

MINUTES

For approval at the 4-6-09 meeting

**Middleborough Board of Selectmen
Meeting Minutes**

March 30, 2009

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

In attendance were Selectmen S. Spataro, M. Duphily, P. Rogers, and M. Brunelle.

ANNOUNCEMENTS

Chairman announced that Tribal representatives Mr. Cromwell and Mr. Toby will be here on April 13, 2009 to meet with the Board of Selectmen as an introduction only.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted to approve meeting minutes of 3/23/09.

Three in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted to approve Executive Session minutes of 3/23/09.

Two in favor. P. Rogers and M. Brunelle abstained.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted to approve Water Workshop Meeting minutes of 12/11/08.

Three in favor. P. Rogers abstained.

Upon motion by Selectman Spataro and seconded by Selectwoman Duphily, Board voted to approve Executive Session minutes of 12/11/08. Chairman noted that after review of these minutes, they will be released to public.

Three in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman Spataro, Board voted to approve Executive Session minutes of 5/5/08. Chairman noted that after review of these minutes, they will be released to the public.

Three in favor. P. Rogers abstained.

NEW BUSINESS

Upon motion by Selectwoman Brunelle and seconded by Selectman Spataro, Board voted to appoint Retired Police Sergeant Jeffrey Cornell as a Retired Special Police Officer for the Town of Middleborough.

Three in favor. P. Rogers abstained.

Upon motion by Selectman Spataro and seconded by Selectwoman Brunelle, Board voted to approve One-day All Alcoholic Liquor license for The Bartending Service of New England, LLC for an anniversary party event to be held in the Community Room at Oak Point on April 18, 2009 from 6 pm until 10 pm.

Three in favor. P. Rogers abstained.

OLD BUSINESS

Attached report was presented by Selectman Spataro as an "Update on Selectmen's Goals – Development of Economic Base".

TOWN MANAGER'S REPORT

Town Manager briefed the Board re the BJA FY09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation. The grant application has been submitted.

CORRESPONDENCE

#1 Andrea Priest re COA Sr. Tax Workoff program volunteers

Upon motion by Selectman Spataro and seconded by Selectwoman Brunelle, Board voted to approve one added position.

Three in favor. P. Rogers abstained.

#7 DEP – TAG Program – Town Manager explained we currently have one of these grants. Will be sent to various offices to see if anyone has a proposal.

#19 & 20 – Letters from retirees re insurance – still an open subject. Chairman indicated that the Board will act on when it has a fifth member.

#11 Plymouth County Commissioners – Annual Meeting – S. Spataro is representative to respond.

#13 Morgan Property – man walking on property with a shotgun – If anyone has, or does see this person, they are asked to contact the police department.

HEARINGS, MEETINGS, & LICENSES

Suzanne Dube appeared before the Board to provide an update of the Citizens Environmental Health Impact Committee (C.E.H.I.C.), specifically, the Rockland Industries site. Had secured funding from the DEP, technical assistance grant in the amount of \$10k in 2009 and another one will be applied for by the Conservation Commission for the year 2010. The money has gone towards hiring an outside consultant, an LSP and Risk Assessment, to give us an objective opinion as to where things stand with the remediation process. The Committee has hired Environmental Strategies and Management. Upon completion of the contract in June, they will meet before the Conservation Commission to report as it is a Conservation issue. They will appear before the Board sometime before the end of June, to provide report to the Board of Selectmen. Ms. Dube suggested that Conservation be contacted to make arrangements for this meeting (joint meeting). These people are licensed site professionals so there is no Town liability involved. Ms. Dube thanked the many people who have been helpful in the process of resolving the ongoing issues, including the Board of Selectmen. She notified the Board that she will be stepping down as Chairman and that Mr. Thomas will

be stepping down as a member of the Conservation Commission. Chairman Rogers thanked Ms. Dube and the members of the CEHIC.

SEMASS

Tom Cipolla of Covanta presented an overview of the proposal that SEMASS is making to the Tier 1 cities and towns that are currently under contract. SEMASS is proposing that in exchange for holding future tipping fees at least 10% below market prices starting in 2016, cities and towns gradually begin increasing their payments to SEMASS by \$10 per ton per year for 4 ½ years starting in FY 2012. He estimates that the \$800,000 in increased fees from 2012-2016 would be offset by savings of \$4.8 million in future years. The Board and members of the audience asked questions about possible modifications in the proposed memorandum of understanding. Mr. Cippola stated there may be an adjustment made to account for changes in technology. The Board took the matter under advisement and will revisit at a future meeting

Put on agenda for next week to figure out where we go from here.

OTHER

Selectman Spataro was approached by someone re trash pickup and fees charged. Chairman agreed matter will be placed on future agenda for discussion.

R. Dunphy approached the Board asking when the Executive Session meeting minutes would be released to the public.

Mr. Atwood addressed the Board to announce that there will be a hearing on 4-14-09 at Middleborough Town Hall by the Housing Appeals Commission regarding the proposed Middleboro Park to be located on Rte. 495.

M. Solimini noted that the 2-9-09 meeting minutes have been removed from the website and asked if they could be reposted.

Upon motion by Selectwoman Brunelle and seconded by Selectman Spataro, Board voted by Roll Call to go into Executive Session at 9:15 pm to discuss strategy relative to Collective Bargaining and Pending Litigation. Roll Call: S. Spataro, Yes; M. Duphily, Yes; M. Brunelle, Yes; P. Rogers, Yes. Chairman announced Board would not return into Open Session. Ended at 9:45 pm.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN