

# **MINUTES**

**For approval at the 2-8-10 meeting**

**Middleborough Board of Selectmen  
Meeting Minutes****February 1, 2010**

Chairman opened meeting at 7:00 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 1/25/10 meeting minutes.  
Four in favor. P. Rogers abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Brunelle, Board voted to approve 1/25/10 Executive Session meeting minutes.  
Four in favor. P. Rogers abstained.

**ANNOUNCEMENTS**

Chairman Rogers personally thanked Planning Board Chairman Mike LaBonte for the Planning Board and Planning Department's efforts in putting together a nice history on the plowing of private roads.

**NEW BUSINESS**

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve request from Colonial Retriever Field Trial Club to discharge firearms during its AKC Licensed Retriever Field Trial to be held on Sunday, May 7, 2010 on the land owned by Cumberland Farms with copy of the approval to be given to the Police Department.  
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve rental of the Town Hall Auditorium by Northbrook Academy on 5/21/10 from 4 PM - 10 PM.  
Four in favor. P. Rogers abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Brunelle, Board voted to approve Oak Point Amendment on its agreement with the Town of Middleborough relating to the construction, maintenance and replacement of a private sewerage treatment facility including collection, treatment and disposal systems which serves the Oak Point mobile home park.  
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to approve rental of the Town Hall Auditorium by the Stacey Ann LeRoy Foundation on March 6, 2010 from 4 pm – 12 midnight.  
Four in favor. P. Rogers abstained.

Upon motion by Selectman McKinnon and seconded by Selectwoman Brunelle, Board voted to approve a One-day All Alcoholic Beverages Liquor license for The Bartending

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Service of New England, LLC on March 6, 2010 from 7:00 PM until 12 Midnight for the Stacey Ann LeRoy Foundation event to be held at Town Hall.  
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve a One-day All Alcoholic Beverages Liquor license for The Bartending Service of New England, LLC on April 9, 2010 from 7 PM until 11 PM for the Middleboro Lion's Club Fundraiser to be held at Town Hall.  
Four in favor. P. Rogers abstained.

**HEARINGS, MEETINGS, LICENSES**

Chairman announced that discussion re Well Variances 31 Atwood Ave. would be continued to 2/8/10 meeting.

**TOWN MANAGER'S REPORT**

Town Manager reviewed New Town Website Page with the Board. Town Manager will have a website "start date" for the Board at its 2/8/10 meeting. Board requested that meeting minutes be "word searchable" on new website, if possible.

IT Assessment Recommendation

Town Manager recommended utilizing UMass Boston Collin's Center. Town Manager noted that the Collin's Center provided its response to Selectman Rullo's report. Town Manager contacted them today to ask if they could make it clear in their proposal that they will assess the efficiency of our current configuration. The Collin's Center's assessment will cost a small amount of money, therefore, the Town does not have to put out an RFP.

Upon motion by Selectwoman Duphily and seconded by Selectman Rullo, Board voted to approve the use of \$6,000 from Casino Resort funds to be utilize for this assessment.  
Three in favor. M. Brunelle and P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to appoint Town Clerk Eileen Gates as the Town's Ethics Reform Law liaison.  
Four in favor. P. Rogers abstained.

Brian Giovanoni offered that engineering consultants to the Towns, are also required to take test. Selectman McKinnon recommended that we put something with Town bid packages to indicate that, as part of the required response, consultants must provide certification that they have taken the test.

Town Manager's Assistant A. Ferreira reminded him that the Board needs to determine dedication of the Annual Town Report. Mb – auxiliary police, town employees & volunteers and put whole dept photos with individual reports. Selectwoman Duphily suggested that Lincoln L. Maxim be named under the "In Memoriam" section for having

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had served as a Call Firefighter for fifty years. After discussing various options, Board voted as follows.

Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to dedicate the Annual Town Report, by way of a letter from the Board of Selectmen to be placed on the inside front cover, to all Town employees and volunteers who help support and run the Town.

Four in favor. P. Rogers abstained.

Board agreed to use a photograph of the Town's Historic District on the outside front cover. Jane Lopes will provide photograph to the Town Manager's Assistant A. Ferreira.

Snow & Ice Deficit is \$173,000. We will have to close that deficit at some point.

**HEARINGS, MEETINGS, LICENSES**

Chairman read aloud Attorney Mather's letter dated 12/18/09 re 136 Wood Street requesting a waiver of interest on unpaid water bill. Attorney Mather indicated that he and his client followed normal procedure for a "closing". They requested a final reading and took the amount of money on that bill and paid it. He is asking the Town to waive the interest in consideration of the mistake made by the Town's Water Department. After discussion on the matter, Selectwoman Brunelle suggested that the Town include additional wording on final bills such as, "may be subject to additional charges".

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to waive payment of interest.

Three in favor. A. Rullo and P. Rogers opposed.

We will send letter to Treasurer to notify her.

Library Director D. Bowker addressed Board re Trustees' recommendation for the appointment of William Petrillo, 14 Holly Tree Lane. Director Bowker informed Board that the Trustees did advertise the vacancy in the newspaper.

Mr. Petrillo addressed Board. He's lived here for 25 years. Upon motion by Selectwoman Brunelle and seconded by Selectwoman Duphily, Board voted to appoint Mr. William Petrillo as a member of the Board of Library Trustees with term ending February 2011.

Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Duphily and seconded by Selectwoman Brunelle, Board voted to reappoint Eleanor Osborne, Keith MacDonald, and Edward Pratt as members of the Board of Library Trustees with three year terms to expire on February 28, 2013:

Four in favor. P. Rogers abstained.

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**OTHER**

Allin Frawley indicated that he read in the newspaper over the weekend that the Wampanoag Tribe may be going into agreement with Town of Fall River.

Mr. Frawley asked if any of the Selectmen or the Town Manager had spoken to the Tribe on any of the issues. Each Board member indicated that they had not. The Town Manager noted that he had received a telephone call from Mr. Tobey Friday evening and that Mr. Tobey had indicated exactly what they told the press. They've offered no other information.

**CORRESPONDENCE**

#4 Budget Alert - Quinn Bill cuts - don't have same impact on the Town as last year.

#5 County Development Council - Transportation Breakfast on Friday 2/26 at the Radisson Hotel in Plymouth from 7:45 A.M. to 10:00 A.M. Senator Therese Murray MA Dept. of Transportation Secretary/CEO Jeffrey Mullan and Federal Transit Administration Regional Administrator Richard H. Doyle are invited guest speakers. Town Manager we have a request in to the Governor to meet with Secretary Mullan, hopefully that will happen before the breakfast. Selectman McKinnon may attend the breakfast.

Selectwoman Brunelle announced that the Town Manager is looking for volunteers to serve as the Town's representative on the Citizens Advisory Committee for the Logan Airport Noise Study. Town Manager added that the Committee contacted the Town and is looking at several different approaches. Town Manager noted that it would be good to have someone from the Town to serve on the Committee.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted unanimously to adjourn meeting at 7:57 PM.

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Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN