



Town of Abington

OFFICE OF
TOWN MANAGER

500 GLINIEWICZ WAY
ABINGTON, MA 02351

(781) 982-2100

FAX (781) 982-2138

Board of Selectmen Meeting

February 25, 2013

6:30 p.m.

Cotter Room

Members present: Andy Burbine, Mike Franey, Kevin Donovan, Ken Coyle, Tom Dion

Moment of Silence – A moment of silence was held for Mark Chirokas. Mark worked for the Town of Abington for 20 years as Park and Recreation Commissioner, and coached football. Mark loved the Town of Abington, and gave much to the Town. Mark recently passed away and will be deeply missed by his family and his many friends.

Public Announcements: Selectman Coyle stated that the Lions Club is sponsoring a read to a student program on Friday at the Beaverbrook School.

Town Manager stated that the Town of Bridgewater has donated to the Town of Abington a Fire Engine, along with the Jaws of Life.

6:30 p.m. – Senator John Keenan, Representative Geoff Diehl provided a FY2014 Budget update. The Governor's proposed budget was reviewed as well as the local aid proposal. FY2013 year-to-date tax revenue was discussed, which is 307 million above benchmark. It was stated that the Governor's budget was unrealistic, and the Conference Committee will meet to discuss the differences of the House and Senate in June, and the final budget will be submitted to the Governor at the end of June. It was requested that a joint local aid resolution between the House and the Senate be announced sooner than later to allow us to formulate our budget. This will be attempted.

6:35 p.m. – Leanne Adams, Town Clerk – request to combine the local election and the State Primary and to appoint an emergency member to the Board of Registrars. Discussion took place regarding combining the local election and State Primary. This would reflect a cost savings of \$2,729.00. Based on the amount of savings, and the effect of changing a tradition, No action was taken as there was a consensus to leave the two elections as they were currently scheduled.

The voting of the emergency member to the Board of Registrars to be tabled until the next meeting, after review of Counsel.

6:40 p.m. – Henry DiCarlo, Annual Report for Abington CAM – Henry DiCarlo provided a detailed report on the financial status of Abington CAM. They have \$110,000 operating costs, half is for salaries, taxes, and the lease. They are working towards a new studio located at the High School.

1. Approval of open session January 14, 2013 minutes

M/Donovan approve as amended

S/Franey

Voted 5-0

M/Donovan to approve January 28, 2013 open session minutes

Selectman Dion abstains as he was not present

S/Franey

Voted 4-0-1

M/Donovan to approve February 11, 2013 open session

Selectman Coyle abstains as he was not present

S/Franey

Voted 4-0-1

M/Donovan approve February 11, 2013 executive session minutes

Selectman Coyle abstains as he was not present

S/Franey

Voted 4-0-1

2. Discussion on Governor's proposal to eliminate the 240 local housing authorities --
It was requested to obtain a copy of the legislation that was filed by the Governor and ask the Executive Director of the Housing Authority to come to a meeting to discuss the legislation and objections.

3. Consider open meeting Law complaint filed on January 31, 2013 by Alex Bezanson concerning Board of Selectmen's December 10, 2012 meeting.

Selectman Burbine recuses himself from the discussion. Vice Chair Franey asks if Selectman Donovan could chair this portion of the meeting.

M/Dion to have Selectman Donovan chair this portion

S/Coyle

Voted 4-0

Selectman Donovan stated that the Board of Selectmen received an open meeting law complaint (attached) on January 31 concerning its December 10, 2012 meeting, alleging that a discussion occurring at that meeting occurred in violation of the Open Meeting Law. The meeting at issue was held on December 10, 2012; the complaint was received on January 31, 2013, nearly two months after the date of the meeting; the complaint was not filed timely under the open meeting law, which requires a complaint to be filed within 30 days of the date of the alleged violation; even if it was timely filed, the complaint fails to allege a violation of the open meeting law where: The notice for that meeting was posted on December 6, 2012 and revised 62 minutes after it was originally posted; both notices were timely posted for purposes of the open meeting law and listed as item

- 7, "Discussion of issues raised by Attorney Callahan's letters with regard to the Conservation

Commission"; the Meeting was held in open session and no personal notice is required under the open meeting law with respect to discussions in open session, even if they relate to a particular individual or a board on which that person sits, and finally, the minutes include nearly a page detailing the discussion under that item;

M/Dion that for all those reasons the complaint was received too late and fails to allege a violation of the open meeting law; no remedial action is required.

S/Coyle

Selectman Donovan states nevertheless, the Board of Selectmen continues to stress the importance for all boards, including the Board of Selectmen, to comply with the requirements of the open meeting law, and in connection therewith asked Town Counsel to provide a training on January 28, 2013, which all Board members attended; and further, Town Counsel is hereby directed to prepare a response to the Attorney General, copied to the complainant, consistent with the findings set for herein.

Selectman Franey states for the record he felt the complaint was personal.

Voted 4-0-1

4. Review of the DRAFT Special and Annual Town Meeting Warrant – The articles were reviewed by the Town Manager. Selectman Donovan asked that we contact the moderator, the Town Clerk, and the Finance Committee for their recommendation as to postponing the Special and Annual Town Meeting from April 1, 2013 to either June 10, 2013 or June 17, 2013.
5. Town Manager Report –Town Manager spoke to the passing of Mark Chirokas, and that at least he was able to see the constant support from this Community that he loved. Town Manager also states that the conditions of the roads and sidewalks of Abington were far better than surrounding communities.
6. Public comment – none

M/Franey to enter into executive session with Town Counsel for the purposes of possibly executing employment agreements under Chapter 108N and 1080, and strategies pertaining to collective bargaining for the Abington Managers Association, and the Clerical Union draft Memorandum of Understanding for consideration and vote.

S/Coyle

Voted 5-0

Meeting adjourned: 8:35 p.m.

Respectfully submitted,



Dori R. Jamieson
Assistant Town Manager

EXHIBIT 1



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RECEIVED

JAN 31 2012

Please note that all fields are required unless otherwise noted.

Board of Selectmen
Town of Abington

Your Contact Information:

First Name: Alex Last Name: Bezanson

Address: 761 Randolph St.

City: Abington State: MA Zip Code: 02351

Phone Number: +1 (781) 953-1236 Ext. _____

Email: btadevelopment@aol.com

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?
(For statistical purposes only)

- Individual
 Organization
 Media

Public Body that is the subject of this complaint:

- City/Town
 County
 Regional/District
 State

Name of Public Body (including city/town, county or region, if applicable): Abington Board of Selectmen Abington MA

Specific person(s), if any, you allege committed the violation: Selectman Michael Franey

Date of alleged violation: Dec.10,2012

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

On Dec. 10, 2012 at the Abington Selectman's meeting. Selectman Michael Franey, acting as chairman opened discussion about a letter regarding the Conservation Commission and myself (at the time I was chairman of the Conservation Commission). The letter sent by Attorney Callahan representing the Powers family at 227 Wyman Rd. alleges violations by myself and the Conservation Commission. Earlier in the afternoon of Dec. 10, 2012 I had a phone conversation with Mr. Franey in which I explained to him that the issues in the letter were resolved at the Conservation Commission meeting held on Nov. 27, 2012 and were recorded in the minutes of that meeting. Mr. Franey chose to go forward with the discussion and never revealed to the other selectmen that these issues were discussed and resolved by the Conservation Commission on Nov. 27, 2012. He actually led the board and the viewing public to believe that the Conservation Commission had in fact not addressed the issues. He further violated the open meeting law by allowing Attorney Callahan and April (Powers) Letourneau to address the board without me being present to defend myself and the Conservation Commission. Mr. Franey deliberately tried to publicly disgrace me by not revealing the context of our prior conversation. He further knew that Attorney Callahan was not being truthful when he said the Conservation Commission should have addressed these issues at the Nov. 27, 2012 meeting. Attorney Callahan was at the Nov. 27, 2012 meeting and his client recorded the meeting so he did know that the Conservation Commission had addressed them. While viewing the open meeting seminar by Town Council on Jan. 28, 2013 it became apparent to me that the Mr. Franey and the other selectmen did in fact violate the open meeting law on Dec. 10, 2012

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

I would like to see Mr. Franey give a public apology to myself and the entire Conservation Commission and admit to the fact that he did know that these issues were addressed by the Conservation Commission on Nov. 27, 2012 and that was the context of our phone discussion on Dec. 10, 2012.
I further want Mr. Franey removed from the Board of Selectmen for lying at a public meeting.

Review, sign, and submit your complaint

Read this important notice and sign your complaint.

Under most circumstances your complaint will be considered a public record and be available to any member of the public upon request.

I understand that when I submit this complaint the Attorney General's Office cannot give me legal advice and cannot act as my personal lawyer.

I certify that the information contained on this form is true to the best of my knowledge.

Signed: Alex Bezaon

Date: 1/31/13

For Use By Public Body
Date Received by Public Body

For Use By AGO
Date Received by AGO

EXHIBIT 2



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Agenda
Board of Selectmen
December 10, 2012
6:30 p.m.
Cotter Room

Public Announcements -- Jan Prall, Tri-Centennial Commemorative Book update

Public Appointments:

- 6:30 p.m. – Request for a change of license from club license to all alcohol restaurant and change of manager, 30 Central Street
6:40 p.m. – Request for a Class II license, 123 Center Avenue, Suite A
6:50 p.m. – Request for a commercial garage license, 933 Brockton Avenue
7:00 p.m. – Request for a change of hours, Route 18 Superstore

Action/Discussion Items:

- Approval of minutes -- November 14, 2012 open session
Joint appointment between the Board of Selectmen and Town Manager to the Personnel Committee – Peter Walters, 157 Green Street
Selectmen's appointment to the Board of Directors to the Abington Community Access and Media, Inc. – Jan Prall, 20 Cleverly Street
Appointment of Interim Town Clerk until the annual Town Election in April 2013 – Leanne Adams, Shaw Avenue; Steven Beltis, 138 Catherine Drive; Elizabeth Dubrawski, 36 Walnut Street.
5. Appointment of citizen-at-large member for the Town Manager Search Committee – Ann Welch, 81 Highland Road; Paul Mollica, 152 Presidential Drive
 6. Appointment of member of the Board of Selectmen for the Town Manager Search Committee
 7. Discussion of issues raised by Attorney Callahan's letters with regard to the Conservation Commission
 8. Request to stay open until 1:00 a.m. on New Year's Eve, 55 Wales Street
 9. Approval of annual license renewals
 10. Granting of Special Municipal Status –
 - Summer Concerts Committee
 - Tricentennial Committee
 - School Building Committee
 11. Review of Special Municipal Employee Status that has been revoked on November 19, 2012
 12. Public Comment

Executive Session:

TOWN CLERK'S OFFICE
ABINGTON, MA
RECEIVED

2012 DEC -6 PM 4:10



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Agenda
Board of Selectmen
December 10, 2012
6:30 p.m.
Cotter Room

Public Announcements –

- Acknowledgement of the Super bowl Champion Abington High School Football Team
- Jan Prall, Tri-Centennial Commemorative Book update

Public Appointments:

6:30 p.m. – Request for a change of license from club license to all alcohol restaurant and change of manager, 30 Central Street

6:40 p.m. – Request for a Class II license, 123 Center Avenue, Suite A

6:50 p.m. – Request for a commercial garage license, 933 Brockton Avenue

7:00 p.m. – Request for a change of hours, Route 18 Superstore

Action/Discussion Items:

1. Approval of minutes -- November 14, 2012 open session
2. Joint appointment between the Board of Selectmen and Town Manager to the Personnel Committee – Peter Walters, 157 Green Street
3. Selectmen's appointment to the Board of Directors to the Abington Community Access and Media, Inc. – Jan Prall, 20 Cleverly Street
4. Appointment of Interim Town Clerk until the annual Town Election in April 2013 – Leanne Adams, Shaw Avenue; Steven Beltis, 138 Catherine Drive; Elizabeth Dubrawski, 36 Walnut Street.
5. Appointment of citizen-at-large member for the Town Manager Search Committee – Ann Welch, 81 Highland Road; Paul Mollica, 152 Presidential Drive
6. Appointment of member of the Board of Selectmen for the Town Manager Search Committee
7. Discussion of issues raised by Attorney Callahan's letters with regard to the Conservation Commission
8. Request to stay open until 1:00 a.m. on New Year's Eve, 55 Wales Street
9. Approval of annual license renewals
10. Granting of Special Municipal Status –
 - Summer Concerts Committee
 - Tricentennial Committee
 - School Building Committee
11. Dissolution of inactive committees
12. Public Comment

TOWN CLERK'S OFFICE
ABINGTON, MA
RECEIVED

2012 DEC -6 PM 5:12

EXHIBIT 3



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

OFFICE OF THE BOARD OF SELECTMEN

781-982-2100

Board of Selectmen

December 10, 2012

Cotter Room

6:30 p.m.

Members Present: Andy Burbine, Mike Franey, Kevin Donovan, Ken Coyle, Tom Dion

6:30 p.m. Meeting was called to order, followed by the Pledge of Allegiance.

The Board acknowledged the accomplishments of the Abington High School Football Team this year, congratulating the team on its Super Bowl Championship win, with members of the team in attendance. Pat Dwyer, a member of the team, expressed the team's appreciation to Coach Kelliher and on behalf of the team, the residents and the Board, Coach Jim Kelliher was presented with Abington's Best. Coach Kelliher expressed his thanks, noting the hard work of the coaches, the team, as well as the parents. Andy acknowledged Shawn Reilly in putting this together.

Jan Prall gave a Tri-Centennial Commemorative Book update, noting there is a section in the book on sports memories. The book includes all the activities that have taken place celebrating the 300th Anniversary. The cost of the book is \$20, \$6 extra to mail out.

6:30 p.m. Hearing postponed to January 14th for 30 Central Street.

6:40 p.m. Request for a Class II license, d/b/a Big Lee's Auto, 123 Centre Avenue, Suite A. Hearing opened by Mike, seconded by Kevin, unanimous. Lee currently has a repair shop and is looking for a license to sell 15 used cars. Proposed hours – Monday-Saturday 9 a.m.-6 p.m., Sunday 9 a.m.-1 p.m. Opened to floor, with no comments.

M/Donovan to close the hearing

S/Franey

Voted 5-0

M/Franey to approve

S/Donovan

Voted 5-0

6:50 p.m. Request for commercial garage license, 933 Brockton Avenue, Juliano Anjos, L.A. Used Cars and Repair. Juliano Anjos has a Class II license and wants to be able to repair his own cars. Class II is for 18 cars. Proposed hours – Monday-Friday 8 a.m.-5 p.m., Saturday 8 a.m.-noon, closed Sunday. Opened to floor, with no comments.

M/Donovan to close the hearing

S/Coyle

Voted 5-0

M/Donovan to approve
S/Coyle
Voted 5-0

7:00 p.m. Request for change of hours, Route 18 Superstore - Raj Patel wants to change hour on Sunday from noon to 10 p.m. to noon to 11 p.m.

M/Franey to approve the change
S/Donovan
Voted 5-0

1. Approval of minutes – November 14, 2012 open session
M/Coyle to approve
S/Franey
Voted 5-0
2. Joint appointment between the Board of Selectmen and Town Manager to the Personnel Committee – Peter Walters, 157 Green Street.
M/Franey to approve
S/Donovan
Voted 5-0
3. Selectmen's appointment to the Board of Directors to the Abington Community Access and Media, Inc. – Jan Prall, 20 Cleverly Street
M/Donovan to approve
S/Coyle
Voted 5-0
4. Appointment of Interim Town Clerk – there were three applicants, but Elizabeth Dubrawski requested her name be withdrawn. Mr. Beltis did not attend the meeting. Leanne Adams – has worked in the office for 8 years, and served as Assistant Town Clerk and plans on running for election.
M/Franey to approve Leanne Adams
S/Donovan
Voted 5-0
5. Appointment of citizen-at-large member for the Town Manager Search Committee – Ann Welch, 81 Highland Road; Paul Mollica, 152 Presidential Drive. Both candidates expressed their interest in the position and their backgrounds.
M/Donovan to nominate both candidates and then vote
S/Franey
Voted 5-0
Ann Welch – Andy, Mike, Ken
Paul Mollica - Kevin, Tom

6. Appointment of member of the Board of Selectmen for the Town Manager Search Committee
M/Donovan to appoint Ken
S/Mike
Voted 5-0
7. Discussion of issues raised by Atty. Callahan's letters with regard to the Conservation Commission. Andy recused himself. Mike talked to the Chairman of the Commission and a lot of the issues will be taken up tomorrow at the Conservation Commission meeting and will be resolved. Ken suggested putting this on agenda at next Selectmen's meeting to see what happens at the Conservation meeting. Kevin suggested giving the Conservation Commission a chance to work things out at tomorrow's meeting. If not worked out, come back to Selectmen; could be under DEP's jurisdiction.

Atty. Callahan, representing the Powers – he doesn't know if the issues raised will be resolved. Atty. General complaints are still pending. There are more issues than wetlands issues; there are issues of treatment and process. That is why it was brought before the Board of Selectmen. Mike – let the Commission try to deal with this. Atty. Callahan didn't think tomorrow would be the format to handle all the issues.

M/Donovan to take it under advisement pending further report
S/Dion
Voted 4-0

April Letourneau - has been helping her parents through this process. This is 3rd meeting Conservation Commission has been invited to, and they are trying to get these issues rectified. It keeps getting pushed off, with Commission not attending. According to Ms. Letourneau, this is not a neighbor dispute – there are wetlands violations.

8. Request to stay open until 1 a.m. on New Year's Eve, 55 Wales Street, the Polish Club - their current license lists closing at 1 a.m., so they are all set.
9. License renewals –
Common victualer – Ken abstained from Tastefully Done and Trucchi's. Dori – explained the issue with Louie's Pizza. Mike disclosed that he has done work at some of these places.

M/Franey to approve alcohol, common victualer, entertainment, automatic amusement, pool table, bowling alley licenses, excluding per Building Inspector's report, China Eatery (not open yet), Conor Deli (not in business), Louie's (needs workers comp insurance), Morrell's (not open), the Scoop (not open for inspection), Tastefully Done, Trucchi's
S/Donovan
Voted 5-0

M/Coyle to approve Louie's pending receipt of workers compensation certificate
S/Dion

Voted 5-0

M/Donovan to approve Tastefully Done

S/Franey

Voted 4-1 abstention (Coyle)

M/Donovan to approve Trucchi's

S/Dion

Voted 4-1 abstention (Coyle)

M/Donovan to approve lodging licenses

S/Franey

Voted 5-0

Class I & II – exclude Borderland, Bailey's Garage.

M/Donovan to approve with exclusion of Borderland and Bailey's Garage

S/Franey

Voted 5-0

M/Donovan to approve Borderland

S/Dion

Voted 4-1 abstention (Burbine)

M/Donovan to approve Bailey's Garage

S/Dion

Voted 4-1 abstention (Franey)

10. Granting of Special Municipal Status - Summer Concerts Committee, Tricentennial Committee, School Building Committee. Asst. Town Manager will contact Adele Leonard again (SSVT)

M/Donovan to approve the Summer Concerts Committee

S/Franey

Voted 4-0 (Coyle recused himself)

M/Donovan to approve School Building Committee

S/Franey

Voted 5-0

M/Donovan to approve the Tricentennial Committee

S/Franey

Voted 5-0

11. Dissolution of inactive committees: Computer Study Committee, Growth Management Committee, Land Reuse Board of Directors, Land Reuse Advisory Board, Middle School Site Selection Committee, Permanent Building Committee, Police Station Building

Advisory Committee, Surplus Land Committee, Tri-Town Air Base Reuse Impact
Committee, Website Committee
M/Donovan to dissolve the above committees
S/Franey
Voted 5-0

12. Public comments – none

Tom requested an additional meeting in December to discuss wage and hiring freeze due
to anticipated state and federal funding cuts. Meeting scheduled for December 17th.
The Board requested that Town Counsel give an update at that meeting on pending
litigation.

M/Donovan to adjourn at 7:40 p.m.
S/Coyle
Voted 5-0

Respectfully submitted,


Nancy Hurst



KOPELMAN AND PAIGE, P.C.
The Leader in Municipal Law

101 Arch Street
Boston, MA 02110
T: 617.556.0007
F: 617.654.1735
www.k-plaw.com

February 26, 2013

RECEIVED

Lauren F. Goldberg
lgoldberg@k-plaw.com

FEB 27 2013

Board of Selectman
Town of Abington

Ms. Amy Nable
Assistant Attorney General
Director, Division of Open Government
Office of Attorney General Martha Coakley
One Ashburton Place
Boston, MA 02108

Re: Town of Abington – Board of Selectmen December 10, 2012 Meeting

Dear Ms. Nable:

The law firm of Kopelman and Paige represents the Town of Abington as Town Counsel. This letter is in response to a complaint filed on January 31, 2013 concerning the Board of Selectmen's December 10, 2012 meeting, attached as Exhibit 1. The complaint is fatally flawed as it was filed nearly two months after the date of the meeting to which it refers. Moreover, the complaint, although making various allegations, fails to allege any violation of the Open meeting Law. Accordingly, no remedial action will be taken by the Board of Selectmen.

The complaint alleges that the Board of Selectmen at its December 10 meeting discussed a matter involving the Conservation Commission (the complainant is a former member of the Commission). The complainant alleges further that a Selectman did not disclose a prior conversation between that Selectman and the complainant during which the complainant explained that the Commission had addressed the matter at issue at its November 27, 2012 meeting. Finally, the complainant objects to the Board allowing discussion of the matter in the absence of the complainant. The complainant does not suggest how such matters violate the Open Meeting Law, and, in fact, they do not.

First, as a jurisdictional matter, the complaint was filed too late. The meeting at issue was held on December 10, 2012, while the complaint was filed on January 31, 2013. Under the Open Meeting Law, a complaint must be filed within 30 days of the date of the alleged violation. G.L. c.30A, §23(b); 940 CMR 29.05(3). In this case, therefore, the complaint was filed too late.

Moreover, there can be no argument that the matter was not "public" until some time following the December 10 meeting. The meeting was held in open session, the meeting notice posted in accordance with the law, and the minutes public records as of the moment of their creation by operation of law. G.L. c.66, §10. Further, the complainant could have attended the December 10 meeting, and/or reviewed the minutes of the meeting and the related meeting posting at any time after such meeting. Simply because the complainant has only recently become aware of a particular issue is not and should not be equivalent to a conclusion that the matter "could not have reasonably been known at the time it occurred". To interpret the law otherwise would expose the good faith

Ms. Amy Nable
Assistant Attorney General
Director, Division of Open Government
February 26, 2013
Page 2

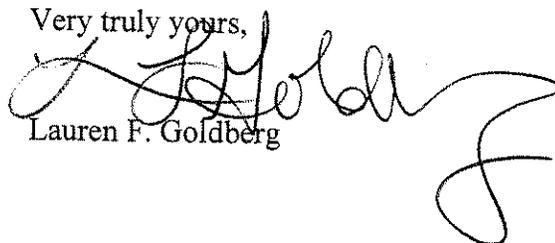
actions of a public body at an open meeting to challenge for an unlimited time, which result is clearly inconsistent with the express language of the statute and would necessarily undermine the actions of such boards by creating administrative uncertainty and instability. For these reasons, the complaint was filed too late for purposes of the Open Meeting Law and must be dismissed in its entirety.

Moreover, even if the complaint had been timely filed, it fails to allege violations of the Open Meeting Law. In fact, the meeting was compliant with the law in every respect. The Board of Selectmen's meeting notice, posted on December 6 for its December 10 meeting, listed the matter at issue under paragraph (7) as, "Discussion of issues raised by Attorney Callahan's letters with regard to the Conservation Commission." Although the meeting notice was updated 62 minutes after it was originally posted, both versions were posted more than 48 hours prior to the meeting, and listed the above-referenced item as paragraph (7) (both versions of the meeting notice are attached hereto as Exhibit 2). Additionally, the notice item was appropriately detailed for purposes of the Open Meeting Law and implementing regulations, which require the notice to provide sufficient information to allow a person reading the same to have a reasonable idea about what was going to be discussed. Attorney Callahan represents certain landowners in a public, lengthy, contentious dispute before the Conservation Commission. In this case, persons living in the Town would have reasonably been able to anticipate the full context of the planned discussion. Finally, the meeting minutes from that meeting are posted on the Town's website, including two-thirds of a page on the current subject, attached hereto as Exhibit 3. While there is a requirement that notice be provided to a person who will be discussed in executive session under exception (1) to the Open Meeting Law, there is no personal notice required to be provided to any person of a discussion in an open meeting, whether that discussion will refer a particular person or to the board on which he may serve.

For all the reasons set forth herein, the complaint was filed too late to be actionable and must be dismissed, and, in any event, the December 10, 2012 meeting of the Board of Selectmen was held in full compliance with the Open Meeting Law. Accordingly, the Board of Selectmen will not take any remedial action in response to such complaint; however, the Board of Selectmen takes its responsibilities under the Open Meeting Law seriously, and had Town Counsel provide a training on January 28, 2013 session to all boards and committees, which all but one of the members of the Board of Selectmen attended.

Please contact me with any further questions concerning this matter.

Very truly yours,



Lauren F. Goldberg

LFG/bp

Enc.

cc: Board of Selectmen
Mr. Alex Bezanson

467377/ABIN/0001