

BOARD OF SELECTMEN MEETING
THURSDAY, JANUARY 3, 2008
7:30 P.M.

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

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

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

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to accept the minutes of Thursday, December 27, 2007 (Regular Session) as written.

On a motion made by Mr. Rose, seconded by Mr. Phillips, it was unanimously voted to accept the minutes of Thursday, December 27, 2007 (Executive Session) as submitted.

There were no public comments during the Open Forum.

Unfinished Business

After review of the revised contract (changes to Article 1) with Tecton Architects, Inc. and the Town of Avon for a public safety facility study, Mr. Rose made a motion to approve the revised contract with Tecton Architects, Inc. and the Town of Avon. Mr. Phillips seconded the motion. The motion carried.

The Board thanked Town Administrator Michael McCue for making the revisions to the contract.

Reappointment of Constables for 2008

It was unanimously voted to reappoint those individuals who fulfilled their requirements as Constable for the Town of Avon —term to expire: 12/31/08 as follows:

1. Mr. David Asiaf 1135 North Main Street Brockton, MA
2. Mr. Jerold Loomis 74 Pleasant St. Weymouth, MA
3. Mr. Harold March 10 Seminole Rd. Canton, MA

4. Mr. David DiCenso 9 Lydon Lane Halifax, MA
5. Mr. James Dalton 506 Lebanon Street Melrose, MA 02176
6. Mr. Stephen Cain 96 Old Colony Ave. East Taunton, MA 02718
7. Mr. George Kirk 353 Pond St. Avon, MA

Mr. Phillips made a motion NOT to reappoint Mr. William Geary at this time since he did not fulfill his requirements during the previous term. Mr. Rose seconded the motion. The vote was unanimous.

On a motion made by Mr. Phillips, seconded by Mr. Rose, it was unanimously voted to approve deficit spending by the Highway Department for snow and ice removal and equipment hire for fiscal year 2008.

Town Administrator Michael McCue reported that with tonight's invoices, the budgeted amount of \$65,000 for snow and ice removal would be spent.

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.

The following dates were set for budget meetings:

Wednesday, January 23rd at 7:00 p.m.

Thursday, January 31st at 7:00 p.m.

Town Administrator's Report

Mr. McCue submitted a draft form "Request for Legal Services" for the Board's review. After the Board's approval, a memo would be sent to all boards and commissions explaining the procedures for seeking legal counsel. Mr. McCue asked the Board for some feedback on the form.

The Board agreed there was no issue with the new form.

Mr. McCue announced that William O'Donnell, Register of Deeds, would hold office hours on Wednesday, January 30th at the Town Hall from 10:00 a.m. to noon. Residents are invited to meet with him with any questions or concerns.

Patrick Murphy, a member of the Democratic Committee, requested the Board's permission to use the Meeting Room on Monday evening, February 4th. The Board approved his request.

At 7:50 p.m. a motion was made by Mr. Phillips to enter Executive Session for the purpose of collective bargaining and the Board would reconvene in Open Session at 8:00 p.m. to meet with the By-Law Committee. Mr. Rose seconded the motion.

A roll call vote was taken:

Mr. Rose voted aye

Mr. Phillips voted aye
Chairman Hegarty voted aye

At 8:05 p.m., on a roll call vote, the Board voted to exit Executive Session and reconvene in Open Session.

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

At 8:05 p.m. the Board met with By-Law Committee members Carol Staffier, John Costa, George Clark, Anthony Padavano and Daniel Igo.

Mr. Costa reported the Committee wanted to update the Board on their progress to date. Mr. Costa reported, to his knowledge, the current By-Laws have not been reviewed in over 25 years.

Mr. Costa explained the By-Law Committee met with elected and appointed officials of the Town and have come up with a list to be reviewed by the Board of By-Law change proposals. A handout of the recommended changes was furnished to the Board.

Chairman Hegarty explained the Town of Avon has an “unincorporated charter.”

Chairman Hegarty stated April 1st would be the deadline to place a By-Law change on the Annual Town Meeting Warrant since it is a non-monetary item.

The Board discussed some of the recommendations, such as removing all fines and fees from the By-Laws; the appointed person (such as the Fire Chief) has the right to establish fees.

Chairman Hegarty reported some of the current changes in by-laws passed were (1) the reduction of a quorum from 100 to 50 for Town Meeting and (2) the random draw of articles on a Town Meeting Warrant.

Mr. Rose mentioned looking at the appointed and elected positions. For example: the Town Clerk/Town Treasurer position—do you want to keep it as an elected position?

After further discussion, Mr. McCue stated he would meet with the By-Law Committee to go over the recommended changes.

With all business completed, Mr. Rose made a motion to adjourn the meeting. Mr. Phillips seconded the motion. The vote was unanimous.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Miriam Rothstein

Secretary