Middleborough Board of Selectmen **June 13, 2016**
Meeting Minutes

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

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

The meeting was broadcast live by MCCAM and recorded by MCCAM and Verizon.

Board held a moment of silence for the victims of Orlando at the request of Selectman Frawley.

UNANTICIPATED

Knotty Hookers (knitting club) addressed the Board to introduce themselves as a club of community volunteers in Town.

ANNOUNCEMENTS & RECOGNITIONS

Board and audience made various announcements.

MINUTES

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve the 6/6/16 regular meeting minutes.

WARRANTS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman to sign Warrants for week ending 6/18/16.

NEW BUSINESS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to Board voted unanimously to set the following summer schedule, with additional meetings, as needed: 7/11, 7/25, 8/8, 8/22, 9/12

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to rescind approval to reserve a parking space at the top of Thatcher's Row, specifically, as a "Reserved for Post Adjutant" space for Post member Eric Goodnow as the Town does not own that parcel of land.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreement for 308 Tispaquin Street in the amount of $20,275.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve VFW Automatic Amusement Device license, as presented.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to accept Sheraton Sofa donation from Joe Marshall to the Oliver Estate.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to send letter of thanks to Mr. Marshall.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve SERSG DPW Supplies Contract in the amount of $693,297.80.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve SERSG Water and Sewer Contract $221,703.70.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve SERSG contract for paper supplies to W.B. Mason Co., Inc. in the amount of $7,480.

Selectman Dalpe offered that the only summer activity currently planned is the free July 4th festivities. She offered that they would like to get back to the ghost tours.

Upon motion by Selectman Knowlton and seconded by Selectman McKinnon, Board voted unanimously to approve the July 4th activities at the Oliver Estate.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to designate the Finance Committee recording secretary as a Special Municipal Employee because she is the recording secretary to multiple Committees.

Bob Silva, Chairman of the Permanent Cable Committee addressed the Board and introduced the Committee members who were also present. Chairman Silva presented the Committee's annual report. Karen Foye, Access Administrator addressed the Board and reviewed what MCCAM has and does cover for events. She explained that Zach Grundy is now here full time evenings and she intends on working with Oak Point to do some training at their location. Committee member Nick Guarda was introduced. He resides at Oak Point. Ms. Foye explained the variety of activities volunteers may be involved with. Town Manager raised issue that they have discussed regarding airing multiple Committee meetings live and suggested Ms. Foye expand on the solutions that they are considering. Selectman Frawley asked if they had a need for an actual studio. Ms. Foye explained that they don't really have a need for one. Chairman Silva offered that they are able to charge 2% by not having a studio as opposed to those who utilize a studio and charge the residents 5%. Volunteers must be age 16 accompanied by an adult or 18 and above. Every volunteer signs a responsibility waiver. Selectman McKinnon offered his thanks for the coverage MCCAM provided in getting the word out relative to the new Police Station building project. Board thanked the Committee.

Charlie Chase of the Green Energy Committee addressed the Board and gave an overview of his background. Committee member Steve Bonfiglio also addressed the Board, noting his background.

Jeff Stevens of the Green Energy Committee addressed the Board to discuss the Town applying for Green Community status. Seth Pickering addressed the Board. Discussion ensued.

HEARINGS, MEETINGS, LICENSES

Costello Dismantling Co. Earth Removal hearing

Upon motion by Selectman Dalpe and seconded by Selectman Frawley, Board voted unanimously to continue hearing re Earth Removal permit application made by Costello Dismantling Co., for property located at 701 & 703 Wareham Street, Map 110, Lots 3952 & 3985 to 6/27/16 at 7:30 pm.

Fuller Street Development – Earth Removal hearing

Abutter Fred Storch addressed the Board noting that he had requested a Town Official visit his property to witness what he finds disruptive by this project. Board informed Mr. Storch that DPW Director Chris Peck did visit the area. Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to continue the hearing to 6/27/16 at 7:45 pm. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to extend the Fuller Street Development Earth Removal permit to 6/27/16.

88 River Street

Chairman continued public hearing re 88 River Street Nuisance, Source of Filth and/or Cause of Sickness Injurious to the Public Health. Selectman Frawley recused himself and left the meeting room. Attorney Jeff Galissi, representing Ronald High submitted the following various documents to the Chairman at the meeting to be submitted into the record:

- ACO Between A-Plus Waste & Recycling Services, LLC and DEP dated 6/8/16
- A-Plus Waste & Recycling Services Composting Facility Operation Plan dated 6/8/16
- Weston & Sampson letter to Middleborough ZBA re Project Environmental Impact Assessment Review Services, dated 9/9/13
- ESS Group letter to ZBA re Environmental Impact Assessment Report – Peer Review Response dated 9/5/13
- Weston & Sampson letter to Middleborough ZBA re Project Environmental Impact Assessment Review Services response to ESS letter dated 8/27/13
- ESS Group letter to ZBA re Environmental Impact Assessment Report – Peer Review Response dated 8/21/13
- Weston & Sampson letter to Middleborough ZBA re Project Environmental Impact Assessment Review Services dated 8/19/13
- ESS Group letter to Middleborough ZBA re Special Permit Application, A-Plus Waste & Recycling Services, 88 River Street dated 6/12/13

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to accept the documents into the record. Chairman offered that Attorney Galissi requested to continue tonight's hearing. Attorney Galissi agreed that they would like the opportunity to review the report by GEI Consultants, Inc. Selectman McKinnon noted the newly ACO between Ron High and DEP and the specifics of that ACO. Attorney Galissi agreed with the overview Selectman McKinnon provided and added that it will all be under the supervision of the DEP and that there may be some odors as they will be removing what's currently at the site. Selectman Knowlton asked for confirmation that this ACO is the means to an end to removal of what is currently at the site. Attorney Galissi affirmed that to be correct. Chairman offered that there are some Zoning and Conservation issues mentioned in the ACO. Attorney Gallisi confirmed that there will be zoning action and it will involve the adjacent property. Ron High addressed Board and explained that the ACO reads that all composting will happen on site. Jamie Meserve of 83 River Street addressed the Board and offered that nothing has been presented to provide for postponing or continuing this hearing in determining whether or not a nuisance has ever been created. Samantha Turgeon addressed the Board and offered that she also does not want to see this continued and asked how many chances Mr. Ron is going to be allowed. Mr. Meserve addressed the Board and explained how the waste will travel through the Town and offered that this new machine will cause a nuisance with about 3,000 tons of waste coming through Town. Jamie Meserve offered that an Anaerobic Digester is a sensitive piece of equipment and she wouldn't trust this company to operate it. She asked the Board to determine that this facility has created a nuisance. Samantha Turgeon offered that eleven households have testified and she hopes that the Board will reach a decision soon. Judy Tracy asked the Board to stop the continuances and make a decision soon. She offered that it's been way too long, that someone like him should not be allowed to expand because he is not responsible in how he runs his business. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to continue the hearing to 6/27/16 at 8 pm. Town Manager noted that the inspections must be done by 6/30/16.

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize Chairman to sign letter to Earth Removal applicant Brian Williams in an attempt to collect payment for his outstanding invoice re peer review by Atlantic Design Engineers.

TOWN MANAGER'S REPORT

Town Manager updated Board re Police Station project.

Town Manager gave overview of FY16 local receipts.

CORRESPONDENCE

None.

Arthur Battistini addressed the Board and asked that the Board remind the public about the smoking laws as they pertain to public buildings.

EXECUTIVE SESSION

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, Board voted by Roll Call to go into Executive Session at 8:55 pm to discuss strategy relative to contract negotiations with Seven Point of Massachusetts and not to return into Open Session. Ended at 9:02 pm.