

BOARD OF SELECTMEN MEETING  
THURSDAY, MAY 3, 2007  
7:30 P.M.

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

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

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

A motion was made by Mr. Rose to accept the minutes of Thursday, April 19, 2007 as submitted. Mr. Phillips seconded the motion. The vote was unanimous.

Chairman Hegarty announced a Pinning Ceremony would take place appointing members of the Fire Department that are being promoted and new hires on the Call Department.

On the recommendation of Fire Chief Robert Spurr, Mr. Rose made a motion to appoint the following individuals:

1. Francis Currie—from Firefighter to Captain
2. David Ogilvie—from Call Firefighter to full time Firefighter
3. Matthew Doucet—from Call Firefighter to Call Lieutenant
4. Donald Keseian—Call Firefighter (new hire)
5. Jason Suzor—Call Firefighter (new hire)
6. Nicholas Fernald—Call Firefighter (new hire)
7. Dana Levangie—Call Firefighter (new hire)
8. Kevin Foster Jr.—Call Firefighter (new hire)

The motion was seconded by Mr. Phillips. The vote was unanimous.

A Pinning Ceremony followed. The Board congratulated all of the above Fire Department new hires/members, wishing them a long and safe career with the Avon Fire Department.



There were no public comments during the Open Forum.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to award and sign the contract for the Page Street Rehabilitation Project to T.L. Edwards, Inc.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to sign the contract between the Commonwealth of Massachusetts—Department of Business & Technology—and the Town of Avon for a Municipal Facilities grant in the amount of \$30,000.

Chairman Hegarty read a letter received from Lynne Freedman thanking the Board and the Town departments for helping to make the Janet McDonald Memorial Walk Against Cancer a huge success. An estimated \$20,000 was raised for cancer research.

Mr. Rose made a motion to appoint John Costa of 138 East Main Street to the By-Law Committee, term to expire June 30, 2008. Mr. Phillips seconded the motion with discussion. Mr. Phillips questioned whether Mr. Costa submitted a letter of interest in writing. Chairman Hegarty explained Mr. Costa verbally expressed interest in filling the vacancy on the By-Law Committee. Mr. Phillips seconded the motion but requested future appointments must be put in writing. The motion carried.

A request for a street opening permit was submitted by D.J. Equipment Inc. at 255 Bodwell Street.

Chairman Hegarty stated he had some questions regarding the connection into the Town of Avon's drainage system.

A discussion ensued. Mr. Fisher stated he would speak to the Planning Board regarding some of the issues raised.

It was unanimously voted to table the street opening permit request until further information is available.

A letter was received with the traffic volume and routing protocol being proposed for the operation of the Stoughton landfill. Chairman Hegarty stated the trucks going in and out of the facility must be monitored and no additional volume of traffic should be routed through the Town of Avon.

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.

### **TOWN ADMINISTRATOR'S REPORT**

Mr. Fisher provided a handout to the Board regarding action taken at Town Meeting.

1. Current Revenue Projections
2. Approved Operating Budget for FY '08 at 5/1/07 Town Meeting - \$16,189,758.
3. Financial needs to consider after State budget and Free Cash Certification, including possible capital improvement items
4. Deficit in budget of \$64,259—this can be rectified at a Special Town Meeting in the Fall once free cash is certified
5. Total shortfall of \$965,070

Mr. Fisher presented the Board with a proposed Capital Improvement Program Five (5) year plan by Department

#### Year-End Transfers

Mr. Fisher explained the fiscal year is coming to an end and the Board needs to focus on budget deficits that may exist. By a joint vote of the Board of Selectmen and Finance Committee, funds can be transferred from one line item to another within a department or from one department to another department, excluding schools. The limit authorized would be no greater than \$5000.00 or 3% of the department's budget, whichever is greater.

Mr. Fisher has requested all departments to submit a list of Town Meeting approved line items that will be in deficit or may have excess funds available.

The Board agreed the next meeting, scheduled for May 17<sup>th</sup> would be a good opportunity to meet with the Finance Committee to review the needed transfers.

Mr. Fisher presented the Board with a list of proposals for Construction Administrator Services for the Page Street Project.

Mr. Fisher recommended Tibbetts Engineering Corp. with an hourly fee of \$48.00. Mr. Fisher stated Tibbetts Engineering is the most experienced in road construction work and would satisfy all requirements of the Page Street Project.

Based on Mr. Fisher's recommendation, Mr. Phillips made a motion to hire Tibbetts Engineering Corp. for Construction Administrator Services for the Page Street Project. Mr. Rose seconded the motion with discussion. Mr. Rose stated he would want to be involved in any engineering work associated with the project. The motion carried.

Mr. Fisher announced the Page Street Project may be up and running by the end of May. He is awaiting the change orders.

Mr. Fisher met with representatives of Algonquin Gas regarding the proposed construction of a 30' high pressure gas line that would travel along the high tension lines in the north corner of Avon. Another request was received from Algonquin Gas to perform survey work on town property. A blanket survey permit requires the Board's

signature for Algonquin Gas to obtain permission for the purpose of making a civil, environmental or cultural resources survey on town-owned land.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to sign the Survey Permit from the Town of Avon with the stipulation that if town owned land is used for the survey, notification is required and any damages must be noted.

A letter was received from Representative Galvin asking if the Town had any capital projects to submit for State funding. A letter of request must be sent to Representative Galvin's attention by May 8<sup>th</sup>.

Mr. Fisher reported that Representative Galvin was unsuccessful in obtaining reimbursement for EMS State Highway funding. Chairman Hegarty thanked Representative Galvin for his endeavors on the Town's behalf.

Mr. Fisher discussed Verizon Cable Television Legislation and the problems associated with the legislation where consumer protection and community benefits, such as public access programming, would be affected.

At 8:30 p.m. a motion was made by Mr. Rose to enter Executive Session for the purpose of discussing litigation and the Board would not reconvene in open session. Mr. Phillips seconded the motion.

A roll call vote was taken:

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

Respectfully submitted,

Miriam Rothstein  
Secretary