

**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 NOV 20 A 9:49  
TOWN CLERK

**BOARD OF SELECTMEN**  
**THURSDAY, NOVEMBER 5, 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)  
Kathleen Waldron, Health Agent (via videoconference)  
William Fitzgerald, DPW Director (via videoconference)  
Tracy Self, Chair, Designer Selection Committee (via videoconference)  
Donald Velozo, Architectural Consulting Group (via videoconference)  
Tim Lyford, National Grid (via videoconference)  
Kathryn Denis, KMA Architecture & Accessibility (via videoconference)  
Senator Walter Timilty  
Senator Michael Brady

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](http://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

## **Recognition Ceremony of New Firefighters**

Chief Spurr was pleased to present three new Call Firefighters to the Avon Fire Department. Chief Spurr stated that Eloi Brouillard, Sean Meany, and Edward Zine IV have successfully completed the necessary requirements and have joined the team. Senator Timilty and Senator Brady issued each new firefighter a Citation for their service.

Chief Spurr acknowledged Nduabugbo Nnoli and Justin Powers as new members of the Professional Firefighters to the Avon Fire Department. Justin Powers was pinned by Chief Spurr at the ceremony. Chief Spurr stated that with the addition of Mr. Nnoli and Mr. Powers the Professional Firefighters are now at full staff. Senator Timilty and Senator Brady issued both firefighters a Citation for their service.

## **6:45 p.m. Public Hearing for Petition for New Pole Location by National Grid**

Mr. Beckerman read the public hearing notice for Plan #29588028 for Petition for Joint or Identical Pole Locations submitted by National Grid which stated that the company requests to install a new pole on East Street for the MassDOT project for ADA compliance, beginning at approximately 20 feet South East of the centerline of the intersection of East Main Street.

Mr. Lyford informed the Board that National Grid was seeking to install a new pole on East Street for the MassDOT project for ADA compliance. Mr. Lyford's request confused the Board as the paperwork submitted has conflicting information as to whereabouts the pole will be relocated as some documents stated East Street, while others stated East Main Street. Chairman Rose stated that there is a big difference between these streets as one is deemed a state road (East Main Street) while the other street is maintained by the Town. If the pole relocation should take place on East Main Street, then permission will need to be granted by the state and not town officials. Mr. Lyford stated that he will seek further clarification as to which street is being impacted and will report back to the Board. Mr. Beckerman made a motion to table the petition for a new pole location until the Board receives clarification on the exact location or a new petition is filed. 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.

## **Meeting Minutes**

Mr. Beckerman made a motion to accept the amended meeting minutes of October 15, 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 October 22, 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 October 29, 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**

Ms. Waldron informed the Board that Avon has had a total of 109 positive cases since the beginning of the pandemic in March. Ms. Waldron stated that Avon currently has five active COVID-19 cases which will place Avon in the red category through the middle of November. Ms. Waldron informed the Board that Governor Baker's new Order goes into effect on Friday, November 6, 2020 which will mandate that restaurants and businesses will need to close by 9:30 p.m. Masks will also be required in all public places now. Ms. Waldron also reminded residents who are tested that they need to stay home until they receive their test results to help prevent the spread of the disease. Ms. Waldron stated that Avon has also received its first positive cases in both the elementary and middle-high school. Chief Spurr added that there has been an uptick in the amount of positive cases for the younger generation from school-age children to adults in their thirties and forties.

## **NEW BUSINESS**

### **Designer Selection Committee Change Orders**

Mr. Velozo presented the Board with its second change order for the Fire Station Renovation Project. Mr. Velozo stated that there was a concrete wall that needed to be demolished and disposed of properly, a large boulder which required removal, foundation insulation for the apparatus building and a revised drainage basin outlet. Mr. Velozo stated that the contractor will be giving the town a credit in the amount \$4,656 for a roof drain revision which will bring the total cost of this change order to \$46,914.35. Mr. Beckerman made a motion to approve Change Order No. 2 for the Avon Fire Station 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.

### **Update on Self Evaluation and Transition Plan Grant**

Ms. Kathryn Denis of KMA Architecture & Accessibility introduced herself to the Board and provided an update and overview of findings that her firm discovered regarding an ADA self-evaluation and transition plan for town buildings. First, Ms. Denis emphasized that the Americans with Disabilities Act does not require that all of a town's facilities are fully accessible. Instead, it requires that all programs, services, and activities be accessible. Ms. Denis stated that to ensure this is done, the ADA requires the Town to take five administrative actions. 1. Designate an employee responsible for carrying out compliance activities. 2. Provide notice to the public of its rights and protections under the ADA and how the entity complies with those obligations. 3. Establish a grievance procedure. 4. Conduct a Self-Evaluation, including a comprehensive review of policies and procedures. 5. Develop an ADA Transition Plan. Ms. Denis stated that the Self-Evaluation consists of a comprehensive review of all programs, services, and activities operated by the Town, as well as its physical facilities. Ms. Denis stated that the Transition Plan consists of a list of physical barriers that limit the accessibility of the Town's programs, services and activities; the methods to remove the barriers and make the facilities accessible; the schedule to get the work completed; and the name of the officials responsible for the plan's implementation.

As an update on the status of this project, Ms. Denis stated that the self-evaluation activities completed include the administrative town questionnaire, departmental questionnaires; employment questionnaire, public questionnaire, review of the town's policies and procedures and facility audits in which all town-owned buildings, parks, and playgrounds were reviewed. Ms. Denis stated that an overview of findings show that the town has not yet fulfilled several administrative requirements such as the need for

protocols such as providing materials in alternate formats, providing auxiliary aids and services, and evaluating requests for reasonable accommodations. The town should also have protocols to ensure meetings, hearings, workshops, and conferences conform with the guidelines for accessible meetings. The town should have a service animal policy. The town should have an Emergency Preparedness Plan that specifically addresses the unique needs of individuals with disabilities. Ms. Denis stated that an overview of facility audits have concluded that barriers exist in almost all town buildings such as Town Hall, the Council on Aging, schools, parks, playgrounds and even the newly constructed Police Station and Fire Station currently under renovation. Ms. Denis stated that the typical barriers identified that designated accessible toilet rooms have barriers. Designated accessible parking spaces are not compliant and are missing slopes, signage, or other dimensions. Parks, playgrounds, and athletic facilities observed are not accessible as there are issues with parking and accessible walking routes. Tactile/Braille signage is not provided. Transaction counters are too high or otherwise non-compliant. Finally, accessible routes to public buildings have barriers.

In summary, Ms. Denis concluded that the next steps for Avon include the long-term implementation and updates. The town must be able to show progress within a reasonable timeframe. Action steps should be taken in the immediate future to ensure all town programs are accessible. The town must also assign responsible parties for recommendations identified in the report. The town should review all new construction/renovation projects for accessibility requirements and consider establishing a Disability Commission to oversee the SETP progress. The Board thanked Ms. Denis for her update on the ADA Self-Evaluation and Transition Plan.

#### **Set Calendar Year Permit Rates for Licensing Renewals/Permit Fees**

Mr. Enos requested the Board consider reducing fees in the office of the Selectmen for license renewals for the year 2021 due to the vast number of business impacted by the COVID-19 pandemic such as bars and restaurants. Mr. Beckerman stated that liquor stores were able to remain open throughout the pandemic. After careful consideration, Mr. Beckerman made a motion to reduce all Selectmen license fees by 50% with the exception of the alcohol license fees for retail package stores as a one-time only reduction related to the COVID-19 pandemic for the 2021 year. 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.

#### **Center for Tech and Civic Life Grant**

Mr. Enos informed the Board that the Town Clerk received a grant from the Center for Tech and Civic Life in the amount of \$5,000 to be used for the purpose of planning and operating a safe and secure election in Avon for 2020. Mr. Enos stated that the grant can be used for things related to the election such as staffing for poll workers, voting equipment or supplies. Mr. Suzor made a motion to approve the Center for Tech and Civic Life Grant in the amount of \$5,000. Mr. Beckerman seconded the motion. A roll call vote was taken. Mr. Beckerman voted aye. Mr. Suzor voted aye. Chairman Rose voted aye. The motion carried.

#### **Street Opening Permit**

Mr. Beckerman made a motion to approve the Street Opening Permit by Eversource Gas for 90 West High Street for new gas service to be completed by the November 15, 2020 moratorium. 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.



### **Social Media Policy**

Mr. Enos informed the Board that the draft Social Media Policy has been reviewed by both Labor Counsel and Town Counsel, as well as the Board of Selectmen. Mr. Enos stated that once this policy is approved, it will be distributed to all employees for their review and signature. Mr. Beckerman made a motion to approve the Social Media Policy. 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.

### **Personnel Action Forms**

Mr. Beckerman made a motion to approve the Personnel Action Form for a rate increase for Youth Program Director Jennifer Mayo effective July 1, 2020. 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 approve the Personnel Action Form appointing Cynthia Seeley as the Temporary Back-Up Compost Site Attendant effective October 31, 2020. 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.

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

Mr. Enos thanked the Town Clerk Patricia Bessette for her hard work and efforts during the Presidential Election, all while training a new employee in her office.

Mr. Enos acknowledged Highway Foreman Peter Marinelli for his thirty years of service to the Town. Mr. Enos congratulated Mr. Marinelli for his dedication to the job.

### **Adjournment**

At 8:10 p.m., Chairman Rose requested the Board make a motion to adjourn the Regular Session and to convene in Executive Session to discuss strategy with respect to collective bargaining or litigation as an open meeting may have a detrimental effect on the government's bargaining or litigating position and for the approval of Executive Session meeting minutes. The Board will reconvene in open session for the sole purpose of adjournment. Mr. Beckerman made a motion to adjourn the Regular Session and to convene in Executive Session. 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.

Respectfully submitted,



Shanna M. Faro  
Executive Assistant to the Town Administrator

### **LIST OF DOCUMENTS**

1. November 5, 2020 Meeting Agenda
2. Petition for New Pole Location by National Grid on East Street
3. October 15, 2020 Regular Session Meeting Minutes
4. October 22, 2020 Workshop Session Meeting Minutes
5. October 29, 2020 Workshop Session Meeting Minutes
6. Change Order No. 2 for Fire Station Renovation Project
7. PowerPoint Presentation by KMA Architecture & Accessibility
8. Street Opening Permit Application for 90 West High Street
9. Social Media Policy
10. Personnel Action Forms for Youth Program Director and Temporary Compost Site Attendant