MINUTES

For approval at the 11-16-09 meeting

DRAFT

Middleboro Board of Selectmen **November 9, 2009**
Meeting Minutes

Chairman opened meeting at 7:04 PM by inviting those in attendance to join in the Pledge of Allegiance.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve 11-2-09 minutes.
Four in favor. P. Rogers abstained.

Upon motion by Selectman Rullo and seconded by Selectwoman Duphily, Board voted to approve 11-2-09 Executive Session minutes.
Three in favor. M. Brunelle and P. Rogers abstained.

NEW BUSINESS
Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to authorize Veteran's Director Paul Provencher to use his Town vehicle to travel to the Rhode Island Veterans' Hospital, as needed.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted to approve One-day All Alcoholic liquor license for Muckey's Liquors for the Annual Support our Troops for the Holidays event at the Oak Point Community Center on 12/2/09 from 6 PM – 8 PM. Board's secretary will research past practice relative to waiver of liquor license fees.
Four in favor. P. Rogers abstained.

Upon motion by Selectman Rullo and seconded by Selectwoman Duphily, Board voted to approve Town Hall rental request for Whitman-Hanson Regional High School for 12-5-09 from 6 PM until 11 PM.
Four in favor. P. Rogers abstained.

<u>89 Acres off Miller Street – Seven Hills Corporation</u>
Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted to authorize Town Manager to meet with Water Superintendent to evaluate this property for potential water supply use and if the cost to evaluate is more than $1,000, for the Town Manager to first report back to the Board.
Four in favor. P. Rogers abstained.

OLD BUSINESS
<u>Final Earth Removal Permit Conditions – F. Green Realty</u>
Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve.
Four in favor. P. Rogers abstained.

Rent Control Board Preliminary Discussion
Board members offered their individually opinions as to establishing a separate Rent Control Board. The majority of the members do not support establishing a separate Board. Town Manager explained that he and the Board's secretary will be required to schedule public hearings and with the time requirements involved in such hearings, it would not be feasible to have an outside group involved in the process. The process will be something that the Town Manager and the Board's secretary will need to administer for the Board. Sensitive information that may be contained within the tenant forms are of concern relative to the privacy of personal information.

Earth Removal Permits – Preliminary Discussions on Setting Fees
Chairman explained that the Board is not authorized to set fees at the moment. Town Counsel is to prepare opinion and advise Board.
Jane Lopes asked if Rent Control Regulations are in effect. Town Manager responded that they are and confirmed that forms are due 90 days after new regulations go into effect. Chairman noted that the Board will discuss E.R. matter again after hearing from Town Counsel.

TOWN MANAGER'S REPORT
Five-Year Financial Forecast Presentation
Preliminary Five Year Forecast was provided to the Board in its packets. We are showing a $3 million deficit. We have a forecast meeting next Monday night with forecast group. Departments have been instructed to provide a level funded budget for now. We are looking at a 7.5% cut assuming we can't achieve some economies in other places. He's hopeful and is looking at healthcare plans, specifically, through MIIA. Employees can choose higher quality, lower co-pay care providers. It is structured on Tiered products. Town Manager is hopeful to achieve some savings on fixed costs. Selectman Rullo offered that he would not support an "across the Board 7.5% cut" for FY10, acknowledging that some departments may have to take a heavier hit than others as some could not sustain this cut. Selectman Rullo indicated that the Board needs to decide what services are important to the Town and which ones it can live without. He further noted that we are going to need some help from our bargaining units as this is going to be a difficult year.

BIDS for Surplus Property
Town Manager thanked his Assistant, Allison Ferreira for putting this together and for running the whole process. Town Manager explained that a couple of the bidders provided their bids in one single envelope as opposed to individually. Town Counsel advised that this would be considered a minor informality.
Upon motion by Selectman Rullo and seconded by Selectman McKinnon, with question,

Board voted to accept bids as presented and to waive minor informality, with removal of these vehicles from insured list. Town Manager indicated that he believes they have been, and, if not, will be.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted, with generous thanks, to accept donation from Pierce Trustees of $20,000 as a gift to be utilized towards Soule Homestead renovations.
Four in favor. P. Rogers abstained.

Town Manager informed Board that the Pierce Trustees also agreed to broaden gift from several years ago that was intended for trees and will be used for beautification of downtown, as long as it benefits the Town.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to authorize DPW Director to post position in Water Department for a Water Distribution laborer. Town Manager explained that there had been an employee there on a temporary basis for three years, but that the employee was out on Workers' Compensation and has now filed for Disability Retirement.
Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to authorize posting of position.
Four in favor. P. Rogers abstained.

Town Manager noted letter of support from him provided for the Board in its packets on the application for the School Department for stimulus funding for Energy Efficiency funds from Department of Energy Resources.

Board reviewed letter received by Animal Control Officer (A.C.O.) regarding status of Selectmen's 6/17/09 Order for dog owned by Thomas Stevens, 299 Miller Street
Upon motion by Selectman McKinnon and seconded by Selectwoman Brunelle, Board voted to keep case open for one-year and have A.C.O. make monthly checks to see if dog re-appears.
Four in favor. P. Rogers abstained.

<u>GOALS & OBJECTIVES List for 2010</u>

PR Make improvements to Earth Removal Bylaw – ATM action
MB Washburn Mill and Rock Village School – disposal
SM Establish set of procedures for various permits we issue and various hearings we have and ask Town Counsel to develop set of legal notification forms and procedures.
AR Establish/adopt financial guidelines

MD Create flyer/folder of what is available concerning recycling
TM Recruit new businesses to downtown area
PR Review and enact Town Charter Commission recommendations
MB Establish bylaw date of closing TM Warrant
SM Business development marketing plan to bring businesses to Town
AR Energy conservation goals
MD Advertising our Town re tourism to promote the Town
PR Bring proposal to Town on ambulance service
MB Revised rules & regulations on Town Hall rental and rate structure – develop specific guidelines re waiver of fees
SM Look at C.P.A. fund program – get some money put aside for rock village – historical buildings – would need to be ballot question – possibly for April
AR Complete financial reports for review by Selectmen
MD Beautify downtown
MB In conjunction with energy conservation – look further into paper reduction – have departments be more conscience of paper that they use. Electronic filing of documents by applicants also – and follow up with Planning Board so that their applicants are doing same
AR Establish objectives for major departments
PR Improve on Town's ability to apply for grants/loans by appointing staff person
TM Full-time Custodian for Town Hall

Town Manager will type up and provide list in the next Board packet for the Board to rate order of priority. J. Lopes verified that the 2009 goal for Improvements to Oliver Mill Park and Nemasket River would be carried over for 2010.

OTHER

Selectwoman Brunelle requested that Board add discussion to next week's agenda on opening and closing ATM warrant – vote a date to do so and to establish process to meet with department heads so we can discuss their budgets.
Town Manager will give them a schedule.

On behalf of Middleborough Friends, B Giovanoni thanked the Board for the use of the Town Hall building for the Masquerade Ball, which raised funds for scholarships in memory of Victor Sylvia.

Adam Bond asked for a run down of which 2009 Goals have been met and if those not accomplished will be carried over to 2010.
Town Manager reported:

- We spent a lot of time working on Economic Development activities
- We haven't reactivated the Business and Industrial Commission
- We have established promotional videos and packet for new businesses

- Charter Study Committee will present report in December - either 12/7 or 12/14
- Started distributing part of the weekly packet electronically
- We hired new DPW Director
- We haven't made much progress on Oliver Mill Park or the Nemasket River
- In process of updating Website
- Not successful in Full-time Custodian for Town Hall as we just don't have the resources.

Adam Bond asked if anything is being worked on to establish policies. Town Manager indicated that Selectmen McKinnon and Rullo are working on.
Mr. Bond offered that he thinks Ms. Duphily has done a wonderful job on the beautification of the downtown and deserves a special thanks. Selectwoman Brunelle suggested businesses who benefit get involved in future in maintaining/being part of keeping it going and maybe expanding it.
Selectwoman Duphily had to ask for help over the summer and went to various businesses who helped by watering. Some businesses that moved into Thatcher's Row helped with watering. She will ask whoever gets hanging plant in front of their businesses to assist by watering those plants, and if not able to, will put plants in front of those that can.
Mr. Bond indicated that if you're not engaged in your own downtown, no one will be and offered to water plants in the four corners and in front of his office.
Town Manager noted that we will carry over Full-time Custodian for Town Hall.
Selectwoman Brunelle noted that if we don't maintain our own buildings, it will cost more in the future.
Town Manager noted that the Park department mowed Town Hall lawn over the summer which freed up Roger Choquette's time to spend on Town Hall and offered thanks to Parks & Recreation.

TOWN MANAGER'S REPORT
Upon motion by Selectman McKinnon and seconded by Selectwoman Brunelle, Board voted to appoint a Bylaw Study Committee consisting of Marsha Brunelle, Ed Beaulieu and Eileen Gates. The Committee's charge is to organize, make recommendations, and publish the bylaws on the Town's website.
Four in favor. P. Rogers abstained.

OTHER
Allin Frawley noted that MA Highway is doing great job on Route 44, but all time being saved by their improvements is being eaten up by Rotary problems. Mr. Frawley asked if something can be done about it or if it might be a goal or objective. Chairman indicated

that the Selectmen are limited as to what they can do. Town Manager noted that the Town is working quite hard on it. The Town is working with Campanelli on designing one piece of the improvements on north side of rotary and have SRPEDD working on trying to get some design money through Congressman Frank's office to get the design done. Until we will have a design, there is very little we can do. Selectman McKinnon added that SRPEDD is doing study work on issue and the problem is that Rte. 495 is a state road, but Rte. 44 isn't and they are trying to link together as a safety issue.
Mr. Frawley also heard that National Grid is cutting back their rates and asked if anyone has heard if MG&E is cutting back their rates. Chairman noted that he has not heard that they are. It's something the Board doesn't track. The MG&E meets on Tuesday nights.

CORRESPONDENCE
Selectwoman Duphily - #7 - Letter from Mr. Grabowski – wanting to make video of Town – send to Historical Commission and Historical Society as is more suitable for them

Selectman McKinnon – received disk in mail from National Guard – gave to secretary to track and make sure we stay in bounds of the law

Selectman McKinnon - #6 – Town of Carver Public Hearing Notice – was received as we are an abutter

Selectman McKinnon - #8 – MMA – Governor releases $600 Million Budget Balancing Plan – Town Manager to draft letters to State Legislators for next week

Selectwoman Brunelle - #7 - Mr. Grabowski was looking for an opinion – give copy to J. Lopes. Board's secretary will forward J. Lope's contact information to Mr. Grabowski.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted to adjourn meeting at 9:13 PM.
Four in favor. P. Rogers abstained.

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Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN