

MINUTES

For approval at the 3-28-11 meeting

Selectmen: Please note that the Board did not actually vote to approve the 3-14-11 regular meeting minutes. Motion had been made and seconded with discussion at end of the meeting. I will need a formal vote for approval of these minutes.

Thank you.

Jackie

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.

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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 "marketing 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 is 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

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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. Dumphily, Yes; S. McKinnon, Yes; S. Spataro, Yes; M. Brunelle, Yes. Ended at 9:30 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

DATE: March 4, 2011

TO: Board of Selectmen

FROM: Eileen S. Gates, Town Clerk

SUBJECT: Appointment of Election Officers

Please appoint the following Election Officers for 2011

Precinct 1: Linda Eatherton
Robert Burke
Sarah Jigergian
Marie Clory
Gaynel Bradford
Meredythe Salvucci
Robert Eatherton

Precinct 4: Donna Moquin
Ruth Whitman
Janice Westgate
Theresa Washburn
Sharon Connolly
Charlene Eaton
Marie Clory

Precinct 2: Betty Johnson
Elizabeth Wainwright
Ursula Hill
Florence Cadillic
Janet Walker
Arlene Dickens
Anne Renaux
Lillian Craig
Donald Dickens

Precinct 5: Karen Nice
Kathleen Foye
Linda Gordon
Wendy McCormick
Susan Beaulieu
Cheryl Reimels
Margaret Washburn
Louisa Brown
Judith Donahue

Precinct 3: Deborah Ginn
Patricia McManus
Louise Wright
Judith Clark
Mary Ieronimo
Anna Blanchard
Carol Piccolo
Susan Bell

Precinct 6: Joan Ayube
Marjorie Bragg
Lois Hawks
Shelly Murphy
Isabelle Minkle
Georgia Iverson
Jeanne Turney
Judith Thompson

Also, please reappoint Virginia Landis to the Board of Registrars for a three year term.

2011 CAPEWAY RACE & PRACTICE SCHEDULE								
		SPRING SERIES				FALL SERIES		
27-Mar	SUN	RACE				10-Jul	SUN	RACE
03-Apr	SUN	RACE				13-Jul	WED	PRACTICE
10-Apr	SUN	RACE				17-Jul	SUN	RACE
17-Apr	SUN	RACE				20-Jul	WED	PRACTICE
01-May	SUN	RACE				24-Jul	SUN	RACE
08-May	SUN	PRACTICE				27-Jul	WED	PRACTICE
22-May	SUN	RACE				31-Jul	SUN	RACE
29-May	SUN	RACE				03-Aug	WED	PRACTICE
05-Jun	SUN	PRACTICE				07-Aug	SUN	RACE
19-Jun	SUN	RACE				10-Aug	WED	PRACTICE
26-Jun	SUN	RACE				14-Aug	SUN	RACE
						17-Aug	WED	PRACTICE
						21-Aug	SUN	RACE
						28-Aug	SUN	RACE
						11-Sep	SUN	RACE
14-May	SAT	NEATV PRACTICE						
15-May	SUN	NEATV RACE						
11-Jun	SAT	NEATV PRACTICE						
12-Jun	SUN	NEATV RACE						
Schedule subject to change								

Chairwoman opened meeting at 7:04 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.

Selectman McKinnon noted that the Middleborough Lion's Club will be celebrating its 80th Anniversary. He requested that the Board's secretary forward him a proclamation template so that the Board may provide recognition of the club.

MINUTES

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve 3/7/11 meeting minutes.

Motion made by Selectman Spataro and seconded by Selectman McKinnon to approve 3/14/11 meeting minutes with question by Selectman Rullo relative to budgets being prepared for the Permanent Cable Committee and similar departments. Board agreed to discuss further at the end of the meeting.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve 3/7/11 Executive Session meeting minutes. M. Brunelle abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve 3/14/11 Executive Session meeting minutes.

NEW BUSINESS

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to approve multiple One-day Wine & Malt beverages liquor licenses for Capeway Rovers Motorcycle Club for its "race dates" as presented on the attached.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to appoint Robert K. Burke to the Council on Aging Board of Directors with a term to expire in November 2013.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted to approve One-day All Alcoholic beverages liquor licenses for The Bartending Service of New England for 4/1, 7/22, and 10/14 for Nemasket River Production events to be held at 133 Centre Street from 6 PM to 10 PM. M. Brunelle abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to sign Warrant for Annual Town Election. Chairwoman requested it be put on website by Town Clerk.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to certify estimated increased residential population as of 7/10/11 for Seasonal Package Goods store liquor license.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to approve Town Hall rental request by Central Baptist church on 4/9/11 from 3 PM to 11 PM.

HEARINGS, MEETINGS, LICENSES

Town Planner Ruth Geoffroy and Town Manager spoke to the Board about the Street Acceptance Betterment process for River's Edge Drive and Edgewater Drive. Town Manager explained that using this process is in order due to the large expense. They are making very good progress on this and are working with Town Counsel on the matter. An article will be prepared for the June 6, 2011 Town meeting warrant. Chairwoman noted that the Board will have the Planning Board in sometime in the future to review the whole process.

Selectman McKinnon recognized that Edgeway Mobile Home Park residents were in attendance. Chairwoman acknowledged that she had already noted their presence and had confirmed with them that they were not present to speak.

BUDGET REVIEWS

Board met with the following departments to review their budgets:

General Government

- Health Department
 - Animal Control
- Town Clerk
 - Elections & Registration
- Conservation Commission
- Information Technology
- Treasurer/Collector
 - Debt Service
 - Employee Fringe Benefits
 - Unclassified
- Planning Board
- Town Accountant

Town Manager announced that the Assessor's budget review would be rescheduled to 3/30/11.

TOWN MANAGER'S REPORT

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to sign Project Authorization form for the 2nd grant we are applying for through MA Historical, which will authorize the Town Manager to sign a contract if the Town gets the grant.

Selectman McKinnon noted that because the Town Hall cupola dome will be sealed up with a synthetic roof underlayment, he wants to make sure this material gets replaced if cupola is not restored within the recommended 120 day maximum exposure timeframe. He suggested that the cover should be placed at an angle so that water will run off of it. Town Manager will take care of it. Town Manager's hope is to get the cupola down, repaired, & replaced as quickly as possible. His goal is to not have it down any longer than it has to be. He expects work to take place either Thursday or Friday of this week.

Town Manager noted Murray Brothers narrative included in his weekly report. He informed the Board that he had given a copy to the Historical Committee.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted unanimously to have Town Manager draft a letter, as requested by the MMA, indicating that the Town will join in local aid resolution.

Town Manager noted that his report included an update on the Old Colony Commuter Rail Tie Replacement Project. He will make sure information is also updated on website.

CORRESPONDENCE

#1 Selectman McKinnon – EPA has been heard from re the Town's landfill being in non-compliance. Selectman McKinnon noted that the EPA letter was addressed to Steve Lombard and suggested they be notified to update Town Manager's name. The report indicates that they were able to smell odor in different areas for quite awhile. Waste Management has 30 days from 3/9/11 to respond to the EPA with a plan of action.

#9 Selectman McKinnon noted Middleboro Lion's Club will be celebrating its 80th Anniversary on 4/16/11 at the Oak Point Clubhouse Grand Ballroom, 200 Oak Point Drive beginning at 6:30 PM. Tickets are \$28 per person with RSVP deadline of 4/1/11 to Susan Beaulieu, 3101 Oak Point Drive.

OTHER

Selectman McKinnon reported that each of the Selectmen were at a luncheon yesterday for troops who were going overseas. Out of the many emails he has received, one is from the DOR. They have allowed Towns, providing that Town Meeting approves it, to waive real estate and personal property taxes to the veterans who are overseas. We can authorize any percentage we want, but we cannot go up from the percent agreed upon. This is only while they are on active duty. It may not impact many of those who are going overseas, but it will impact some. Town Manager will send a copy of the DOR email to the rest of the Board members. Selectman McKinnon would fully support. Chairwoman suggested Board discuss at its next meeting on 3/28/11. Selectman Spataro asked if the Town Manager could check with Assessors office as to what the impact would be. The program is available, at the discretion of the towns, to National Guard units only. Matter to be put on next week's agenda. Allin Frawley asked the Board if it could write a letter to the MG&E and see if it would be able to offer similar waivers to these service men & women. Board agreed.

Board continued its discussion relative to establishing budgets for the Permanent Cable Committee and similar departments. After some discussion, Board voted as follows. Upon motion by Selectman Rullo and seconded by Selectwoman Duphily, Board voted to defer preparing budgets on other similar accounts until next year and that this year we only present the Permanent Cable Committee's budget for informational purposes at Town Meeting. Three in favor. Selectman Spataro opposed. Selectwoman Brunelle abstained.

Brian Giovanoni addressed Board and suggested that when the Town moves forward with putting a computer in the Selectmen's Hearing room, it would be wonderful to add a little wide fidelity. It would be a great little addition. He suggested maybe a \$50 piece of equipment. If people are going to be coming into the hearing room to do training, it would be beneficial to them.

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Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted unanimously to adjourn meeting at 11 PM

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN