

MORRISSEY, HAWKINS & LYNCH

TWO INTERNATIONAL PLACE

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February 7, 2003

Melvin A. Kleckner
Town Administrator
Office of the Board of Selectmen
455 Concord Avenue
Belmont, MA 02478-2573

Re: Kennel By-law; Conflict of Interest

Dear Mel:

I have received the inquiry you have forwarded from Bob Gallant. The issue of concern appears to be whether there will be a conflict of interest if a new by-law requires the Board of Health to inspect kennels where the Board will also be contracting with the kennel inspected for boarding services.

In my opinion, there is no apparent conflict of interest. However, I can offer two suggestions if the Board of Health remains concerned about the issue. First, the Board can assign the present contract with the kennel to the Board of Selectmen and make the Selectmen the party to and awarding authority for subsequent contracts. Alternatively, the Board of Health can seek a kennel outside of the Town with which to contract for its boarding services.

Please feel free to contact me if I may be of further assistance.

Sincerely,


Town Counsel

RJM/lss