

MINUTES

For approval at the 3-26-12 meeting

**Middleborough Board of Selectmen
Meeting Minutes****March 19, 2012**

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, S. McKinnon, S. Spataro, A. Frawley, and B. Quelle, and Confidential Secretary J. Shanley.

Town Manager C. Cristello was briefly attending a Capital Planning Committee meeting.

The meeting was broadcast live by Verizon and MCCAM and recorded by MCCAM.

UNANTICIPATED

Resident Suzanne Dube requested that the Board release the 8/8/11 Executive Session meeting minutes re the SAFER grant. Chairman explained that the Board will be reviewing all Executive Session minutes for 2011 to consider their release.

Paranormal Xpeditions addressed Board to request use of the Town Hall grand ballroom for a documentary. Chairman noted that this request would be placed on the Board's next meeting agenda.

Selectman Frawley noted information from this months Beacon re Senate Bill 1985, House Bill 3027, and Senate Bill 1055. He suggested that we may want to do more research and consider writing a letter to the House and Senate to support these bills as they would be beneficial to the Town. Chairman recommended that this matter be brought up later in the evening, for further discussion, when the Town Manager is in attendance.

Brian Giovanoni announced that the School Committee will give its annual budget presentation on Thursday 3/22 at the Nichol's Middle School at 7:30 PM. The meeting starts at 7:00 PM.

Resident Andrew O'Shaughnessy addressed Board with three questions that he would like answers to:

1. Who is accountable for maintaining the bus depot in front of Town Hall?
2. Can the Board recommend incentive policies to get the police to implement noise ordinances?
3. Can the Board do anything to force landlords to maintain their properties, as poorly maintained properties lower the value of those in the area.

Selectman McKinnon offered that it was gratifying to see the Town come together Friday night to voice its concerns regarding the MG&E. Chairman offered that he also attended Friday night and noted that, although emotions ran high and the audience was clearly upset, he wanted to congratulate the MG&E Commission members for doing the right thing.

MINUTES

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 3/5/12 Executive Session meeting minutes.

**Middleborough Board of Selectmen
Meeting Minutes**

March 19, 2012

MINUTES (continued)

Motion made by Selectman McKinnon and seconded by Selectman Frawley to approve the 3/12/12 Executive Session Meeting minutes. At the request of Selectman Spataro, Selectman McKinnon withdrew motion. Upon motion made by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to delay voting on these minutes until such time as the Board has continued discussion on the matter.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve 3/12/12 meeting minutes.

NEW BUSINESS

Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to approve St. Vincent de Paul Society 5K race/walk fundraiser on 9/29/12.

Selectman McKinnon excused himself from the meeting.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to declare Police department K-9 dog as surplus property and authorized donation to its handler. Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to award the dog for its service.

Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve N.R.P.'s placement of theatre production sign on the Town Hall lawn from 4/8/12 to 5/5/12.

HEARINGS, MEETINGS, LICENSES

Capital Planning Committee Report

At 7:22 PM Town Manager joined the meeting. Capital Planning Committee Chairman Steve Morris addressed Board and introduced the other members of the Committee. He reviewed the Capital Planning Committee Report recommendations. Chairman thanked the Committee for its report and for all the hard work that it has done.

Edgeway Mobile Home Park

Edgeway Mobile Home Park Matter continued from 1-9-12. Town Manager noted the documents that he provided to the Board, informing the Board the material had just come in and the staff hadn't had the opportunity to review it. He recommended continuing the hearing to 4/9/12. Selectman Frawley offered that he has been in touch with some of the residents at Edgeway about some of the things that haven't been done yet at the Park. Sidewalks and driveways need further repair. He'd like to see the splash guards installed immediately and the sheds moved back. Selectman Quelle asked, and Town Manager responded, that the Planning Board will have to schedule a meeting to make sure that the plans meet its requirements and the Health Officer will

**Middleborough Board of Selectmen
Meeting Minutes**

March 19, 2012

need to review the septic design. We will schedule those reviews right away so that the information is ready for 4/9. TM – DEP. Anne McGann spoke and offered that some of the sheds need repair and painting and they could work on them if they wanted to if they could just move some of the easier sheds back onto their slabs. Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to continue the hearing to 4/9/12 at 7:30 PM.

TOWN MANAGER’S REPORT

Town Manager noted CIC Grant Announcement.

Chairman brought up earlier items that came up for discussion while the Town Manager was in the Capital Planning Committee meeting:

Response to Mr. O’Shaughnessy’s questions:

- Town Manager offered that we have been doing the Federal CDBG to give loans to the downtown to help with improvements. This is the Town’s way of helping to give people a hand in making it more affordable to make these improvements.
- Motorcycle noise -
- The DPW is going to do some repair to the bus depot and they will try to keep it clean.

Response to S. Dube’s request for 8-8-11 Executive Session minutes:

- Town Manager noted that he sent the Board’s secretary an email today to notify Ms. Dube that the 8/8/11 Executive Session minutes will not be released as that would compromise the Town’s bargaining position in upcoming negotiations.

Glen Montapert offered that S. Dube had introduced herself as a member of the Finance Committee, but noted, for the record, that she was making her request as a resident. Chairman noted that the Board was aware of same.

HEARINGS, MEETINGS, LICENSES

Class II Automobile Dealership (Internet Sales Only) Leonard’s Auto, 69 Miller Street

Chairman opened public hearing at 7:50 PM on application for Leonard’s Auto, 69 Miller Street, for Class II Automobile Dealer (Internet Sales Only) license by reading aloud public hearing notice. Board asked questions of applicant. Applicant provided answers and explained that he would like to house one vehicle in his garage. Chairman asked to hear questions/comments from the audience. G. Montapert asked if it will cause problems to change the procedure of not allowing storage of vehicles on site. Chairman explained that it isn’t a procedure, but rather past practice. B. Giovanoni spoke in support of the license. Chairman declared hearing closed. Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve license with only one vehicle authorized to be housed in the garage, with no signage, and no display of vehicles.

CORRESPONDENCE

Selectman Frawley offered that he received an email about the Permanent Cable Committee meeting minutes re equipment from the Selectmen's hearing room that is being donated to the Ludlow School department. Town Manager noted that the Committee is required to ask the Board to declare the equipment as surplus first. He will let the Committee know that it has to bring that forward. Chairman noted that we've had the Committee listed under future agenda items and perhaps this would be a good time to get them in.

MINUTES

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve 3/12/12 Executive Session meeting minutes with change of word from "offending" to "constraining".

At 8:07 PM Board voted by Roll Call to go into Executive Session to discuss strategy relative to Pending Litigation and not to return into Open Session. Roll Call: Selectman Quelle, Yes; Selectman Frawley, Yes; Selectman Spataro, Yes; Selectman Rullo, Yes. Ended at 8:40 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN