MINUTES

For approval at the 6-20-11 meeting

Middleborough Board of Selectmen **May 31, 2011**
Meeting Minutes

DRAFT

Chairman opened meeting at 7 PM.

In attendance were: Selectmen A. Rullo, S. McKinnon, S. Spataro, A. Frawley & Ben Quelle, and Town Manager C. Cristello.

OTHER
Selectman McKinnon announced Town Meeting is taking place next week.

ANNOUNCEMENTS & RECOGNITION
None.

MINUTES
None.

NEW BUSINESS
Conditional Offer of Employment - Police Officer
Police Chief Gates explained the Conditional Offer of Employment for a new police officer. Labor Counsel has drafted a letter with all of the conditions. The candidate is a resident of Middleborough. Board asked several detailed questions. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to make Conditional Offer of Employment to Michael P. Lonergan. Four in favor. Chairman abstained.

One-day Liquor licenses
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 N.E. on 6/11/11 from 6 PM to 11 Pm at the Alley Theatre. Four in favor. Chairman abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted to approve One-day Wines & Malt Beverages liquor license for The Bartending Service of N.E. on 6/17/11 from 6:30 PM to 11 Pm at the Alley Theatre. Four in favor. Chairman abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted to approve One-day Wines & Malt Beverages liquor license for The Bartending Service of N.E. on 6/18/11 from 6:30 PM to 11 Pm at the Alley Theatre. Four in favor. Chairman abstained.

Restrictive Covenant for 33 Smith Street
Chairman Rullo read aloud an email from Health Officer Spalding. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to sign the Restrictive Covenant for 33 Smith Street. Four in favor. Chairman abstained.

Withholding AMR's May & June payments
At the suggestion of the Town Manager, Board did not take action on this item.

HEARINGS, MEETINGS, LICENSES
None.

UNFINISHED BUSINESS
None.

TOWN MANAGER'S REPORT
None.

CORRESPONDENCE
#7 - Board had a discussion of the CEHIC letters and the follow up needed to push the issue toward closure.

Selectman McKinnon announced the Plymouth County Selectmen's Association Meeting on June 9th is being held at the Middleborough Town Hall.

#2 - Several Selectmen announced they would attend the Leadership Conference on 6/11/11.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted by Roll Call to go into Executive Session to discuss strategy relative to collective bargaining and pending litigation. Roll Call: A. Rullo, Yes; S. McKinnon, Yes; S. Spataro, Yes; A. Frawley, Yes; B. Quelle, Yes. Chairman announced Board would not return into Open Session.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

Middleborough Board of Selectmen
Meeting Minutes

DRAFT

June 6, 2011

Chairman Rullo convened the meeting in the Middleborough High School conference room at 6:30 PM following a reception for retiring Town Clerk Eileen Gates.

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

Town Manager introduced the new job description for the Town Clerk's position. Town Manager informed Board that it was the result of discussions with members of the GMEG bargaining unit. This version includes more updated duties performed by the Town Clerk. The Board asked several questions and discussed the draft. Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve the new job description.

Board discussed the warrant articles that had been passed over in previous meetings. Upon the motion by Selectman McKinnon seconded by Selectman Frawley, Board voted unanimously to recommend that Town Meeting postpone Articles 18 and 21.

Board moved to the Auditorium.

Board adjourned meeting upon the completion of Town Meeting at 9:50 PM.

_____

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

Middleborough Board of Selectmen
Meeting Minutes

June 8, 2011

DRAFT

Chairman opened meeting at 7 PM.

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

Water & Wastewater Workshop

Board welcomed Dana Green and Adam Youlis of CAM. Mr. Youlis explained the origin of the Town's agreement with CAM. Mr. Green reviewed the NPDES Permit Review and Roadway memorandum that he prepared for the Town. CAM has modified a plant upgrade estimated at $30 million based on its experience with other similar NPDES permit renewals. Preliminary design should begin later this year in order to anticipate the construction timetable that will be imposed by the EPA. In order to avoid a big rate shock in the coming years, CDM offered a rate smoothing model that would result in an increase of 14% for the next four years. Board asked many questions and discussed the memorandum with the consultants and the state.

Mr. Redland Johnson from Amory Engineers presented the Capital Improvement Plan for the Water Department that was funded by a grant from the DEP. The plan incorporates water main replacements, new source development, satellite the well installation, water treatment plant construction, storage tank replacements, as well as other maintenance items. The total cost over 20 years is $40 million, however, the larger size of the Water Department budget means that the overall increases needed to fund the CIP will be much less than in the Wastewater budget previously discussed. Board asked many questions and discussed the CIP with the consultant and the state.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 9:10 PM.

_____

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

Middleborough Board of Selectmen
Meeting Minutes

DRAFT

June 13, 2011

Chairman opened meeting at 7:03 PM.

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

ANNOUNCEMENTS
The Middleborough Public Library and the Office of Economic & Community Development will sponsor a Job Fair and Business Expo in the Town Hall Auditorium from 8:30 AM to 12:30 PM on Friday, June 17, 2011.

OECD is offering low interest rate loans for low to medium income families and will hold a Workshop 6/15/11 at the Middleborough Public Library from 5 pm to 7 pm and on 6/23 at the Lakeville library from 5 pm to 7 pm.

The Community Preservation Act (CPA) Bylaw passed at Town Meeting. Anyone interested in serving on the Community Preservation Committee (CPC) may submit letters of interest to the Selectmen's office.

Brian Giovannoni announced that the Finance Committee is meeting this Wednesday, June 15, 2011 at 7 PM at Town Hall and discussing the Fire Department SAFER Grant Selectman Frawley noted that the EMS Committee will also be meeting at 7 PM on Wednesday, June 15, 2011 at the Fire Department.

MINUTES
Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve 5-23-11 meeting minutes.

NEW BUSINESS
Town Hall Rentals
Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve Town Hall rental by Shepherd's Path on 6/24/11 for a graduation ceremony. Three in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve Town Hall rental by SEMCA on 11/6/11 for a Square dancing event. Three in favor. Chairman abstained.

Summer Meeting Schedule
Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted to approve summer meeting schedule as follows: 7/11, 7/25, 8/8, 8/22 & 9/12/11. Three in favor. Chairman abstained.

Common Victualler - Chinatown Restaurant
Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve Common Victualler license for Chinatown Restaurant, 321 W. Grove Street. Three in favor. Chairman abstained.

Appointment to OCES
Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted to appoint Council on Aging Director Andrea Priest as the Town's representative to the Old Colony Elder Services Board of Directors. Three in favor. Chairman abstained.

Update re Edgeway Mobile Home Park
Chairman gave update re Edgeway Mobile Home Park and explained that the Judge recommended that the parties come to an agreement. They discussed drainage, lighting, roads & the buffer zone in a meeting between Chairman Rullo, the Town Manager, Planning Director, Building Commissioner, Health Officer, Town Counsel, Attorney Marsen and Corey Farcas. The current Park Operator is in agreement with what the Town has proposed. The Park Operator is looking for the Town to postpone any further legal action until we can agree on what we want to do. If we push forward, it will end up in lengthy court litigation. They have established very short milestones such as a re-evaluation of all units in the Park by next week and to meet in one week and come up with a timetable to install vents. They agreed to cut down dead branches hanging over some of the units within the next two weeks. They agreed to come up with an approach within the next three weeks relative to drainage. They will be talking with MG&E next week to discuss lighting issues, which the Board hopes to have completed before fall. The roadwork assessment will be done during the drainage assessment. Town Manager noted that there will be a site visit within two weeks with an Arborist followed by a plan to restore the buffer. Town Manager offered that, for the first time, it appears that the Park Operator is making significant indications of taking action to address the issues. Chairman recommended granting a three week extension on filing any additionally legal action. Motion made by Selectman Spataro and seconded by Selectman Frawley, for discussion, to grant three week extension. Selectman Frawley asked if there is any time frame, say after six months, that the Board couldn't re-institute legal action. Town Manager answered no and that the Board can always indicate to the Judge that it wishes to move forward with Court action. Selectman Frawley thanked the Chairman and Town Manager noting that it sounds like we are making progress. Selectman Frawley announced that he would like to hear from some of the residents. Selectman Quelle suggested specifying meeting dates in which the Board can anticipate receiving updates that the milestones are being met. If progress is stalled, Board will initiate court proceedings per Chairman. Rent Control hearing matter will also be postponed for as long as the Park Operator continues to make progress in order to create an environment to allow continued discussions. Selectman Frawley suggested that if the Board decides that the milestones are not being met, he suggests that at the immediate next meeting, the Board comes to a ruling on the Rent Control. Chairman responded that the Board has to

allow Attorney Marsen to submit a written summary, which means giving him one week and then render a decision. Chairman will inform him of that next time they meet. Selectman Spataro and Selectman Quelle both noted that they appreciate the efforts put forward in trying to resolve the issues. Anne McGann addressed Board to offer that she is not confident in the sincerity of the Park Operator's intentions to make progress. Town Manager reminded everyone that the Judge told both Counsels not to initiate any further proceedings so it would be against the Judge's wishes to do so. Anne McGann offered that they have health issues relative to mold in some of the units. She also feels that the rent rollback is important. Louisa Brown, 162 Wesley Circle offered that she appreciates what the Selectmen are trying to do for them. She is uncomfortable with not knowing who is coming out to do the work, she wants her house done before winter, and that they make $600-$800 per week and they are never there. She further noted that they collect $15,000 per month from us. She respects that the Board is giving them time, but she would like a list of what's going to be done each week. She suggested Selectmen come out and look under their homes. Selectman Spataro asked her if she was saying that they are not getting notice when workers come out. Selectman Spataro asked if we can ask Park to give the residents notice of when and who is coming out to do work. Town Manger responded that he will do that. Three in favor. Chairman abstained.

HEARINGS, MEETINGS & LICENSES

New Precinct Map

Town Clerk Eileen Gates addressed Board to present new precinct map. She informed the Board that she had a lot of help on this from the Town Planner, Town Assessor, and Brian Giovannoni, and therefore, feels confident that it is in good shape. Jane Lopes addressed Board to ask how people will know if their precinct has changed. Town Clerk responded that we will get something in August and anybody in that precinct will get letters from the Town Clerk's office. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve map. Three in favor. Chairman abstained.

Review of Format for 6/20/11 meeting re Fire Department SAFER Grant

Chairman reviewed format of 6/20/11 meeting. He laid out the manner in which he would suggest conducting the meeting, such as calling on each Committee, one at a time. Selectman Frawley encourages everyone to keep an open mind as to how this going to work. He would appreciate that everyone who comes to this meeting, maintains an open mind until we hear from the EMS Committee, the Fire Chief, & the Finance Committee. He also offered that for those who can't attend, and have questions, the Selectmen would be happy to ask those questions for them. This is a Town Public safety matter and he would appreciate it if those who have questions or concerns, attend the meeting. Selectman Quelle asked for an explanation of the purpose of the meeting.
Town Manager explained that the grant is predicated on brining in new Fire department personnel and whether we can sustain that level of service after the grant runs out in the third year. You are either going to do this over the long term or you're not. We are

talking about making a historic change on how we provide service in Middleborough. The ability to continue to fund it would be a budget matter. Selectman Frawley noted that he is on the EMS Committee. It wants to be part of this decision. The charge of the EMS Committee is to oversee the ambulance service & quality of service. He further noted that the SAFER grant is a staffing grant and that no matter how it turns out, he absolutely applauds the Chief for having had applied for, and received, this grant. The grant is to bring staffing up to adequate level. In order to continue to fund that, an in-house ambulance service appears to be the only way to do that, at this time. Selectman Spataro offered that he thinks the Board should hear from the Town Manager on the 20th also. Town Manager noted that the Chief will provide presentation for Board's packets this Friday. A copy will be provided to the Finance and EMS Committees as well. The 20th is only for presentation & Q&A. A decision will not be made until 6/27/11.

TOWN MANAGER'S REPORT
Town Manager noted his letter to Allison Ferreira appointing her as Town Clerk.

Town Manager informed the Board that he has hired Caroline LaCroix as his new Assistant.

Mr. Whalen will be going to the Town of Munson to help with issues relative to the Tornadoes.

BILLS
Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve payment of bill in the amount of $2,365.77 to SouthCoast Media Group. Three in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve payment of bill in the amount of $565.00 to Jones Day. Three in favor. Chairman abstained.

CORRESPONDENCE
#3 Selectman Spataro asked Town Manager if he's heard anymore on the matter of Municipal Health Insurance Reform since last week. Town Manager answered that he has not.

Selectman Frawley noted that he, Selectmen McKinnon, and Selectman Rullo attended the Selectmen's Leadership Conference on 6/11/11.

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted by Roll Call to go into Executive Session at 8:07 PM to discuss Pending Litigation and Collective Bargaining and not to return into Open Session. Roll Call: Selectman Spataro, Yes; Selectman Frawley, Yes; Selectman Quelle, Yes; Selectman Rullo, Yes. Ended at 9:20 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN