



Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

**Board of Selectmen Meeting
June 8, 2015
6:15 p.m.
Abington High School**

Members present: Mike Franey, Maureen Jansen, Andy Burbine, Ken Coyle, Alex Bezanson

- **Pledge of Allegiance**
- **Public Appointments:**

6:15 p.m. – Appointment to Zoning Board of Appeals

- Lisa Bezanson
- Richard Nigrelli

Selectmen Bezanson announces that he received advice from the State Ethics Commission (attached), and was advised by the Assistant General Council that he may vote on this appointment as the Zoning Board of Appeals is a non paid position providing disclosure is made with the Town Clerk.

Lisa Bezanson and Richard Nigrelli addressed the Board and provided their credentials.
M/Burbine to appoint Richard Nigrelli
S/Franey
Coyle, no
Bezanson, no
Voted 3-2

- Action/Discussion items:
 1. Approval of Commercial Garage Licenses
M/Coyle to approve the list of Commercial Garage Licenses contingent upon final inspections and taxes being up to date excluding Baileys Garage, LA Used Auto, and Borderland.
S/Bezanson
Voted 5-0

M/Coyle to approve Borderland
S/Bezanson
Selectman Burbine abstains
Voted 4-0-1

M/Coyle to approve Bailey's Garage
S/Bezanson
Chairman Franey abstains
Voted 4-0-1

M/Coyle to approve LA Used Auto
S/Jansen
Selectman Bezanson abstains
Voted 4-0-1

2. Discussion on Special and Annual Town Meeting

M/Jansen to approve Article 8 – FY2015 recommended line item transfers
S/Burbine
Voted 5-0

M/Bezanson to adjourn to Town Meeting
S/Jansen
Voted 5-0

Meeting adjourned: 7:45 p.m.

Respectfully submitted,



Dori R. Jamieson
Assistant Town Manager

Mr. Chairman.

Since our last meeting I have requested advice from the State Ethics Commission. On June 5 I was told by Pauline Nguyen Assistant General Council that I may vote on this appointment since the ZBA is a volunteer non paid position. Providing I file a 23 (b) (3) disclosure with the Abington Town Clerk. Today I filed that disclosure which in part reads. "My wife is on the Zoning Board of Appeals and has applied for reappointment. Taking into account all the facts, I feel that I can perform my official duties objectively and fairly"

Therefore I will be participating in this hearing and vote.

If anyone would like a copy of the disclosure form, they are available as public record in the Town Clerks office.

Thank you Mr. Chairman.

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L. c. 268A, § 23(b)(3)**

| | |
|--|---|
| | PUBLIC EMPLOYEE INFORMATION |
| Name of public employee: | Alex A. Bezanson |
| Title or Position: | Selectman |
| Agency/Department: | Board of Selectmen |
| Agency address: | 500 Gliniewicz Way Abington MA 02351 |
| Office Phone: | 781-982-2100 |
| Office E-mail: | btadevelopment@aol.com |
| | <p>In my capacity as a state, county or municipal employee, I am expected to take certain actions in the performance of my official duties. Under the circumstances, a reasonable person could conclude that a person or organization could unduly enjoy my favor or improperly influence me when I perform my official duties, or that I am likely to act or fail to act as a result of kinship, rank, position or undue influence of a party or person.</p> <p>I am filing this disclosure to disclose the facts about this relationship or affiliation and to dispel the appearance of a conflict of interest.</p> |
| | APPEARANCE OF FAVORITISM OR INFLUENCE |
| Describe the issue that is coming before you for action or decision. | My wife is on the Zoning Board of Appeals and has applied for reappointment. This is a non paid volunteer position. |
| What responsibility do you have for taking action or making a decision? | As the appointing authority, the BOS vote to appoint all ZBA members |
| Explain your relationship or affiliation to the person or organization. | Lisa Bezanson, current vice chair of ZBA is my wife |
| How do your official actions or decision matter to the person or organization? | The BOS is made up of 5 members, it is important to have an odd number of votes so that there is not a possibility of a tie and therefore not being able to fill the position. |
| Optional: Additional facts – e.g., why there is a low risk of undue favoritism or improper influence. | |
| If you cannot confirm this statement, you should | WRITE AN X TO CONFIRM THE STATEMENT BELOW. |
| | <input checked="" type="checkbox"/> Taking into account the facts that I have disclosed above, I feel that I can perform my official duties objectively and fairly. |

| | |
|-------------------------|--------------|
| recuse yourself. | |
| Employee signature: | |
| Date: | June 8, 2015 |

Attach additional pages if necessary.

Not elected to your public position – file with your appointing authority.

Elected state or county employees – file with the State Ethics Commission.

Members of the General Court – file with the House or Senate clerk or the State Ethics Commission.

Elected municipal employee – file with the City Clerk or Town Clerk.

Elected regional school committee member – file with the clerk or secretary of the committee.

From: Nguyen, Pauline (ETH) (ETH) <pauline.nguyen@state.ma.us>

To: Alex <btadevelopment@aol.com>

Subject: RE: Your Inquiry

Date: Fri, Jun 5, 2015 3:41 pm

Attachments: DISC 23(b)(3) Favor or Influence NEW2 7-10-12.doc (51K), INST 23(b)(3) Favor or Influence NEW2 7-10-12.doc (47K)

Hi Alex,

As I explained on the phone, you may vote on the appointment of your wife as a member of the ZBA, which is an uncompensated position, provided you file a 23(b)(3) disclosure with your Town Clerk, prior to participating in the matter (whether discussion or vote). I have attached this disclosure form to this email along with instructions. The disclosure form is a public record and should be maintained by your Town Clerk as such.

Please let me know if you have questions about this.

More about section 23 can be found here: <http://www.mass.gov/ethics/education-and-training-resources/educational-materials/primers/primers/the-code-of-conduct.html>

Pauline Nguyen
Assistant General Counsel
State Ethics Commission
One Ashburton Place, Room 619
Boston, MA 02108
pauline.nguyen@state.ma.us
617-371-9518

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From: Alex [<mailto:btadevelopment@aol.com>]

Sent: Friday, June 05, 2015 3:18 PM

To: Nguyen, Pauline (ETH)

Subject: Re: Your Inquiry

They are not

Alex Bezanson
BTA Development Corp.
943 (R) Brockton Ave.
Abington MA 02351
781-857-2200 (office)
781-857-1117 (fax)
781-953-1236 (cell)

On Jun 5, 2015, at 2:21 PM, "Nguyen, Pauline (ETH)" <pauline.nguyen@state.ma.us> wrote:

Hi Alex,

Before I can respond to your inquiry, can you tell me whether ZBA members are compensated?

Thank you,

Pauline Nguyen
Assistant General Counsel
State Ethics Commission
One Ashburton Place, Room 619
Boston, MA 02108
pauline.nguyen@state.ma.us
617-371-9518

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<BezansonAlexTimeSensitive.pdf>