggested the date of Sunday, October 6, 2019 between the hours of 12:00 p.m. to 4:00 p.m. for the celebration. Mr. Chute suggested having inflatable games for the children, and food trucks. Mr. Chute stated that he has contacted a German band which he has reserved pending approval for this event. Mr. Chute stated that this would be a family event. He stated that it would be a collaboration between the Avon Civic Association and the Park & Recreation Commission. He stated that funding would come from both the Civic Association and well as the Park & Recreation Commission and local sponsors. Mr. Chute stated that in the evening, after the family event has concluded, he has requested that Mr. Lane open Blanchard's Tavern and have a craft brewery would come and serve alcohol. Mr. Chute stated that the brewery has their own liability insurance and TIPS trained bartenders. Mr. Chute stated that the West Bridgewater Public Library just recently held an event with a craft brewery, and he will reach out to them for more information. The Board had several questions and concerns about this event concerning the funding as well as liability insurance regarding the Special One Day All Alcoholic Beverages license. Mr. Enos stated that he will reach out to the Town Accountant as well as the Town's insurance agent regarding this matter. Mr. Beckerman made a motion to approve the date of October 6, 2019 for Oktoberfest. Mr. Brady seconded the motion. The motion carried. The Board requested that Mr. Chute return to the Board with more information regarding Oktoberfest.

## **UNFINISHED BUSINESS**

### **Melanson Heath – Auditor Contract**

Mr. Enos presented the Board with the auditor contract with Melanson Heath. Mr. Enos informed the Board that he used the state contract template for this agreement and that it has been approved by Town Counsel. Mr. Brady made a motion to approve and execute the Melanson Heath auditor contract. Mr. Beckerman seconded the motion for discussion. Mr. Enos asked Mr. Enos if the terms of the contract were the same as the original contract presented to the Board at the meeting of July 25, 2019. Mr. Enos replied in the affirmative that this would be a three-year contract and at the cost of \$23,500 for each year in which they conduct an audit.

### **GPS Equipment Procurement**

Mr. Enos informed the Board that after receiving quotes from three vendors for a new GPS contract, the lowest pricing was from Verizon. Mr. Enos informed the Board that he consulted with the Department Managers who use GPS in their Town vehicles, and they all spoke positively about Verizon. Mr. Enos stated that he spoke with the contact for Verizon who assured him that the company had local representatives who will be readily available to provide support and customer service whenever necessary. Mr. Brady asked Mr. Enos if the GPS equipment would need to be changed and swapped out. Mr. Enos stated that the equipment would need to be changed, regardless of if the Town stayed with the current vendor, as the equipment needs to be updated. Mr. Beckerman asked the cost of changing the equipment. Mr. Enos stated that the cost would be miniscule. Mr. Brady made a motion to approve Verizon as the new vendor for the Town's GPS equipment. Mr. Beckerman seconded the motion. The motion carried.

## **NEW BUSINESS**

### **Proposed Enhanced Fee Schedule for Collection of Delinquent Taxes**

Ms. Morin appeared before the Board to seek authorization to modify the existing demand fees assessed on real estate, personal property and motor vehicle excise taxes. Ms. Morin requested raising the rates of the delinquent fees from the current rate of \$10.00 for real estate and personal property taxes and \$5.00 for motor vehicle excise taxes to a \$15.00 late fee for all taxes. Ms. Morin stated that due to an observed trend of delinquent payments, the current fee structure no longer serves as an effective motivator in compelling timely payments. Furthermore, Ms. Morin stated that many communities in the Commonwealth utilize demands higher than the existing \$5.00 and \$10.00 fees. Ms. Morin stated that she believed that by changing the fees in this manner, the Town of Avon will ensure more timely tax collections and lower incidences of delinquencies, as well as being more consistent with other towns on the late fees. Ms. Morin informed the Board that pursuant to Massachusetts General Law, Chapter 60, Section 15, a collector of taxes may assess a demand fee up to a state maximum of \$30.00 on a given delinquent bill. Ms. Morin stated that to change the fees, it only requires a vote of the Board of Selectmen. It does not need to go to Town Meeting, nor be a bylaw change. Ms. Morin stated that this change would not go into effect until January 1, 2020 and she would properly advertise the new delinquent late fee prices. Mr. Brady recommended increasing the fee to \$20.00. The Board agreed. Mr. Brady made a motion to raise the demand fee for delinquent taxes for real estate, personal property and motor vehicle excise taxes to \$20.00 effective January 1, 2020. Mr. Beckerman seconded the motion. The motion carried.

### **Appointment of Tax Title Custodian**

Mr. Enos stated that in preparation for the auction of 29 Memorial Drive on August 20, 2019, and pursuant to Massachusetts General Laws, Chapter 60, Section 77B, a Tax Title Custodian must be elected by the Board of Selectmen. Mr. Enos stated that although it was assumed that the former Treasurer/Collector was named as Tax Title Custodian for the Town, no records or documentation could be found on the matter. As a formality, Mr. Enos requested the Board elect the position of Treasurer/Collector as Tax Title Custodian for the Town. Mr. Enos informed the Board that it is the position that is appointed, not the employee in the position. Mr. Brady made a motion to appoint the Treasurer/Collector position as the Tax Title Custodian. Mr. Beckerman seconded the motion. The motion carried.

### **Debt Exclusion Report for Fiscal Year 2019**

Mr. Beckerman made a motion to approve Treasurer/Collector Deb Morin's Debt Exclusion Report in the amount of \$314,910.53 to the Board of Assessors to be approved by the Board of Selectmen, as required by the Department of Revenue. Pursuant to MGL. 59 Section 21C(n), this law allows the Board of Selectmen to vote to exempt water debt without a Proposition 2 ½ election. Mr. Brady seconded the motion. The motion carried.

### **Resignation Letter of Park & Recreation Recording Secretary**

Mr. Beckerman made a motion to accept the resignation with regret of Recording Secretary Jessie Delorey. Ms. Delorey will attend the last meeting of the Park & Recreation Commission on August 13, 2019. Mr. Brady seconded the motion. The motion carried.

### **Appointment of Water Systems Technician**

Mr. Brady made a motion to appoint Michael DeRienzo as Water Systems Technician at a Grade PW 1, Step 1 at the rate of \$22.49 per hour, effective September 3, 2019. Mr. Beckerman seconded the motion. The motion carried.

### **Avon Municipal Vulnerability Preparedness (MVP) Contract**

Mr. Fitzgerald presented the Board with an Agreement for Professional Services for Weston & Sampson Engineers Inc. for the Avon Municipal Vulnerability Preparedness (MVP) Planning Project with a budget limit of \$46,500. Chairman Rose asked Mr. Fitzgerald if Town Counsel had reviewed the contract. Mr. Fitzgerald replied that Mr. Lalli had reviewed the contract and had some minor changes which were not yet modified in the contract he was presenting tonight. Mr. Brady made a motion to table the MVP contract until the meeting of August 22, 2019 to provide adequate time to make the revisions and present a new contract to the Board. Mr. Beckerman seconded the motion. The motion carried.

### **Tata & Howard Proposals for Engineering Services**

Mr. Fitzgerald presented the Board with three proposals from Tata & Howard for engineering services. The first proposal was for Tata & Howard to conduct a preliminary interconnection evaluation. The second proposal was increasing the cost of the general engineering contract for additional engineering services required. The final proposal was for a Capital Efficiency Plan. Chairman Rose asked Mr. Fitzgerald as to the source of funding for these proposals. Mr. Brady made a motion to table the three Tata & Howard proposals to the meeting of August 22, 2019 at which time Mr. Fitzgerald will provide sources of funding to the Board. Mr. Beckerman seconded the motion. The motion carried.

### **Gift Donation to the Park & Recreation Youth Program**

Mr. Brady made a motion to accept the gift donation from Mr. Peter Patel in the amount of \$200 to the Park & Recreation Youth Program. Mr. Beckerman seconded the motion. The motion carried.

### **Temporary Sign Permit Applications**

The Board reviewed the request from Dunkin Donuts on 20 Memorial Drive for a Temporary Sign Permit from August 16, 2019 through December 31, 2019. The Board requested clarification on the bylaws as to the length of time a Temporary Sign Permit can be granted. Mr. Beckerman made a motion to approve the Temporary Sign Permit for Dunkin Donuts with a modified expiration date of September 19, 2019. Dunkin Donuts can reapply for another permit after that date. Mr. Brady abstained from voting. Chairman Rose seconded the motion. The motion carried.

The Board declined to act upon the request for a Temporary Sign Permit Application from Mattress Firm due to incomplete paperwork needed to process the permit application.

### **Street Opening Permit Applications**

Mr. Beckerman made a motion to table the Street Opening Permit Application from Columbia Gas for 390 West Main Street for further clarification as that road was newly paved a few years ago and as such would fall under the five-year no paving moratorium. Mr. Brady seconded the motion.

Mr. Brady made a motion to grant the Street Opening Permit Application from Columbia Gas for East High Street (near the Fire Station) for gas line maintenance work and to raise a test station. Mr. Beckerman seconded the motion. The motion carried.

The Board reviewed the request from Columbia Gas for a Street Opening Permit Application for 310 East Main Street and denied the request as it is a state road and permission must be granted from the Massachusetts Department of Transportation.

Mr. Brady made a motion to approve the Street Opening Permit Application from Columbia Gas for 112 West High Street to install new gas service with a 4' x 6' road cut tie in and a 4' x 15' road cut trench. Mr. Beckerman seconded the motion. The motion carried.

### **Outside Legal Counsel for Harrison Boulevard/Pond Street Project**

Mr. Beckerman made a motion to appoint Glen Hannington and Christopher Connolly from the Law Offices of Glen Hannington as outside counsel for the Harrison Boulevard/Pond Street Project based on the recommendation of Town Counsel. Mr. Brady seconded the motion. The motion carried.

### **Announcements**

Chairman Rose announced the September meetings of the Board as September 5, 2019 and September 19, 2019.

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

Mr. Enos requested the Board review and authorize the Chairman to sign the Written Assent to the Receiver's Deed and Order of the Stoughton District Court regarding 14B North Main Street. Mr. Beckerman made that motion. Mr. Brady seconded the motion. The motion carried.

Mr. Enos informed the Board that Freeman Boston located in the Industrial Park held a community service day on August 12, 2019 in which approximately 30 employees cleaned up litter on both sides of Bodwell Street near the entrance to Page Street. Chairman Rose requested that Ms. Faro draft a thank you letter to the company on behalf of the Board.

Mr. Enos informed the Board that the Governor has approved the bill regarding the Town's petition to have Special Police Officers over the age of 65 and that he and Chief Bukunt anticipate an appointment at the next meeting to this position. Chairman Rose requested thank you letters be drafted to our state representatives who assisted with getting this bill passed.

Mr. Enos reminded the Board that the auction for 29 Memorial Drive will take place on Tuesday, August 20, 2019 at 12:00 p.m. Mr. Enos stated that there was a walk through earlier this week of the building which was well attended.

### **Adjournment**

At 8:40 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 purpose of discussing Collective Bargaining with Union Bargaining Units, Employment Agreements with Non-Union Personnel, and to consider the purchase, exchange, taking, lease, or value of real property as such discussion would have a detrimental effect on the negotiating position of the governmental body 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 9:08 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. August 15, 2019 Board of Selectmen Meeting Agenda
2. June 25, 2019 Meeting Minutes
3. Melanson Heath Auditor Contract
4. Memorandum from Town Administrator to Board of Selectmen dated July 17, 2019 regarding GPS Procurement
5. Enhanced Fee Schedule for Collection of Delinquent Taxes
6. Debt Exclusion Report for Fiscal Year 2019
7. Resignation Letter from Recording Secretary Jessie Delorey
8. Personnel Action Form for Water Systems Technician Michael DeRienzo
9. Weston & Sampson Agreement for Professional Services for Avon MVP Planning Project
10. Engineering Proposals from Tata & Howard
11. Gift Acceptance Form for Park & Recreation Youth Program
12. Temporary Sign Permit Application for Dunkin Donuts
13. Temporary Sign Permit Application for Mattress Firm
14. Street Opening Permit Application from Columbia Gas for:
  - a. 390 West Main Street
  - b. East High Street (near the Fire Station)
  - c. 310 East Main Street
  - d. 112 West High Street
15. Proposal from the Law Offices of Glen Hannington for the Harrison Boulevard/Pond Street Project
16. Written Assent to Deed and Stoughton District Court Order