

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 7-26-10 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. Minutes - 6/28/10 Regular & 7/12/10 Regular

3. Announcements:

4. New Business - 7:05 PM

- a. N.E. Blues Festival - Request Sign on T. Hall Lawn
- b. Bartending Service of N.E. - One-day Liquor License
- c. Betterment Agreement - 20 Homestead Road
- d. Charter Review Committee - Vote to disband
- e. MPD - Authorize Job Posting, Part-time I.T. Administrator
- f. Oak Point Veteran's Association - One-day Liquor license
- g. Set Fall Town Meeting Date - 10/4/10
- h. Execute Deed - Stanizzi Property

5. Old Business

6. Hearings - Meetings - Licenses

- 7:30 PM Title V Repair Hearing - 20 Pine Grove Ave.
7:50 PM Attorney O'Shaughnessy - Request Sewer Ext. & Connections
Valley Road Estates
8:10 PM Set Water, Sewer & Trash Rates

7. Bills MA Municipal Association - Dues

8. Town Manager's Report

9. Correspondence

10. Other

- a. BOS Issues -
- b. Public Comment Opportunity

11. Executive Session

12. Adjourn

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

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

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

ANNOUNCEMENTS

Helen Belmont, President of Middleborough Friends group, asked Chairwoman to publicly thank Fire Chief Lance Benjamino, Lt. Thomas Gaudette, and Firefighter Alan Deane for attending their concert on Thursday evening and bringing along a fire truck for the children to enjoy. The Sheriff's Department will be at this week's concert to fingerprint children.

Health Officer Jeanne Spalding addressed Board with an update re EEE in the area. Middleborough and Lakeville have been elevated to "High Risk" by the Department of Public Health. Other areas are beginning to show signs. She has been working with Plymouth County Mosquito Control. They have been terrific to work with and have been very responsive. They are targeting the Battis field area, the sports fields, and as of last week they had not done the schools. She is working with them to start doing the schools once she gets the paperwork in. They sprayed the barn area where the horse died. They will spray it again this week. They will do trap testing this Wednesday to get understanding of mosquito population. They will do the center and central section of Town on Thursday. The Town Hall lawn is done weekly. The two housing authority properties have been included. It is not only dawn and dusk that are a concern. The mosquitoes are out during the daytime. The public should wear mosquito repellent. Selectman McKinnon asked what Towns are considered high risk. Health Officer explained that it is Middleborough and Lakeville only at this time. Aerial spraying is determined at a State level and not by Plymouth County Mosquito. She is aggressively pursuing ground spraying at present, but personal protection is always best.

Upon motion by Selectman McKinnon and seconded by Selectwoman Duphily, Board voted unanimously to approve 6-28-10 meeting minutes with correction on page 10 re comment referencing R. Geoffroy and A. Nalevanko, which does not belong as part of that discussion.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve 7-12-10 meeting minutes with correction on page 5 changing the word "Commission" to "Commissioner's" in referencing MGE meeting and by also adding on page 7 referencing Robert's Rules, "motion did not carry".

Chairwoman informed Secretary that the Board does not need to receive "attachments" with minutes.

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman Rullo, Board voted unanimously to approve request by New England Blues Festival to place sign on Town Hall lawn from 8/1/10 until 9/12/10.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day All Alcoholic Liquor license for The Bartending Service of New England for a Wedding Reception to be held at the Council on Aging on 8/8/10 from 7:30 PM until 11:00 PM.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreement for David C. & Joyce P. Robinson, 20 Homestead Road in the amount of \$15,404.60.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreement for Timothy & Michelle Fraser, 73 East Grove Street in the amount of \$18,841.44.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to disband the Charter Review Committee with a note of thanks.

Police Chief Gates addressed Board to explain his request to hire a Part-time I.T. Administrator. Discussion ensued. Selectwoman Duphily and Selectman Spataro noted that they find the request reasonable. Selectman Spataro asked if the position could be covered by a Town I.T. staff person. Chief noted that it might be possible and save some money, however, he would like the person accountable to him, and they wouldn't be. Selectman Spataro noted that someone who reports to I.T. Director can work on special projects. The Chief's plan is ask the Bridgewater I.T. person who knows the I.M.C. stuff thoroughly, to participate in the interview process. Selectman Spataro asked Town Manager if there is any room in the I.T. department to help with any additional work. Town Manager responded that the I.T. department has been cut back like everyone else. Chairwoman noted that the staff person that had been utilized for this position had already been an employee of the police department, therefore, it had not affected other departments. Selectman Rullo noted that it sounds as though the I.T. department is out straight now and questions whether or not the Town could squeeze 15 additional hours out of that department to fill the position. Selectman McKinnon suggested the use of an I.T. Vendor who would be available 24/7. He further suggested that we could possibly bundle services as has been talked about through SRPEDD. Chief offered that most vendors want you to sign a contract for certain amount of time and money, but noted that we may be able to consider in the future. Chairwoman asked Chief to work with Town

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

Manager and I.T. department to see if they can help. She knows what the workload is in the I.T. Department and it will be difficult, but maybe they can assist for now.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve request. Chairwoman asked Chief if there is any chance Officer Silvia could come in to assist. Chief noted that he has already retired, but anything is possible.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted unanimously to approve One-day Wines & Malt Beverages Liquor license for Oak Point

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted unanimously to set 10/4/10 as Fall Town Meeting Date and to close the Warrant on Friday, August 27, 2010.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to execute Deed re Stanizzi Property.

HEARINGS, MEETINGS, & LICENSES

20 Pine Grove Ave., Septic Repair Variances

Engineer Darren Michaelis of Foresight Engineering addressed Board. Chairwoman read allowed what had been required by the Health Officer and asked applicant if he has complied. He responded that he had. Health Officer addressed Board to state what she requires. Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted unanimously to approve the acceptance of these septic repair variances.

Martenson – Valley Road Sewer Extension Request

Attorney Michael O'Shaughnessy addressed Board to speak on behalf of his client. He noted that the engineer is not available this evening. Chairwoman informed him of the Board's policy adopted in 2004. He asked for a copy noting that he had only received one from 1988. Discussion ensued. Wastewater Superintendent Todd Goldman addressed the Board and explained why he recommends against allowing any new extensions. Selectwoman Duphily asked Attorney O'Shaughnessy if the residents in this development could put in septic systems. He said that the soil won't support it. After a lengthy discussion, Attorney O'Shaughnessy offered that he would like to talk with the engineer and Mr. Goldman to develop what they need to satisfy his concerns and bring back before the Board. Town Manager suggested that there is no harm in letting him work on coming up with something and see if it's satisfactory. Chairwoman announced that the Board will postpone action until future time when Attorney O'Shaughnessy can return. Board asked Town Manager to provide the Board members with the most recent policy.

Set Water, Sewer & Trash Rates

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

Town Manager explained why he is recommending that the Board increase water and wastewater rates by 5% and to reduce trash rates by 2%. Discussion ensued. Upon

motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve 5% water rate increase as recommended by Town Manager.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve 5% wastewater rate increase as recommended by Town Manager.

Town Manager reviewed his recommendation for decreasing trash rates by 2%. Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted unanimously to approve Town Manager's new option for trash removal at the landfill for the one-time clean up projects with a fee of \$5 per trip with a maximum of three trips per year.

BILLS

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to approve MMA bill in the amount of \$2,631 for dues.

Selectman Spataro noted that the Town hasn't had a hazardous waste cleanup in sometime. Town Manager responded that the Town will have one this fall. Selectman McKinnon asked the Town Manager if he would be able to include something in that about prescription medications also. Town Manager responded that he would look into. Selectwoman Duphily suggested that the Health department will take prescription medications for disposal. Town Manager offered that he believes that the pharmacies will also take back prescription medications for disposal, though he is not certain. Chairwoman asked Town Manager to look into. Town Manager agreed.

TOWN MANAGER'S REPORT

Town Manager presented his recommendation on I.T. Assessment Task Force as presented on the attached. Discussion ensued. Upon motion by Selectman Rullo and seconded by Selectman Spataro, Board voted to go along with recommendation of Town Manager. Four in favor. M. Brunelle abstained.

Selectman Rullo asked if a timeline should be established to formulate the committee. Chairwoman Brunelle noted that the Town Manager will make recommendation to the Board as to who should be considered for appointment.

Town Manager updated Board re FEMA reimbursement. A total of \$166,000 in reimbursements has been sought. We have only received 75% of that. In category B alone, we are looking at approximately \$74,000 of requests. That is potentially approximately \$55,000 in reimbursement from the emergency response that we

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

performed during the storm. He thanked Chief Benjamino for his diligence in getting this done. It is really going to benefit the Town to get this reimbursement.

Sr. Community Service Employment Program "Citizens for Citizens" will be paying for a part-time custodian for both Town Hall buildings.

Chairwoman Brunelle noted that she was aware that the Town had a leak in the Eastern Bank building. Town Manager offered that we had more over the weekend. He informed the Board that we are trying to get estimates and noted that it is not a good situation for the employee in that area. Building Commissioner Mr. Whalen is working on getting estimates. Selectman McKinnon asked if we will be able to submit an insurance claim for this. Town Manager responded that he is not sure it will rise to the deductible.

CORRESPONDENCE

Selectman Spataro acknowledged #12 - letter from Representative Straus relative to state agency cuts. He noted that they all seem to be cuts of people that are faced with the public rather than cutting people behind the scenes. He would rather have seen them make cuts in education or secretarial pools.

Selectman Rullo referenced #3 and urged the public to get a hold of their senator to oppose Section 122 of Senate Economic Development bill.

Upon motion by Selectwoman Dumphily and seconded by Selectman Spataro, Board voted to authorize Town Manager to speak on behalf of the Board and oppose this bill while at State House tomorrow.

Selectman McKinnon acknowledged #6, which was a Thank you letter from Kellie Craig for recognizing her son and other troops at recent welcome home reception. Selectman McKinnon offered his thanks for receiving the letter and additionally for their son's service.

Selectman McKinnon acknowledged #7 NIMS Compliance. It was noted that the Board needs to get certified.

#11 Notice of fundraising Drive. He offered concern that they check to make sure the marketing company they use has the proper licensing. Chairwoman responded that she spoke with Mr. Andrews today. They did follow up and they have been approved.

Selectman McKinnon noted #14 E.R. Permit Inspections. There were four that did not have signage along the roadways. They are #9-1 Fuller Street, #9-3 Fred Greene on Tispaquin Street, #7-03 Ryan Vlaco on Pine Street and #9-04 on Pine Street. He requested that DPW Director A. Bagas look into.

**Middleborough Board of Selectmen
Meeting Minutes**

July 26, 2010

Selectman McKinnon noted #20 Suggestions by Adam Bond regarding rules for consideration, suggesting that they may be worth looking at and perhaps adopt some of them. Chairwoman suggested that they put matter on the 8/9/10 agenda for discussion, noting that they are very good suggestions and if any Board members have any suggestions before then, to forward them to her and they can incorporate them. Board agreed.

Selectman McKinnon asked if he could give a report re SRPEDD. Chairwoman asked if Board could hear the report under "Other" at its next meeting. Selectman McKinnon agreed.

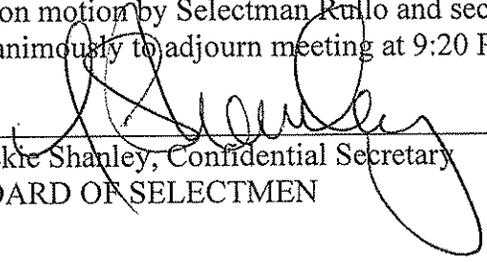
OTHER

Allin Frawley commended and thanked Town Manager, Anna Nalevanko, and the Board for bringing projects such as Compass Medical to Town. Town Manager added that Ruth Geoffroy should also be commended.

Chairwoman noted an invitation to the Board to attend a Court of Honor for Brendan Gaulin on Saturday, August 14, 2010 and reminded the Board members to RSVP as requested.

Brian Giovanoni wanted to thank the Fire Department for coming to the concert on the lawn of Town Hall. He noted that the Fire Department (the Union) has blue and silver house number signs that can be installed at foot of residential driveways for \$15. These signs make it that much easier for police and fire to locate addresses.

Upon motion by Selectman Rullo and seconded by Selectman McKinnon, Board voted unanimously to adjourn meeting at 9:20 PM.



Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN