MINUTES

For approval at the 9-20-10 meeting

DRAFT

Middleborough Board of Selectmen **Wednesday, September 8, 2010**
Meeting Minutes

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

Upon motion by Selectman Rullo and seconded by Selectman Spataro, Board voted unanimously to authorize Chairman to sign Property Owner's Acknowledgement of Rights and Obligations re Classified Recreational Land Program (Chapter 61B).

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to authorize Chairman to sign Agreement with Stantec re Mizaras Site.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign Community Development Block Grant contracts with MACD re 2010 Housing Rehab Program & Emergency Funds Program.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted by Roll Call to go into Executive Session to discuss strategy re negotiations of non-union personnel contracts and not to return into Open Session. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; S. Spataro, Yes; M. Brunelle, Yes. Ended at 9:00 PM.

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Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

DRAFT

Middleborough Board of Selectmen **September 13, 2010**
Meeting Minutes

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

Chairwoman noted that Saturday had been the Anniversary of 9/11 and suggested that everyone keep in mind those that have lost their lives and those who continue to protect the Country.

Chairwoman asked everyone, including Board members, to speak clearly into the microphones to be heard.

Chairwoman noted that the meeting is being broadcast live by Comcast and Verizon and is being recorded by Comcast.

Voting for the state primary will be on Tuesday, September 14, 2010. Polls are open from 7 a.m. until 8 p.m.

ANNOUNCEMENTS
Chairwoman noted letter received a couple of weeks ago from George Davey of Hawkswood Farm, 73 Pleasant Street, commending Town DPW employee Mike Bradley. A letter of appreciation will be sent to Mr. Bradley from the Board of Selectmen.

The EMS Committee has a vacancy due to the resignation of William Warner. Letters of interest should be sent to the Town Moderator, c/o the Selectmen's office, 10 Nickerson Ave. Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted to send letter of thanks to William Warner for his time serving on the EMS Committee. Four in favor. Selectman McKinnon not present for this vote.

On Saturday 9/25/10, the Middleborough Police Station will collaborate with the DEA to remove potentially dangerous controlled substances from out nation's medicine cabinets. Anyone wishing to safely dispose of unused or expired medication, may do so at the Police Station. Collections will take place between 10 a.m. and 2 p.m. Notice to be posted on Town Hall bulletin board and to appear in the Middleborough Gazette.

The Middleborough Professional Firefighters Local 3653 will hold a Firefighter Ball/Fundraising Event to be held on Saturday, October 23, 2010 beginning at 6 PM at the Riverside Restaurant.

Selectwoman Duphily spoke with the Director of Massasoit Community College. He is asking the community for a list of any classes that it would be interested in. He is also implementing a program with local businesses in Town to offer discounts to students. Selectwoman Duphily placed some handouts regarding same on the conference table. Chairwoman noted that they will also be available in the Selectmen's office.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve meeting minutes of 8/23/10. Four in favor. Selectwoman Duphily abstained.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreement for Michael Gray & Patricia Crowell of 31 Purchase Street in the amount of $6,000.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve the use of the Town Hall Parking lot to hold the Annual Trunk or Treat program on Sunday, October 31, 2010 from 5:00 pm until 8:00 p.m.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve request by Farmer's Market to hold a Fall Festival at Town Hall on 10/9/10 with a rain date of 10/16/10.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to declare 1995 Chevy Corsica VIN #1G1LD5540SY209004 as surplus, as requested by the Planning Board.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to sign Extension Agreement re S. Middleboro Land Exchange with White McGill.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to authorize purchaser to take action on the Quiet Title, as recommended by Town Manager.

Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day Wines & Malt Beverages Liquor license for St. Vincent DePaul Society/Sacred Heart Pantry for a benefit dinner on October 2, 2010 at the Sacred Heart Parish Hall located at 53 Oak Street from 5:30 pm to 10:00 pm.

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve the use of the Town Hall Auditorium on 5/13/11 from 5 p.m. - 10 p.m. and 5/14/11 from 9 a.m. - 11 a.m. and 5 p.m. to 12:30 a.m. by the Middleborough High School to hold its Prom. Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to waive the rental fee.

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve the 10/4/10 Special Town Meeting (STM) Warrant as printed. Selectman McKinnon questioned whether the Board wants to fund so many purchases as

presented within the Warrant Articles. Chairwoman noted that the Board was strictly voting on the way the Warrant is written.

Upon motion by Selectman Rullo and seconded by Selectman Spataro, Board voted unanimously to set the Special Town Meeting (STM) public hearing for 9/20/10 at 7:50 p.m.

HEARINGS, MEETINGS, LICENSES

Chairwoman opened public hearing at 7:30 PM on the Street Acceptance application for Wildflower Estates, Wildflower Lane by reading aloud the public hearing notice. Chairwoman read aloud the Planning Board's letter re its acceptance of the Road Layout plan and its vote to issue a Certificate of Completion. Owner of Wildflower Estates, John Scanlon, addressed Board. Chairwoman asked to hear any comments from the audience and from the Board. Hearing none, Chairwoman declared the hearing closed. Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve the layout of Wildflower Estates, Wild Flower Lane. Selectman Spataro prompted applause for the developer for completing a street in Town.

TOWN MANAGER'S REPORT

Town Manager noted letter he sent to the Executive Director of the State's 911 Department notifying him that the Town has agreed to participate with the Plymouth County Sheriff's Department as a partner in studying the implementation of a regional emergency communication center or centers based in Plymouth County as part of a grant previously funded through the Plymouth County Sheriff's Department.

The Town of Middleborough will hold its first Household Hazardous Waste Cleanup in years tentatively in November. The Town has an Article on the October Special Town Meeting Warrant to let us join South Shore Recycling Cooperative who helps put these things on.

Selectman McKinnon offered that he thinks we should consider looking at a collection of CFL light bulbs containing Mercury. He suggested that it may become of concern that more mercury might show up in the trash in the future if these bulbs are disposed of improperly. Town Manager noted that we collect CFL bulbs here, which has benefited the Town overall.

The Police Chief wanted the Board to know of fundraising efforts by Oakpoint scheduled for 10/29 to raise money for police department equipment and supplies.

Town Manager took the liberty to respond to correspondence from the City of New Bedford re the renewal of your Water Management Act permit asking them to please be clear what it is they are asking the Town to do.

Town Manager noted letter sent to Sprint Landlord Solutions reminding them that their lease is due to expire at the end of February 2011 and asking them to notify the Town if they are interested in continuing to lease space on the Water Tower.

Town Manager noted letters sent to the Peirce Trustees thanking them for their generous donations towards the animal shelter roof repair for the Animal Control Department in the amount of $1,000, and towards the animal control vehicle for the Animal Control Department in the amount of $20,000.

CORRESPONDENCE

#1 Selectwoman Duphily asked what response had been given to Mr. Hood relative to his letter concerning speeding on Webster Street. Chief Gates called upon to further elaborate. Chief explained that the Police Department placed unmarked car on Webster Street and caught and arrested someone for speeding on the street.

#8 Selectwoman Duphily asked if reconsideration of the Town's Mileage Reimbursement rate has it been resolved and if the Town would want to just follow the state rate. Town Manager responded that the Town needs to conduct a survey first. He will conduct and get back to Board.

#9 Selectwoman Duphily requested that the Board's invitation to attend a Senior Home Health Briefing be forwarded to the COA.

#17 Selectwoman Duphily noted that the Stacey Ann LeRoy Foundation is holding a free workshop on 9/20/10 at 7 PM at the Flat Iron Café.

#11 Selectwoman Brunelle noted the ABCC Advisory announcing 10:00 a.m. Sunday openings for Section 12 Liquor licensed establishments. Board's Secretary noted that this is for restaurant and club licenses only and that the Town of Middleborough presently allows for a 12 Noon Sunday opening. Chairwoman referenced Town Counsel's opinion that the Town Meeting must first accept MGL Chapter 138, Section 33B before the Board may authorize individual Section 12 licensees to make such sales.

#13 Selectwoman Brunelle noted Cape Cod Cranberry Grower's Association will be holding a workshop on 10/1/10 at the Southers Marsh Golf Club in Plymouth. She hopes that some members of the Board can attend.

Selectman McKinnon asked to return to the discussion regarding the ABCC Advisory/Sunday Sales. He asked if the Board can we get this matter on the Spring Town Meeting to help local businesses. Selectman Spataro offered that he concurred. Board agreed to put in file for consideration in the spring. Chairwoman suggested a survey to check for interest.

HEARINGS, MEETINGS, LICENSES
Chairwoman opened public hearing at 7:45 PM on the Street Acceptance application for Keith Street Extension by reading aloud the public hearing notice. Chairwoman read aloud Planning Board's letter re its acceptance of the Road Layout plan and its vote to issue a Certificate of Completion. Outback Engineering Engineer Jeff Youngquist addressed Board. Chairwoman asked to hear any further comments from the audience and from the Board. Hearing none, Chairwoman declared the hearing closed. Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve the layout of Keith Street Extension.

OTHER
Mike Solimini addressed Board to ask about Meter Reading item that was scheduled on agenda this evening. Town Manager explained that the matter was postponed until 9/20/10. Mr. Solimini noted that he has several questions.

Brian Giovanoni thanked the Board for allowing the Middleborough Friends the use of the Town Hall lawn to hold its summer concerts. In response to question by Selectman Spataro, Mr. Giovanoni reported that the funds raised at these concerts will be used to defray costs at the Middleborough Animal Shelter, fund the Park Department, and to defray costs for Middleborough Friend's P.O. Box fees, and costs relative to holding events such as the Annual Halloween Ball.

Susan Dube noted that the 4H Committee will hold its auction on 10/8 and 10/9 to raise funds that will benefit the 4H Club. She will forward all information to the Selectmen's office when she has more specifics, such as what hours the auction will be held.

Warren Emerson of Fox Run addressed the Board to comment on the earlier CFL light bulb discussion. Mr. Emerson suggested that many of the hazards come from bulbs being broken in the home and that the Board should inform the public of the proper procedures that homeowners should follow if one is broken at home. He will approach the MG&E and ask if they would do a mailing to homeowners. He will keep the Board informed.

OLD BUSINESS
Chairwoman explained that the Board was going to discuss Rules & Procedures, however, as the Board had several grievances to address in Executive Session and Labor Counsel was present, it was more cost effective to postpone discussion until 9/27/10.

Chairwoman noted that she would like to put Katrina Road on 9/27 agenda for discussion. She offered that she is also concerned about a street sign knocked down on Katrina Road. Town Manager explained that the road must be a Town accepted way for

the Town to be responsible for the sign. Chairwoman asked how much a street sign costs. Town Manager will find out.

Selectman McKinnon noted that we have a One-Way street in South Middleborough that someone keeps removing. Town Manager responded that the problem is that they take them down almost as soon as they are put up. Selectman McKinnon suggested that painting the words "One-Way" onto the street might be something to consider. He asked the Town Manager to look into a different kind of signage.

Selectman Rullo noted that the Board needs to appoint a member of the Board to the I.T. Assessment Task Force. The matter will be included on the Board's next agenda.

Selectman Rullo reminded the Board that he has been asking for a discussion regarding an In-house ambulance service. Chairwoman responded that the Board had referred it a few weeks ago to the EMS Committee for a recommendation. EMS Committee member Brian Giovanoni addressed the Board and offered that the Fire Chief just got some revised numbers. Mr. Giovanoni indicated that he thinks it would be a good idea to get all the groups together to get a final consensus and let the people know what's going on. Chairwoman requested that the Town Manager contact the Fire Chief to see when he would be available to come in. Selectman Spataro asked Mr. Giovanoni what the EMS Committee has decided on. Mr. Giovanoni answered that it hasn't decided anything and it won't have another meeting for six weeks.
Mr. Giovanoni suggested that we get through Town Meeting and hold a meeting in November. Selectman Spataro asked Mr. Giovanoni if he was saying there would be a recommendation by the Committee one way or another. Mr. Giovanoni responded that he was not saying that, but rather, that there may be individual recommendations. Selectman Rullo announced that he would still like to have a meeting. Chairwoman noted that, once date is known from Chief, we will set up a meeting.

Chairwoman asked Chief Gates to update us on Webster Street Speeding issue. Chief called Mr. Hood and discussed the problem. They put an unmarked car out there and actually arrested someone while monitoring the situation.

Selectman McKinnon asked if the Agenda category referred to as "old business" could be changed to "unfinished business". Board agreed.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted by Roll Call to go into Executive Session to discuss strategy relative to Collective Bargaining and not to return into Open Session. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; S. Spataro, Yes; M. Brunelle, Yes. Ended at 10:30 PM.

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Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN