

MINUTES

For approval at the 4-27-09 meeting

**Middleborough Board of Selectmen
Meeting Minutes****April 13, 2009**

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

In attendance were Selectmen P. Rogers, M. Duphily, M. Brunelle, S. McKinnon and A. Rullo.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to approve meeting minutes of 4/6/09.

Three in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to approve meeting minutes of 3/4/09.

Two in favor. P. Rogers, A. Rullo, and S. McKinnon abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to approve Executive Session meeting minutes of 3/9/09.

Two in favor. P. Rogers, A. Rullo, and S. McKinnon abstained.

NEW BUSINESS

Veterans' Agent addressed Board and gave informational presentation of the planned Memorial Day activities.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted unanimously to approve parade for May 25, 2009.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted unanimously to approve Poppy Drive from May 21st through 25th.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve Common Victualler license for the Convenience Store, 414 West Grove Street, with hours of operation being Monday through Sunday from 11 a.m. until 10:30 p.m.

Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve the re-appointment of the following individuals to the Zoning Board of Appeals:

Bruce G. Atwood, 155 Plympton Street
Dr. Edward Braun, 99 South Main Street
Liz Elgosin, Talbot Wood (alternate member)

Three in favor. P. Rogers abstained.

Chairman thanked members for continued willingness to serve.

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Chairman read request by Melissa Oddi-Morrison re using space at Town Hall for art show. Chairman noted that there has been a past use of the walls to hang items that he finds inappropriate and that he believes should be approved by the Historical Committee prior to hanging. Selectwoman Brunelle noted that the Town's policy for renting the Town Hall space indicates that tape is not to be used when hanging items. As long as tape is not used, she would not have a problem with it. Jane Lopes of the Historical Committee addressed the Board and indicated she is in agreement that the walls upstairs are fragile and suggested that there are many ways to hang items without the use of tape. Selectwoman Duphily indicated that she would like the teacher contacted and notified of such. Board agreed that if, in the future, there are requests to hang permanent items, its secretary will forward those requests to the Historical Commission first.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to approve request from Relay for Life request to place sign on Town Hall lawn 30 days prior to its 7th annual Relay for Life event to be held on June 19th and 20th. Four in favor. P. Rogers abstained.

Chairman addressed request by Fire Chief Benjamino for the Board to declare the 1989 Fire Department Ladder Truck as surplus so that he can move forward with bid process. Selectman McKinnon asked Town Manager if this could be advertised in additional publication to reach wider circulation. Town Manager indicated that it is scheduled to be advertised in Goods and Services. Selectman McKinnon noted that bid packages are not being mailed and asked if they could be emailed. Town Manager indicated that something can be worked out.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to declare the 1989 Fire Department Ladder Truck as surplus and authorized Fire Chief to proceed with the bid process. Four in favor. P. Rogers abstained.

At 7:25 pm Chairman welcomed Council members of the Wampanoag Tribe. Cedric Cromwell addressed the Board and introduced each member. Chairman Cromwell read a prepared statement. Mr. Cromwell reassured the Town that the Tribe is committed to the Town and to the casino project. The Tribe believes project will clear federal hurdles in 2010. Tribal Council will contact Town Manager to discuss arranging future meeting. Vice Chairman Tobey asked Chairman Rogers for name and contact information of Resort Advisory Committee Chairman. Town Manager will forward contact information.

OLD BUSINESS

Chairman followed up and announced that Capeway Rovers will not be authorized to hold additional Motor Cross race dates and noted that the Zoning Board of Appeals had determined, several years ago, the number of dates allowed. Town Manager added that Public Entertainment on Sunday license is not required for Sunday practice dates, unless

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open to the public. Chairman asked that Capeway Rovers be notified, in writing, that the Board will not approve any additional dates.

Upon motion by Selectwoman Dughily and seconded by Selectwoman Brunelle, Board voted unanimously to appoint the following individuals as members of the Town Charter Study Committee.

Allin J. Frawley	Michael Solimini
Bruce G. Atwood	Neil D. Rosenthal
Caroline R. Sabalewski LaCroix	Steven P. Spataro
Lincoln D. Andrews	

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Dughily, Board voted to ask Steven Spataro to act as facilitator and call the first Town Charter Study Committee meeting to order.

Four in favor. P. Rogers abstained.

Chairman reminded Mr. Spataro and those in attendance that the Board of Selectmen has asked that the Committee review the following: Town Manager, Board of Health, Water & Sewer Commission & Public Safety Officer. He asked that the Committee also give its recommendations for anything that it finds important, beyond what the Board has suggested and to come up with a methodology for what the Board has to do as far as Town Meeting, legislation, or a combination of both

Board agreed that the Annual Town Meeting will commence on Tuesday, May 26, 2009.

TOWN MANAGER'S REPORT

Town Manager provided memo on experience of permitting in Campanelli Business Park & Rte. 495. He will be meeting with State officials next week to review with them.

Town Manager requested authorization to create Director of Public Works position out of current superintendent of public works position. With retirement of Mr. Boucher we have unique opportunity to do that. Town Manager indicated that he has had discussions with GMEG about it. Mr. Boucher leaving 7/1/09 and will be on vacation as of 5/10/09. Water Department Superintendent would fall under this position.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Dughily, Board voted to approve creation of Director of Public Works position.

Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Dughily, Board voted to appoint Charlie Cristello as the Board's representative to the JTPG and Ruth McCawley Geoffroy as the alternate for a term commencing May 27, 2009.

Four in favor. P. Rogers abstained.

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Town Manager put together a panel to meet next week re Water Superintendent.

Police Chief interviews will be taped and aired later as Comcast staff has prior commitments.

Chairman asked Board what it is looking for in a Police Chief. Town Manager will circulate list of questions to the Board to choose from as to what each member would like to ask to get Board's input. Board members to forward Town Manager any questions they might wish to ask.

OTHER

Selectwoman Duphily inquired about a fire that happened at the Rockland Industries site this past weekend. Town Manager indicated that he understands arson to be suspected. He will get a report from the Fire Chief.

CORRESPONDENCE

#13 – There is a vacancy on the Finance Committee and there is a joint meeting between the Finance Committee and the Board of Selectmen scheduled for May 4, 2009 to make the joint appointment. Letters of interest should be forwarded to the Selectmen's Office and the Finance Committee.

#9 – It was noted that Ted Eayrs has offered to paint the upstairs Town Hall wall landing.

#5 – Letter from Daniel Dube – forward to Mr. Boucher

#11 – Email re Town Elections and Town Meeting was forwarded to the appropriate department for a response (Town Clerk)

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted by Roll Call to go into Executive Session to discuss strategy relative to pending litigation and contract negotiations. Roll Call: A. Rullo, Yes; M. Duphily, Yes; S. McKinnon, Yes; M. Brunelle, Yes; P. Rogers, Yes. Chairman announced Board would not return into Open Session. Ended at 10:25 pm.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN