

TOWN OF MIDDLEBOROUGH  
NOTICE OF MEETINGS OF TOWN DEPARTMENTS AND ALL TOWN BOARDS

As required by Chapter 39 M.G.L.

PLEASE TYPE OR PRINT LEGIBLY

NAME OF DEPT. OR BOARD BOARD OF SELECTMEN

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DATE OF MEETING: Monday 12/19/11 TIME: 7:00 PM PLACE: Town Hall

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Date and time received by Town Clerk \_\_\_\_\_ Clerk/Board member posting notice \_\_\_\_\_

MEETING CANCELLED: \_\_\_\_\_ DATE & TIME CANCELLED: \_\_\_\_\_

CLERK/BOARD MEMBER CANCELLING THE MEETING: \_\_\_\_\_

**AGENDA**

1. **Pledge of Allegiance**
2. **Unanticipated**
3. **Announcements & Recognitions**
4. **Minutes:** 11/16 E.S. minutes, 12/5 regular & E.S. minutes and 12/12 regular minutes
5. **New Business - 7:05 PM**
  - A.) Vote to approve a Common Victualler license for Mandarin Kyoto restaurant 321 West Grove Street.
  - B.) Vote to approve 2012 Common Victualler licenses as presented & recommended by the Health department.
  - C.) Vote to sign letter Secretary of State asking for emergency funding for the Town Hall Cupola project.
  - D.) Vote to sign thank you letter to the State Ethics Commission for holding Conflict of Interest presentation.
  - E.) Vote Water department pickup truck as surplus.
  - F.) Vote to approve early closure of Landfill Drop-Off area for 12/24 & 12/31.
  - G.) Vote to sign SERSG 2012 Contract Award for Services.
  - H.) Vote to authorize Town Manager to sign consent letter for the refinancing of an Affordable Housing property.
  - I.) Vote to approve RFP for Washburn Mill & Freight House property.
  - J.) Vote to approve request by MEA to place "Happy Holiday" sign on Town Hall lawn.
  - K.) Vote to authorize the Town Manager to sign "No Trespass" orders for certain Town properties.
  - L.) Vote to sign Fire Chief Benjamino's Employment contract.
  - M.) Town Manager's Employee Performance Evaluation.
6. **Hearings - Meetings - Licenses**
7. **Unfinished Business**
  - A.) Edgeway Mobile Home Update.
8. **Town Manager's Report**
9. **Correspondence**
10. **Executive Session**
11. **Adjourn**

## (DRAFT – AMENDED AS OF 1/9/12)

### Middleborough Board of Selectmen Meeting Minutes

December 19, 2011

Chairman opened meeting at 7:00 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Rullo, S. Spataro, A. Frawley, and B. Quelle, Town Manager C. Cristello and Confidential Secretary J. Shanley.

The meeting was broadcast live by Verizon and MCCAM and recorded by MCCAM.

#### UNANTICIPATED

Selectman Frawley noted that he will try to attend the MMA Annual Conference in January. Selectman Quelle offered that he will as well.

Selectman Frawley requested that the Board look at the 8/17/11 meeting minutes of the Permanent Cable Committee meeting for a possible ethics violation. The matter will be placed under future items on the Board's agenda.

#### ANNOUNCEMENTS & RECOGNITIONS

Selectman Spataro noted the impeccable work done to restore the nativity set located across the Street. Chairman offered that it was fabulous work.

Selectman Spataro and the Chairman wished everyone a Merry Christmas. Chairman thanked the Board's Confidential Secretary, Jackie Shanley and Town Manager Charles Cristello for all they do and for keeping up with the heavy workload.

Selectman Quelle noted the drug bust in Town last week and offered that the Board will continue to support the Police Chief in any way it can to continue to fight these crimes.

#### MINUTES

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve 11/16/11 Executive Session meeting minutes.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, board voted unanimously to approve 12/5/11 regular meeting minutes

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve 12/5/11 Executive Session meeting minutes.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve 12/12/11 regular meeting minutes.

**Middleborough Board of Selectmen  
Meeting Minutes**

**December 19, 2011**

**NEW BUSINESS**

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve a Common Victualler license for Mandarin Kyoto restaurant, 321 West Grove Street.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve the 2012 Common Victualler licenses as presented & recommended by the Health department.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to sign letter to Secretary of State asking for emergency funding for the Town Hall Cupola project.

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to sign thank you letter to the State Ethics Commission for holding the Conflict of Interest presentation. Selectman Frawley offered thanks to Caroline LaCroix for arranging for the presentation.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to declare Water department 1997 Ford Ranger Pickup truck VIN #1FTCR1OU3VTA54653 as surplus.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve early closure of Landfill Drop-Off area for 12/24 & 12/31. Selectman Quelle offered that he had been contacted by a resident who noted that the Town's Agreement with Waste Management requires that they pick up litter within 1,000' of the entrance. Town Manager will ask them to look into.

The SERSG 2012 Contract Award for Services will be addressed at the Board's next meeting on 1/9/12.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to sign consent letter for the refinancing of an Affordable Housing property.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve RFP for Washburn Mill & Freight house property.

The request by MEA to place "Happy Holiday" sign on Town Hall lawn was cancelled.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to authorize the Town Manager to sign "No Trespass" orders for certain Town properties. Town Manager noted that areas of specific concern are the Two Town Hall buildings and Kramer Park. Police Chief addressed Board and offered that with these orders in place, we can give a warning, and if individuals don't abide, they will be arrested. It will also make it clear that these areas are under surveillance.

Fire Chief Lance Benjamino's Employment Contract

Chairman noted that Fire Chief Lance Benjamino is doing a tremendous job and that the Town is truly lucky to have a professional like him to run its fire department. Chairman noted that the Fire Chief will receive an increase in salary effective 7/1/12. Town Manager also offered that Chief Benjamino is an outstanding professional and everything you would want in a Fire Chief. Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve and sign the employment contract between the Town and Fire Chief Benjamino.

Town Manager's Performance Evaluation

Chairman explained the Town Manager employment performance evaluation process. He noted that the Town Manager has done an outstanding job this past year, receiving a score of 2.6 out of 3 for his leadership. Chairman also noted that the Town Manager recognized that he needs to improve paying attention to staff development and performance. Chairman read several accomplishments by the Town Manager. The Selectmen individually offered positive comments on the Town Manager's performance. Town Manager offered his thanks and that he is looking forward to continuing to work for the Town.

**UNFINISHED BUSINESS**

Edgeway Mobile Home Park Update

Selectman Quelle noted that the Park Owner/Operator has not met the 12/15/11 deadline of accomplishing all Phase I tasks in the Park. He also noted that several Phase I items could have been started sooner than they were. He presented the following three concerns of the residents:

- They would like the judge to be informed that the Park Owner/Operator didn't meet the 12/15/11 deadline. They are concerned with what will happen going into Phase II, a more complicated phase, if meeting the Phase I deadline has presented with difficulty.
- They have some concerns regarding rent issues, which will be addressed in the future.
- They would like to begin receiving more frequent updates such as was the case in the beginning of Phase I.

Chairman Rullo suggested that the Town does notify the judge that the Park Owner/Operator has fallen behind. Edgeway resident, Anne McGann, offered that they are willing to accept whatever the judge decides. She noted that they did work today on connecting the drywell to the houses, so they'll just wait and see, as it does look like they are going to finish that part by the end of the week.

In response to concerns raised by Anne McGann, the Town Manager will make sure that they take care of cutting down the irrigation pipes that are sticking out of the ground in the backyards. He will also ask them to pick up debris. He confirmed that re-grading and re-seeding will take place in the spring.

Resident Elizabeth Clarke of 24 Wesley Circle reported that they have cut her walkway. Town Manager will ask them to at least put a patch in it.

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In response to question by Anne McGann, Town Manager offered that the sheds will be put back after they re-grade. In response to questions raised regarding gutters, the Town Manager will get an answer re gutter monitoring/maintenance. However, he noted that, at this point, we are focused on getting the Park Owner/Operator to finish what is in the agreement. This is not in the agreement, but we will follow through on it.

Upon motion by Selectman Frawley, and seconded by Selectman Quelle, Board voted unanimously to have Town Counsel notify the judge that the Owner/Operator of Edgeway Mobile Home Park has not completed the tasks according to the timetable established by the judge.

**TOWN MANAGER'S REPORT**

Town Manager noted that he recommends that the Town create a memorial in John Glass (Everett) Square to honor former Economic and Community Development Director Anna Nalevanko, who passed away suddenly in September.

**CORRESPONDENCE**

No comments made.

Upon motion made by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 8:50 PM.

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Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN