

MINUTES

For approval at the 4-5-10 meeting

**Middleborough Board of Selectmen
Meeting Minutes**

March 29, 2010

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

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

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve 3-22-10 meeting minutes.
Four in favor. P. Rogers abstained.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve 3-22-10 Executive Session meeting minutes.
Four in favor. P. Rogers abstained.

ANNOUNCEMENTS

Lakeville Selectman Derek Maksy addressed Board to announce that they had to evacuate some residents along the shorelines today due to ongoing flooding issue. Representative Canessa is trying to put a team together to try and resolve this issue in the future. He's hoping that the Towns of Middleborough, Taunton, and New Bedford can work with Lakeville and the DEP to avoid some of the causes for some of the flooding problems. It appears that a lot of this may have been due to holding water too long, not by either Town, but probably because the water company held water too long. It may also be due to frozen grounds and the water not saturating through the frozen ground. Town Manager noted that Middleborough representatives will be attending a meeting scheduled for Friday, April 2, 2010 at 10 A.M. with State Representative Canessa and various state officials to discuss the issue. He also noted that he does not believe anything that the Town of Middleborough did, had any effect on the pond and the flooding. We too had to evacuate one of our streets, which is adjacent to the pond. Selectman McKinnon reminded the Town Manager that he wants to move along having our bridges inspected. He also suggested having some of the Town's streets looked into. Town Manager agreed.

Selectwoman Brunelle presented Selectman Rogers with a Certificate of Appreciation on behalf of the Board for his many years of service as a Selectman in the Town of Middleborough. Selectman Rogers thanked the Board and gave an overview of the many milestones achieved by the Town through the years that he has served. Selectman Rogers recognized the skills and contributions of Town Manager C. Cristello and thanked the present and past Board members. He thanked the Townspeople for being so kind to him through the years.

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NEW BUSINESS

Veterans' Adjutant P. Provencher addressed the Board on behalf of request for One-day liquor license for the Taste of Middleborough event. Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to approve One-day All Alcoholic Beverages Liquor license for Muckey's Liquors for 10/14/10 from 7 PM – 9 PM for Taste of Middleborough event to be held at the Middleborough National Guard Armory on Elm Street.

Four in favor. P. Rogers abstained.

Provencher spoke about plans for Memorial Day activities. Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted to authorize permission for the Veterans' Council to hold the Memorial Day parade on Monday, 5/31/10 and grant permission to hold Annual Poppy Drive from 5/27 through 5/31/10 with notice to the Police and Fire Chiefs.

Upon motion by Selectman McKinnon and seconded by Selectman Rullo, Board voted unanimously to approve the use of \$50,000 of Resort Pre-Planning Funds for estimated improvements to the Lincoln D. Lynch School to be used by Massasoit Community College, an educational institution. The prospective tenant will be offering programs in Middleborough directly related to the development of a future resort workforce including culinary arts, hospitality services and resort management. Ted Eayrs addressed Board and offered that he thinks the program sounds great, but he questioned whether it qualifies as being considered part of resort pre-planning. Town Manager and Selectman Rullo offered that it does qualify.

HEARINGS, MEETINGS & LICENSES

Upon motion by Selectwoman Duphily and seconded by Selectman McKinnon, Board voted to approve Class II "Internet Sales only" Automobile Dealer's license for Gerard F. Leavens, 211 Rocky Meadow Street, subject to the following conditions: "No storage, display of vehicles, or signage."

Four in favor. P. Rogers abstained.

TOWN MANAGER'S REPORT

Town Manager gave report on Annual Trash and Recycling Costs, noting that it has been a surplus of approximately \$182,638. It is something that we will have to find a way to reimburse the ratepayers. Selectwoman Brunelle noted that this budget doesn't show the fee for the printing of dump stickers. Town Manager agreed that it should be reflected here and that if it is in the Town Clerk's budget, it should be moved.

Town Manager reported that he attended meeting today at the Rotary with Selectman Rullo, Senator Pacheco, Secretary of Transportation Jeff Mullin brought here by

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Representative Canessa, and representatives of SRPEDD to try and convince the Secretary to take an interest in getting the rotary project started again, getting the environmental work done, getting 25% design, and an accurate estimate of what the true costs of the project will be and to see if we can persuade the federal government to help us with some costs for the project. The Secretary was very attentive and has promised to get back to the Town of Middleborough. Town Manager noted that the Council on Aging was gracious enough to provide a bus for their use. Selectman Rullo noted that it was great to keep Middleborough in the forefront. It was clear that the traffic issue at the rotary is a regional issue.

OTHER

Selectman McKinnon reminded the audience that Town Elections are this Saturday, April 3, 2010 and advised that everyone should get out and vote.

Allin Frawley congratulated Chairman Rogers and thanked him for always treating him in fair and respectful manner. He asked the Town Manager if we can reach out to surrounding community Boards and get involved with talking to elected and appointed officials to get this rotary project going. He noted that there are numerous surrounding towns that are affected by the rotary issues. Town Manager agreed it is a good idea and one that we will do.

Mr. Frawley asked if any member of the Board or the Town Manager has heard anything from the Tribe regarding the letter we sent almost one month ago.

Town Manager indicated that he had called a Tribal representative today, but has not heard back.

B. Giovanoni addressed Board and congratulated Chairman Rogers. He confirmed with Selectman Rullo that they have been meeting with elected officials and appropriate representatives to address the rotary issues.

CORRESPONDENCE

#2 Agricultural Commission has opening for two new members. Letters/applications may be sent to the Agricultural Commission, 10 Center Street.

#9 SRPEDD – will vote Town representatives when new Board is in full compliment.

#5 Selectwoman Dughily noted that she is pleased with receiving Earth Removal reports regularly.

Chairman Rogers thanked everyone again for their kindness.

Upon motion by Selectwoman Brunelle and seconded by Selectman McKinnon, Board voted by Roll Call to go into Executive Session at 8:02 PM to discuss strategy relative to

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Pending Litigation. Chairman announced Board would not return into Open Session.
Roll Call: P. Rogers, Yes; M. Brunelle, Yes; M. Duphily, Yes; S. McKinnon, Yes; A.
Rullo, Yes. Ended at 8:12 PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN