

BOARD OF SELECTMEN MEETING
THURSDAY, SEPTEMBER 20, 2007
7:30 P.M.

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

Others present: 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, September 6, 2007 as submitted. Mr. Phillips seconded the motion. Chairman Hegarty abstained from voting since he was absent from the September 6, 2007 meeting. The motion carried.

There were no public comments during the Open Forum.

Awarding of Street Paving Bid

Mr. Rose made a motion to award the bid for street paving and appurtenant work (Bid No. 2007 PW1) to T. L. Edwards, Inc., the lowest responsible bidder, total bid amount of \$1,222,467.00. Mr. Phillips seconded the motion. The vote was unanimous.

Town Treasurer Jean Kopke appeared before the Board requesting their vote to approve the sale of Town bonds as well as a vote to exempt the bonds from the provisions of Proposition 2 ½.

Ms. Kopke reported the sales of the permanent bonds are from the three (3) water projects (West Spring Street Water Mains, repair and painting of the Water Tower and the Water Filtration and Pumping station).

Mr. Phillips made the following motion:” to vote to sign the bonds; that the sale of the \$3,802,000 Municipal Purpose Loan of 2007 Bonds of the Town dated October 1, 2007, to Wells Fargo Brokerage Services, LLC at the price of \$3,917,482.02 and accrued interest is hereby confirmed.” Mr. Rose seconded the motion. The vote was unanimous.

It was unanimously voted to exempt all three projects (water filtration project, the repair and painting of the water tower, and the West Spring street water main project) under M.G.L. Chapter 59, Section 21C from the constraints of Proposition 2 ½.

Chairman Hegarty announced a Special Town Meeting would be held on Tuesday evening, October 9, 2007 at 7:30 p.m.

Chairman Hegarty reported the warrant consists of ten (10) articles to be voted on.

Article 1—to appropriate or transfer from available funds the necessary amounts to fund the line items to balance the budget for this fiscal year as approved at the May 1, 2007 Annual Town Meeting.

At 7:45 p.m. a public hearing was scheduled on the application for a common victualler's license for 101B Memorial Drive. At 7:45 p.m. the applicant did not appear.

Mr. Phillips made a motion to deny the request for a common victualler's license for Total Brasil at 101B Memorial Drive. Mr. Rose seconded the motion with discussion. Mr. Rose questioned whether abutters needed to be notified again if the hearing was rescheduled and the applicant had a legitimate reason for not showing. Chairman Hegarty stated another Legal Notice would be necessary. The vote was unanimous.

At 7:50 p.m. applicants Rosangela Goncalves and Andre DeOliveira arrived for the public hearing.

Mr. Phillips made a motion to reconsider denial of the common victualler license. Mr. Rose seconded the motion. The vote was unanimous.

Ms. Goncalves explained she is now expanding her grocery store to include food prepared outside the premises. She would be carrying a pastry item made out of dough and filled with meat. According to Mr. Perkins, the Town's health agent, she would be required to serve the pastries with tissue.

After some discussion, Mr. Rose made a motion to approve the common victualler's license for Total Brasil at 101B Memorial Drive pending Board of Health approval. Mr. Phillips seconded the motion. The vote was unanimous.

At 8:00 p.m. Park and Recreation members Sandra Anderson, Barbara Littlefield and Kathy McDonald appeared before the Board. A vacancy was created with the resignation of Roger Sweet and a joint vote would be required to fill the vacancy on the Park and Recreation Commission with a term to expire of April, 2008.

A letter of interest to serve on the Park and Recreation Commission was received from Cornelius Hallisey of 14 Johnson Road.

Ms. Littlefield made a motion to appoint Cornelius Hallisey. The motion was seconded by Mr. Rose. A roll call vote was taken. All members voted aye.

The Board returned to their discussion of the Special Town Meeting warrant articles.

Article 2—M.G.L. Chapter 40, Section 57, would further empower the Town to collect taxes or charges.

Article 3—a police public safety facility \$150,000 grant

Article 4—Water Commissioners—to amend the existing Watershed Protection District By-Law Map

Article 5—to accept Teddy Drive, Shawn Drive and Spagna Way

Article 6—to install security lighting behind the public library

Article 7—capital and special projects

Article 8—to continue security lighting at the Crowley School

Article 9—to fund the Town’s 125th Anniversary celebration

Article 10—a sum of money to be placed in the Stabilization Account

After further discussion, Mr. Rose made a motion to sign the Special Town Meeting Warrant of October 9, 2007. Mr. Phillips seconded the motion. The vote was unanimous.

Police Chief Warren Phillips submitted the following list of individuals to be appointed as Special Police Officers, term to expire: June 30, 2008:

Theodore Colocousis
Charles Comeau
Stephen Cosindas
Peter Crone
Edward Doran
Linda Farley
Eugene Guilbault
Francis Hegarty
Joseph Lalli
Warren B. Lane
Barry Perkins
Wayne Phillips
J. Michael Pylypink
Steven Rose
Theresa Saia
William Salter
Alex Sinclair
John Tetreault

and the following individuals as “Permanent Intermittent Police Officers”

Paul Chapman and Michael Dombrosky

Mr. Rose made a motion to approve the above-named individuals as recommended by Police Chief Warren Phillips. Chairman Hegarty seconded the motion. Mr. Phillips abstained from voting.

Chairman Hegarty announced there are two (2) openings on the Conservation Commission. A letter of interest was received from Scott Hulien of 11 Nichols Avenue.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to appoint Scott Hulien to the Conservation Commission, term to expire: June 30, 2008.

Chairman Hegarty announced there is a vacancy on the School Committee. To date, no one has expressed interest in filling the vacancy. If anyone would like to serve on the School Committee, please submit a letter of interest to either the Board of Selectmen or the School Committee.

Chairman Hegarty reported notification was received from the Alcoholic Beverages Control Commission approving the action taken on March 9, 2007 by the Board to suspend A-1 Market's license for a period of 75 days.

After some discussion, Mr. Rose made a motion to set the date of October 17th through December 31, 2007 for the liquor license suspension schedule. Mr. Phillips seconded the motion with discussion. Mr. Phillips questioned whether the suspension should begin sooner, rather than wait until October 17th. It was Mr. Rose's opinion that the year would end for A-1 Market's license suspension on a clean slate. The Board agreed. The vote was unanimous.

Mr. Rose made a motion to accept a \$1000.00 donation from Wal-Mart to the Avon Police Department to be used for youth and elderly programs. Mr. Phillips seconded the motion. The motion carried.

Mr. Rose suggested altering the gift acceptance form to clarify who the gift is being received from and what department it is being donated to.

A request for a street opening permit was received from Bay State Gas Co. to install gas service into 8 East Main Street (Avon Post Office).

It was unanimously voted to approve the street opening permit, specifically the sidewalk, to install gas service into 8 East Main Street.

A personnel action form was received requiring the Board's vote to hire Doreen Gouthro, to the position of Finance Committee Secretary, F6, Step 1 at a starting salary of \$10.05 per hour.

Mr. Rose made a motion to approve the hiring of Doreen Gouthro as Finance Committee Secretary, F6, Step 1, at a rate of \$10.05 per hour. Mr. Phillips seconded the motion. The vote was unanimous.

Meeting dates for the month of October 2007 were set as follows:

Thursday, October 4, 2007 at 7:30 p.m.
Thursday, October 18, 2007 at 7:30 p.m.

Chairman Hegarty reported he was pleased to announce the hiring of Michael McCue as Town Administrator, who will be joining us on Monday, October 15, 2007. Mr. McCue is currently the Town Administrator in Mendon, Mass.

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 8:30 p.m. Mr. Rose made a motion to adjourn the meeting. The motion was seconded by Mr. Phillips. The vote was unanimous.

Respectfully submitted,

Miriam Rothstein
Secretary