

MINUTES

For approval at the 3-7-11 meeting

**Middleborough Board of Selectmen
Meeting Minutes**

February 28, 2011

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 Middleborough Friends group has obtained A&M Contracting to repair the roof of the Animal Control shelter with funds raised and in cooperation with the Pierce Trustees.

MINUTES

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve 2-14-11 meeting minutes.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve One-day All Alcoholic beverages liquor license for Muckey's Liquors for 3/23/11 at 200 Oak Point Drive from 6 PM to 10 PM.

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 for 3/5/11 at the Alley Theatre, 133 Center Street from 6 PM until 10 PM. M. Brunelle abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted unanimously to approve re-appointments to the Agricultural Commission, retroactive to 1/1/11 as follows:

Connie Miller	two year term	Full member
Louise Cowan	three year term	Full member
Nancy Parks	three year term	Alternate member

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to approve re-appointments of Town Constables for 2011 as presented on the attached list.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted unanimously to approve the "Authorization to Sign" as presented on the attached by DPW Director A. Bagas and dated 2/23/11.

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to grant permission to Colonial Retriever Field Trial Club to discharge firearms during its AKC Licensed Retriever Field Trial on Sunday, May 8, 2011. Selectman McKinnon requested notice be provided to the Police Chief.

**Middleborough Board of Selectmen
Meeting Minutes**

February 28, 2011

Upon motion by Selectman Spataro and seconded by Selectwoman Dughily, Board voted unanimously to approve an extension of time for performance of the agreements between the Town and White McGill Realty, LLC regarding an exchange of land in South Middleborough to August 19, 2011.

Upon motion by Selectman Spataro and seconded by Selectwoman Dughily, Board voted unanimously to approve the Town Manager's proposed time line re search for Town Clerk position.

HEARINGS, MEETINGS & LICENSES

State Fire Marshal Stephen Cohen recognized Fire Chief Lance Benjamino for now being credentialed as a Fire Chief in the state of MA. Chairwoman congratulated Chief Benjamino on behalf of the Board and thanked him for putting in the time to accomplish this for the betterment of the community.

NEW BUSINESS

Capital Planning Chairman Steve Morris introduced members of the Committee followed by presenting the Committee's report. Chairman Morris thanked the Town Manager for his participation in helping to prepare the Committee's report. A question and answer period ensued between the Committee Chairman and the Board. Selectman Rullo thanked the Committee and recognized that a lot of work went into preparing its report. Capital Planning Committee member Lincoln Andrews addressed the Board and suggested that the Board consider asking the MG&E if it might offset some of the expenses for upgrades on HVAC's for Town buildings. Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to ask MG&E Commission members to meet with the Board to discuss possibilities.

Neil Rosenthal addressed Board to note that the Capital Planning Committee certainly didn't mean to ask the MG&E to raise rates to taxpayers. If they can help us great, if they can't, they can't. Chairwoman noted that the Board would just want to meet with them to see if they can help or offer suggestions.

Public Communications Manager for MG&E Sandy Richter addressed Board and offered that it would help this Board to understand the public utility laws and acknowledged Board's earlier wish to meet with the Commission. Chairwoman responded that we will be forwarding the Commission a letter inviting them in.

Finance Committee Chairman R. Pavadore addressed Board with question relative to I.T. capital planning items vs. I.T. budgetary items. Selectman Rullo and Town Manager answered his question. Town Manager noted Committee will meet again in March and work towards critiquing plan.

Jane Lopes reported that the Historical Commission voted unanimously to recommend that the Board turn the Creche over to the Central Congregational Church. There's approximately \$400 in the account that could be turned over to the Church to use towards restoring the Creche. Upon motion by Selectman Spataro and seconded by Selectwoman

**Middleborough Board of Selectmen
Meeting Minutes**

February 28, 2011

Duphily, Board voted unanimously to transfer ownership of the Creche to the Central Congregational Church.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to support turning the account money, mentioned earlier by Jane Lopes, over to the church to be used towards restoration of the Creche.

OTHER

Ted Eayrs addressed Board to speak about the plans to repair the Town Hall Cupola. He offered that he understands we have 3 bids with the lowest bid being significantly lower than the other two, and he believes the lowest bid is too cheap. He noted that using a firm that has experience with steeples, etc., is preferred in order to have his vote of confidence. Town Manager offered that he thinks there may be some misunderstanding of his comments in the newspapers, with an assumption that the lowest bidder had been chosen as the winning bid. That is not the case. It was still dependent upon the engineers.

Rob Derosiers addressed Board asking to postpone taking the Cupola down until it can be reviewed by some local people, such as Mr. Eayrs, Eric Cedarholm, & Steeplejacks. Town Manager responded that there would be no harm in having more people look at it. He would include the Town's architects and suggested all of them should go up there and look at it together. He recommended getting up there this week as he doesn't recommend it wait two more weeks. Town Manager doesn't believe it can be repaired from within. Mr. Derosiers, Mr. Eayrs & the Town Manager got together for a few minutes to set a schedule.

CORRESPONDENCE

#4 Selectman McKinnon noted that Verizon is raising their rates & going up on the premiere service 23.26 % and up 20% on another. He asked if we have any language in our contract to limit them. Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to ask Permanent Cable Committee to address.

#6 Selectman McKinnon requested that DPW Director follow up re Tispaquin Street Earth Removal site and required highway signage.

#15 Selectman McKinnon asked if the Town can require lifeguards through the licensing of pools/ponds in Town. Town Manager responded that we can look into, but leans towards it not being allowed as they would be located on private property.

#22 Selectman McKinnon noted letter from Town of Kingston re non-funded mandates. Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to write a response to the Town of Kingston and copy our legislative delegation.

**Middleborough Board of Selectmen
Meeting Minutes**

February 28, 2011

Chairwoman asked Board's Secretary to look into status of Plymouth County Selectmen's Association.

#10 Selectwoman Duphily noted letter from J.T. Nichol's school and its wish to have the school chorus lead the National Anthem at the Annual Town Meeting. The letter has been forwarded to the Town Moderator.

#16 Selectwoman Duphily asked if anyone will be attending the MA Sustainable Communities Conference on 4/15/11 in Marlborough. Town Manager responded that he wasn't planning to.

#17 Selectman Rullo asked what the Town policy is relative to pothole incidents. Town Manager responded that the Town sends to the insurance company and they send letter.

#18 Selectman Rullo noted that the Friends of Middleborough Library will host an Irish Music night on 3/11/11 at the library.

#20 Selectman Rullo noted correspondence re Open Source Municipal Integrated Software System and suggest that it wouldn't hurt to keep in touch with the people investigating the feasibility and desirability of various applications.

TOWN MANAGER'S REPORT

Town Manager gave the Board a copy of his draft budget schedule.

Selectwoman Duphily asked that the announcement re Road Safety Audits scheduled for 3/24/11 at 9:30 a.m., Town Hall, Selectmen's Hearing room be put in newspaper so residents can attend. Town Manager noted that the announcement is also scheduled to be on cable.

Selectman Rullo inquired re status of Selectmen email addresses. Town Manager responded that they just realized the way it is set up won't capture emails "sent out" by selectmen. It can work by logging the Selectmen onto the Town server. Selectman Rullo asked how long this would take. Town Manager responded it would be done this week. Motion made by Selectman Spataro and seconded by Selectman McKinnon to ask Town Manager to set up distribution account and individual account names for individual selectmen. Allin Frawley announced that he noticed today that the website shows individual buttons for each member and it lead him to believe, if he selected a specific name, it would just go to that selectman. That's the impression that the website gives. After further discussion, motion was withdrawn. Town Manager to report back next week with recommendation.

Board agreed to defer goals & objectives to next week.

**Middleborough Board of Selectmen
Meeting Minutes**

February 28, 2011

OTHER

Selectman McKinnon was at SRPEDD meeting last Wednesday. There is a bill going through the state to revise the Zoning Act. He will give to Board's secretary for Board's packets and asked that a copy be sent to Planning department.

Selectman Rullo:

- Suggested Board ask Permanent Cable Committee if it is ready to meet and update Board on PEG access. He suggested March 7th or 14th. Chairwoman will contact Committee.
- Asked where Town is with the Edgeway Mobile Home park hearing & the legal briefs due. Town Manager responded that Town Counsel has the documents and that the Board will address in public when it does address the matter further.
- Requested status of all open lawsuits to see if Town can bring closure to some. Chairwoman noted that she had asked Tow Manager to get status report from Town and Labor Counsels and Board will look at soon.
- Camping season is approaching. He'd like to get an update on all campgrounds. Town Manager to find out if KOA abutters got notice re DEP comment period for septic system improvements.

Selectman Spataro:

- Noted that the Town of Middleborough's budget is three times as much as the Town of Lakeville's, but Middleborough only has two times the population. He indicated he would give a copy of Lakeville's budget to the Town Manager and ask if he can give a response next week.

Brian Giovanoni addressed Board and announced pre bid opening on ambulance is scheduled at Town Hall this Friday, 3/4/11 at 11 a.m.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted by Roll Call to go into Executive Session at 9:41 PM to discuss strategy relative to Non-Union Contract negotiations and not to return into Open Session. Ended at 10:20 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN



Town of Middleborough
Massachusetts
Department of Public Works
48 Wareham Street
Middleborough, MA 02346
Phone 508-946-2485 Fax 508-946-2484

February 23, 2011

To: Marsha Brunelle, Chairwoman
Board of Selectmen

From: Andrew Bagas
Director, Dept of Public Works

A handwritten signature in black ink, appearing to read "Andrew Bagas".

Re: Authorization to Sign

In following the advice of Steve Dooney, Town Accountant I am informing the Board that in the absence of the Wastewater and Water Superintendents that I will be signing the following documents:

- Payroll
- Vendor payments
- Billing commitments and warrants
- Abatements

In the event of my absence as well as the Superintendents the following personnel are authorized to sign the above documents for their respective departments:

David Blanton - Highway / Sanitation
Louis Ponte - Water
Craig Smail - Wastewater

Cc: Steve Dooney – Town Accountant
Judy MacDonald – Town Treasurer / Collector
Todd Goldman – Wastewater Superintendent
Joseph Silva - Water Superintendent
Charles Cristello – Town Manager

