

BOARD OF SELECTMEN MEETING
THURSDAY, AUGUST 13, 2009
7:30 P.M.

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

Others present: Michael McCue, Town Administrator
Joseph Lalli, Town Counsel

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

Mr. Rose made a motion to accept the minutes of Thursday, July 16, 2009 (Regular Session) as submitted. Mr. Phillips seconded the motion. The vote was unanimous.

Mr. Rose made a motion to accept the minutes of Thursday, July 16, 2009 (Executive Session). Mr. Phillips seconded the motion. The motion carried.

There were no public comments during the Open Forum.

Approval of Temporary Sign Policy and Application

The Board previously reviewed a temporary sign policy and application. After some discussion, Mr. Phillips made a motion to approve the temporary sign policy and application as presented. Mr. Rose seconded the motion with discussion. Mr. Rose questioned the enforcement of the temporary signs and suggested the Building Inspector keep a log for non-compliant temporary signs. The Board agreed that the Building Inspector has the authority to pull temporary signs that are not permitted. Mr. Rose requested a three (3) month report on temporary sign activity.

Meeting dates for the month of September were set as follows:

Thursday, September 3, 2009 at 7:30 p.m.
Thursday, September 17, 2009 at 7:30 p.m.

Chairman Hegarty discussed the articles on the September 9, 2009 Special Town Meeting Warrant.

Article 1—to amend actions of the May 5, 2009 Annual Town Meeting

Article 2—Transfer from line item 192-1 to 192-2

Article 3—To impose a local meals tax

Article 4—Amend secured key access for Fire Department

Article 5—Amend Article VII (Police Regulations) of the General By-Laws of the Town

Article 6—Transfer to fund buyback of sick and vacation time of retiring employees

Article 7—Transfer from Assessors Overlay from FY '04

Article 8—Transfer from FY '04 Assessors Overlay to FY '06 Assessors Overlay

Article 9—Transfer from Insurance Recovery account to pay damages to Avon Middle/High School fire damages

Article 10—Establish a revolving account to receive non-residential special education tuition payments

Article 11—Transfer to pay previous year bills

Article 12—Repair Porter Well Pump Station roof

Article 13—Asbestos removal at Trout Brook Pump Station

Article 14—Completion of repairs at Central Street Tank

Article 15—Purchase of computer hardware for Building Department

Article 16—Stabilization Account

Chairman Hegarty reviewed with the Board the total amount needed to fund the fiscal year 2010 budget—\$18,085,635. With local receipts figures, certified free cash and Special Town Meeting requests, the balance of free cash to transfer to Stabilization is \$3,546.

Mr. Rose made a motion to sign the Special Town Meeting Warrant of September 9, 2009 with the changes discussed. Mr. Phillips seconded the motion. The motion carried.

A request for one-day special alcohol permits was received from Avon Fish & Game Association for Saturday, September 12, 2009 and Saturday, September 19, 2009.

Mr. Rose made a motion to approve the one-day special alcohol permits for Avon Fish & Game Association for September 12, 2009 (Club Function – Fundraiser) and September 19, 2009 (Club Function – Clambake). Mr. Phillips seconded the motion. The vote was unanimous.

Chairman Hegarty read a letter from Janis Kelly, announcing her resignation from the Avon School Committee, effective July 13, 2009. This resignation creates a vacancy on the School Committee and notification of the vacancy would be posted on the Town's website. Mr. McCue will also send a press release to the area newspapers. Chairman Hegarty stated the Board would meet with the School Committee on September 17th to jointly appoint a new School Committee member.

Residents concerned with the intersection of Feeley Street and Malley Avenue, submitted a petition to the Board requesting four-way stop signs at the Feeley Street and Malley

Avenue intersection. Mr. Phillips reported several letters were received in the past and the Board asked for a petition with residents' signatures.

After some discussion, Mr. Phillips made a motion to put up a four-way stop sign at the intersection of Feeley Street and Malley Avenue. Mr. Rose seconded the motion with discussion. Mr. Rose asked if any correspondence was forwarded to the Police Chief and if not, notification should be sent to Chief Phillips regarding the four-way stop signs. The Board agreed. The vote was unanimous.

Chairman Hegarty read a letter from the Department of Housing & Community Development announcing that the Town of Avon is a recipient of a FY 2009 Community Development Fund grant in the amount of \$652,250 from the Massachusetts Community Development Block Grant Program. This is a housing rehabilitation grant.

A letter was received from Jeffrey Simon, the state official overseeing the distribution of Federal stimulus funds. Chairman Hegarty stated the only projects considered for stimulus money would be TIP projects. Stimulus money cannot be used for the renovation of buildings. Chairman Hegarty reported it took the state over five (5) months to notify the Town that it did not qualify for funding.

A professional engineering contract was received from Tibbetts Engineering Corp. for the Pond Street project. The contract required the Board's signature.

Mr. Phillips made a motion to sign the professional engineering contract for Tibbetts Engineering Corp. relative to the Pond Street project. Mr. Rose seconded the motion. The motion carried.

Chairman Hegarty announced the Board is invited to attend a September 11th Remembrance Day on Saturday, September 12th. The invitation was received from the Massachusetts Elks Association. The event would be held at the Randolph Lodge of Elks, Number 2130, starting at 9:00 a.m. Guests and family members are welcome to attend.

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.

Chairman Hegarty read a letter from Conservation Commission Chair Bruce Lane stating that the Conservation Commission is running short on members. Two public hearings are scheduled for Monday, August 17th and Mr. Lane is concerned with a "lack of quorum." Mr. Lane is requesting that one of the Selectmen be appointed as an associate/alternate member to fill in when there is no quorum.

Chairman Hegarty announced if any resident is interested in serving on the Conservation Commission, please send a letter of interest to the Board of Selectmen.

After some discussion, Mr. Rose made a motion to appoint Francis A. Hegarty to serve as an associate member on the Conservation Commission for the August 17th meeting. Mr. Phillips seconded the motion. The motion carried.

Town Administrator's Report

Mr. McCue reported he attended a seminar today regarding municipal permitting. The state provided an informational session to offer an opportunity to better learn how to transfer city and town information into the system. The software package is offered to all municipalities free of charge. It would allow the tracking of permits by department. Mr. McCue reported a letter was received from the state regarding CORI checks. Due to a reduction in personnel, the turn around time for CORI checks is now 14 business days; prior to the reduction, CORI checks were sent in 1-2 business days.

Notification was received from the State Human Resources Division that due to recent budget reductions, beginning September 1, 2009, the bulk of the responsibility for civil service appointments and the promotion approval process will shift to municipalities. HRD plans to contact municipalities to schedule meetings to learn about the transition. After August 31, 2009, HRD will no longer review and approve appointments and promotions. Appeals will be made directly to the Civil Service Commission.

Mr. McCue reiterated that the Town was awarded a Community Development Block Grant in the amount of \$652,250. Mr. Sanborn will be contacting Mr. McCue to discuss the next step in the process.

At 8:30 p.m. Mr. Phillips made a motion to enter Executive Session to discuss a collective bargaining matter. Mr. Rose seconded the motion.

A roll call vote was taken:

Mr. Phillips voted aye
Mr. Rose voted aye
Chairman Hegarty voted aye

The Board would not reconvene in open session.

Respectfully submitted,

Miriam Rothstein
Secretary