

**MINUTES**  
for approval on **3-21-16**

**June 22, 2015**  
**MINUTES**

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

In attendance were: Selectman A. Frawley, L. Dalpe, J. Knowlton, D. Stewart and S. McKinnon; Town Manager R. Nunes

**UNANTICIPATED**

Selectman McKinnon made a statement. Resident T. Marzelli requested an agenda item for the next Board of Selectmen's meeting regarding Disbanding the Tourism Committee.

**ANNOUNCEMENTS/RECOGNITIONS**

Board made various announcements. Public made announcements.

The Board of Selectmen and residents in attendance applaud the MHS Sachem Baseball Team and Chairman Frawley reads the proclamation.

**MINUTES**

Upon motion made by Selectman Dalpe and seconded by Selectman Stewart, the Board voted unanimously to approve the 6/15/15 minutes.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted to unanimously approve the 6/15/15 Executive Session Minutes.

**WARRANTS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for weeks ending 6/20/15.

**NEW BUSINESS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve a Betterment Agreement for 250 Wareham Street in the amount of \$12,070.

The Board continues the discussion on the written policy for Board appointments to committees, commissions, and boards. Selectman Dalpe noted that Town Counsel reviewed the written policy and made minor changes. Selectman Dalpe still has issue with the policy. Selectman McKinnon speaks in favor of advertising the open positions but has issue with other aspects of the policy. Chairman Frawley speaks on the policy. There is public comment.

**MIDDLEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES**

**June 22, 2015**

Upon motion made by Selectman Knowlton and seconded by Selectman Stewart the Board voted to accept the Written Policy for Board Appointments to Committees, Commissions and Boards as amended by Town Counsel. Three in favor. Two opposed. Motion Carries.

**Project Review Committee**

The Town Manager speaks to the Board of Selectmen about the newly created the Project Review Committee and how it will work with the Departments to provide feedback to applicants. The Selectmen speak in favor of this Project Review Committee.

**HEARINGS, MEETINGS & LICENSES**

7:30 PM      Joint Appointment with BOS and CPC for two members.  
*Jane Lopes, Chairman opens the Community Preservation Committee Meeting. Members present were Jane Lopes, Dave Thomas, Mark Belanger, Janet Miller, Laura Sevens and Jo Ruthwicz.*

*Motion is made by Member D. Thomas and seconded by Member J. Miller to jointly appoint with the Board of Selectmen, Mark Belanger and Laura Stevens to the Community Preservation Committee. Unanimous vote.*

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon the Board voted unanimously to jointly appoint Mark Belanger and Laura Stevens to the Community Preservation Committee.

**TOWN MANAGER'S REPORT**

The Town Manager presented his report.

**CORRESPONDENCE**

#2 Selectman McKinnon noted Verizon and rate increases.

Selectman Dalpe referenced the Weaver Matter.

Upon motion made by Selectmen Dalpe and seconded by Selectman McKinnon the Board voted unanimously to at our next meeting schedule a hearing to consider the revocation of a Car Dealer's License for Sports Unlimited at 539 Wareham Street and notify the owner and their counsel.

Upon motion made by Selectman McKinnon and seconded by Selectman Stewart, the Board Unanimously voted to adjourn at 7:50 pm.

**June 29, 2015**  
**MINUTES**

**MIDDLEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES**

 **DRAFT**

**June 29, 2015**

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

In attendance were: Selectman A. Frawley, L. Dalpe, J. Knowlton, D. Stewart and S. McKinnon; Town Manager R. Nunes

**UNANTICIPATED**

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve a One-day All Alcoholic beverages liquor license for the Bartending Service for New England for 7/11/15.

Selectman McKinnon reported that the Plymouth County Commissioners voted \$9,232,519.91 into their budget this year. Our per capita cost is \$2.32 per person. He submitted the FY16 Operating Budget to the Board's Executive Assistant for office file.

Chairman Frawley – Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to designate Selectman Frawley as liaison to Lakeville BOS to talk to them about Waste Management.

Chairman asked Town Manager to speak with I.T. about tightening up spam emails. He has been receiving more than usual.

Chairman spoke about recent email complaint received about AA Recycling. Selectman McKinnon reported that he visited the site on Saturday and Sunday and did not experience any odors. Town Manager has a Team meeting in the morning. They will put together a strategy and report back to the Board.

**ANNOUNCEMENTS/RECOGNITIONS**

Board made various announcements. Public made announcements.

**MINUTES:** To be voted on 7/13/15

**WARRANTS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for weeks ending 6/27 & 7/4/15.

**MIDDLEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES**

**June 29, 2015**

**NEW BUSINESS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to sign ABCC Form 43 acknowledging notification by the Middleborough Lodge of Elks that it would like to serve alcoholic beverages beginning at 10 a.m. on Sundays.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to appoint Brian Lynch to the School Building Committee as designated by the State.

Selectman McKinnon reported that he attended the recent SRPEDD meeting and they moved the Rotary project line item out to 2020 funding. They did it because they need more bond money for emergency bridge repairs and for the MBTA stabilization. He encouraged the public to write to its legislators to advocate for moving the Rotary project forward. Chairman Frawley reiterated that it affects multiple communities.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to request the Town Manager send a letter to the legislator's to advocate moving the Rotary project forward.

**Tourism Committee Discussion**

Chairman began by making statement that the Board of Selectmen has never taken a vote or made a proposal to disband the Tourism Committee. The discussion was put on the agenda at the request of a resident.

Leilani Dalpe, Chairman of the Tourism Committee turned over the Tourism Committee meeting to, Sherri Swindle, Vice Chairman, who gave an overview of 2014-2015 events held by the Tourism Committee, the money made, and the number of attendees (18,000). Chairman Dalpe gave overview of planned upcoming Tourism events. Selectman Knowlton offered his thanks to the Tourism Committee and its volunteers.

Resident Tracey Marzelli addressed the Board and clarified that she raised the issue of disbanding the Tourism Committee. Selectman Knowlton asked why she would bring her issue with the Tourism Committee to the Board of Selectmen as opposed to the Tourism Committee. Ms. Marzelli responded that she attempted to speak with a member of the Committee and they did not take her comment seriously. Ms. Marzelli spoke of disrespect and discord. Resident Adam Bond confirmed the view of the discord among the Board Members.

**MIDDLEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES**

**June 29, 2015**

The Board discussed whether Selectman can serve on other Committees that report to the Selectmen. Chairman reads Section 21A, letter E on the Ethics Commission and explained Town Counsel is looking at legal clarification/opinion.

Upon motion made by Selectman McKinnon and seconded by Selectman Knowlton the Board voted unanimously to postpone the discussion indefinitely.

**HEARINGS, MEETINGS & LICENSES**

Chairman opened public hearing to Adopt Body Piercing Regulations at 8:40 PM by reading aloud the public hearing notice. Health Officer Robert Buker addressed the Board to present the proposed Body Piercing regulations. Selectmen asked questions. Mr. Buker explained that former Health Officer Jeanne Spalding wrote the proposed regulations. Further questions were asked by the Board, including whether or not the proposed fees are consistent with other Health department fees. Mr. Buker offered that this is new territory for him, but that he would be happy to report back to the Board with answers to its questions. Selectman McKinnon asked Mr. Buker to have Town Counsel review the proposed regulations.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon the Board voted unanimously to continue the hearing to adopt Body Piercing Regulations to July 13, 2015 at 7:20 PM.

Chairman opened public hearing to Adopt Private Hauler's Regulations at 8:53 PM by reading aloud the public hearing notice. DPW Director Chris Peck addressed the Board to present the proposed regulations. Chairman asked to hear comments. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to adopt and approve Draft 5 of the Private Hauler's Regulations.

Chairman asked to hear any further comments/questions. Hearing none, Chairman declared hearing closed.

**TOWN MANAGER'S REPORT**

The Town Manager presented the FY '16 Strategic Plan.

**MIDDLEBOROUGH BOARD OF SELECTMEN  
MEETING MINUTES**

**June 29, 2015**

**CORRESPONDENCE**

#2 Selectman McKinnon noted notification re: eligible costs re: Wastewater Treatment

#7 Selectman Stewart asked the Town Manager to make sure the Building Departments get copy of this letter.

#4 Selectman Stewart read aloud a letter from Peirce Trustees

Upon motion made by Selectman McKinnon and seconded by Selectman Stewart, the Board Unanimously voted to adjourn at 9:36 pm.

**September 21, 2015**  
**MINUTES**

**DRAFT**

**UNANTICIPATED**

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe the Board voted unanimously to authorize the Town Manager, Selectman Frawley and McKinnon to have a conference call with Special Counsel regarding the Land Into Trust Agreement and discuss what the Towns options are.

**ANNOUNCEMENTS & RECOGNITIONS**

Public announcements are made.

**MINUTES**

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve the 9/14/15 minutes.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, Board voted to unanimously approve the 9/14/15 Executive Session meeting minutes.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted to unanimously to authorize the Chairman or his designee, to sign the warrants for week ending 9/19/15.

**NEW BUSINESS**

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted to unanimously approve a One-day All Alcoholic Beverages Liquor License for Muckey's Liquors for 10/7/15 from 5 PM to 11 PM at Oak Point for the annual Taste of Middleboro.

Discussed proclamation of support for Middleborough Police Officers and declaring the month of October as "Show support for our Police officers" month by decorating with blue lights and ribbon across the Town.

Town Manager presented Chris Peck, DPW Director's, proposed recommendation for additional trash and recycling barrel fees. There was discussion.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to continue the discussion on trash barrel fees at a time when Chris Peck can attend the discussion.

**HEARINGS, MEETINGS, LICENSES**

Town Moderator Wayne Perkins addressed the Board to remind the public that Special Town Meeting will be held on Monday, October 5, 2015.

Town Manage explained STM Warrant Articles,

Article #1 Barbara Erickson addressed the Board to offer that she is opposed to the funding for this position being taken out of the budget and noted a letter provided by the Board of Assessors.

Article #2 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

Article #3 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

Article #4 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

Article #5 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

Article #6 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

Article #7 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#8 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#9 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#10 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#11 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to support this article.

#12 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article. Neil Rosenthal addressed the Board to express his concerns relative to the cost for a Feasibility Study. School Committee.....Rich Young responded

#13 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to support this article.

#14 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#15 Upon motion by Selectman Stewart and seconded by Selectman Dalpe, Board voted unanimously to support this article.

#16 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted to support this article. Four in favor. Selectman Knowlton opposed.

#17 Board agreed to hold.

#18 Board agreed to hold.

#19 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#20 Upon motion by Selectman McKinnon and seconded by Selectman Stewart Board voted unanimously to support this article.

#21 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#22 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to support this article.

#23 Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted to table until next week so that Town Counsel can be consulted. Four in favor. Selectman Knowlton opposed.

#24 Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted to support this article. One in favor. Selectman Dalpe abstained. Selectman Frawley and McKinnon against.

#25 Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted to support this article. Two in favor. Three opposed.

#26 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon voted unanimously to support this article.

#27 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon voted unanimously to support this article.

#28 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon voted unanimously to support this article.

#29 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon voted unanimously to support this article.

#30 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon voted unanimously to support this article.

**TOWN MANAGER'S REPORT**

Town Manager reported on the following:  
FY15 Budget Review

- a. Local Receipts
- 1. Department of Revenue Certification
  - b. Free Cash
  - c. Retained Earnings
    - i. Water
    - ii. Wastewater
    - iii. Sanitation

**CORRESPONDENCE**

#1 Selectman Knowlton noted.

#8 Selectman Stewart noted.

#6 Selectman McKinnon asked the Town Manager to obtain a schedule of areas to be flushed and put on Town's website.

**EXECUTIVE SESSION**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted by Roll Call to go into Executive Session for the purpose of discussing Collective Bargaining as it relates to GMEG, DPW, Clerical & Library at 9PM and not to return to open session. Roll Call: S. McKinnon, Yes; L. Dalpe, Yes; J. Knowlton, Yes; D. Stewart, Yes; A. Frawley, yes. Ended at 9:49 PM

**March 14, 2016**  
**MINUTES**

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

In attendance were: Selectman A. Frawley, L. Dalpe, J. Knowlton, D. Stewart and S. McKinnon; Town Manager R. Nunes and Acting Executive Assistant, Colleen Lieb

**UNANTICIPATED**

Selectman Stewart asks to rescind the vote taken at the last meeting, at which, the Board voted to schedule an Executive Session for the purpose of discussing Collective Bargaining and to instead schedule it another week out because the vote that was taken had nothing to do with the Planning Department budget and allow the public has an opportunity to speak on the item.

Upon motion made by Selectman Stewart and Seconded by Selectman Dalpe, the Board voted to rescind the vote to set the Executive Session and place the item on the next agenda so the public will have an opportunity to see it and come to the discussion if they want to be heard on it. Motion and second are withdrawn.

The Board and Town Manager discussed the proper protocol for the matter at hand and it was explained how this is not a subject that is open for public comment, as it involves Unions and Bargaining Agreements, so it must be done in Executive Session. It was noted that Special Town Counsel will be attending the discussion at 8:15 pm.

The Board agrees to table the discussion until 8:15 PM.

**ANNOUNCEMENTS AND RECOGNITIONS**

The Board made announcements. The Public made announcements.

**MINUTES**

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted unanimously to approve the February 29, 2016 minutes.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted to unanimously to approve the March 7, 2016 minutes.

**WARRANTS**

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon to approve and authorize the Chairman, as a designee to sign the warrants for the week ending March 12, 2016. Unanimous vote.

**NEW BUSINESS**

Pledge to “Spread the Word, End the Word”

Melissa Morrison introduces her 10 year old daughter Zoe. Zoe spoke eloquently to the Board about the importance of not using the r-word (retarded) any longer. She spoke about how her 8 year old sister has Downs Syndrome and she started this campaign to advocate the removal of this cruel and unfair misrepresentation of categorizing people with misunderstood medical conditions. There was a slideshow presented of all the support from the Community for this

project. The members of the Board of Selectmen and other meeting participants sign their names to Zoe's Pledge Banner.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to appoint Jennifer Monsini to the Agricultural Commission.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to appoint Donna Johnson to fill a vacancy on the Weston Forest Committee.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the TBA Architects proposal for the Oliver House in connection with the MassHistorical Grant.

Jane Lopes, Oliver Estate Advisory Committee, provided a copy of a letter from the Peirce Trustees committing funding up to \$10,000 in architectural services connected with the Town's application for a MassPreservation Projects Fund grant for work at the Oliver House.

Chairman Frawely asked that the Board of Selectmen be provided copies of all the agenda's and minutes to date, and then going forward be included on the distribution. He states that the Board would like to be kept in the loop.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the application to the Favrot Foundation in the amount of \$4,950 to be used to cover 50% of the cost for architectural services as the Oliver House Restoration and sign the Letter of Support.

**HEARINGS, MEETINGS, LICENSES**

Brian Lynch, School Superintendent, Rich Young & Brian Giovanoni, School Committee and Kathy Piatelli were present for the discussion.

7:30 PM      School Transportation  
                  School

Brian Lynch presented a power point presentation on the FY '17 School budgets. Chairman Frawley asked that the vote on the FY '17 School budgets be taken at the next meeting.

Sheffield Estates Roadway Acceptance

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted to set the hearing for the Roadway Acceptance of Sheffield Estates for Monday, April 11, 2016 at 7:45 PM.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to send the layout plan of Sheffield Estates to the Planning Board for review and comment.

Eastwood Estates

Upon motion made by Selectman Dalpe and seconded by Selectmen McKinnon, the Board voted unanimously to set the hearing for the Roadway Acceptance of Eastwood Estates for Monday, April 11, 2016 at 8:00 PM.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to send the layout plan of Eastwood Estates to the Planning Board for review and comment.

**TOWN MANAGERS REPORT**

The Town Manager provided an overview of the STM & ATM articles. He noted that a detailed review of each article will be scheduled for the end of March.

**CORRESPONDENCE**

#1 Selectman Dalpe referenced the Nature Conservancy's letter regarding the Towns eligibility to receive the Hazard Mitigation Grant that was applied for in early 2011.

Selectman McKinnon asked that the Town Manager look into the status of the purchase of Woloski Park.

**UNANTICIPATED (continued)**

Leo Peloquin, Labor Counsel, was present for the discussion.

Chairman Frawley provided a recap of the earlier tabled discussion for Attorney Peloquin. Selectman Stewart explained her concerns. Attorney Peloquin confirmed that his opinion that the Board can enter into Executive Session under the condition of Collective Bargaining.

Upon motion made by Selectman Dalpe and seconded by Selectman Stewart the Board voted to postpone the Executive Session and allow for it to be set at the next meeting instead to allow proper time for comment. One in favor. Four against. Motion does not carry.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted by Roll Call to go into Executive Session at 8:15 PM and not to return to Open Session for the purpose of discussing Collective Bargaining with GMEG; AFSCME Clerical – COA. Roll Call: S. McKinnon, Yes; L. Dalpe, Yes; J. Knowlton, Yes; A. Frawley, Yes; D. Stewart, No. Ended at 10 PM.