

MINUTES

For approval at the 5-6-13 meeting

 **DRAFT****Middleborough Board of Selectmen
Meeting Minutes**

April 22, 2013

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

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

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to re-appoint Dorothy Pulsifer as a member of the ZBA for a term ending 6/30/18.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve Betterment Agreement for 84 Highland Street in the amount of \$12,100.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to renew 2013 Certificates of Registration for Fuel Storage, as presented, subject to receipt of all required documentation being filed with the Town Clerk's office.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to renew 2013 end Hand/Junk Dealer/Pawnbroker licenses, as presented, subject to receipt of all required documentation being filed with the Selectmen's office.

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to renew 2013 Seasonal Automatic Amusement Device license for K.O.A. Kampground, as presented, subject to receipt of all Required documentation being filed with the Selectmen's office.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to support McMahon & Associates Rotary alternative design and to ask other communities for their support.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted by Roll Call to go into Executive Session at 6:40 PM for the purpose of discussing Collective Bargaining matters for all Town bargaining units and to return into Open Session. Discussing these matters in Open Session would compromise the Town's bargaining position. Roll Call: A. Rullo, Yes; A. Frawley, Yes; S. Spataro, Yes; B. Quelle, Yes; S. McKinnon, Yes. Ended at 6:55 PM.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted by Roll Call to return into Open Session at 6:55 PM, recess, and to reconvene at 7:00 PM in the Middleborough High School Auditorium to conduct Special and Annual Town Meeting business. Roll Call: A. Rullo, Yes; A. Frawley, Yes; S. Spataro, Yes; B. Quelle, Yes; S. McKinnon, Yes.

Board reconvened in Open Session at 7:00 PM in the Middleborough High School Auditorium to conduct Special and Annual Town Meeting business. Upon motion by Selectman Frawley and

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seconded by Selectman McKinnon, Board voted unanimously to adjourn at 8:40 PM at the conclusion of Town Meeting.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

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

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

UNANTICIPATED

Selectman Frawley had a constituent ask if a sign could be placed on the Town Hall and the Town Hall annex identifying what offices are in which building. It was noted that this information is on the Town's website.

Selectman Frawley thanked Chairman Rullo and Selectman Spataro for their years of service to the Town.

Brian Giovanoni welcomed the potential new candidates for Selectmen and reminded the public to vote tomorrow. He also noted that the Middleborough Friend's Pancake breakfast will be held at the COA this Saturday.

Selectman McKinnon thanked Chairman Rullo and Selectman Spataro for their many years of service and requested handout material for the new members, including the Board of Health regulations, green books, and Board operating procedures.

Selectman Frawley reminded the public that tomorrow is Election Day for local elections and the Primary.

Chairman Rullo offered his thanks to the Board members noting that they worked well together. He thanked the Citizens of Middleborough for electing him and for their participation. He additionally thanked the residents of Edgeway Mobile Home Park and wished them all the best.

Selectman Spataro noted that the Board gets along very well. He thanked all of the managers of Town departments, the Town Manager, and the Board's Confidential Secretary.

MINUTES

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to approve the 4/8/13 regular minutes.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve the 4/8/13 Executive Session meeting minutes.

WARRANTS

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee to sign Warrants for week ending 5/3/13.

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NEW BUSINESS

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve a 2% Cost-of-living increase for Non-bargained Police department employee Amy Dowler.

Paul Provencher addressed Board to present Memorial Day activities. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to approve, as presented.

Selectman Spataro additionally thanked all Town employees.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to declare the Park's department 1990 GMC Dump truck with VIN #GDHK34K4LE509179 as surplus.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve and sign healthcare renewal for FY'14.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve Betterment Agreement for 99 Highland Street in the amount of \$29,874.00.

Selectman Quelle joined meeting at 7:22 PM.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve the YMCA Road Race and Triathlon, with the safety plan in place, as requested by the Fire Chief, and the understanding that the applicant will make sure that the streets are cleaned of any debris related to the events.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to adopt the Seasonal Water Use Restrictions, as presented.

Police Chief Gates addressed the Board and thanked Chairman Rullo and Selectman Spataro for their service to the Town. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to appoint the following Auxiliary Police Officers as Seasonal Police Officers, working part-time from May 1st through September 13 primarily in the downtown area:

- Anthony J. Keaney
- Charles A. Lemieux, Jr.
- Wayne D. Lee
- Boaz S. McMahan
- Raymond M. Meleski
- Andrew C. Sederquist
- Robert A. Stephanian

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The Town Manager spoke about the need to increase the Water, Wastewater, & Trash rates. Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to set the rates as recommended by the Town Manager, specifically:

Water

A 4% increase for FY14, effective 7/1/13

Wastewater

A 15% increase for FY14, effective 7/1/13

Trash

No increase for FY14.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to ratify the following Union contracts, as presented:

- Police Superior Officers
- DPW
- Library
- Clerical (2012)

Town Manager provided a summary relative to the Notice to Vacate 122 Cedar Street. Kenneth W. Virkler of 122 Cedar Street addressed the Board and offered that he's been living at this address for the past ten years. He explained that he did not know that his mortgage company had not been paying his Town taxes since 2007. He asked the Board to give him until August 1, 2013 to come up with the \$35,000 that he owes to the Town. Town Manager explained that after the right of redemption period has passed, the Town does not allow redemption. Chairman asked for clarification about how it is his mortgage company stopped paying his taxes. Chairman explained the Board's policy of extending a great deal of time to let residents get caught up if/when they fall behind, and noted that Mr. Virkler had elected to let it pass by. Mr. Virkler asked if he could have until August 1st to move. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted to approve and sign Notice to Vacate. Board agreed that Town Manager may send letter to Mr. Virkler notifying him that he has until August 1, 2013 to move out.

Chairman read aloud resignation letter from Kevin F. Franzosa from the Permanent Cable Committee. Chairman thanked Mr. Fanzosa for his many years of service to the Town. Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted to accept his resignation and agreed to send letter of appreciation to Mr. Franzosa.

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Town Manager explained the Memorandum Of Agreement with the Firefighter's union. A question and answer period ensued. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to sign the Memorandum Of Agreement.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to sign a license Agreement for property off Wareham Street.

TOWN MANAGER'S REPORT

Town Manager offered that he has greatly enjoyed working with Chairman Rullo and Selectman Spataro.

CORRESPONDENCE

#16 Selectman Spataro noted correspondence re Cape Trains/Boston Globe South article. Town Manager noted that he attended a safety meeting last week and had suggested at the meeting that the operator come before the Board and make a presentation. He talked about the potential dangers and the need for public awareness and education that these trains will be here on May 24th and will travel at very high rates of speed. Chairman shared concerns about the need to address chain link fencing as these crossings will be in residential areas. Town Manager hopes to have them before the Board at the next meeting or the one after. Motion made by Selectman Spataro and seconded by Selectman McKinnon, to send letter to all communities up and down the rail for their support to request additional fencing and other safety improvements. Brian Giovanoni offered that he knows of others who are interested in this matter and he requested we get the word out if this topic will be before the Board.

Selectman Spataro noted that Thomas Mill Park looks terrific all cleaned up. Selectman Frawley asked if we can transfer it to the Parks department. Selectman Spataro also noted that the Oliver Mill Park also looks terrific. Motion made by Selectman McKinnon and seconded by Selectman Frawley to transfer the Thomas Mill Park under the Parks department. Town Manager explained that such a motion was premature and that he would bring back additional information to a future meeting.

Selectman Frawley noted the Canoe race scheduled for 5/18 at 11 a.m. starting at the Old Street Bridge followed by the Oliver Mill Duck race.

#9 Selectman Quelle noted Plymouth County Retirement Association Assessment correspondence.

#15 Selectman Quelle noted MGC correspondence and asked if members want to look at again and consider for later discussion.

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#12 Selectman Quelle noted MBTA correspondence.

Chairman Rullo offered his final thanks to everyone.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to adjourn at 8:09 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN