

BOARD OF SELECTMEN MEETING
THURSDAY, MAY 17, 2007
7:30 P.M.

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

Others Present : Joseph Lalli, Town Counsel

Not Present: Mark Fisher, Town Administrator

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

A motion was made by Mr. Phillips to accept the minutes of Thursday, May 3, 2007 as submitted. Mr. Rose seconded the motion. The vote was unanimous.

There were no public comments during the Open Forum.

A request was received for a road opening permit for 255 Bodwell Street. The item was tabled from the May 3, 2007 meeting because of the Board's concern with the connection and tie in to the Town's drainage system.

After Mr. Fisher met with the Highway Operations Manager and visited the site, the requested information was provided to the Board.

Mr. Rose made a motion to approve the road opening permit for 255 Bodwell Street. Mr. Phillips seconded the motion. The vote was unanimous.

A contract from Tibbetts Engineering Corporation required the Board's signature. Tibbetts Engineering would provide Construction Administrator Services for the Page Street project. Chairman Hegarty reported the contract was approved for funding by the Town Accountant and Town Counsel signed off for Legal Form.

Mr. Rose made a motion to approve and sign the contract with Tibbetts Engineering Corporation. Mr. Phillips seconded the motion with discussion. Mr. Phillips inquired if

the contract was reviewed by Mr. Fisher, who was unable to attend tonight's meeting. Chairman Hegarty assured Mr. Phillips that the contract was initially reviewed by Mr. Fisher. The motion carried.

Chairman Hegarty read a letter from the Striar Development Corporation asking the Town to consider a seasonal performing arts center off Harrison Blvd. near Route 24 on the Striar family's property.

Chairman Hegarty asked for the Board's comments.

Mr. Phillips expressed his concern with traffic impact issues, conservation issues, zoning by-law changes and the project's proximity to Brockton's water supply.

Mr. Rose stated he would listen to anyone who would generate revenue for the Town and suggested having Mr. Striar respond to some of the Board's concerns.

Chairman Hegarty reported there are a lot of issues with this proposal. Was there any discussion with Mass. Highway and he is concerned with the impact on D.W. Field Park.

The Board agreed there are many concerns with this proposal. After some discussion, it was agreed a letter would be sent to Mr. Striar communicating the Board's concerns and a meeting date would be set in June to allow Mr. Striar to make a presentation.

The contract for ambulance fee billing with Comstar required the Board's signature. The contract consists of three (3) parts:

1. Town of Avon and Comstar (Billing agent for the Town of Avon)
2. Business Associate Agreement – The Town of Avon is using Comstar. This is done through the HIPPA privacy acts
3. Reimbursement to Comstar – effective July 1, 2007

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to sign the three (3) parts of the Comstar agreement with the Town of Avon.

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

Thursday, June 7, 2007

Thursday, June 21, 2007

The Park and Recreation Commission received a donation, in the amount of \$200.00, from the Men's M.I.B.L. League, which required the Board's acceptance.

Mr. Rose made a motion to accept the \$200.00 gift from the Men's M.I.B.L. League to be used for Butler Field league games. Mr. Phillips seconded the motion. The vote was unanimous.

A request was received from Avon Park & Recreation to use the Town Hall Meeting Room for auditions and rehearsals of their summer theater show.

Chairman Hegarty explained Wednesday and Thursday nights are difficult in Town Hall due to meetings and union negotiations. There is a lack of meeting space. Mr. Phillips suggested use of the Avon Middle/High School.

Chairman Hegarty requested that Amanda Rota, Director of the Park & Recreation summer theater, contact the School Department first to see if there is any space available to meet their needs. If unsuccessful and the schools cannot accommodate their schedule, please contact Mr. Fisher, Town Administrator, to see what could be done to accommodate their needs.

On March 24, 2007 vandalism occurred on Bartlett Street to the chain link fence enclosing the Town's tennis court. The claim was sent to Estabrook & Chamberlain for damages in the amount of \$1400.00. The Town's insurance policy carries a \$1,000.00 deductible. The Board's approval is needed to pay the deductible from the Town's insurance Account #193 relative to damages to the Bartlett Street tennis court fence.

Mr. Rose made a motion to pay the deductible in the amount of \$1000.00 for the Bartlett Street tennis court repair. Mr. Phillips seconded the motion. The motion carried.

A Personnel Action Form was submitted by Library Director Karen Johnson for a Part-Time Circulation Assistant for the Board's appointment.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to appoint Maureen Hansen to the position of Part-Time Circulation Assistant at G9/Step 1 with a starting salary of \$9.27 per hour.

Chairman Hegarty read a letter received from the Massachusetts Municipal Auditors and Accountants Association. Town Account Debra Morin recently passed examinations and met all of the education and experience requirements necessary to be recognized as a Certified Governmental Accountant. The Board congratulated Debra Morin on her certification.

A letter was received from Police Chief Warren Phillips requesting permission to carry over his vacation day balance into fiscal year 2008.

On a motion made by Mr. Rose, seconded by Chairman Hegarty, it was unanimously voted to grant permission for Police Chief Warren Phillips to carry over his vacation day balance into fiscal year 2008. Mr. Phillips abstained from voting.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to approve one-day special permits to Avon Fish & Game Association on the following dates: June 2, June 9, June 10, June 16 and June 23rd.

Chairman Hegarty announced the resignation of Joseph S. Lalli as Chairman of the Avon Housing Authority. Chairman Hegarty thanked Mr. Lalli for his many years of service. The Board will get in touch with the Avon Housing Authority to set up a joint meeting.

The Board briefly discussed the State's budget—Chapter 70 funds, lottery and state assistance and the pothole reserve account. Chairman Hegarty suggested a letter be drafted to Senator Joyce regarding the pothole reserve account which will be cut by 2 million dollars. The Board agreed a letter should be sent to Senator Joyce.

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

At 8:20 p.m. Mr. Rose made a motion to enter Executive Session for the purpose of discussing legal matters and collective bargaining updates 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