

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
2020 OCT 16 A 10:41
TOWN CLERK

BOARD OF SELECTMEN
THURSDAY, AUGUST 13, 2020
6:30 P.M.

Members Present: Steven P. Rose, Chairman
Eric S. Beckerman, Clerk (via videoconference)
Jason L. Suzor, Associate (via videoconference)

Others Present: Gregory S. Enos, Town Administrator
Shanna M. Faro, Executive Assistant (via videoconference)
Joseph S. Lalli, Esq., Town Counsel (via videoconference)
Fire Chief Robert Spurr (via videoconference)
William Fitzgerald, DPW Director (via videoconference)
Brian Martin, Assistant DPW Director (via videoconference)
Muhammed Itani (via videoconference)
Brian Giovanoni, P.E., Gio Group (via videoconference)
Brian Dunn, MBL Land Development & Permitting, Corp.
(via videoconference)

Chairman Rose announced that pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public can adequately access the proceedings as provided for in the Order. Chairman Rose reminded the viewing audience that persons 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 in session. Links to watch the recorded meeting will be available on the Avon Cable Access website www.avontv.org.

Chairman Rose called the meeting to order at 6:30 p.m. with all members present. Chairman Rose was present in the Mary McDermott meeting room, while Mr. Beckerman and Mr. Suzor were present through the videoconference Zoom. Each Board member acknowledged their presence at the meeting by responding in the affirmative during the roll call. In addition, all anticipated speakers acknowledged their presence by responding in the affirmative when Chairman Rose called their names.

Fire Chief Robert Spurr led the meeting in the Pledge of Allegiance.

Public Participation

None

Moment of Silence

Chairman Rose requested a Moment of Silence for Carl Fischer. Mr. Fischer was a Public Safety Dispatcher for the Town for 25 years and served on multiple boards and committees over the years. Most recently, Mr. Fischer was the Chairman of the Park & Recreation Commission from 2017 through 2020.

Meeting Minutes

Mr. Beckerman made a motion to accept the meeting minutes of July 16, 2020 (Regular Session) as written. 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.

Mr. Beckerman made a motion to accept the meeting minutes of July 27, 2020 (Workshop Session) as written. 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.

Mr. Beckerman made a motion to accept the meeting minutes of July 28, 2020 (Workshop Session) as written. 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.

UNFINISHED BUSINESS

COVID-19 Updates & Update on Town Offices Opening Plan

Chief Spurr informed the Board that Avon has had a total of 81 cases since the beginning of the pandemic, with three fatalities caused by COVID 19. Chief Spurr was pleased to report that Avon currently had no active cases. Chief Spurr stated that the state has now moved to a color-coded system by city or town to chart the number of active cases. Avon falls into the white/unshaded category meaning it has less than five active cases. Chief Spurr stated that due to Avon's population size, the town can only fall under two categories, the white/unshaded category or the red category meaning that there are greater than eight active cases per 100,000 people. Chief Spurr informed the Board that the other categories are green in which there are less than four cases per 100,000 people. The final category is red in which there are greater than eight cases per 100,000 people.

Mr. Enos stated for members of the viewing audience that the Board held a Workshop Session on August 12, 2020 in which the Board voted to keep town offices closed to the public, open by appointment only. The Board did vote to expand the hours for appointments from 9:00 a.m. to 1:00 p.m. to 8:30 a.m. to 3:00 p.m. Employees will be required to work in town buildings from 8:30 a.m. to 3:30 p.m. effective August 17, 2020. Mr. Enos reminded residents to please call and make an appointment prior to visiting town offices.

Mr. Enos stated that the School Superintendent Christine Godino has informed him that parents with children in the Avon Public Schools have two options for schooling during the 2020-2021 school year. The first option for parents would be have their children be educated fully remotely. The second option for parents is a hybrid module which is a combination of in-person learning and remote learning. Students would be divided into two cohorts with Cohort A attending classes in person on Mondays and Tuesdays while Cohort B would attend classes on Thursdays and Fridays.

Mr. Enos stated that once all safety protocols are in place, the Avon Public Library will open to the public by appointment only for five hours a day. Five patrons will be allowed in the library for thirty-minute intervals at a time. Mr. Enos stated that all reopening plans will be reevaluated in thirty days.

NEW BUSINESS

Joanna Estates Water Fees

Mr. Fitzgerald informed the Board that at the Zoning Board of Appeals meeting of August 5, 2020, the developers for the Joanna Estates project raised a request for waiving the water fees. Mr. Fitzgerald stated that the two waivers specifically requested were a system development fee waiver for one of the taps on Page Street and connection fee waivers related to the affordable units. Mr. Fitzgerald stated that he received a memorandum from Brian Giovanoni this morning requesting additional waivers as well. Mr. Lalli stated that it is the Board of Selectmen's role to make a recommendation on water fee waivers to the Zoning Board of Appeals.

Mr. Lalli stated that, ultimately, it is the Zoning Board of Appeals who have the authority to waive water fees on the Joanna Estates development as it is a 40B project. Chairman Rose informed the Board that Mr. Fitzgerald has supplied the Board with an updated spreadsheet of water fees from August 11, 2020 that would normally be imposed on new developments including service connection fees, system development fees, inspection service fees, meter fees, hydrant fees and backflow fees.

Mr. Giovanoni informed the Board that the primary reason for the waiver request is due to a discrepancy regarding the water main. Mr. Giovanoni stated that the water infrastructure for the project was designed to provide both domestic and fire protection to the standards of the American Water Works Association and the National Fire Protection Association. The design for Joanna Estates consists of an 8-inch water main connected to a single tapping sleeve and valve on the 10-inch main in Page Street. The 8-inch water main would then be installed down Joanna Road and into the new subdivision consisting of a mix of single-family homes, duplexes, and condominium units. Mr. Giovanoni stated that in April 2020, the Town of Avon's water consultant Tata & Howard calculated that the proposed design was capable of 2,200 gallons per minute (gpm) for fire flow. Mr. Fitzgerald and Tata & Howard requested that the developer change the plan to a 2,500 (gpm) fire flow. Mr. Giovanoni stated that based on those requests, the current design for this project includes the installation by cut in of three 12-inch valves longitudinally in Page Street with two 8-inch valves teeing off and feeding a double barreled main down Joanna Road for 900 feet. Mr. Giovanoni stated that, furthermore, they have upsized the water main in front of the condominium units from 8-inch to 12-inch at the request of the Town. Mr. Giovanoni requested waivers for the additional work the developer will undertake to accommodate the Town's requests. Mr. Giovanoni requested the Board consider waiving some of the water fees including a waiver of the service connection fees for the non-market rate single family, each half of the duplex homes and condominiums, prorating the fee for the condominium buildings fire service, waiving the connection fee at Page Street, waiving the fees for the hydrants, and/or waiving the inspection service fees.

After a brief discussion, Mr. Beckerman made a motion to recommend to the Zoning Board of Appeals that the developer for the Joanna Estates project should pay connection fees for market units only, all units will pay inspection fees, and system development fees shall be paid for one Page Street tap, for a total sum of \$247,135, which would waive \$30,150 in fees. 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.

Debt Exclusion Report for Fiscal Year 2020

Mr. Beckerman made a motion to approve Treasurer/Collector Deb Morin's Debt Exclusion Report in the amount of \$270,332.77, to the Board of Assessors, upon approval from 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 exempt water debt without a Proposition 2 ½ election. 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.

September 1, 2020 State Primary Warrant

Mr. Beckerman made a motion for the Board to sign the September 1, 2020 State Primary Warrant. 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.

Mr. Enos informed members of the viewing audience that the last day to register to vote or change a political party for the state primary is August 22, 2020. Voters will have three options to vote for the state primary: (1) vote early by mail; (2) vote early in person at Town Hall from August 22, 2020 through August 28, 2020; and (3) vote in person on election day, September 1, 2020.

Request from Avon Public Library to Surplus Shelves

Mr. Beckerman made a motion to approve the request of Library Director Ann Fogg to surplus shelving that was taken down for the lobby renovation project. 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.

Gift Acceptance Forms

Mr. Beckerman made a motion to accept the gift donation in the amount of \$50 from Julie and Ron Schales to the Council on Aging. 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.

Mr. Beckerman made a motion to accept the gift donation of a dogwood tree to be planted at DeMarco Park in memory of Dorothy J. DeMarco. 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.

DeMarco Park Permit Application for Yoga Classes

Ms. Sharon Tesauro introduced herself to the Board. She submitted a Park Permit Application to teach yoga classes at DeMarco Park on Tuesday evenings at 6:00 p.m. and Saturday mornings at 9:00 a.m. Classes would be approximately one-hour and participants would adhere to the state guidelines regarding social distancing. Ms. Tesauro submitted her Certificate of Liability Insurance from her company "2 Go LLC" with the Town of Avon listed as an additional insurer. Mr. Beckerman requested that Ms. Tesauro revised the Park Permit Application to list her company as the requestor for the permit instead of herself individually. Mr. Lalli requested that Ms. Tesauro also provide the town with a copy of waiver of subrogation to the Workers Compensation policy. Mr. Enos cautioned the applicant as to the Tuesday evening classes due to the threat of the mosquito borne EEE virus and requested she follow protocol guidelines from the Board of Health. Chairman Rose suggested a park permit fee of \$5.00 per class. Mr. Beckerman made a motion to approve the Park Permit Application for yoga classes at DeMarco Park pending the corrected permit application and supporting insurance paperwork is provided. 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.

Moses Curtis Park Improvements

Mr. Enos informed the Board that there are still some remaining funds in the Moses Curtis gazebo roof repair article upon completion of the project. Mr. Enos stated that he met with Mr. Lane regarding continued improvements to Moses Curtis Park. Mr. Enos requested permission from the Board to use the remaining funding for additional repairs such as replacing the old wooden sign to the park with a new sign. Mr. Enos stated that he has a quote in the amount of \$600 to replace the sign from local store Barney & Carey. Mr. Enos also suggested adding new benches at the park and repainting the gazebo as well. Mr. Beckerman made a motion to approve additional improvements to the Moses Curtis Park by using the remaining balance from the article. 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.

Complete Street Policy

Mr. Martin provided the Board with a draft copy of the Complete Streets Policy for their review and consideration. Mr. Martin stated that the draft policy is a combination of other town's policies such as Somerset, Ashland, and Stoughton. Mr. Martin said that the process to approve the Complete Street Policy is as follows: (1) Submit the Complete Streets Policy to the state; (2) The state will review the Complete Streets Policy and make recommendations; (3) The Board of Selectmen will revise the policy if desired; and (4) The policy will be resubmitted to the state for final approval. Mr. Martin informed the Board that once the Complete Street Policy is approved by the state, Avon will be eligible for funding programs such as the Complete Street Prioritization Study, in which the town can obtain funding up to \$50,000 to hire a consultant to undertake a prioritization plan. Mr. Martin said this plan would inventory the current situation and identify projects for Tier 3 applications for Project Construction Funding. Mr. Martin said the town could be eligible for construction funding applications up to \$400,000. The Board approved of the draft Complete Street Policy and requested that Mr. Martin submit the plan to the state for review.

H2Olsen Engineering – Increase General Services Contract

Mr. Fitzgerald requested that the Board approve a contract amendment for H2Olsen Engineering by increasing the contract to \$20,000 for general services. Mr. Fitzgerald informed the Board that the original contract was approved in May 2020 for \$10,000 and the relationship has been very successful. Mr. Fitzgerald stated that general services are generally smaller tasks items, with a professional services provider familiar with the town's systems, where it is more efficient to pay by time and expense through task order approvals, rather than negotiate a specific detailed scope and detailed fee schedule. Mr. Fitzgerald informed the Board that some projects that he would like H2Olsen Engineering to assist with include managing the construction of the Filter Plant chemical feed improvements, reviewing issues of pumping capacity at the filter plant, rewriting the town's water rules and regulations and providing a peer review of the draft existing supply optimization study. Mr. Beckerman made a motion to approve the increased services of H2Olsen Engineering for general services. 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.

Request for Norfolk County Engineering Department to Undertake Survey of Harrison Boulevard, Route 28, West Spring Street and East Spring Street

Mr. Fitzgerald requested that the Board approve the Norfolk County Engineering Department to undertake a traffic survey of Harrison Boulevard, Route 28, West Spring Street and East Spring Street. Mr. Fitzgerald stated that by hiring Norfolk County Engineering Department to perform the survey will amount to significant cost-savings to the town. Mr. Fitzgerald stated that he has spoken with Old Colony

Planning Council who confirmed that they will update the traffic counts. The Board unanimously approved of Mr. Fitzgerald's request.

Announcements

Chairman Rose announced that the September meetings of the Board will be September 3, 2020 and September 17, 2020.

Town Administrator's Report

Mr. Enos expressed his sincere condolences to the Fischer family for their loss.

Adjournment

At 8:25 p.m., Chairman Rose requested the Board make a motion to conclude the Regular Session and to convene in Executive Session for the purpose of discussing Collective Bargaining with Union Bargaining Units (Police, Fire & AFSCME) and Employment Agreements with Non-Union Personnel, , all of which could have a detrimental effect on the position of the governing body if discussed during Open Session. Mr. Beckerman made a motion to adjourn the Regular Session. 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 carried. The Board would reconvene in Open Session for the sole purpose of adjournment.

Respectfully submitted,



Shanna M. Faro
Executive Assistant to the Town Administrator

LIST OF DOCUMENTS

1. August 13, 2020 Meeting Agenda
2. July 16, 2020 Regular Session Meeting Minutes
3. July 27, 2020 Workshop Session Meeting Minutes
4. July 28, 2020 Workshop Session Meeting Minutes
5. Memorandum from W. Fitzgerald to Board of Selectmen dated August 13, 2020 regarding Joanna Estates Fee Waiver Requests
6. Letter from Brian Giovanoni to Board of Selectmen dated August 13, 2020 regarding Joanna Hills Estates Request for Water Fee Waiver
7. DE1 Debt Exclusion Report
8. September 1, 2020 State Primary Warrant
9. Memorandum from Town Clerk regarding Update for State Primary – Options for Voting
10. Request from Ann Fogg to surplus shelves at Avon Public Library
11. Gift Acceptance Form for Council on Aging
12. Gift Acceptance Form for DeMarco Park
13. Avon Park Permit Application for Yoga Classes
14. Draft Avon Complete Streets Policy
15. Memorandum from W. Fitzgerald to Board of Selectmen dated August 13, 2020 regarding H2Olsen Engineering General Services Contract Amendment