TOWN OF MIDDLEBOROUGH OFFICIAL MEETING POSTING

NAME OF PUBLIC BODY: Board of Selectmen
DAY AND DATE OF MEETING: Monday, July 23, 2012
TIME OF MEETING: 7:00 PM
LOCATION OF MEETING (INCLUDING ADDRESS): Town Hall, 10 Nickerson Ave.
MEMBER OF PUBLIC BODY POSTING MEETING: Jackie Shanley, Confidential Secretary
POSTED BY TOWN CLERK'S OFFICE: Amended Agenda Rec. July 20, 2012 @ 9:36 am
**FOR CANCELLATIONS*
MEMBER OF PUBLIC BODY CANCELLING MEETING: [Type text]
CANCELLATION POSTED BY TOWN CLERK'S OFFICE: *DATE:* *TIME:*

AGENDA (Amended 7/20/12)

1. **Pledge of Allegiance**
2. **Unanticipated**
3. **Announcements & Recognitions**
4. **Minutes:** (To be voted on 8/6/12)
5. **New Business:**
   1. Vote to approve 2nd Hand license for "Our Little Secret", 465 Center Street.
   2. Vote to approve 2nd Hand license for "The Children's Nest-Boutique & Consignment", 5 Wareham St.
   3. Vote to approve Betterment Agreements for 569 Wareham Street and 333 Marion Road.
   4. Vote to approve Water and Sewer Rates & Indirect Costs Report for FY'13.
   5. Vote to approve and sign Agreement Between Lakeville & Middleborough for Temporary Use of Lakeville's Comcast Channel 9 by MCCAM.
   6. Vote to appoint existing members of the Permanent Cable Committee to terms as recommended by Town Manager.
   7. Vote to sign 9/6/12 State Primary Election Warrant.
   8. Vote to name 9/15/12 as "Middleborough Memorial High School Class of 1962 Day".
   9. Vote to approve Fire department union Muscular Dystrophy "Fill the Boot Drive" on 8/24-8/26.
   10. Vote to sign Wood Street Culvert Replacement – Contract 2012-2.
   11. Vote to sign Agreement re: Consolidation of School and Town Information Technology Services
   12. Vote to authorize the Town Manager to approve Town Hall rental requests and to issue approvals for signs on the Town Hall lawn.
   13. Vote to appoint the Police Station Building Committee to evaluate design proposals and select finalists for the feasibility study approved at Town Meeting.
   14. Vote to send letter to Department of Interior to request Interested Party status during Land into Trust process.
6. **Bills:** MMA Annual Dues **AND** Jones Day bill
7. **Hearings, Meetings, Licenses**

   7:30 PM Pole Hearing – Campbell Street.
   7:40 PM Discussion of FY'11 Audit Report Management letter.
   8:00 PM Executive Session – Collective Bargaining-Employee Disciplinary Matter
8. **Unfinished Business** – Signs in the downtown.
9. **Town Manager's Report**
10. **Correspondence**
11. **Adjourn**

Middleborough Board of Selectmen **July 23, 2012**
Meeting Minutes

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

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

Meeting was broadcast live by MCCAM and recorded by MCCAM and Verizon.

UNANTICIPATED

Selectman Frawley announced that volunteers needed on 8/3 and 8/4 to help with Krazy Days. Those interested should contact Judy Bigelow-Costa.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to send letter to Sysco of Plympton welcoming them to the region.

Brian Giovanoni of Middleborough Friends reminded the public that the Summer Concert series is held on the Town Hall lawn at 6:30 PM on Thursday nights.

Selectman McKinnon announced that the Board will be participating in Krazy Days via the Dunk Tank.

Selectman Quelle confirmed with the Town Manager that Middleborough had been sprayed for Mosquitos over the weekend. Selectman McKinnon advised the public to continue taking precautions.

Chairman congratulated Selectman Frawley on the birth of his son.

MINUTES

None.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve a 2nd Hand license for "Our Little Secret", 465 Center Street.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 2nd Hand license for "The Children's Nest", 5 Wareham Street, Suite B.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve Betterment Agreement for 569 Wareham Street in the amount of $21,650.00.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve Betterment Agreement for 333 Marion Road in the amount of $3,230.00.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve a 4% increase water rate.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to approve a 15% increase sewer rate.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to make the increased water and sewer rates effective 7/1/12.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve the Indirect Cost Report for FY'13.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve and sign Agreement Between Lakeville & Middleborough for Temporary Use of Lakeville's Comcast channel 9 by MCCAM.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to appoint the existing members of the Permanent Cable Committee to the terms, as recommended by the Town Manager and as presented on the attached.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to sign the 9/6/12 State Primary Election Warrant.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to name 9/15/12 as "Middleborough Memorial High School Class of 1962 Day".

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve Local Firefighter Union #3653's request to run the Muscular Dystrophy Drive on August 24th through 26th.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to sign Wood Street Culvert Replacement Contract 2012-2.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to sign Agreement re Consolidation of School and Town Information Technology Services department.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to authorize the Town Manager to approve Town Hall rental requests and to issue approvals for signs on the Town Hall lawn.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to appoint the Police Station Building Committee to evaluate design proposals and select finalists for the feasibility study approved at Town Meeting.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to send letter to Department of Interior to request Interested Party status during Land into Trust process. Selectman Frawley was able to read some of the latest Land into Trust application by the Mashpee Wampanoag's for their parcel in Mashpee and Taunton, and Middleborough has been officially removed from their current application as of 3/23/12. They still haven't answered if they've taken us off the Land into Trust application, haven't paid us for the past three years, and still haven't acknowledged that we have a valid and binding IGA.

BILLS

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve payment to MMA for annual dues in the amount of $2,670.
Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve payment to Jones Day in the amount of $3,731.50.

HEARINGS, MEETINGS, LICENSES

Chairman opened public hearing at 7:40 PM for Pole Hearing re Pole 141 Campbell Street by reading aloud public hearing notice. Chairman asked to hear comments/questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve.

Board discussed FY'11 Audit Report Management letter.

UNFINISHED BUSINESS

Chairman reviewed that Muriel "Mimi" Duphily had come before the Board in the recent past asking the Board's consideration in removing the parking signs from the downtown area. Town Manager reminded the Board that they had already removed some signs within the past few years. After review and consideration, the Board agreed that it wouldn't want people using the existing parking spaces for long-term parking as that would be a detriment to the downtown business district. Police Chief offered that there has to be some signage. Painting the curbs would not be sufficient. Chairman noted that Ms. Duphily is trying to improve the appearance of the downtown, however, with feedback from public safety, the Board agreed that signage is necessary. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to keep the remaining signs in place. Selectman Frawley suggested some signs may need replacing if weathered in appearance. Town Manager will look into.

TOWN MANAGER'S REPORT

Town Manager recommended making the Water Agreements with Lakeville 20 year agreements (longer term). Lakeville will meet on the agreements at an upcoming meeting and then this Board can vote them.

Town Manager announced that the Annual Town Report has been printed. He offered thanks to Middleborough 4th grade student, Jack Storch, for providing the artwork for the front cover, and acknowledged that the idea of utilizing student artwork originated from resident Michael Solimini.

Town Manager called the MMA and learned that the legislature approved funding for Chapter 90, however, it hasn't passed the bill that would finance it yet. Representative Straus is the key "mover & shaker" on this bill because it has to start with the Transportation Committee. Therefore, the Town Manager suggested that if the members of the Board would like to call Rep Straus, it's called a Term Bill. Selectman McKinnon offered that he had sent Representative Straus an email today indicating that we should move forward with this and he also asked Representative Orrall to look into this.

CORRESPONDENCE

Selectman Frawley noted MEPA meeting tomorrow night at Taunton High School at 6 PM. Town Manager will ask at scoping session, if another MEPA study would be required/done if this project doesn't come to fruition for another several years and if we would have to pay for it again. Selectman Quelle offered that he had a discussion with Representative Calter re Wind Turbines. Selectman Quelle is disturbed by the loopholes that renewable forms of energy are going to be granted as it relates to pilots. He supports renewable energy, but not commercial venture for profit. It is producing revenue into somebody's pocket and he doesn't understand why that particular commercial venture should be void of having to pay its dues to a town. He encouraged the Board to continue to look into this because it is something that will continue to grow. Motion made by Selectman Spataro and seconded by Selectman Quelle to send letter to House & Senate in opposition of these related bills. Motion did not carry. Board agreed it would like to discuss further at its next meeting.

At 8:20 PM Board voted by Roll Call to go into Executive Session to discuss strategy relative to Collective Bargaining-Employee Disciplinary Matter and not to return into Open Session. Roll Call: S. McKinnon, Yes; B. Quelle, Yes; A. Frawley, Yes; S. Spataro, Yes; A. Rullo, Yes. Ended at 12:15 AM.

Jackie Shanley, Confidential Secretary

Town of Middleborough

Massachusetts

August 9, 2012

BOARD OF SELECTMEN

Robert Silva
Chairman
Permanent Cable Committee
41 Nestlenook Drive
Middleborough, MA 02346

Dear Bob,

At its meeting held on July 23, 2012, the Board of Selectmen voted to appoint the existing members of the Permanent Cable Committee to the following terms, as recommended by the Town Manager:

Appointee	Term ending June 30th
Robert W. Silva	2015
Stephen Callahan	2015
Robert Denise	2014
Kevin Franzosa	2014
Maureen Candito	2014
Adam Pelletier	2013
Mark Mobley	2013

Kindly advise these members to appear before the Town Clerk to be sworn in.

Thank you.

Sincerely,

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

xc: File, Town Clerk, Town Manager, Assistant to Town Manager