TOWN OF MIDDLEBOROUGH

NOTICE OF MEETINGS OF TOWN DEPARTMENTS AND ALL TOWN BOARDS

As required by Chapter 39 M.G.L.

PLEASE TYPE OR PRINT LEGIBLY

NAME OF DEPT. OR BOARD BOARD OF SELECTMEN

DATE OF MEETING: Monday 12/20/10 TIME: 7:00 PM PLACE: Town Hall

Date and time received by Town Clerk

Clerk/Board member posting notice

MEETING CANCELLED: _____ DATE & TIME CANCELLED: _____

CLERK/BOARD MEMBER CANCELLING THE MEETING: _____

AGENDA

1. Pledge of Allegiance

2. Announcements & Recognitions:

3. Minutes: 1213/10 Regular

4. New Business - 7:05 PM

1. Vote to award SERSG Paving contract
2. Award contract entitled "Middleborough DPW Water System SCADA: to Annese Electrical Services, Inc. of 280 Libbey Industrial Park Way, Weymouth, MA 02189 at their bid price of $748,000.00
3. Request to Rent Town Hall Auditorium 2/12/11 - Soule Homestead Education Center
4. Vote to approve 2011 Liquor license for Shooter's Steakhouse & Sports Bar
5. Vote to approve installation of Stop signs at Rocky Gutter & Purchase and Rocky Gutter and Miller Streets
6. Vote to approve Order of Taking for Wildflower Lane
7. Vote to approve Order of Taking for Keith Street Extension
8. Approve Betterment Agreement for 209 Everett Street
9. Request from Burt Wood School for Waiver of Entertainment License Renewal Fee

5. Hearings - Meetings - Licenses

7:20 PM Peter Richer & Aaron Smith - Report on Middleborough Landfill Operation

6. Unfinished Business

7. Town Manager's Report

8. Correspondence

9. Other

10. Executive Session - Pending Litigation & Collective Bargaining

11. Adjourn

Middleborough Board of Selectmen **December 20, 2010**
Meeting Minutes

Vice Chairman Rullo opened meeting at 7:05 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were Selectmen A. Rullo, M. Duphily, S. McKinnon, and S. Spataro, Town Manager C. Cristello and Confidential Secretary J. Shanley.

ANNOUNCEMENTS
Vice Chairman Rullo announced that Chairwoman Brunelle would be arriving late due to driving conditions and traffic.

The meeting is being taped by Comcast and is being aired live by Comcast and Verizon.

MINUTES
Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted unanimously to approve 12/13/10 meeting minutes with correction to page 4 changing "RMV" to "Registry of Deeds".

NEW BUSINESS
Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted unanimously to postpone taking action on SERSG Paving contract until its next meeting. Town Manager is to verify that it is not same paving contractor as the one who had paved Wood Street.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to award contract entitled "Middleborough DPW Water System SCADA to Annese Electrical Services, Inc. of 280 Libbey Industrial Park Way, Weymouth, MA 02189 at their bid price of $748,000.00".

Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted unanimously to approve Town Hall rental by Soule Homestead Education Center for its annual Valentine's dance on 2/12/11 from 5 PM to 11:30 PM with waiver of security personnel fee as Jane Lopes will act in that capacity.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted unanimously to approve 2011 Liquor license for Little John's Restaurant, d.b.a. Shooter's Steakhouse & Sports Bar, subject to receipt of the Fire Safety Certificate being received by the Selectmen's office.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve installation of stop signs at both the intersection of Rocky Gutter Street and Purchase Street and also at Rocky Gutter Street and Miller Street.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve Order of Taking for Wildflower Lane.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Order of Taking for Keith Street Extension.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve Betterment Agreement for 209 Everett Street in the amount of $11,450.00.

TOWN MANAGER'S REPORT
Town Manager reported receiving good news from Pat Rogers of D.E.P. notifying the Town of Middleborough that it has received a grant to do Capital Improvement plan for its water system. The grant amount is $7,500 and the total amount is $10,000.

HEARINGS, MEETINGS & LICENSES
Peter Richer & Aaron Smith addressed Board to present attached report on Middleborough Landfill Operation.
Mr. Richer informed Board that they ask that anyone who is having any problems related to the landfill, to please call them on the day that the issue occurs, including anytime Monday through Sunday. The Town Manager noted that the neighboring abutters all have the contact telephone numbers.
Doug Dyer of 1 Brook Street addressed Board to say that he has placed calls and that the problems are constant. Vice Chairman Rullo offered that as best he understands, they are utilizing the best technology available to eliminate the odors. Mr. Richer offered that they are attending to it and will continue to attend to it.
Brian Giovanoni addressed Board to offer that he worked in a community that would cover landfill and shut it down for the day on days that weather included wind turning. Mr. Richer responded that they have a weather station on the site that they use to track anticipated weather. They are using the best technology available. It is landfill gases being generated and what they are doing is trying to balance that out per Peter Richer. They intend to do another "surface scan" within next few weeks, in weather that is conducive. Mr. Smith indicated that he does go out to the landfill when prompted by telephone calls of complaints, but not every time. His objective is to identify possible new causes. Town Manager noted to the Board that he may not have been out to the landfill site, but he has always responded immediately to Mr. Dyer's calls.

Town Manager announced that the Town is not picking up Christmas trees after Christmas, but instead, residents may bring trees to the landfill where they will be recycled. There wasn't enough interest shown last year in having the Town pick up the trees.

CORRESPONDENCE
#1 & 2 - Selectwoman Duphily noted letters from MA D.O.T.
#3 - Selectwoman Duphily noted receipt of the Building Department Monthly Permit Summary and offered that she thinks it's important to see.

#6 - Selectwoman Duphily noted correspondence from Federal Energy Regulatory Commission re Cape Cod Tidal Energy Project.

#7 – Selectman Rullo noted letter of resignation by Patricia Delaney from the Conservation Commission. Town Manager makes those appointments and letters of interest should be sent to the Town Manager by mid January. Town Manager asked Jane Lopes to announce in newspaper.

Selectman Rullo noted that he received an email from Michael Solimini asking to put the Town's budget on the website. Town Manager indicated that he would talk to Roger Brunelle to make sure that it is.

OTHER
Selectman McKinnon offered word of caution for those who intend to ice skate on ponds this winter.

Allin Frawley addressed Board and suggested that the Town may want to send residents letter that the Town will plow Wildflower and Keith Street Extension. Selectwoman Duphily and Town Manager responded that the residents are aware that this process was forthcoming.

Mr. Soares addressed Board on behalf of his grandmother regarding a recent water bill for 29 School Street, and for which the amount is much higher than it has historically been. The Soares have no logical explanation. Vice Chairman Rullo announced that he had discussed this with Mrs. Soares' daughter in the Selectmen's office recently and he followed up at the Water Department. The Water Department shared all of the records with Mr. Rullo. The Water Department concluded that there must have been a "silent leak" and noted that there was mention of there having had been a running toilet in the tenant apartment. Mr. Rullo noted the Town has a policy that states that once the water has travelled through the meter, the Town has no authority to do anything about it. Mr. Soares agreed that he can't make sense of this bill. It's almost impossible to say that it is a silent leak as it has mysteriously disappeared. Selectwoman Duphily asked if they spoke with their tenant and asked them if they had an explanation to which he responded that he had asked and they indicated that they had not. He can only show normal usage and appeal to Board's reason. Selectman Rullo repeated that the current policy doesn't allow the Board the authority to take any action. Town Manager offered that he concurs with Selectman Rullo and noted that since he's been here, it has been the policy that has been followed. Selectman Spataro announced that Mrs. Soars contacted him as well and

noted that he is a neighbor of hers. Selectman Spataro suggested that the Soars have the home reviewed by a plumber and if no leaks are found, have the meter re-tested at the expense of the owner.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted by Roll Call to go into Executive Session at 8:28 PM to discuss strategy relative to Pending Litigation and Collective Bargaining and not to return into Open Session. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; S. Spataro, Yes.

Selectwoman Brunelle joined meeting.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

Board of Selectman Meeting
Middleborough Sanitary Landfill
Landfill Operations Update
December 20, 2010

1. New Paved Access Road

2. Gas Collection Operations Transition - Temporary to Permanent Flare

    - New gas header and lateral piping
    - Connections to existing passive vents in capped landfill

3. Permanent Gas Well Dewatering System

    - Compressed air automatically activates gas well pumps
    - Liquids removed from gas extraction wells

4. Current Gas Collection Points (21)

    - Active Phase II – 9
    - Closed Landfill – 12
    - Horizontal and Other Collection Points

5. Gas Collection System Tuning

6. Ongoing Gas System Improvements

7. Leachate System Cleaning

8. Installation of Remaining Phase II Drainage Sand