



TOWN OF MIDDLEBOROUGH OFFICIAL MEETING POSTING

NAME OF PUBLIC BODY: Board of Selectmen

DAY AND DATE OF MEETING: Monday, August 6, 2012

TIME OF MEETING: 7:00 PM

LOCATION OF MEETING (INCLUDING ADDRESS): Town Hall, 10 Nickerson Avenue

MEMBER OF PUBLIC BODY POSTING MEETING: Jackie Shanley, Confidential Secretary to Board of Selectmen

POSTED BY TOWN CLERK'S OFFICE: *August 2, 2012 @ 3:54 pm ayf*

***FOR CANCELLATIONS**

MEMBER OF PUBLIC BODY CANCELLING MEETING: [Type text]

CANCELLATION POSTED BY TOWN CLERK'S OFFICE: DATE:

TIME:

AGENDA

1. Pledge of Allegiance
2. EXECUTIVE SESSION:
 1. Collective Bargaining re Discipline/dismissal/complaints against a public employee.
 2. Litigation Strategy re MG&E matter.
3. Unanticipated
4. Announcements & Recognitions
5. Minutes: 6/25/12 & 7/9/12 regular minutes and 6/28/12 E.S. minutes (partial) & 7/9/12 E.S. minutes
6. New Business:
 1. Vote to sign Intermunicipal Water Agreement with the Town of Lakeville.
 2. Vote to sign a Change Order with Waterline Systems for unforeseen conditions in the Barden Hill Storage Tank.
 3. Vote on Owner's Project Manager recommendation.
 4. Vote to approve the 7th annual Kris McGuinness Progeria Research foundation walk for 9/30.
 5. Vote to declare old unmarked police cruiser as surplus property.
 6. Vote to authorize lateral transfer of Police Officer Brett Collins to the City of Taunton Police department.
 7. Vote to approve requisition of a list of candidates from Civil Service to fill 2 vacant & funded Police Officer positions. Vote to authorize Chairman to sign Civil Service requisition form.
 8. Vote to award Water Bond & Land Purchase-Miller Street bid & sign notes.
 9. Discussion re Proposed Energy Bill.
7. Hearings, Meetings, Licenses
8. Unfinished Business
9. Town Manager's Report – None
10. Correspondence
11. Adjourn

**Middleborough Board of Selectmen
Meeting Minutes**

August 6, 2012

Chairman opened meeting at 7:08 PM by inviting those in attendance to join in the Pledge of Allegiance.

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

UNANTICIPATED

B. Giovanoni of Middleborough Friends announced a 6 PM new start time for the concerts on the Town Hall lawn.

ANNOUNCEMENTS

A memorial for Ernest Holmes Bigelow will be held on 8/26/12 at the COA from 1-3 pm. Light refreshments will be served. On 8/8/12, the concession stand at the Parks & Recreation department will be named in memory of Ernest and Lillian Bigelow.

Selectman Frawley thanked Middleborough on the Move and everyone associated with putting on Krazy days. Chairman Rullo thanked everyone who participated in the dunk tank and noted that the money raised went to great charities. Selectman McKinnon thanked the Middleborough Fire department for providing the water for the dunk tank. He also thanked the Selectmen who participated as well as Brian Giovanoni for his participation.

Chairman announced that the meeting was being aired live by MCCAM and recorded by MCCAM and Verizon.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted by Roll Call at 7:14 PM to go into Executive Session for purposes of Collective Bargaining re Discipline/dismissal/complaints against a public employee and Litigation Strategy re MG&E matter. Chairman announced Board would return into Open Session. Roll Call: S. McKinnon, Yes; B. Quelle, Yes; A. Rullo, Yes; A. Frawley, Yes. Ended at 7:54 PM.

NEW BUSINESS

Lateral transfer of Police Officer Brett Collins

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign lateral transfer of Police Officer Brett Collins to the City of Taunton Police department. Attorney Michael Hanley offered that Union President Dennis Amaral will sign document tomorrow as he could not be present this evening. Selectman Frawley offered that he hates to see Officer Collins leave. He exemplifies what he likes to see in a Town Police Officer. Board members agreed. Officer Collins was present.

**Middleborough Board of Selectmen
Meeting Minutes**

August 6, 2012

Surplus property- Police cruiser

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to declare the Police department's Ford Crown Victoria, VIN #2FAFP71W61X142959 as surplus property.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the requisition of a list of candidates from Civil Service to fill 2 vacant & funded Police Officer positions and to authorize Chairman to sign Civil Service requisition form.

MINUTES

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted to approved 6/25/12 meeting minutes. Three in favor. B. Quelle abstained.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted to approve 7/9/12 meeting minutes. Three in favor. B. Quelle abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted to approve 6/28/12 Executive Session meeting minutes with correction to page four as noted. Three in favor. A. Frawley abstained.

Board postponed approval of 7/9/12 Executive Session meeting minutes.

UNANTICIPATED

Anne McGann of Edgeway Mobile Home Park asked if Board knows anything about an Administrator for Edgeway. Town Manager offered he was away on vacation last week and Town Counsel and some department staff met with the Administrator last week, but that he doesn't know anything further at this point. She asked if anyone knew status of Phase II? No one did. She just wanted to bring to Board's attention.

NEW BUSINESS

Lakeville Water Agreement-Supplying Water to Residents at Edgeway Mobile Home Park

Selectman McKinnon pointed out that 2nd name up on Edgeway list is that of a deceased individual. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to sign, subject to the list being modified and updated.

Lakeville Water Agreement-Supplying Water to Existing Water Customers in Lakeville

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve.

Barden Hill Storage Tank

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve and sign Change Order - Supplemental Agreement #2 for 7, 210. 67 re Barden Hill Storage Tank.

Recommendation on Owner's Project Manager for Wastewater Treatment Plant Upgrade

Chairman noted that having a Project Manager on board saves a significant amount of money on projects such as this. Selectman McKinnon asked if they will be insured to point where if something isn't completed, the Town doesn't have to pay for oversight on their part. He cited the Fire station building as an example. Town Manager offered that occupying a building prior to project completion makes it difficult to hold contractors accountable. Selectman McKinnon asked at what

Recommendation on Owner's Project Manager for Wastewater Treatment Plant Upgrade-continued

point are we going to actually get a document that shows exactly what we will get. Town Manager responded the plan is to begin design process, agree on scope, and push back if not happy with scope, but we will not begin to build something that will then need changes/additional aspects. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve three finalists as recommended (attached).

Kris McGuinness Progeria Walk

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve annual Kris McGuinness Progeria Walk on 9/30/12.

Water Bond & Land Purchase for Miller Street Notes

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve signing Water Bond & Land Purchase for Miller Street Notes with Century Bank with .45% interest rate.

Energy Bill

The Energy Bill passed. Town Manager noted that the legislature removed some of the offensive parts of the proposed bill, so it did not infringe upon local governments to negotiate their own pilot payments. Town Manager offered to thank legislators for helping with this. Board agreed.

Selectman Frawley would like to learn as much as possible about solar wind projects before the Board/Town is forced to. Town Manager offered that we do have to revisit Zoning Recodification in a couple of weeks so maybe in the course of that meeting, maybe we can ask the Town Planner to give us an overview of alternative energy projects and what they mean relative to zoning. Selectman Quelle thinks others could certainly be educated by this information that these types of projects can pop up where you may not expect. Town Manager offered that because we have our own Gas & Electric division, it's not so much an issue here because we have more control over it.

TOWN MANAGER'S REPORT

Getting energy grant from the Department of Energy Resources to take a look at our water supply system to see where we might save some energy at no cost to the Town. Next week is the kick-off meeting and it should be wrapped up by 9/20/12.

Treasurer had recent conversation with Town Treasurer/Collector Judy MacDonald who had received word from Standard & Poor's. They confirmed our AA Bond Rating and upgraded us from "Standard" to "Good".

CORRESPONDENCE

#11 Selectman McKinnon– Holiday Lights on Memorial Tree – As Veteran himself, he has no issue with tastefully decorating Christmas Trees with white lights in Front of Town Hall. He would like to see the lights returned this year. The Town Manager is meeting with some of the Veterans and hopefully they can come to an agreement.

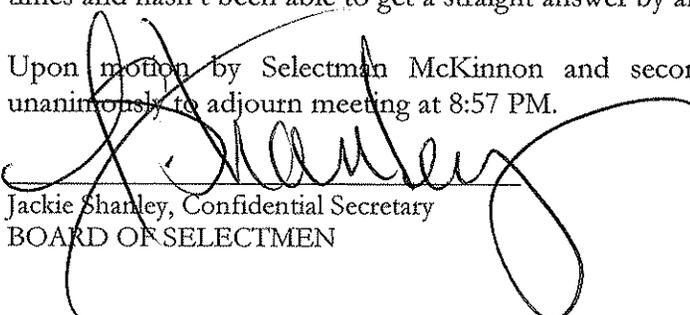
#16 Selectman McKinnon noted correspondence re Rockland Industries Site – They took out 300 cubic ft. of dirt and now the problem is gone? Town Manager informed Board that Conservation Agent P. Cassidy forwarded this to the consulting engineers that were helping us evaluate this site and continue to stay involved even though we don't pay them. They felt this was totally inadequate and recommended we send letter to DEP. Hopefully the DEP will make them do more. Selectman McKinnon offered that the testing appears significantly insufficient. Town Manager offered that, hopefully, with our prodding, the DEP will tell the consultant they have to do more. This is not enough. They will be preparing something for us to send to D.E.P.

#8 Selectman McKinnon asked Town Manager if we got the Chapter 90 money to which he responded, yes.

#3 Selectman Quelle noted Rehoboth Selectmen Casino related correspondence and offered that elected officials owe us their time and he would like to see them in here and explain how these mitigation matters will be addressed.

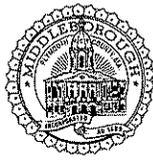
Selectman Frawley offered that he and the Town Manager attended the Meet n Greet with Mr. Crosby, Chairman of the Gaming Commission, that Representative Orrall had coordinated. Representative Calter indicated that under no uncertain terms would he vote in favor of the State Casino Compact if they did not address Middleborough's concerns about our current IGA with the Tribe. Selectman Frawley offered that he does not agree that Senator Pacheco supported the IGA between Middleborough and the Tribe in 2007, 2008, 2009 +, however, come 2012, Senator Pacheco, seems to have forgotten his support that he had for Middleborough & the IGA it had signed with the Mashpee Wampanoag Tribe. The Senator has scheduled a Meet n Greet with Mr. Crosby in the coming weeks, which Selectman Frawley cannot attend. This is a compact between the Tribe and the State. None of the state officials have read the Land Into Trust Agreement. We are already spending time, energy, and money to come up with mitigating factors. We have 8-9 more days to get our comments to MEPA, and we are going to be completely ignored, again, except by Representatives Orrall and Calter. Selectman Frawley has called the Governor's office a number of times and hasn't been able to get a straight answer by anyone there.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 8:57 PM.



Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

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CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

Town Manager

508-947-0928
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MEMORANDUM

TO: Board of Selectmen

FROM: Charles J. Cristello, Town Manager 

RE: Recommendation on Owner's Project Manager for Wastewater Treatment Plant Upgrade

DATE: August 3, 2012

The first step in the design of the upgrade to our wastewater treatment plant is to select an owner's project manager. DPW Director Andy Bagas, Wastewater Superintendent Todd Goldman, Assistant to the Town Manager Caroline LaCroix and I interviewed four engineering companies last week of the five that responded to the Town's Request for Qualifications. The process calls for us to select three finalists, rank them in order of qualifications and transmit them to the awarding authority, in this instance the Board of Selectmen. Assuming that the awarding authority accepts the list as presented we would then ask the top ranked firm to submit a fee proposal and we would then attempt to negotiate a contract with that firm. In the event we are unsuccessful in negotiating a contract with the first ranked firm negotiations are terminated and undertaken with the remaining designers, one at a time, in the order they were ranked until agreement is reached.

We are recommending the finalists in the following order:

Environmental Partners
Tighe & Bond
Weston & Sampson

These are all very good firms that have significant experience with wastewater projects. All of them are capable of performing the role of owner's project manager. Environmental Partners stood out from the rest based on the quality of their references and their performance in the interview. They were the firm that were most aggressive in challenging assumptions about the scale and projected cost of the project. Tighe & Bond

demonstrated ability to present innovative alternatives to wastewater problems and an innovative approach to procurement of components. They too came highly recommended.

Once an owner's project manager is hired the next step will be to pick a designer with their assistance. That would start immediately after the contract is signed.

I would be happy to answer any questions you may have.

c: Andy Bagas, DPW Director
Todd Goldman, Wastewater Superintendent
Caroline LaCroix, Assistant to the Town Manager