

MINUTES

For approval at the 5-18-09 meeting

**Middleborough Board of Selectmen
Meeting Minutes****May 11, 2009**

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 Selectwoman Duphily, Board voted to approve 5-4-09 meeting minutes.
Four in favor. P. Rogers abstained.

NEW BUSINESS

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to authorize Middleboro Youth Softball League to collect donations from local businesses on Friday, May 15 from 5-8 pm and Saturday, May 16, 2009 from 8 am-12 noon.

Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to appoint Charles Armanetti, Jr. as a Retired Special Police Officer and Robert G. Hatch as an Auxiliary Police Officer.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to authorize the Town Clerk to certify the appointment of Nancy J. Thomas as Assistant Clerk effective 5-26-09 and expiring on 6-30-09.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to authorize Chairman to sign Certificate of Appointment.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to approve an extension of business hours and an Entertainment license for Coffee Milano, 58 Center Street, with entertainment on Wednesdays, Thursdays, Fridays and Saturdays from 6 PM to 11 PM, not on a weekly basis, but as posted by the owner, subject to confirmation by Treasurer's Office that no taxes are owed.
Four in favor. P. Rogers abstained.

Board welcomed OECD Director A. Nalevanko who gave presentation regarding improvements to 20 Centre Street Town Office Entranceway.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to accept option 2 as presented by the OECD for the 20 Centre Street Town Office Entranceway, subject to final approval by the Historical Commission.
Four in favor. P. Rogers abstained.

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Chairman invited DPW Highway Superintendent Donald Boucher to the podium. Chairman noted that after 33 years as an employee of the Town of Middleborough, Mr. Boucher is retiring this Wednesday, May 13, 2009. Chairman thanked him for his dedication and service and recognized him for doing a fine job.

Mr. Boucher reviewed the following matters with the Board:

Flowable Fill Police

He requests that the Board does not change the policy completely, but leaves it to the Director of Public Works. It is cost prohibitive to do this. It is for Gas division, and Water and Wastewater divisions, but not for Highway division. He hopes Board will give the new Director the option to use at his discretion. The State requires the use of this material up to four feet, after that they don't because of the cost. He indicated that the Town has some projects coming up soon with the Water division that would require a waiver.

Private Roads and Plowing

His policy is that the Town does not plow private roads. Past Town Manager's have directed him to plow some private roads because people were calling and complaining because nobody was doing it. There are 6 that we just plow and the other 6, we sand and plow. We also plow 20+ unaccepted roads because of 911 requirements. He recommends that we don't continue. Other Town's vary in policy on the matter. There has never been any draft policy that he is aware of, but the Town Manager has the information. He would estimate it has taken hundreds of hours servicing these roads.

Trash Collection Policy – Apartment Buildings

On June 19, 1989, the Board of Selectmen voted unanimously that the Town would limit trash collection to three family apartment units. All three have to be under the same option.

Road Paving Priorities

We have 13 roads listed for this year. The new DPW Director may change this based on how he rates the condition of the roads. Mr. Boucher is meeting with the Town Manager tomorrow to review. He has a road rating system of 1-10 and the only problem with it is funding. Whatever the state gives to the Town, is the funding with which the DPW has to work with. Six of the above mentioned roads are actually sidewalk improvements. They are planning to use over 10% of Chapter 90 money to make these improvements.

The Board thanked Mr. Boucher for his long service and wished him the best in his retirement. Selectwoman Brunelle commented that he has been a real asset to the Town and wish him a wonderful well-deserved retirement.

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Public Hearing-Annual Town Meeting Warrant Articles

Petition Articles

Town Manager recommended offering the retirees the same health care coverage as the Union's that have 80% coverage by the Town with a 20% individual contribution. MRIG Executive Committee Chairman Gene Turney spoke and explained that the last line of text is missing on the Town's website and the advertised and printed version of the petition articles as were presented originally. Town Manager explained that it was a clerical error. Mr. Turney explained that he understood and that he is trying to correct it. According to the Town Manager, Article 9 would cost the Town \$200k if it were to pass. Labor Counsel L. Peloquin spoke and indicated that Town Meeting would not be empowered to approve these petition articles, but at best, these articles might serve as a recommendation by Town Meeting to the Board of Selectmen. It is the Board's call to determine health care premium contributions and co-pays. Town Manager to determine the approximate cost of Article 10 prior to Town Meeting and if he can't, he is to provide what it cost this year so that the Town's people will be informed.

Mr. Turney asked Attorney Peloquin if what he said was based on his opinion. L. Peloquin cited case law. Mr. Turney commented that while the union employees were able to negotiate being compensated for having had agreed to the new rates, the retirees have no compensation for the change.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to support Articles 1-8 of the Special Town Meeting Warrant. Four in favor. P. Rogers abstained.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted not to support Articles 9 and 10 of the Special Town Meeting. Three in favor. P. Rogers and M. Brunelle abstained.

Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted that the contribution to be put in by the retirees be the same as the general government employees, including the end of co-pay reimbursements effective 7-1-09. Three in favor. P. Rogers and M. Brunelle abstained.

Board Reviewed Annual Town Meeting Articles.

Allin Frawley addressed the Board and asked when SRPEDD Meeting is re Rte. 495. The meeting is scheduled for Wednesday, May 13, 2009 from 2 - 4 pm at Town Hall.

Selectwoman Brunelle thanked Chief Russell for his nine and one half years of service and wished him well in his retirement. Chairman recognized him for his leadership skills and all he has done. Chief gave the credit to all of the men and women of the Police and Fire departments.

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Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to support Article 3 of the Annual Town Meeting.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to support Articles 4, 5, and 6 (as amended).
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board Voted to postpone Article 7.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to support Article 8.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to postpone Articles 9 & 11.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to support Article 12.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to support Article 13.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to support Articles 14 & 15.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board Voted to support Articles 16 & 17.
Four in favor. P. Rogers abstained.

TOWN MANAGER

Town Website Update

Town Manager and R. Brunelle had a productive meeting last week with Tom Rose. He is to provide a proposal. Town Manager and Mr. Brunelle are both comfortable with his level of experience.

Mobile Home Draft Regulations – set up meeting for June 15th to review.

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Nemasket River Enhancement Grant - We have applied for \$677,000 in state funds to improve quality of life. The quality of water will improve four drainage basins and the retaining wall adjacent to the fish ladder. Town Manager will be contacting Jane Lopes/Historical Commission to discuss the project with them. Town Manager thanked D. Boucher who moved this forward.

OTHER

Town Hall Cleanup day – Selectwoman Duphily asked for volunteers to help with pruning, weeding and planting on Friday and Saturday May 29th and 30th beginning at 9:30 am.

Allin Frawley noted the signs that have been put up throughout Town advertising the Town Meeting and suggested that it would be helpful to have the same for Town Elections.

CORRESPONDENCE

#18 Plymouth County Retirement

#13 Reminder of Memorial Day activities

#15 Jane Lopes expanded on what the actual historic district encompasses.

Selectman McKinnon noted that he stopped by SRPEDD today but no one was there.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted by Roll Call to go into Executive Session at 9:47 pm to discuss strategy relative to Collective Bargaining. 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 10:40 p.m.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN