

BOARD OF SELECTMEN MEETING
THURSDAY, FEBRUARY 1, 2007
7:30 P.M.

Members present: Francis A. Hegarty, Chairman
Wayne Phillips
Steven P. Rose

Others Present: Joseph Lalli, Town Counsel
Mark Fisher, Town Administrator

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

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to accept the minutes of Thursday, January 18, 2007 as submitted.

There were no public comments during the Open Forum.

At 7:30 p.m. Chairman Hegarty read the Legal Notice for the sale of surplus equipment.

The following bids for the sale of surplus equipment were received and opened at 7:30 p.m.:

Name	1953 LeRoi Air Compressor	1983 Dynahoe Backhoe	1963 Oliver Crawler Tractor	1974 Wayne Chipper	Tow Behind Trailer Snake Machine
Henry Clark		\$701.99		\$229.00	
Joseph Mahoney		\$800.00		\$400.00	
Tara Monteiro				\$50.00	
Tim Chisholm	\$25.00			\$500.00	
Charles Marinelli	\$1.01	\$50.00	\$100.00	\$50.00	\$1.01
George's Garage (Rob Hatch)	\$50.00	\$1500.00	\$500.00	\$1500.00	\$50.00
Paul Randall	\$25.00	\$1801.00	\$212.00	\$89.00	--
Leon Olson	--	--	\$512.00	--	--

It was unanimously voted to award the sale of surplus equipment to the highest bidder as follows:

Mr. Robert Hatch (George's Garage Inc.) awarded sale of the 1953 LeRoi Air Compressor, the 1974 Wayne Chipper and the Tow Behind Trailer Snake Machine for a total of \$1600.00.

Mr. Paul Randall awarded the sale of the 1983 Dynahoe Backhoe for a total of \$1801.00.

Mr. Leon Olson awarded the sale of the 1963 Oliver Crawler Tractor for a total of \$512.00.

Town Treasurer Jean Kopke appeared before the Board requesting the Board's signature for the signing of notes relative to the West Spring Street Water Main Project.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to sign the notes for the West Spring Street Water Main Project and to exempt the West Spring Street Water Main borrowing from the provisions of Proposition 2 ½ according to M.G.L. Chap. 59, Section 21C.

7:45 p.m.—Continued Public Hearing on the application of a beer and wine package store license for Wine.com at 33 Wales Avenue, Unit E

Mr. Michael Arico, Manager of Wine.com, and Mr. William Tomazewski, Director of Legal Compliance for Wine.com, appeared before the Board.

Mr. Tomazewski furnished the Board with a stock certificate issued to Wine.com, Massachusetts, Inc. and a completed, signed application as previously requested.

With all paperwork in order, a motion was made by Mr. Rose to approve the beer and wine package store application for Wine.com. Mr. Phillips seconded the motion. The motion carried.

The Board discussed a reserve fund transfer request, in the amount of \$4500.00, for the street lighting account. The item may be placed on the Special Town Meeting Warrant in the spring to fund the shortfall in the street lighting account if the Finance Committee does not approve the request.

Town Administrator Mark Fisher discussed the Board of Selectmen's FY 2008 Budget. The Board discussed a newsletter/mailings to residents to inform the public about dates for Town election, Town meeting, etc. Mr. Phillips asked Mr. Fisher to research the cost of mailings.

After further discussion, Mr. Rose made a motion to add \$2000.00 additional to the Board's budget for the purpose of a newsletter/mailings informing the public of upcoming important dates. Mr. Phillips seconded the motion. The vote was unanimous.

Mr. Fisher reported there are some departments that haven't submitted a budget, such as the Council on Aging. Mr. Fisher asked the Board how he should handle the budget figures for Blue Hills Regional Technical School. Chairman Hegarty responded that their budget should be "level funded."

8:00 p.m.—Opening of bids for the printing of the Annual Town Report Book

Chairman Hegarty read the Legal Notice for the printing of the Annual Town Report Book. The following bids were received and opened:

Name	For 500 copies	For 850 copies	Sample enclosed	Comments
Sir Speedy Braintree, MA	\$3327.50	\$4633.75	Yes	Quote on 20# paper. Delivery date not specified. "Other charges may apply to rush orders"
Tec Doc Digital Solutions	\$1770.00	\$2941.00	Yes	3 day delivery from proof

Hudson, MA				approval. Quote does not include shipping.
Graphic Image Milford, CT	\$4570.00	\$5320.00	NO	
Old Colony Whitinsville, MA	\$2344.23	\$3903.95	Yes	Price includes delivery. Scanning of pictures @ \$5.40 per page

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to take the bids under advisement.

Mr. Fisher discussed with the Board the Work Hour Estimate received from Bayside Engineering relative to the \$6400.00 extra funding requested for the rehabilitation of Page Street.

After some discussion, the Board agreed that it is imperative to move the project forward.

Mr. Rose made a motion that the completed bid documents must be submitted to the Town of Avon by February 16, 2007 and that Bayside Engineering would be compensated for the actual hours worked, not to exceed \$6400.00. Mr. Phillips seconded the motion. The motion carried.

Mr. Fisher presented the Board with a “Draft” policy with Town Counsel’s review and revision regarding the Town of Kingston’s request that we adopt a policy relative to licensing, *i.e.* payment of proper wages and withholding taxes for liquor license holders.

After reviewing the “Draft” policy, the Board agreed that the “Draft” policy needs to be put in policy form to be adopted by the Board at the February 15, 2007 meeting. Mr. Rose suggested items “3” and “4” of the Draft policy should read: “will” instead of “may.” Mr. Rose also suggested sending a response letter to the Town of Kingston when the License Policy is adopted.

Mr. Fisher informed the Board that the following articles were received to be placed on the Annual Town Meeting Warrant:

1. Police Department—purchase of police vehicles
2. Board of Health—Intermunicipal Mutual Aid Agreement
3. Finance Committee—Stabilization Account
4. Water Department—Fire Hydrants and Cross Connection

Mr. Fisher reported the last day to insert an article on the Annual Town Meeting Warrant is Thursday, February 8, 2007.

Chairman Hegarty proposed an article to reserve \$25,000 to be used for Avon's 125th Anniversary Celebration in the year 2013.

A letter was received from the Secretary of the Commonwealth, William Francis Galvin, requesting that the Town of Avon designate a local census liaison to work with representatives from his office in preparation for the 2010 Federal Census.

On the recommendation of Town Administrator Mark Fisher, it was unanimously voted to appoint Town Clerk V. Jean Kopke to serve as the local census liaison, pending her acceptance.

Mr. Rose made a motion to approve one day special alcohol permits for Avon Fish & Game Association on 2/4/07 and 2/10/07. Mr. Phillips seconded the motion. The vote was unanimous.

Town Administrator Mark Fisher informed the Board that according to The Commonwealth of Massachusetts, Alcoholic Beverages Control Commission, the following regulations are in effect regarding "Special Licenses":

1. There is a limit of 30 days per calendar year for special licenses
2. The State must be notified within 10 days of issue of a one-day special alcohol permit

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to have Town Administrator Mr. Fisher draft a policy to be included with the one-day special permits.

A request was received from the Conservation Commission regarding forming a designated area in the back area of Town Hall for meetings, etc.

Mr. Fisher reported he is meeting with the Fire Chief and Mr. Salter to discuss the request. Mr. Fisher stated there is a lot of equipment stored in the back area.

The following items were discussed and would be looked into:

1. Layout of the building and how we use it
2. Minor repairs would make the building more functional
3. Master Plan
4. Availability of Meeting Room—for town boards, commissions, etc.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to appoint Town Administrator Mark Fisher as Municipal Hearing Officer for the Town of

Avon to deal with violations and appeals regarding sprinkler systems in nightclubs, bars and dance halls.

Mr. Fisher provided the Board with a Form 500 Consumer Complaint Form for 2006 from Comcast. The Form 500 contains information on customer complaints for the town and how Comcast responded.

A complaint letter was received regarding the late night train through Avon. Chairman Hegarty announced residents must submit a letter of complaint by Thursday, February 15, 2007.

Fire Chief Robert Spurr requested the 1993 Ford Bronco no longer being used by the Fire Department be declared as surplus.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to declare the 1993 Ford Bronco as surplus.

A Personnel Action Form was received for Planning Board Secretary Laura Coots. Ms. Coots has been employed since June 3, 2002 and never received her appropriate step increase.

Mr. Phillips made a motion to approve the step increase for Ms. Coots from F6 Step 1 to F6 Step 5, effective 1/4/07 at a salary rate of \$10.73/hour. Mr. Rose seconded the motion with discussion. Mr. Rose announced that anyone interested in serving as a member of the Personnel Board should send a letter of interest to the attention of the Town Moderator, Mr. Staffier, or the Board of Selectmen. The motion carried.

Fire Chief Robert Spurr requested the Board's endorsement of the Norfolk County Mutual Aid Agreement for Joint Fire, Rescue and/or Ambulance Service.

After some discussion, Chairman Hegarty made a motion to take this item under advisement until the next Board of Selectmen meeting on February 15, 2007. Mr. Rose seconded the motion. The vote was unanimous.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to approve and sign the Recruit Training Fee Agreement for Brian McCarthy in the amount of \$2600.00 and in all future agreements the following language should be added: "should said officer leave the employ of the Town of Avon ... add the Town of Avon "Police Department."

A Personnel Action Form was submitted by Fire Chief Robert Spurr requesting a leave of absence for Call Firefighter Brian McCarthy from 2/1/07 to 8/1/07. Mr. McCarthy will be enrolled in a full-time policy academy for the next six months.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to approve all vouchers for the payment of bills as submitted.

At 9:35 p.m. Mr. Rose made a motion to enter into Executive Session for the purpose of litigation and negotiations, not to reconvene in open session. Mr. Phillips seconded the motion. A roll call vote was taken:

Mr. Rose	aye
Mr. Phillips	aye
Chairman Hegarty	aye

Respectfully submitted,

Miriam Rothstein
Secretary