

**Middleborough Board of Selectmen
Meeting Minutes**

**May 28, 2014
(Wednesday)**

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

In attendance were: Selectmen A. Frawley, L. Dalpe, J. Knowlton, D. Stewart, and S. McKinnon; Town Manager C. Cristello and Executive Assistant J. Shanley.

HEARINGS

Rent Increase – Edgeway Homeowners' Association, Inc.

Chairman opened public Rent Board hearing re Edgeway Homeowners' Association, Inc. by reading aloud the public hearing notice. Attorney Adam Bond addressed the Board to present on behalf of the Association. In order to get the financing in place to purchase the Park, the Association asks that the Board approve this increase, subject to the successful purchase of the Park. He offered that Town government has operated in an expeditious manner over these past few weeks and it has helped the Association tremendously. Chairman spoke. Town Counsel spoke. Chairman asked to hear any further questions/comments. Hearing none, Chairman closed hearing. Upon motion by Selectman McKinnon and seconded by Selectman Knowlton, Board voted unanimously to approve the \$381/month plus the \$12/month rent increase. Town Counsel addressed the Board and noted that the formal written decision should include that this vote is contingent upon the Association becoming the new owner of the Park and that the new rent increase become effective 30 days following the acquisition of the Park. Motion by Selectman McKinnon and seconded by Selectman Dalpe to amend the vote to include the recommendations made by Town Counsel. Board voted unanimously on the amendment. Board voted unanimously on the original motion.

Agreement with Edgeway Mobile Homeowners' Association, Inc.

Attorney Bond addressed the Board. Selectman McKinnon asked Town Counsel if he is satisfied with the Agreement to which he responded in the affirmative. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to sign Agreement with Edgeway Homeowners' Association, Inc.

License

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to grant license to Edgeway Mobile Homeowners' Association, Inc.

Town Counsel addressed the Board re the preliminary injunction obtained by Attorney Burke against the Board and offered that Attorney Burke suggested he may consider dropping the injunction upon the sale of the Park. This was done to stop the Board from filing a criminal complaint concerning the \$100 per day fine for operating a Manufactured Home Park without a license. Board agreed to continue the matter until it is worked out.

ANNOUNCEMENT

Chairman announced that there is a D.O.T. meeting on 6/13/14.

HEARINGS

Chairman opened public hearing on Tobacco Violations at 7:30 PM. Jessica Gardener addressed the Board and reviewed the events of the violations that have been reported to the Board. The store manager of Trucchi's Supermarket offered that they are taking the matter seriously and that they have re-assigned the young lady that sold to the minor to a different department. They have re-trained their employees and they are hoping that the Board will not impose a 3-5 day suspension. They do have equipment that requires a date be imported. The employee thought the merchant was old enough and she imported the wrong date. She was penalized for breaking the policy. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to institute a \$100 fine and a three day suspension, specifically for, Friday, Saturday, and Sunday June 6, 7, 8, 2014.

The owner of Ron's Irving addressed Board and offered that they have never had an issue. He asked his employee what happened and the employee indicated that the customer looked older than 30. He has equipment that requires the employee to press "yes" if the person is old enough. He is not taking this lightly. He told the Board that it's difficult to know if someone looks old enough. Chairman suggested that he develop a more stringent policy to determine that the customer is old enough. Selectman Knowlton recommended that he not leave it at discretion and to i.d. everyone. The owner responded that this would be problematic because some people who are more than old enough take offense to being asked for identification. Selectman Knowlton reiterated that the Board takes this very seriously and is concerned with how many other kids are making these purchases and getting away with it. The owner responded that in seven years, this is the first violation and he has been visited by the sting operation regularly as well as the state. He is concerned with an offended customer reacting angrily toward his employee(s). Selectman Dalpe left the meeting at 7:48 PM. Selectman Stewart suggested that posting a very clear sign that customers will be asked for an i.d. should deter any argument by a customer. Chairman offered that he appreciates the owner's position. Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to institute a \$100 fine and a three day suspension, specifically for, Friday, Saturday, and Sunday June 6, 7, 8, 2014.

Town Manager updated the Board that Plymouth County Treasurer Tom O'Brien will be here on Monday night and the following week the Plymouth County Commissioners.

Upon motion by Selectman McKinnon and seconded by Selectman Knowlton, Board voted unanimously to adjourn at 7:51 PM.