

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

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

UNANTICIPATED

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor, to send a letter to MassDOT requesting that the Town be included in meetings and discussions regarding the South Coast Rail coming through Middleborough.

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor to approve the Atlantic Design bills as read.

ANNOUNCEMENTS AND RECOGNITIONS

The Board made various announcements.

MINUTES

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor to approve the June 20, 2016 minutes as amended.

WARRANTS

Upon motion made by Selectman Knowlton and seconded by Selectman Frawley, the Board voted all in favor, to approve and authorize the Chairman, as a designee to sign the warrants for the weeks ending July 2nd and July 9, 2016.

NEW BUSINESS

Robert Nunes, Town Manager, announced the appointments for the Commission on Disability.

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor, to approve the appointments to the Commission of Disability as presented by Mr. Nunes.

Wayne Perkins, spoke about the reappointment process for the Green School Committee and how the building is almost complete. He requested a waiver of the appointment policy and that the members just be reappointed and no advertising be made.

Upon motion made by Selectman Knowlton and seconded by Selectman Frawley, the Board voted unanimously to allow the waiver of the Board's requirements for reappointment and will reappoint all the members of the Green School Committee so that they may finish up their work.

Upon motion made by Selectman Knowlton and seconded by Selectman Frawley, the Board voted unanimously to appoint Wayne Packard – VFW, Bob Burke – OPVA, Bruce Wright – AL, Bob Lessard – AL, Bill Blight – DAV, John Gill – OPVA and the Town Manager to the Veteran’s Agent Screening Committee.

At 7:25 PM Selectman L. Dalpe stepped onto the Board.

The Board discussed the charge of the Citizens Environmental Health Impact Committee. Selectman Knowlton speaks about the Committee and noted that he is currently chairman. He speaks on the quorum issues. He feels that the group has run its course. There is discussion on the frequency of the meetings being changed to quarterly or twice yearly. Wayne Perkins spoke about the difficulty in getting residents interested in joining the Committee when there is a vacancy. The Board of Selectmen agree to have the members of the Citizens Environmental Health Impact Committee decide what changes need to be made and make recommendations to Town Meeting.

Chapter 61A

Chairman Stewart reviewed the River Street property recommendation from the Planning Board and the Conservation Committee to not exercise the Chapter 61A option.

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted unanimously to not exercise its option under Chapter 61A for the River Street, Map 004, Lot 3037 property.

Earth Removal Permit Extension – Discussion

Selectman Frawley discussed how there is no need for any permit extensions on Earth Removal Permits. It is clear in the permit when it expires and it is clear that there is a one year extension option. There is no reason for applicants to not get a new permit ready for submission and in the review process prior to the previous permit expiring.

RM Thomas Request to Surrender Earth Removal Permit

Chairman Stewart reviewed the recommendations from the Conservation Agent on how to clean up the work that was done before the earth removal permit is surrendered and the bond returned to the owner. Mr. Thomas asked that the Board release the surety so that he can use it to complete the work. The Board does not agree to release the bond prior to the work being done. Town Counsel will be asked if since the work has been reduced, there is a question on whether the bond can be reduced.

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted unanimously to authorize the use of town roads for the 84th Annual Fourth of July Parade on July 4, 2016.

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton to pay the Greener Horizon invoice in the amount of \$150, dated June 1, 2016 for lawn maintenance to be paid out of the Oliver Estate Revolving Fund.

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Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted all in favor, to pay the Greener Horizon invoice in the amount of \$690, dated June 21, 2016 for yard maintenance to be paid out of the Oliver Estate Revolving Fund.

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted all in favor, to pay the Greener Horizon invoice in the amount of \$690, dated June 24, 2016 for yard maintenance to be paid out of the Oliver Estate Revolving Fund.

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted all in favor, to accept and authorize the Chairman to sign the Summer Youth Jobs grant in the amount of \$5313 from the Attorney General's Office.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor to award the Mizaras WPS Water Main Material's Supply Contract Alternative B to E.J. Prescott, Inc. as recommended by Armory Engineers, PC.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to reappoint Christopher Peck as the Town's representative to South Shore Recycling Cooperative for a one year term, effective 7/1/16.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to reappoint Richard J. Young as the Town's representative to Old Colony Elder Services Board of Directors for a one year term, effective 7/1/16.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to make the following reappointments: Fence Viewer – Robert Whalen, Tree Warden – Christopher Peck, Mother Superintendent – Christopher Peck, Animal Control Officer/Inspector – Kelly Jarabek, Alternate Animal Inspector – Derel Lee Twombly, Forest Fire Warden – Lance Benjamino, Alternative Wiring Inspector – John Hogan, Alternate Wiring Inspector – Michael Bell, Town Counsel – Daniel F. Murray and Veteran's Agent – Paul Provencher.

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, the Board voted all in favor, to approve and sign the Owners Project Manager contract for the Police Station Building project.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to approve the Police Station Project Design Services Contract.

Selectmen Dalpe noted that she does business with Olivieri Insurance so she will not take any action on this vote.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted three in favor one abstention, to authorize the Town manager to enter into an insurance contract for the Town with Olivieri Insurance as presented.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to pay the Atlantic Design Engineers, Inc in the amount of \$1,117.00 for the peer review of the W.L. Byrne's Earth Removal application.

HEARINGS, MEETINGS, LICENSES

Hearing – Earth Removal Application for Costello Dismantling Co., for property located at 701 & 703 Wareham Street, Map 110, Lots 3952 and 3985 (continued from June 13, 2016)

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, the Board voted all in favor, to continue the hearing for Costello Dismantling Earth Removal Permit to July 11, 2016 at the request of the applicant.

Hearing – Earth Removal Application for Fuller Street Development, LLC for property located on Fuller Street, Map 024, Lot 5555 and Map 33, Lot 686 (continued from June 13, 2016)

Ken Motta, Project Engineer, Field Engineering and Elliot Schneider – Developer are present for the discussion.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor, to accept into the record the June 27, 2016 letter from Field Engineering in response to the final comments made by Atlantic Design's June 14, 2016 letter.

Mr. Motta reviewed the plan including the bog overview and slope stabilization. Chairman Stewart asked if the Board has any comments. Mr. Motta noted that they will be going back before the Conservation Commission for the wetland renewal. Selectman Dalpe asked about the dust mitigation. Mr. Motta explained about the irrigation systems that will be used to keep the dust down.

Patricia and Thomas Smith, 41 Fuller Street, spoke about how Mr. Redlon and Mr. Schneider have been very receptive of the residence's comments. They have shown that they are willing to listen to all of the abutter's complaints. They've done so many things to try and minimize the issues that the residents have been having.

Adrian Ducille, 56 Fuller Street, explained that when he bought his home it was at an Open House on a Sunday. It was only when he came back for the home inspection that he realized there was a full operation behind his house. He offered that he had no idea there was so much work involved in building cranberry bogs. He stated that he would like to get a better feel for when we can expect the project to be completed. He also would like to know about both the noise and dust mitigation.

Mr. Motta spoke about the noise mitigation and what has been implemented so far. He explained that the back-up alarms will be changed to a white noise buzzer alarm that is only heard in the immediate area. Mr. Schneider spoke about the OSHA approved option that they are going using to alleviate a concern from an adjacent neighbor. He also spoke briefly about the excavators and dust control.

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor of closing the hearing.

Upon motion made by Selectman Dalpe and seconded by Selectman Frawley, the Board voted all in favor of approving the Earth Removal Permit for Fuller Street Development for approximately 615,757 cubic yards to be removed over three years for property on Fuller Street, Map 024, Lot 5555 and Map 033, Lot 686 and include the conditions as laid out in the June 27, 2016 letter from Field Engineering.

TOWN MANAGER'S REPORT

Robert Nunes provided an update on the Police Station Project. He also provided an update on the MECC Roof Project and the MHS Project. Mr. Nunes made note of the appointments he is making to the Conservation Commission.

Upon motion made by Selectman Frawley and seconded by Selectman Knowlton, the Board voted all in favor, to approve the appointments to the Conservation Commission as presented by Mr. Nunes.

HEARINGS, MEETINGS, LICENSES (continued)

Hearing – 88 River Street Nuisance, Source of Filth and/or Cause of Sickness Injurious to the Public Health (continued from June 13, 2016)

Attorney Jeff DeLisi and Ronald High were present for the discussion. Chairman Stewart began the 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.

Chairman Stewart reported that GEI has not gone out to the site to do any odor testing because there has not been any turning of windrows since GEI has been contracted. She further asked that Attorney DeLisi prepare and submit closing comments and submit it to the Board by July 5 2016. Chairman Stewart and Attorney DeLisi discuss the GEI services and how there has been no windrow turning activities, GEI is not needed to determine odor.

Jamie Meserve, River Street, asked why the windrow wasn't turned when it was scheduled to be turned. She asked what happened to that schedule. Chairman Stewart noted that she is not aware of the reason that the windrow hasn't been turned as it was supposed to be.

Samantha Turgeon, River Street, asked if this is the process to move forward. She noted that we've waited two weeks and now are waiting another two weeks before this procedure will be completed. She attempts to understand the process and Chairman Stewart explains the opportunity that Attorney DeLisi will have to provide a closing comment document.

Upon motion made by Selectman Dalpe and seconded by Selectman Knowlton, the Board voted all in favor, to close the hearing for 88 River Street Nuisance, Source of Filth and/or Cause of Sickness Injurious to the Public Health.

CORRESPONDENCE

#1 – Chairman Stewart referenced the letter dated June 24, 2016 from J. Meserve and asked the Board if they would like to make an agenda item. The Board agrees and the Executive Assistant will notify Mr. High.

EXECUTIVE SESSION

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted to enter into Executive Session not to return to Open Session for the purpose of contract negotiation with the Police Superior Union as a discussion in Open Session might be detrimental to the parties involved. Polled vote: Selectman A. Frawley - Aye, J. Knowlton – Aye, L. Dalpe - Aye and D. Stewart - Aye

ADJOURNMENT

The meeting ended at 9:40 PM.