

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 & RENT CONTROL BOARD

DATE OF MEETING: Monday 6/20/11 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. Unanticipated

3. Announcements & Recognitions

4. Minutes: 5/31, 6/6, 6/8, 6/13 Regular Minutes & 5/31 & 6/13 E.S. Minutes

5. New Business - 7:05 PM

1. Vote appointments to Commission on Disability.
2. Grant permission for NRP to place Playbill sign on Town Hall lawn.
3. Grant permission for N. Middleborough 4th of July Parade Committee to hold parade 7/4.
4. Vote to sign Release of Restrictive Covenant for 51 Meadowbrooke Lane.

6. Hearings - Meetings - Licenses

- 7:15 PM Attorney Kraus - Hillcrest Mobile Home Park
- 7:20 PM Public Hearing - Application for Underground Storage of Flammables, Miller St.
- 7:30 PM Fire Chief's presentation & discussion with EMS & Finance Committees
re Fire Ambulance Service

7. Unfinished Business

8. Town Manager's Report

9. Bills

10. Correspondence

11. Executive Session

12. Adjourn

**Middleborough Board of Selectmen
Meeting Minutes**

June 20, 2011

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

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

UNANTICIPATED

Mark Belanger announced that he will be playing at the Flat Iron Café this Saturday night.

ANNOUNCEMENTS

Massasoit Community College will hold an Open House on June 22nd and August 10th from 12 Noon until 7 PM.

DPW will begin its resurfacing project on Monday, June 27th of the following streets: North Main Street from Jackson Street to East Main, then East Main St as far as Coombs Street. Other streets for this process are scheduled: Tuesday 6/28 and Wednesday 6/29 will be Rice St and Pearl St from Pierce St to Oak St.

Selectman Spataro offered thanks to folks who put on recent Job Fair. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to send letter of thanks. Four in favor. Chairman abstained.

Selectman Quelle recognized the Middleborough Sportsman's Club for allowing the Middleborough Police to utilize its firing range, at no cost to the Town, for its annual firearms qualifications.

MINUTES

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted to approve meeting minutes of 5/31/11. Four in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve meeting minutes of 6/6/11. Four in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve 6/8/11 meeting minutes. Four in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve 6/13/11 meeting minutes. Three in favor. Chairman and Selectman McKinnon abstained.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve 5/31/11 Executive Session meeting minutes. Four in favor. Chairman abstained.

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Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve 6/13/11 Executive Session meeting minutes. Four in favor. Chairman and Selectman McKinnon abstained.

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to re-appoint Carolyn Gravelin and to appoint Allison Ferreira, as the Town's representatives, to the Commission on Disability, each for a 3 year term expiring on 6/30/14. Four in favor. Chairman abstained.

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted to approve request for Nemasket River Productions to place a Playbill sign on the Town Hall lawn from 7/1 through 7/29/11.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to approve Fourth of July parade to be held on 7/4/11. Four in favor. Chairman abstained.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to sign Restrictive Covenant Release for 51 Meadowbrooke Lane. Four in favor. Chairman abstained.

HEARINGS, MEETINGS & LICENSES

Hillcrest MHC LLC (the "Park")

Attorney Kraus addressed Board regarding Hillcrest MHC LLC (the "Park") / Water Meter Issue. He announced that he will address the issue, as a Capital expense, when they come before the Board in the near future to present their application for rent adjustment. Fire Chief spoke and noted that there had been a public safety issue with the water meter. The meter he is proposing would be sufficient. Selectman Quelle asked if this is the first time this has come up. Attorney Kraus responded that this is first time he was hearing about a public safety concern. His client has indicated that they should have an application into the office for rent control within the next ten days. Fire Chief added more of the history. Chairman asked if the meter has been installed yet. Attorney Kraus responded it has not as it is a capital expense, it's on their private property, and they are trying to address it. Chairman asked Chief if it is an ongoing safety issue or if we can work around it. Chief responded that we are working around it, as luckily, they knew about it ahead of time. He added that if there is a fire hydrant in there that is insufficient, you are giving folks in there a false sense of safety. Selectman Frawley noted that Attorney Kraus had mentioned several times having had spoken with Richard Tinkham in the past, however, he has been retired for some time now. Attorney Kraus acknowledged that he was aware of that and noted that he has also spoken with DPW Water Department Superintendent J. Silva. Selectman Frawley noted that the Board has in writing that it's been brought to Attorney Kraus' attention multiple times over several years. Attorney

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Kraus indicated that he will contact the Fire Chief again and have an application in within 10 days. Selectman Spataro asked what Attorney Kraus would consider an operating expense as compared to a capital expense. Attorney Kraus responded anything in the nature of equipment is a capital expense. Chairman added that the Board will determine if it is a capital expense. Brian Giovanonni suggested that if Attorney Kraus feels it may be a hydrant outside of the Park that may be the cause of the problem, the Town Water Commissioners need to know about it immediately. Judy Bigelow Costa wondering what type of fire insurance private properties are paying that have all these units around it. Selectman McKinnon noted that Hillcrest/Attorney Kraus has known for four years that the meter is not operational/effective and questioned the amount of time it has/will take them to submit their application for rent adjustment in order that this matter may be addressed. Attorney Kraus noted that he disagreed with his characterization. Chief noted that there is one working hydrant in the park and depends on if we can get two working engines there. He suggested they put "hydrant out of order" sign so that it is not falsely expected that it can be used in emergency. Attorney Kraus will call Chief tomorrow.

Underground Storage of Flammables, Miller Street

Chairman opened hearing at 7:27 PM by reading aloud public hearing notice. Stantec representative addressed Board. Chairman asked to hear any comments from the Board, the audience, or from abutters. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to approve license. Four in favor. Chairman abstained.

Fire Chief's Presentation re Fire Ambulance Service - SAFER Grant

Chairman thanked Fire Chief Lance Benjamino for his efforts and work in obtaining the SAFER grant. Chairman explained they would begin with the Chief's presentation followed by rotation of questions/comments by various Committees, the Board of Selectmen, and the public. Board will then take matter under advisement. Fire Chief began by thanking the Board for the opportunity to give his presentation. Chief gave presentation as presented on the attached. Questions were presented by members of the Finance Committee, the EMS Committee, the Board of Selectmen, and the public. Selectman Frawley thanked Chief and noted that he should be commended for the work he has done, no matter how the matter turns out. Selectman Frawley presented Chief with questions. Town Manager offered comments. Various residents encouraged the Board to accept the grant. Some residents encouraged the Board not to accept the grant. Fire Chief George Rogers of Bridgewater congratulated the Fire Chief noting that this grant is very competitive and that they are all trying to get this grant. He noted that his community has managed this type of ambulance service like a business and it has proven successful. Town Manager offered that he and the Chief called in Comstar billing company. They confirmed that the numbers we were looking at were achievable and were numbers AMR is collecting and billing currently. He offered Mr. Belanger or anyone a handout with this information, which also includes Rick Martin's contact information. Town Manager noted that he is willing to meet with anyone who wants to

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discuss it. Chairman thanked Fire Chief for the wonderful accomplishment in getting this grant. He noted that the Board will take due care and discuss and render a decision. Chairman thanked everyone, noting that their participation was important. Fire Chief thanked everyone and noted he respects the questions by the Committees and others. He thanked everyone for listening. Selectman Frawley advised that anyone who has questions may email them to the Selectmen and he noted that the Finance Committee would be meeting Tuesday night and the EMS Committee on Wednesday night to discuss this further.

TOWN MANAGER'S REPORT

So. Middleborough land exchange/White McGill Realty

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to authorize Town Counsel to sign the Land Court complaint on behalf of the Town and to participate in the case keeping in mind that White McGill's attorneys would have the primary responsibility for the case. Four in favor. Chairman abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to authorize a further extension until mid-2012. Four in favor. Chairman abstained.

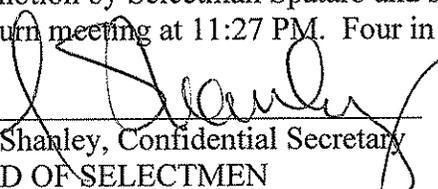
Surplus Property

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to declare 28 12" metal and 6 particle board lockers as surplus as requested by the Police department. Four in favor. Chairman abstained.

CORRESPONDENCE

None.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted to adjourn meeting at 11:27 PM. Four in favor. Chairman abstained.



Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN