

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 & RENT BOARD

DATE OF MEETING: Monday 5/9/11 TIME: 7:00 PM PLACE: Town Hall

Date and time received by Town Clerk

Clerk/Board member posting notice

MEETING CANCELLED: _____ DATE & TIME CANCELLED: _____

CLERK/BOARD MEMBER CANCELLING THE MEETING: _____

****REVISED** AGENDA**

1. Pledge of Allegiance

2. Other

3. Announcements & Recognitions

4. Minutes: 5-2-11 Regular & E.S. Meeting Minutes

5. New Business - 7:05 PM

1. Vote to declare C.O.A. 1999 Dodge Caravan Mini van as surplus
2. Vote to join Southeastern MA Law Enforcement Council
3. Vote to sign release/waiver of Middleboro Sportsman's Club, Inc.
re use of facility by police department for firearms qualification.
4. Vote to sign Memorandum of Agreement w/ Middleborough Superior Officers
5. Vote to sign STM/ATM Warrants
6. Determine meeting date for public hearing re Town Meeting Warrant Articles

6. Hearings - Meetings - Licenses

- 7:15 PM Capital Plan review
7:30 PM Quarterly Financial Report - Town Accountant Steve Dooney
7:45 PM Earth Removal application hearing - Byrne Sand & Gravel
8:00 PM Title V Failure, 57 Lakeshore Drive - Hearing for upgrade
Kevin Forgue, GAF Engineering

7. Unfinished Business

1. Discuss Edgeway Financials

8. Town Manager's Report

9. Bills

SouthCoast Media Group

10. Correspondence

11. Executive Session

12. Adjourn

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

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

Town Manager left the meeting briefly to meet with the Capital Planning Committee.

ANNOUNCEMENTS

The meeting was broadcast live by Middleborough Cable Committee Access Media.

Selectman McKinnon offered his thanks to DPW Director A. Bagas for having Town crosswalks painted last week.

Selectman Frawley noted that he had received two I.M.A.'s from Lakeville and offered that he will distribute them to the rest of the Board for discussion at its next meeting.

RECOGNITIONS

Selectman Quelle recognized the school children for their fantastic artwork that had been on display in the Town Hall last week.

Selectman Frawley recognized the P.T.A. and Sharon Ellis for the wonderful spaghetti dinner event Friday night. He also recognized the Burt Wood School of Performing Arts for the show that followed the dinner.

Chairman Rullo recognized the School Committee for its budget presentation last week. He congratulated them & offered that he looks forward to continuing to work with them.

MINUTES

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 5-2-11 meeting minutes with correction to page three as noted.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 5-2-11 Executive Session meeting minutes with correction to page three as noted.

NEW BUSINESS

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to declare C.O.A. 1999 Dodge Caravan Mini van as surplus equipment.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to join the Southeastern Massachusetts Law Enforcement Council (SEMLEC) as recommended by Police Chief Gates.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to sign release/waiver of Middleboro Sportsman's Club, Inc. re use of facility by police department for firearms qualification.

Town Manager joined the meeting at 7:22 PM. Upon motion by Selectman McKinnon and

seconded by Selectman Frawley, Board voted unanimously to sign Memorandum of Agreement between Town of Middleborough and the New England Police Benevolent Association, AFL-CIO Local 96 (Middleborough Police Superior Officers).

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to open the Special and Annual Town Meeting Warrants. Chairman Rullo explained that this was necessary in order to add two articles.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to put a placeholder on the warrant for the Lakeville I.M.A. article.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to put a placeholder on the warrant for a possible TIF with Ocean Spray Cranberries.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to close the warrant.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to sign the Special and Annual Town Meeting warrants.

Town Manager explained that the Town Moderator had reminded him that public advertisement of the warrant is a valuable tool, therefore, waiting to hold the public hearing on the warrant, would limit that exposure. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to hold the public hearing re STM/ATM Warrant articles on May 16, 2011 at 8 PM.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to conduct the Town Clerk interviews on Wednesday, May 18, 2011, beginning at 7 PM.

HEARINGS, MEETINGS & LICENSES

Capital Planning Committee (CPC) Review

Capital Planning Committee (CPC) Chairman Steve Morris addressed the Board and reviewed the work of the Committee. Selectman Frawley questioned whether the listed IBM P520 is actually a capital expense or if it should be considered a budget item. Chairman Rullo offered that he would find out at this week's I.T. Assessment Implementation Task Force meeting. Selectman Quelle asked if there are any projected grants to defray I.T. expenses. Chairman Morris responded that he doesn't think so. Lincoln Andrews asked Chairman Morris to explain how the bonding changes over the years. In summary, Chairman Morris explained that the Town hopes to decrease the amount it borrows each year over the next five years. Chairman Rullo thanked the CPC for its report. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to thank the CPC for an excellent job and to have its report be included as part of the record of tonight's meeting.

Quarterly Financial Report - Town Accountant Steve Dooney

Town Accountant Steve Dooney presented his FY'11 March Financial Report. The Board engaged in a question and answer period with Town Accountant. There were no questions asked by the public. Chairman thanked Mr. Dooney.

Earth Removal Application Hearing - Byrne Sand & Gravel

Chairman opened hearing at 8 PM by reading aloud the public hearing notice. GAF Engineer Bill Madden explained that the project has been going on for several years and that the three-year permit has expired. This application is for a continuation of the same project. They have built cranberry bogs at each stage. He offered that the conditions of previous permits have been met and that he is unaware of any issues with abutters. It is likely that they will come back in the future for extensions of expansion, but this three year permit would be sufficient for the removal of the proposed 881,200 cubic yards. They will maintain 100' buffer zone bordering vegetated wetland. Selectman McKinnon expressed his concerns as to whether or not the roads can handle the expected trips to be made by the trucks hauling the removed material. Mr. Madden explained that they normally run 4-5 tractor trailers per day. They don't haul during the winter months (approximately 4 months). Each truck makes 14-15 trips per day. Selectman Frawley asked if they plan to build more cranberry bogs on the rest of their land and the answer was yes. Chairman asked to hear from abutters. Valerie Ruffo asked questions relative to dust control and the location of the project. Ms. Ruffo appeared satisfied with the responses she received. Brian Giovanoni offered that the applicant does an immaculate job with their projects. Hearing no further comments or questions, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the application for a three-year Earth Removal permit.

Title V Failure, 57 Lakeshore Drive - GAF Engineering

Hearing was held for a septic system upgrade & variance request for 57 Lakeshore Drive. Health Officer J. Spalding addressed Board to present request. After presentation, Chairman asked to hear comments from abutters. No abutters heard from. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted to approve septic system upgrade and variance @ 57 Lakeshore Drive.

UNFINISHED BUSINESS

Discussion re Edgeway Mobile Home Park Financials

Chairman reviewed the financial documents that had been provided by Attorney Marsan on behalf of his client Corey Farcas. Chairman offered that his concern is that the property management fee dramatically changes year to year. He suggested that the Board may want to request further information before the hearing on 5/23/11.

Jane Lopes asked if the Board was going to request this information via a subpoena as a procedural matter. Town Manager responded yes.

Carol Robertson of 23 Lyn Lane addressed Board and asked if the hearing can go forward on 5/23/11 even if Mr. Farcas doesn't show up. Chairman Rullo responded that he would find out from Town Counsel.

Paul Robertson of 23 Lyn Lane offered that the name of the management company is ISM Leasing and suggested that the Board may want to get financial documents from them as well.

TOWN MANAGER'S REPORT

Town Manager explained that he was unclear in his instructions re inserting and arranging some Annual Town Meeting warrant articles, and therefore, the Board would need to open the warrant again so that two articles could be re-entered. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to open the Annual Town Meeting warrant

and add the articles re street acceptances and Washburn Mill. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to close and sign the Annual Town Meeting warrant.

Town Manager noted letter he sent to Morgan Management re Hillcrest Mobile Home Park. Town Manager reported that Morgan Management told him it wasn't an eviction notice that Chester Garland of 14 Gladys Drive had received, but rather, a "Notice to Quit".

Town Manager noted a second letter he had sent to Morgan Management re Hillcrest Mobile Home Park regarding a non-working water meter. Board agreed to request that Attorney Kraus, representing the park, come to the Board's next meeting at 9 PM to discuss.

Board noted letter and sketches to Representative Straus re Middleborough Rotary. Selectman Frawley recommended that each of the Selectman call Representative Straus and continue to call until they get a response. Selectman Frawley informed the Board that he has made numerous calls to Representative Straus and has received no response. Town Manager noted that he sent Representative Straus the disk with the Rotary designs on it and agreed that as Secretary to Transportation Committee, Representative Straus would have a lot of clout.

Brian Giovanoni offered that the Rotary has an American Legion monument in the center of it.

BILL

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve payment of bill to Southcoast Media Group in the amount of \$205.28 re published Edgeway Mobile Home Park public hearing notice.

CORRESPONDENCE

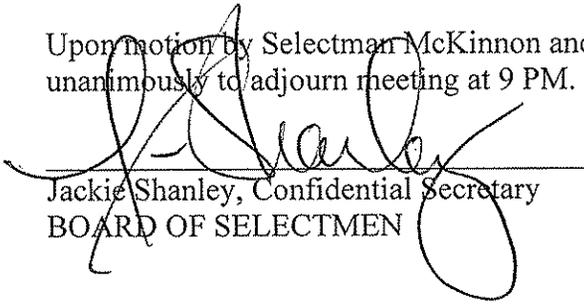
#10 Selectman McKinnon noted that he will attend the Annual SRPEDD meeting on 5/26/11.

Selectman Quelle offered his appreciation to the Finance Committee, Capital Planning Committee, and School Committee for all the budget correspondence that they have been providing.

#2 Selectman Frawley offered that he wants Mr. Malcolm to know that we received his letter. Selectman Frawley also noted that he has received the New Officials Finance form. He also announced that he will be attending the MMA National Leadership Conference.

#3 Selectman Rullo noted job posting for a Council on Aging van driver. Town Manager will have it put on Town's website.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to adjourn meeting at 9 PM.


Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN