

**Middleborough Board of Selectmen
Meeting Minutes**

February 4, 2013

Chairman opened meeting by inviting those in attendance to join in the Pledge of Allegiance.

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

Meeting was broadcast live by MCCAM and recorded by MCCAM and Verizon.

UNANTICIPATED

Resident John Ewas addressed Board to request an itemized invoice relative to the back taxes he owes to the Town.

ANNOUNCEMENTS & RECOGNITIONS

Selectman McKinnon noted that the Presidential luncheon will be held this Saturday at Town Hall. Tickets are available at Maria's Card Shop and all are welcome.

Selectman Frawley congratulated Tara Mirrano, a trainer at MHS, for receiving the "2012-2013 MIAA Women in Athletics Distinguished Service Award".

MINUTES

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve 1/28/13 meeting minutes. Four in favor. Selectman Frawley abstained.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day All Alcoholic Beverages liquor license for The Bartending Service of N.E. on 2/9/13 from 7 PM to 12 AM at Town Hall, 10 Nickerson Avenue.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to appoint Adam S. Barkley as a Volunteer Observer to the Herring Fishery Commission, effective immediately, with a term ending 6/30/13.

HEARINGS, MEETINGS, LICENSES

Grant King of SRPEDD addressed Board to give presentation re S. Coast Rail PDA's & PPA's. Town Manager and Ruth Geoffroy offered comments.

Discussion ensued about the Middleborough Rotary. Board members noted for Mr. King that the Town of Middleborough did not build the Rotary, the State did, yet 90% of vehicles going through it, are not from Middleborough. They went to the State House & Secretary Mullen told them that the State is not going to fix the Rotary. They asked Mr. King to be a stronger voice for Middleborough. They noted that it's getting critical and something needs to be done, that Ms. Geoffroy has many years of experience and her letters seem to fall upon deaf ears, which is an insult to the entire Town. They offered that SRPEDD does not deliver. Mr. King offered to bring these comments back to SRPEDD. He offered that SRPEDD can guarantee to be a strong voice.

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Members of the Board responded that the Town needs to see results. Mr. King offered that SRPEDD will have insight as to the way in which they are making their designations. Chairman noted that this is not a Middleborough issue, but rather a regional issue, and that they want SRPEDD to be a strong voice for the Town, but they don't have much optimism. Mr. King noted that they will work with the Town Manager and Ruth Geoffroy to schedule some meetings.

Consolidation of local Housing Authorities

Jo Ruthwicz of the Housing Authority introduced Richard Leiko of the Attleboro Housing Authority. The Governor wants to consolidate all local housing authorities into six regional housing authorities. Discussion ensued. It was noted that the money spent utilizing local contractors for these facilities is significant to the community. Motion made by Selectman Spataro and seconded by Selectman McKinnon, to send letter not supporting the consolidation as proposed by the Governor. Jane Kudcey of OECD spoke about the economic development that the local Housing Authority provides the Town. She noted the grants that Ms. Ruthwicz has gotten for the Town and the construction and administrative jobs that it has provided to the Town. The Board recognized and offered appreciation to Ms. Ruthwicz for all that she has done. State Representative Orrall addressed the Board and offered that she is in full support of the local Housing Authorities position. She offered that the Governor's proposal is not in the best interest of the Citizens of the Commonwealth. She confirmed with Ms. Ruthwicz that they were not contacted or included in discussions with the Governor on this decision. Representative Orrall offered that we need to think more about local control as opposed to the Governor's position to regionalize everything. Unanimous vote to send letter opposing Governor's proposal.

2013 Late Stable Permits

Health Officer Jeanne Spalding addressed Board and reported that 20 Tavern Crossing has submitted payment, however, not their application. She has made several attempts to collect from 21 Spruce Street without success. Serena & Sean Kelley have informed her that they do not have the funds at the moment and that they will not attend this evening. She recommended giving them 14 additional days to catch up on the double fees that they owe, and without compliance by that time, to offer them the opportunity to remove the animals. If this is not an acceptable option to the Kelley's, the Health Officer suggests the Town approach Town Counsel to take necessary steps to resolve. Town Manager offered that he finds her suggestions reasonable. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to support a letter being sent giving them 14 days to resolve payment, and if not, to forward matter to Town Counsel.

Edgeway Mobile Home Park – Application for Renewal of Park license

Attorney Burke addressed Board to offer update. He realistically thinks he will have one, or both, Parks under agreement by the end of next week. He noted that the residents will have the ability to exercise their rights under the Statute. Chairman asked that the new proposed owners understand that the Town expects the items on the list to be completed. Attorney burke responded that they understand, however, may want to consider flexibility with possibility of changing some of the plans. Chairman asked Attorney burke if the potential buyers will move forward without a license being issued this evening. Attorney Burke responded that you can't sell the Park to anyone without a

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license. Anne McGann addressed Board offering that the residents do not support issuing the Park its license, noting that they do not see how the Board could issue it with all of the violations by the Park. Attorney Burke responded that he has prospective buyers in front of the Board. Town Manager offered that he spoke with Attorney Burke today and it may be worth postponing action by a week or two to see what may develop through meetings with Attorney Burke and Town staff. Anne McGann noted that there are only two ways out of the Parks and right now there have been six gas leaks fixed in Twin Coach Park recently. Selectman Frawley asked if the Board could pursue possibility of fining the Park. Chairman responded that it could, but he would recommend delaying action tonight to allow the Town Manager to meet with the potential buyers as it is in everyone's best interest to find a buyer. Motion made by Selectman Spataro and seconded by Selectman McKinnon to defer matter until 2/25/13.

Edgeway Mobile Home Park resident addressed Board and offered that Attorney Burke has had more than enough time to correct the problems in the Park. He asked questions such as who these potential buyers are and who would buy this Park with the problems it has. Louisa Brown addressed Board asking why the Town will not fine the Park owner. Chairman offered that he is interested in seeing the problems in the Park resolved. The financial means are not there for Mr. Burke to fix these problems. We looked at the financials and the money is gone. The Park is not generating enough money through the monthly rents. Louis Brown disagreed. Chairman offered that the only way to resolve the problems in the Park is through new ownership. Adam Bond suggested speaking with Town Counsel to confirm that Mr. Burke has met statutory requirements regarding license renewal. Board voted unanimously to defer matter to 2/25/13 at 7:30 PM.

TOWN MANAGER'S REPORT

Town Manager congratulated the Middleborough Police detectives who contributed in the investigation re the recovery of the recent misplaced and stolen Plymouth police weapon at the Wareham District Courthouse, in addition to the Middleboro Police department's efforts in leading to the capture and arrest of the South Shore Arsonist, and the recent drug bust by the department. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to send letter of recognition to Chief Gates and the department.

Town Manager informed the Board that he would like to schedule a Wednesday, February 20th Workshop for Board. Board agreed.

CORRESPONDENCE

#1 Selectman McKinnon noted Capital Planning Committee meeting minutes. He proposed getting the Committee involved, with a survey of the radio systems we have to see what's going to have to be replaced to go to a higher band and to be sure that any purchases we make are compatible/expandable. Town Manager will bring it up at Capital Planning Committee meeting tomorrow night.

#3 Selectman McKinnon noted Bridge Inspection Report and confirmed it was copied to DPW Director Andy Bagas.

#4 Selectman Quelle confirmed with Town Manager that he and DPW Director Bagas are working with Attorney O'Shaughnessy towards resolving outstanding matter re Valley Road.

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#9 Selectman Frawley asked if anyone had any comments they want to make re MA Gaming Commission. Town Manager offered that he thought the regulations look straight forward.

#4 Chairman Rullo mentioned that there had been a resident in attendance earlier this evening with concerns re the condition of Valley Road. Town Manager noted that Town Counsel will take a look at it in the short term.

Selectman McKinnon noted the Town's Assessment through SRPEDD is \$3,733.93 for the year.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted by Roll Call to 8:52 to go into Executive Session to consider the purchase, exchange, lease, or value of real property and not to return to Open Session. Roll Call: S. Spataro, Yes; A. Frawley, Yes; S. McKinnon, Yes; B. Quelle, Yes; A. Rullo, Yes. Ended at 9:06 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN