

MINUTES

For approval at the 3-21-11 meeting

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

In attendance were Selectmen M. Brunelle, A. Rullo, M. Duphily, S. McKinnon and S. Spataro, Town Manager C. Cristello and Confidential Secretary J. Shanley.

ANNOUNCEMENTS

The meeting was aired live by Comcast and taped by Verizon and Comcast.

The local National Guard unit is being deployed to Afghanistan and the VFW and other Veterans organizations in Town are seeing them off with a supper for them and their families. They are trying to raise money to defray the cost of the event. Checks may be mailed to the VFW, P.O. Box 289.

The American Legion will be holding an informational meeting for the Friends of Middleborough Cemeteries on 3/10/11 at 7 PM. This is a new 5013C non-profit organization being formed to provide care and maintenance of abandoned cemeteries in Town.

MINUTES

Upon motion by Selectwoman Duphily and Selectman Spataro, Board voted unanimously to approve 2/28/11 regular meeting minutes with correction as requested by Selectman Spataro to page 4 under Town Manager's Report changing the word "account" to the word "list".

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted to approve 2/28/11 Executive Session meeting minutes. Selectwoman Brunelle abstained.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve sending letter to E.P.A. on new storm water regulations.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to re-appoint James Okolita and William Petrillo to the Library Board of Trustees for another three year term.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to appoint John Knowlton of 84 Pearl Street to the Library Board of Trustees for a three year term to end in March of 2014.

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve Town Hall rental by Miss MA on 4/17/11 from 10 a.m. to 7 p.m.

HEARINGS, MEETINGS & LICENSES

Anna Nalevanko, Office of Economic and Community Development, provided the Board and public with an update on two CDBG projects being conducted jointly in Middleborough and Lakeville: Emergency Financial Assistance Program and Housing Rehabilitation Assistance Program. Ms. Nalevanko reported that the Middleborough allocated financial assistance money is almost depleted with many needy families taking advantage of this and there are two housing rehabilitation projects completed, one in Lakeville, and one in Middleborough, with two more Middleborough projects to be underway shortly.

Illness of one homeowner and winter conditions delayed a few other projects. Ms. Nalevanko announced there were funds available for the emergency housing assistance, especially for Lakeville residences and housing rehab (Clark Shore residents only). She also announced plans for public forums for the upcoming 2012 CDBG application and agreed to provide dates to the Board when confirmed.

Middleborough Youth Advocates representatives Jack Healey and Amanda Decker presented the attached report to the Board relative to the "Drug Free Communities Support Program". Middleborough High School 9th grade student Elizabeth Bell also participated in the presentation.

At 8:03 PM Chairwoman Brunelle opened public hearing re Change of Manager and Transfer of All Alcoholic Beverages package goods store liquor license from Cirelli Foods, Inc., d.b.a. Cirelli Marketplace to Perkins Paper, Inc., d.b.a. Perkins by reading aloud the public hearing notice. Perkin's representative Daniel Healey and proposed manager David Vanloan addressed Board. Chairwoman read aloud Health Officer's comments. Selectman Spataro noted the outstanding community support received by Cirelli's through the years. Mr. Vanloan noted that they still hope to do car shows on Saturday evenings. Chairwoman asked to hear any comments or concerns from the audience. Hearing none, Chairwoman declared the hearing closed. Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve the application for the transfer and change of manager.

BILLS

Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted unanimously to approve payment of bill to Murphy & King in the amount of \$8,474.32 to be paid out of the Resort Casino legal account.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted unanimously to approve payment of bill to Jones Day in the amount of \$4,515.50 to be paid out of the Resort Casino legal account.

UNFINISHED BUSINESS

Board reviewed prior year's goals & objectives and re-established new goals for 2011. Town Manager will clean up and bring back before the Board at its next meeting.

TOWN MANAGER'S REPORT

Town Manager noted that they had a productive meeting on Friday with residents and agreed to move forward with removing the Cupola to repair it. Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted to award bid to Murray Brothers Construction, Inc. in the amount of \$16,600 as recommended by Town Manager. Selectman McKinnon opposed.

Town Manager informed Board that he and the Board's secretary, J. Shanley, are working on getting the Board the past year's Executive Session minutes for review and consideration of release to the public.

Town Manager noted that Town Counsel's opinion should be ready for the Edgeway Mobile Home Park matter to be decided upon at the Board's 3/28/11 meeting. It was also noted that Town Counsel is working on preparing a list for the Board of outstanding legal cases.

OTHER

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to send letter to legislative delegation that the Town does not support, in any way, the Comprehensive Land Use Reform & Partnership Act and authorized Selectman McKinnon to let SRPEDD know the Town's position.

CORRESPONDENCE

#1 Selectwoman Duphily asked if this matter was given to the police and resolved. Town Manager noted that the Police Chief responded directly to Mr. Montleon.

#9 Selectman Rullo noted correspondence re Governor filing \$200 million Chapter 90 Bond bill.

#3 Selectman McKinnon acknowledged correspondence from Finance Committee Chairman R. Pavadore and noted that he was pleased to see Mr. Pavadore is keeping an eye on capital planning items vs. departmental budget items.

#6 Town Manager noted that he is doing more research on this correspondence re Geographic names and will put on next week's agenda.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted by Roll Call at 9:00 PM to go into Executive Session to discuss strategy relative to Non-Union Contract Negotiations and not to return into Open Session. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; S. Spataro, Yes; M. Brunelle, Yes. Ended at 9:50 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

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

In attendance were Selectmen M. Brunelle, A. Rullo, M. Duphily, S. McKinnon and S. Spataro, Town Manager C. Cristello and Confidential Secretary J. Shanley.

ANNOUNCEMENTS

The meeting was aired live by Comcast and taped by Verizon and Comcast.

Leilani Dalpe will perform in concert at Oak Point on 3/17/11. All proceeds will benefit the Old Colony YMCA Annual Strong Kids campaign.

Selectman Rullo noted that the M.H.S. Decker program was involved in state competition this weekend. One of our students came in 2nd place in the Quick Food Management category. Selectman Rullo will get the name of the student so that the Board may send a congratulatory letter.

Absentee Ballots are available in the Town Clerk's office.

NEW BUSINESS

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted to sign Memorandum of Agreement with Clerical/COA union and amended agreements with Library and DPW unions. Selectwoman Brunelle abstained.

Selectwoman Brunelle abstained. Selectman Spataro thanked the employees for their cooperation. Town Manager recognized the unions for recognizing the financial constraints of the Town. He noted that it is a \$1.3 million in savings to the Town by changing the health insurance plan.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted to sign new three-year employment contract with Town Manager Charles J. Cristello. Selectwoman Brunelle abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to appoint 2011 Election Officers as presented on the attached.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted unanimously to re-appoint Virginia Landis to the Board of Registrars for a three year term.

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve placement of Samuel Fuller Pratt Farm trail race sign on the lawn of Town Hall from April 25th through May 7th.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve Town Manager's re-appointment of Ronald Burgess to the Conservation Commission with term ending in 2014.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to authorize the Town Manger's nomination of Jessica Gardner as Inspector of Animals with Jason Tracy as Alternate.

**Middleborough Board of Selectmen
Meeting Minutes**

March 14, 2011

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted to approve One-day All Alcoholic beverages liquor license for The Bartending Service of New England on 3/17/11 from 6 PM until 10 PM at the Alley Theatre, 133 Center Street. Selectwoman Brunelle abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted to approve One-day All Alcoholic beverages liquor license for The Bartending Service of New England on 4/30/11 from 6 PM until 10 PM at the Alley Theatre, 133 Center Street. Selectwoman Brunelle abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted to approve One-day All Alcoholic beverages liquor license for The Bartending Service of New England on 5/21/11 from 6 PM until 10 PM at the Alley Theatre, 133 Center Street. Selectwoman Brunelle abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted to approve One-day All Alcoholic beverages liquor license for The Bartending Service of New England on 7/21/11 from 6 PM until 10 PM at the Alley Theatre, 133 Center Street. Selectwoman Brunelle abstained.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve Town Hall Auditorium rental request by S. Shore Tango/Tracy Miller for 3/17/11 from 7 PM to 8:30 PM.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to approve placement of 5/7/11 Middleborough Friends' Pancake Breakfast advertising sign on the Town Hall lawn from 4/8 to 5/7. Selectmen Brunelle, Duphily, and Spataro disclosed that they are all members of Middleborough Friends, but were voting as members of the Board of Selectmen.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to accept Middleborough Friends' offer to hold its summer concert series on the front lawn of Town Hall and to place a sign on the Town Hall lawn throughout the series. Selectmen Brunelle, Duphily, and Spataro disclosed that they are all members of Middleborough Friends, but were voting as members of the Board of Selectmen.

Upon motion by Selectman Rullo and seconded by Selectwoman Duphily, Board voted approve request from Ian Sander to shoot a Television Pilot Presentation which Slam Internet Inc., based at ABC Media Productions is producing for The Style Network, entitled GHOST TOWN. Selectwoman Brunelle abstained.

Motion made by Selectman McKinnon and seconded by Selectman Rullo to approve race dates only for Capeway Rovers M/C. Motion withdrawn.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted to approve race dates for Capeway Rovers M/C as presented on the attached and practice dates as follows: 5/8, 5/14, 6/5, 6/11, 7/13, 7/20, 7/27, 8/3, 8/10, and 8/17/11, with practice dates subject to change due to weather conditions.

HEARINGS, MEETINGS & LICENSES

Permanent Cable Committee Chairman Robert Silva and members of the Committee addressed Board to provide an update on Public Education and Governmental (PEG) access. The Committee's attorney, Robert Treano, also gave an overview of the Committee's plans. Comcast will no longer be providing local cable programming. The Town will be providing this programming as of 5/1/11. Discussion ensued between the Board and the Committee relative to oversight of Cable Committee funds and the expenditure of same. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to have the Town Manager put together budget preparation for special fund account access for this account and others similar to it.

UNFINISHED BUSINESS

Board agreed to add language "marking Middleborough" to project/item called "Increase commercial development". Board will assign tasks at a later date.

TOWN MANAGER'S REPORT

Town Manager noted letter sent to Pierce Trustees thanking them for donation put towards a vehicle for the Council on Aging Meals on Wheels program.

Town Manager noted correspondence re MA D.O.T.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to send letter thanking the Pierce Trustees for its many contributions over the years.

CORRESPONDENCE

#6 Selectman Rullo asked about how he would get access to DEP reports. Brian Giovanoni went online and offered the website address to Mr. Rullo.

#7 Selectman McKinnon noted correspondence from MA D.O.T. relative to wooden railroad ties being replaced by concrete ties with an interruption in service and shuttling people from Middleborough/Lakeville Station to Bridgewater Station. Clark Street public roadway will be closing 3/26 and 3/27. Selectman McKinnon asked that information be put on website. Town Manager noted that it should already be there.

Selectman McKinnon asked Town Manager if we have received FEMA response re end of Plymouth Street. Town Manager responded that it is not considered a FEMA matter.

OTHER

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve recommendation by Selectwoman Brunelle and have volunteers work on a policy manual. Chairwoman Brunelle noted that we have two volunteers from Massasoit working on the bylaws presently.

Selectwoman Duphily acknowledged that residents of Edgeway Mobile Home Park were present. She noted that she had spoken with Edgeway resident Ann McGann this past weekend and had explained to her that the Board had just received its material (briefs, etc.) for review. Chairwoman Brunelle explained that the Board will be closing the public hearing on the matter on 3/28/11 and will then go into deliberations on the matter. Edgeway resident John Dwyer asked if the Board would make its decision that evening, to which the Chairwoman responded, yes. Resident Paul Robertson asked why the Board is just now reviewing the material.

Chairwoman Brunelle responded that Town Counsel has had the material for review and noted that he will be advising the Board.

Allin Frawley acknowledged the Town Manager for having had provided an immediate response to an undercover reporter when the reporter had inquired as to his salary. Mr. Frawley noted that he had read about it in the newspaper and also noted that while Mr. Cristello was immediately forthcoming & responsive, many others were not.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted by Roll Call to go into Executive Session at 9:00 PM to discuss and review Executive Session minutes - pending litigation/collective bargaining and not to return into Open Session. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; S. Spataro, Yes; M. Brunelle, Yes. Ended at 9:30 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN