

BOARD OF SELECTMEN MEETING
THURSDAY, JANUARY 18, 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 Chairman Hegarty, it was unanimously voted to accept the minutes of Thursday, January 4, 2007 as submitted. Mr. Phillips abstained from voting because he was absent from the meeting.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to accept the minutes of Monday, January 8, 2007 as submitted.

Appointment and Pinning Ceremony of Fire Chief

The first order of business was the appointment of a new Fire Chief.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to appoint Robert Spurr to the position of Avon Fire Chief and enter into a three (3) year contract with him.

Mr. Spurr signed both originals of his contract followed by all members of the Board.

A pinning ceremony followed. Chief. Spurr was pinned by his wife Kerri with his children Connor and Evan in attendance.

Chairman Hegarty announced a “Meet and Greet “event for Chief Spurr would be held at the Fire Station on Friday, January 19, 2007 from 3:00 p.m. to 6:00 p.m.

The Board expressed their appreciation to Interim Fire Chief Paul Anderson for his dedication in service to the Town.

Chairman Hegarty announced a letter was received from the Department of Environmental Protection regarding the permit decision of a rail spur extension from Champion City Recovery to Broadway Brake.

Chairman Hegarty encouraged residents to contact State and Federal officials to express their concern with this issue.

Mr. Fisher informed the Board that the Street Lighting account will be in deficit. Mr. Fisher asked the Board how they want to proceed. It is his estimation that the Street Lighting Account would be about \$4200.00 over budget for the year. Would the Board recommend a transfer request from the Reserve Fund? If no transfer is approved by the Finance Committee, 11% of the lights in the Town would need to be shut off to balance the budget. It is Mr. Fisher’s recommendation to postpone putting up any new street lights until July 1st.

After some discussion Mr. Rose made a motion to sign the request for a Reserve Fund transfer in the amount of \$4500.00. Mr. Phillips seconded the motion. The motion carried.

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

Mr. Tomaszewski, Director of Legal Compliance, and Mr. Arico, Manager of Wine.com, appeared before the Board.

Chairman Hegarty stated there were some questions on the application for the beer and wine package store license that were not answered and not completed. The Board also questioned the stock certificate which was issued in the name of E-Vineyard Retail Sales—Massachusetts, Inc. and not Wine.com.

Mr. Rose made a motion to table approval of the application until the following information is received and complete: (1) all questions answered on the application and (2) name change to Wine.com on the stock certificate. The hearing would continue at the February 1, 2007 Board of Selectmen meeting, pending receipt of the requested information. Mr. Phillips seconded the motion. The vote was unanimous.

Chairman Hegarty read a letter the Board received from Mary Mullins of Brockton. Ms. Mullins thanked the Town for restoring the original marker in its rightful place on the Avon line, thus preserving a wonderful piece of history.

A letter was received from the Town of Kingston requesting the Board to adopt a policy statement relating to the statutory obligations of all liquor license holders. The intent of the policy is to insure that all liquor licensees pay current Mass. Meal taxes and compensate their employees in accordance with State and Federal law.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted that the Town Administrator and Town Counsel jointly draft a proposed policy to be reviewed at the next Board of Selectmen meeting to be held on February 1st.

It was unanimously voted to approve one-day special alcohol permits for Avon Fish & Game Association on the following dates: 2/2, 2/9, 2/16 and 2/23/07 (Friday night suppers).

On the recommendation of the Town Administrator and Highway Operations Manager Edward Sarni, it was unanimously voted to appoint Michael Williams to the E-10 Highway Laborer's position of the AFSCME Union contract, effective January 22, 2007 at a salary of \$16.56 per hour.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to approve a step increase for Library employee Thadeus Washington from F5 Step 3 to F5 Step 4, effective January 5, 2007.

February 2007 meeting dates were set as follows:

Thursday, February 1, 2007 at 7:30 p.m.

Thursday, February 15, 2007 at 7:30 p.m.

Mr. Fisher presented the Board with a handout of the Selectmen's budget accounts. A discussion followed. Chairman Hegarty questioned invoices received from Health Resources and suggested renaming the account.

A request to use the Town Hall Meeting Room from 9:00 a.m. to 11:00 a.m. on Saturday, February 3, 2007 was received from Chairman Patrick Murphy of the Avon Democratic Committee.

Mr. Rose made a motion to approve use of the Meeting Room for the Avon Democratic Committee on Saturday, February 3, 2007 from 9:00 a.m. to 11:00 a.m. Mr. Phillips seconded the motion. The motion carried.

It was unanimously voted to approve the request from Lynne Freedman to hold the Twelfth Annual Janet McDonald Memorial Walk Against Cancer on Saturday, April 7, 2007. Police Chief Warren Phillips would be notified of the event.

It was unanimously voted to appoint Town Administrator Mark Fisher as Acting Town Accountant in the absence of Town Accountant Debra Morin.

A request for a one-day liquor license was received from Grow Associates. Mr. Fisher explained that Grow Associates is requesting a one-day license to serve and not sell beer and wine at a Metro South Chamber of Commerce event at their location on Wales Avenue. Mr. Fisher reported “no license is needed.”

A brief discussion followed. Mr. Fisher recommended a firm policy should be developed regarding one-day special alcohol permits to protect the Town.

Mr. Rose made a motion that the Town Administrator and Town Counsel jointly draft a policy for one-day special alcohol permits. Mr. Phillips seconded the motion. The vote was unanimous.

TOWN ADMINISTRATOR’S REPORT

1. Draft of Internet/Computer Use Policy presented to the Board

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to adopt the Internet/Computer Use Policy as presented by the Town Administrator and the Technology Committee and all employees would be given a copy and are required to sign-off that they have received the policy.

2. Outstanding Balances—Totals to 1.8 million—for all boards, commissions and departments
3. Appointed Constables—Documents would be forwarded to those candidates not renewed with an explanation as to why. CORI applications were forwarded to those appointed for 2007 to be updated
4. Tree Warden—overhanging trees—limited budget
5. Postage Machine—to be researched
6. Cell Phone Plan for Town Departments

It was unanimously voted to approve all vouchers for the payment of bills as submitted.

Mr. Rose made a motion to invite the Board of Assessors to the Board of Selectmen Meeting scheduled for Thursday, February 1, 2007. Mr. Phillips seconded the motion. The motion carried.

At 8:50 p.m. Mr. Rose made a motion to enter into Executive Session for the purpose of litigation and the Board would not reconvene in open session. The motion was seconded by Mr. Phillips.

A roll call vote was taken:

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

Respectfully submitted,

Miriam Rothstein
Secretary