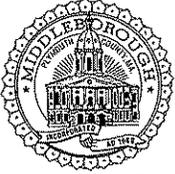


NEW BUSINESS

8-9-10

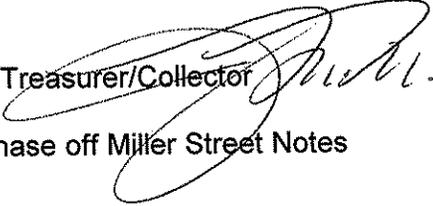


JUDY M. MacDONALD
TREASURER AND COLLECTOR

Town of Middleborough
Office of the Treasurer and Collector
20 Centre Street, 3rd Floor
Middleborough, MA 02346-2270
email: jmcndnd@middleborough.com

TELEPHONE
(508) 946-2420
(508) 946-2421

FAX
(508) 947-5447

Date: August 5, 2010
To: Board of Selectmen
From: Judy M. MacDonald, Treasurer/Collector 
Borrowing: Water & Land Purchase off Miller Street Notes
Dated: August 18, 2010
Due: August 18, 2010

Results of telephone bids, Thursday August 5, 2010:

<u>Bank</u>	<u>Bid Amount</u>	<u>Interest</u>
Eastern Bank	410,000.	1.15%
Unibank for Savings	410,000.	1.20%

Bid awarded, subject to Selectmen's approval to:

Eastern Bank	410,000.	1.15%
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Projects Include:

Water Mains	350,000.
Purchase of Land off Miller	60,000.

July 29, 2010

Board of Selectmen
Town of Middleborough
10 Nickerson Ave.
Middleborough, MA 02346

Dear Board Members,

I would like to have the following items declared surplus from the Middleborough Public Library:

11 office chairs (20 years old or more)
1 fax machine (Brother 1270)
2 wire information racks
1 wooden information rack

All items have been previously offered to other departments.

Thank You,

A handwritten signature in cursive script that reads "Danielle Bowker".

Danielle Bowker
Library Director

DECAS, MURRAY & DECAS

ATTORNEYS AT LAW

132 NORTH MAIN STREET · MIDDLEBORO · MASSACHUSETTS 02346 · (508) 947-4433

GEORGE C. DECAS (RETIRED)
DANIEL F. MURRAY, ESQUIRE
WILLIAM C. DECAS, ESQUIRE

REPLY TO POST OFFICE BOX 201
MIDDLEBORO, MA 02346-0201
FAX (508) 947-7147

WAREHAM OFFICE:
219-B MAIN STREET
(508) 947-4433

HAND DELIVER

July 27, 2010

Judy M. MacDonald, Treasurer & Collector
Middleboro Town Offices
20 Centre Street
Middleboro, MA 02346

RE: MIIA Health Benefits Trust

Dear Judy:

I enclose two originals of the MIIA Health Benefits Trust Agreement dated July 1, 2010 which I approve as to form.

Very truly yours,


Daniel F. Murray
Town Counsel

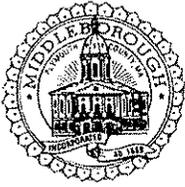
DFM/s
Enclosures
10-103-4

MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET
MIDDLEBOROUGH, MA 02346

(508) 947-1212

Fax (508) 947-1009



Bruce D. Gates
Chief of Police

JULY 30, 2010

Board of Selectmen
Town Hall
Middleborough, MA 02346

Honorable Board,

I would request the Board appoint Ronald J. Costa as a Special Police Officer.

Officer Costa will officially retire as a full-time officer August 6, 2010 after 32 years of dedicated service for the Middleborough Police Department. His certifications are up to date.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Bruce D. Gates". The signature is written in black ink and is positioned above the printed name.

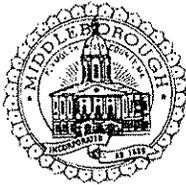
Bruce D. Gates,
Chief of Police

MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET
MIDDLEBOROUGH, MA 02346

(508) 947-1212

Fax (508) 947-1009



Bruce D. Gates
Chief of Police

August 5, 2010

Jackie,

Please have Marsha sign the form which notifies Civil Service of Ronald Costa's retirement.

Return it to the Police Dept. so we can make a copy and mail it out.

Thanks

A handwritten signature in cursive script that reads "Bruce D. Gates".

Bruce D. Gates,
Chief of Police

Absence and Termination Notice/Form 56

City (Town): Middleborough Date: August 9, 2010

Name: Ronald J. Costa Social Security Number: 018-42-4105

Department: POLICE Last Date of Paid Employment: AUGUST 6, 2010

Civil Service Title: POLICE OFFICER

Be sure complete information is given and instructions followed. Otherwise, the form will be returned. Indicate absence or termination of employment by checking one of the following terms:

- Leave of Absence (Indicate duration and reason)
- Entered Military Service
- Illness (Personal)
- Illness (Family)
- Injury
- Explanation of Temporary transfer
- # Expiration of Temporary Employment #Corres/Req. Number _____
- # Expiration of Provisional Employment #Corres/Req. Number _____
- *Discharged (Indicate reason, Section 41)
- *Suspended for Cause (Indicate duration and facts in detail, Section 41)
- f*Position Abolished, Section 41, Section 39
- f*Layoff-Lack of work or money, Section 41, Section 39
- Terminated during probationary period, Section 34
- Terminated-Did not return to work following approved leave of absence, Section 37
- Permanent Separation-Unauthorized Absence, Section 38
- Resigned-List effective date, if other than last date of PAID employment (If member of fire or police department, state whether or not charges were pending)
- Resigned-Illness
- X Retired
- Pensioned
- Died

Name and Title of Appointing Authority: Marsha L. Brunelle, Chairman, Board of Selectmen
(Please print)

Signature of Appointing Authority: _____

The Auditor (Accountant) and Treasurer have been notified of the above absence or termination.

*I hereby certify that the provisions of *Massachusetts General Law, Chapter 31, Section 41* have been complied with in the case of this employee.

f This action is in accordance with seniority in service.

#Over

**Employee's address should be noted under REMARKS.
Any necessary REMARKS may be made on the reverse side.**

INSTRUCTIONS

It is not necessary to notify this office or to file one of these forms in the case of illness, injury or leave of absence unless the employee has been absent without pay for over one month. (Leave of absence can be granted only to a permanent employee who has served a probationary period except in certain cases, that is, for personal illness, military leave, educational leave or to a person holding elective State Office or elected by the people to the office of Mayor.) All other absences and terminations must be reported immediately on this form.

Absence and Termination Notices are not necessary for emergency employees. If an emergency appointee works less than the period originally approved, a letter stating the number of days employed under this appointment will be sufficient.

#When reporting termination under this term, not beside Corres. Number the correspondence reference number on which the employee was appointed. **DO NOT USE THIS FORM** in the case of a permanent employee who is terminating temporary or provisional appointment or promotion in the same unit in which employed on a permanent basis and who is resuming permanent status. Municipalities should report this action by letter (in quadruplicate-quintuplicate if local official requires a copy) listing the permanent Civil Service title, salary and date permanent status was resumed.

DATE RECEIVED BY THE HUMAN RESOURCES DIVISION	REMARKS (Continued from other side, if necessary)

04-AUG-10

THE HONORABLE BOARD OF SELECTMAN,

I WOULD LIKE TO REQUEST ABOUT (15) FIFTEEN MINUTES OF YOUR TIME AT THE NEXT SELECTMAN'S MEETING, WITH THE TOWN, 09-AUG-10, TO REQUEST YOUR APPROVAL AND GIVE EXPLANATION FOR THE MUSCULAR DYSTROPHY DRIVE AT THE FOUR CORNERS, AND AT THE SUPERMARKETS ENTRANCES FOR THE DATES AUG., 17TH, 18TH AND 19TH OF THIS YEAR.

RESPECTFULLY,



GEORGE A. ANDRADE JR., CAPTAIN,
MIDDLEBOROUGH FIRE DEPT.

DRAFT – FOR DISCUSSION PURPOSES ONLY

MIDDLEBOROUGH BOARD OF SELECTMEN GUIDELINES AND PROCEDURES

In general, Selectmen as the chief executive officers of the Town develop policies and the appropriate department head, board or officer within the Town is responsible for administering those policies. Middleborough Board of Selectmen are also the Water & Sewer Commissioners and Board of Health

Members of the Board of Selectmen may act in their official capacity only when in an open public meeting with a majority of the Board present, or when specifically delegated by a majority of the Board.

The Board normally meets every Monday evening at 7:00 p.m. in the Town Hall. A summer schedule, every other week, may be adopted at the last meeting in June. The summer schedule may be adjusted, by the Chairperson, to address situations requiring immediate action.

All Board members shall make every effort to attend each scheduled meeting. If unable to do so, it will be the individual's responsibility to advise the chairman of such absence. In the alternative, the Town Manager or the Selectmen's secretary may be notified.

Election of officers will be held at the first meeting immediately following the April Town elections. If all five members are not in attendance, a Chairperson, pro-tem will be elected to conduct the meeting. It is strongly encouraged to rotate the Chairmanship to give each member an opportunity to serve in this capacity.

The following procedures have been adopted by the Board for the purpose of organizing and conducting their meetings:

ELECTION OF OFFICERS:

The Town Manager will inquire as to whether newly elected/re-elected members have been sworn in by the Town Clerk. If all have answered in the affirmative, the Town Manager will request nominations for the position of Chairperson. Once an individual has been nominated and it is seconded, the Town Manager will ask for any other nominations. If there are additional nominations, duly seconded, the Town Manager will inquire if there are any additional nominations. Request for nominations will be conducted three times. Once the third call for names has been made, the Town Manager will call for a vote on each name placed in nomination. The individual receiving the majority vote of three (3) will be appointed Chairman for the ensuing year. Once a Chairman has been elected, that individual will conduct the election for a Vice-Chairman in the same manner as Chairman. If members fail to elect a Chairman or Vice-Chairman

in the manner prescribed, a Chairman/Vice-Chairman pro-tem may be elected until such time as an individual has been elected by a majority vote of three (3) members.

DUTIES OF THE CHAIRPERSON

In conjunction with the Town Manager and the Board's secretary it will be the responsibility of Chairman to develop the meeting agenda.

Preside at all meetings of the Board and perform any other duties authorized by the Board, Town Charter, Town By-Laws or any other law of the Commonwealth.

The Chairperson shall also serve as an ex-officio (non-voting) member of any other committee appointed by the Board. The Chairperson may also serve as a voting member if so authorized by a vote of the Board.

The Chairperson or their designee will also be the contact person for media information.

DUTIES OF THE VICE-CHAIRPERSON

In absence of the Chairperson, the Vice Chairperson will assume the duties and responsibilities of the Chair.

OTHER MEMBERS

Members may act in their individual capacity as Selectmen on various committees when so designated by the Board and will be responsible to keep other Board members informed of the various activities of same.

The Board may also designate an individual member to gather information or perform other duties.

It will be any Board member's responsibility to bring to the attention of the Town Manager any issue arising which would require his attention or investigation.

All members are encouraged to attend other Town Board or Committee meetings to keep themselves informed for the benefit of the community and residents.

MEETINGS

All meetings will be open to the public, unless held in Executive Session for the stated purposes as allowed by the Open Meeting Law. Executive sessions are only allowed for specific purposes and when discussion in public may be detrimental to the Town's position.

Meeting notices and agendas will be submitted to the Town Clerk no less than 48 hours prior to the scheduled meeting. Saturday, Sunday and holidays are not considered in the posting requirement. Every effort will be made to have these notices and agenda posted on the Town's website in a timely fashion as well.

All matters to be placed on the agenda must be submitted no later than Wednesday noon prior to a scheduled meeting. Any member or resident may request an item be placed on the agenda for discussion. The Chairman will make every effort to accommodate the request for the scheduled meeting, but reserves the right to place it on a subsequent agenda when appropriate to do so. Any matter requiring a vote by the Board must be included on the agenda.

Only extreme emergency or time sensitive matters, not known at the time of the agenda preparation, may be placed on the agenda for discussion/vote after the deadline stated above. These items will be announced by the Chair at the beginning of the meeting. If there are no objections by Board members, the matter will be included.

If a resident desires to make an inquiry or comment during the public comment portion of the meeting, notice to do so must be given to the Board's secretary by the deadline stated above. This allows time for appropriate research if required.

Any person or department head requesting to place a matter on the agenda must supply copies of all presentation materials/documentation no later than Thursday noon preceding the meeting.

The Chair may take agenda items out of order for the purpose of expediting the meeting or to make a special accommodation.

The agenda for regularly scheduled meetings will be as follows:

1. Pledge of Allegiance
2. Minutes (Acceptance of previous meeting minutes)
3. Announcements (normally reserved for emergency/public safety, special or public service announcements not requiring Board action)
4. New Business
5. Old Business
6. Hearings-Meetings-Licenses
7. Town Manager's Report
8. Correspondence
9. Other
 - BOS Issues
 - Public Comment Opportunity
10. Executive Session
11. Adjournment

CONDUCT OF MEETINGS

General –

-Board members and all meeting attendees shall conduct themselves in a professional, respectful and orderly manner

-Anyone wishing to address the Board will do so from the podium or appropriate microphone

-Discussions which are not addressing the business before the Board or disruptive in nature are not allowed. The Chairperson shall take whatever action necessary to achieve and maintain order, including removal of the offending person(s)

-All cell phones, with the exception of the Town Manager's, Police Chief's and Fire Chief's must be silenced prior to the start of the meeting

-All those wishing to speak must first be recognized by the Chairperson

-Unless an item on the agenda is identified as a public hearing, only Board members, Town Manager, department heads and/or individual(s) making presentations or meeting with the Board shall be allowed to speak on a particular matter. The Board may vote to allow discussion if the matter is of significant public policy in nature and Board members are desirous of additional public comment from those in attendance prior to taking a final vote.

OTHER TYPES OF MEETINGS

PUBLIC HEARINGS

Specific purpose – Chairperson will open the hearing and read the public notice for which the hearing has been posted. Individuals or their representative (s) will identify themselves and present the matter for which the request has been made. Board members, Town Manager, Department Heads will then be recognized by the Chair for questions and comment. Affected abutters will be recognized next, after which general questions on the matter will be entertained. Upon the conclusion of public comment portion of the hearing the Chair will close the hearing. Or, if warranted, the members may vote to continue the matter for further information. If the hearing is closed the Chair will entertain a motion on the matter.

General purpose - The Board may decide a matter is of such significant importance a public hearing should be held for general discussion and input from residents. If a meeting of this nature is held, an announcement of the subject matter and date and time discussion will take place. It will be the Chairperson's responsibility to assure adequate space is procured to accommodate anticipated attendance.

Public Hearing - Town Meeting Warrant Articles – At the discretion of the Board public hearings may be held for the purpose of discussing and informing residents of the anticipated matters to come before Town Meeting. These hearings should be held no less than two weeks prior to the scheduled Town Meeting date. All department heads and petitioners are expected to attend any scheduled hearing to answer questions from Board Members and the public relative to the requested items.

SITE INSPECTIONS

Site inspection meetings are held for the sole purpose of obtaining a better understanding of a specific matter in order to have adequate information to make a final decision on a pending agenda item. No votes shall be taken during any site inspection. Minutes are not required.

EXECUTIVE SESSIONS

Executive sessions are to be held only for those purposes specifically identified within the guidelines of the Open Meeting Law and when public discussion may be detrimental to the Town's position. These meetings are not open to the public. However, minutes are required to be kept. Minutes must be released when the matter has reached a conclusion unless not required or cannot do so in accordance with Public Records law. It will be the Chairperson's responsibility to periodically review Executive Session minutes to determine if release is appropriate.

WORKSHOPS

A less formal meeting of the Board generally conducted for the purpose of providing Board members with more detailed understanding of a specific issue and to permit discussion of the issue in greater depth. Votes may be taken at these meetings and minutes are required to be kept.

VOTING

A motion must be duly made and seconded and acknowledged so by the Chair.

Each motion must be stated clearly and specifically.

All votes will be taken by voice vote of the yeas and nays. No secret ballots votes are allowed.

Chairman will announce the results of each vote which shall be recorded in the minutes.

Amendments to a motion may be made prior to the Chair calling for the vote. The amendment will be voted on first. If the amendment is adopted, the main motion will then be voted on as amended. If the amendment fails, the original motion will be voted on as originally stated.

Once a motion and seconded has been acknowledged by the Chair, the Chair shall ask for any further discussion from Board members. If none, voting shall proceed.

The Chair may refuse to acknowledge a motion, if in their discretion it may be improper or out of order.

A motion to go into executive session must state the purpose of the executive session and made by a roll call vote of the members and whether or not the Board will return to open session.

Chairperson voting – The Chair may use their discretion whether to vote on a matter before the Board

A motion to reconsider a previous vote must be made by a member on the prevailing side. A motion to reconsider must be made on the same day as the motion to be reconsidered was voted on.

If the Board desires to revisit an issue it must be requested to be placed on the agenda for full discussion. An item should only be revisited if the Board had received incomplete or inaccurate information during their prior deliberations.

DISCUSSIONS

Only one person may speak at a time. Anyone wishing to speak must first be recognized by the Chair. Each person must stay on the topic and all remarks must pertain to the matter before the Board.