

BOARD OF SELECTMEN MEETING
THURSDAY, NOVEMBER 19, 2009
7:30 P.M.

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

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

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, November 5, 2009 (Regular Session). Chairman Hegarty seconded the motion. The motion carried. Mr. Phillips abstained from voting since he was absent from the meeting.

There were no public comments during the Open Forum.

Town Clerk/Treasurer Jean Kopke appeared before the Board requesting the Board's signature on Bond Anticipation Notes.

Mr. Rose, Clerk of the Board, made the following motions:

To vote to approve the sale of a \$6,713,000 1.5% General Obligation Bond Anticipation Note (the "Note") of the Town dated December 3, 2009, and payable December 2, 2010 to Eastern Bank at par and accrued interest, if any, plus a premium of \$51,948.18.

To vote that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated November 12, 2009, and a final Official Statement dated November 19, 2009, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

To vote that the consent to the financial advisor bidding for the Note, as executed prior to the bidding for the Note, is hereby confirmed.

To vote that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

To vote that each member of the Board of Selectmen, the Town Clerk and Town Treasurer be and hereby are, authorized to take any and all such actions and execute and deliver such certificates, receipts or other documents as may be determined by them or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Mr. Phillips seconded the previously read motions to sign the Notes. The vote was unanimous.

A letter was received from Avon's Generations, Inc. requesting permission to remain open until 2:00 a.m. on Saturday, November 21, 2009 to accommodate a private function to occur between 7:00 p.m. and 2:00 a.m.

Chairman Hegarty discussed the matter with the Board, commenting that the public would be allowed to be served as well until 2:00 a.m. After some discussion, Mr. Rose made a motion to deny the request to extend the hours until 2:00 a.m. on November 21, 2009. Mr. Phillips seconded the motion. The vote was unanimous.

Town Administrator Michael McCue informed the Board that a Request for Proposals (RFP) was published in the newspaper for services relating to the Community Development Block Grant (CDBG) consulting, administration and implementation. Services requested were for Community Development Director, Program Manager, Housing Rehabilitation Specialist and Administrative Assistant. The proposal packages were due in the Town Hall by Wednesday, November 18, 2009, A Massachusetts Community Development Block Grant Program provides funds for the project. Mr. McCue explained the Town received one submission from Community Opportunities Group, Inc., a company that would facilitate management of the grant and provide housing rehabilitation for seniors and low income residents in the Town. Mr. McCue asked for the Board's approval to proceed with the implementation of the project.

Mr. Rose expressed his concern that approximately 30% of the funds would be used for administrative costs. Mr. McCue responded that was the case. However, the program would allow for home rehabilitation, allowing residents to remain in their homes, which in the long run, would benefit the Town.

After further discussion, Mr. Rose made a motion to award the administration and implementation of the Community Development Block Grant to Community Opportunities Group, Inc. as previously discussed. Mr. Phillips seconded the motion. All were in favor.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to sign the warrant for the Special State Primary Election for Tuesday, December 8, 2009. Chairman Hegarty stated that this is a Democratic and Republic Primary.

On the recommendation of Library Director Karen Johnson, it was unanimously voted to appoint Brian DeFelice to the position of part-time circulation assistant, G9, Step 2 of the Personnel Board, at a rate of \$11.00 per hour, contingent upon successful pre-employment screening per the Town of Avon policies.

Mr. McCue distributed the draft of a Harassment Policy for the Board's review. Chairman Hegarty reported that the item would be on the December 3rd agenda and any comments or concerns about the policy should be given to Mr. McCue before the next meeting.

On the recommendation of Highway Superintendent Ed Sarni, the Compost site will be closing on Sunday, December 6, 2009. Signs would be posted at the site to notify residents of the closing date.

Chairman Hegarty reported that as a result of Town Meeting action from 2006, funding is available to clear brooks and streams in the amount of \$50,000. The Commonwealth of Massachusetts allows us to go to vendors on the State contract list. Mr. McCue reported four (4) proposals came in.

On the recommendation of Highway Superintendent Mr. Sarni and Mr. McCue, it was unanimously voted to retain the services of Waverly Landscape Associates, Inc., the lowest responsible bidder, for the purpose of clearing and maintaining Avon's brooks and streams, subject to clarifying compliance with the Department of Labor's rules.

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

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

Public Announcements

Chairman Hegarty made the following public announcements:

Town Hall will be closed to the public on Friday, November 27, 2009.

The Annual Christmas Tree Lighting Ceremony will be held on Saturday, December 12, 2009 at 5:00 p.m.

A Special State Primary Election will be held on Tuesday, December 8, 2009 for residents to vote for United States Senator. Polls are open from 7:00 a.m. to 8:00 p.m.

Town Administrator's Report

Mr. McCue reported that a 2010 Downtown Technical Assistance Application has been filed with the Massachusetts Downtown Initiative (Department of Housing and Community

Development) to explore ways to revitalize the center of Avon for the betterment of our citizens and the region.

Forms for 43D—Priority Development Site—were filed for One Kiddie Drive.

Mr. McCue stated a staff meeting was held and budget scenarios were presented.

Mr. McCue mentioned assistance with grant writing was available from OCPC.

Chairman Hegarty thanked Mr. McCue for his assistance in obtaining a School Energy Conservation Grant which the Town received, in the amount of \$1600.00.

Chairman Hegarty reported that he attended a Norfolk County Selectmen's Association Meeting recently. The guest speaker was James Valee who discussed empowering cities and town to manage themselves and remove healthcare options from the collective bargaining units.

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 8:45 p.m. Mr. Rose made a motion to enter Executive Session for the purpose of discussing a litigation matter. Mr. Phillips seconded the motion.

A roll call vote was taken:

Mr. Rose voted aye

Mr. Phillips voted aye

Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

Miriam Rothstein

Secretary