

**Middleborough Board of Selectmen
Meeting Minutes**

January 27, 2014

Acting Chairman Allin Frawley opened meeting at 7:05 by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Frawley, B. Quelle, L. Dalpe, and J. Knowlton; Town Manager C. Cristello and Executive Assistant J. Shanley.

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

UNANTICIPATED

Chairman Frawley noted letter from Senator Pacheco referencing a letter from MA DOT re the Middleborough Rotary.

Town Clerk Allison Ferreira brought the Board's attention to an inaccurate article in the Brockton Enterprise on 1/18/14 re upcoming Annual Town Election. The Election will be held on 4/5/14. Candidates have until 2/13/14 to draw nomination papers, which must be returned with 50 ballot signatures of registered voters by 2/18/14.

MINUTES

Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to approve the 1/13/14 regular meeting minutes.

ANNOUNCEMENTS & RECOGNITIONS

Selectman Dalpe welcomed Victoria Souza of Middleborough and graduate of Bridgewater State University as our official intern in the OECD.

Selectman Dalpe announced that The Tourism Committee and Herring Festival are putting together a 2014 Festival's brochure. Organizations who would like to be listed in the brochure may go to herringfestival@gmail.com for more information.

Selectman Frawley announced that he will be seeking a second term as Selectman.

Selectman Quelle offered thanks to Fire Chief Benjamino & Fire department for offering the Cold Weather and Ice Survival training.

Selectman Quelle recognized Police Chief Gates and his department for the recent drug bust in Town.

Selectman Quelle announced that the Central Congregational Church has extended an invitation for kindergartners through 6th graders to participate in their Pine Wood Derby on Wednesday at 6:30 PM.

Selectman Quell sent thoughts and prayers to a particular, but unspecified member of the School Committee.

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Selectman Quelle announced that he will not seek re-election due to a full personal schedule. He offered that he was happy that Selectman Frawley will run again. He also recognized Selectman Dalpe for all she has accomplished in the short time since having had been elected.

Police Chief Gates announced that they would be holding a farewell luncheon from 11 a.m. to 1 p.m. at the Police Station for Lt. Mackiewicz.

Selectman Frawley offered his thanks to Frank Albani, former Director of the Soule Homestead, for his many years of contributions.

MINUTES

Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to approve 1/13/14 regular meeting minutes.

WARRANTS

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman, or his designee to sign Warrants for week ending 1/24/14.

NEW BUSINESS

Town Clerk Allison Ferreira addressed Board. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to appoint Election Officer Appointments for 2014, as presented on the attached.

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to appoint Dominick DeAngelis to the Board of Registrars, as presented on the attached.

Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted unanimously to appoint Police Detective Sergeant Joseph M. Perkins to the rank of Lieutenant, effective 2/2/14, and authorized the Chairman to sign the required civil service forms.

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to approve request by River's Edge Realty Trust, LLC for a one-year Earth Removal permit extension.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to appoint Cory Leeson of Lakeville as a Volunteer Observer to the Middleborough Lakeville Herring Fishery Commission for a one-year term ending 9/30/14.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman to sign a letter to Civil Service increasing the number of Police Officer vacancies from 3 to 4 on requisition #01382.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to award well redevelopment (maintenance) contract for E. Main Street Well No. 2 and Tispaquin Well No. 1.

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Town Manager addressed Board. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to sign the MOA Between the Town of Middleborough and NEPBA Local 76 (“Middleborough Police Patrol Officers Union”) to Offer a Stipend in Exchange for Opting Out of the Town Health Plan.

HEARINGS, MEETINGS, LICENSES

Edgeway Mobile Home Park

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to continue Edgeway Mobile Home Park hearing re request action on a criminal complaint concerning the \$100 per day fine for operating a Manufactured Home Park without a license (continued from 10/21/13) to 3/31/14 at 7:30 PM.

Draft Site Assignment Hearing Decision

Town Manager spoke re Draft Site Assignment Hearing Decision. Health Officer Jeanne Spalding addressed Board and noted that she has some changes to make to the draft to be voted on by the Board next Monday followed by publication. Peter Richer of Waste Management addressed Board.

WRPD-Cumberland Farms, Inc. 90 & 92 E. Grove Street and 147 Wood Street

Chairman opened hearing at 7:41 PM on WRPD application filed by Cumberland Farms, Inc. for 90 & 92 E. Grove Street, Map 65, Lots 299 & 112 and 147 Wood Street by reading aloud the public hearing notice. Applicant’s representative, Attorney Douglas Troyer addressed Board to present request. Applicant’s engineer addressed Board to review plans. Attorney Troyer provided further review for the Board. Board asked questions. Selectman Knowlton noted he would like the Town’s engineer to review. Town Manager offered that we could have Atlantic Design review and have their input/comments by the Board’s next meeting. Board asked additional questions. Attorney O’Shaughnessy addressed Board representing a direct abutter from 149 Wood Street. He questioned if the applicant has met the requirements of the special permit. Resident Michael Solimini addressed Board. Attorney Troyer offered that Cumberland Farms intends to sell or lease the present property. Resident Brian Giovanoni made some suggestions relative to the catch basin to which the applicant’s engineer responded. Attorney Troyer offered that they are willing to make the attempt in hopes that MA DOT will approve. Upon motion by Selectman Quelle and seconded by Selectman Knowlton, Board voted unanimously to continue the hearing to 2/3/14 at 7:30 PM.

Underground Storage Tank (UST) Permit application by Cumberland Farms, Inc.

Chairman opened public hearing at 8:31 PM on application filed by Cumberland Farms for an Underground Storage Tank license for 90 & 92 E. Grove Street and 147 Wood Street by reading aloud the public hearing notice. Attorney Troyer addressed the Board. Resident Mark Wood addressed Board with questions. Attorney Troyer responded by reading aloud the details of all applicable underground storage tanks. Chairman asked to hear any further comments or questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman Quelle and seconded by Selectman Knowlton Board voted unanimously to approve permit.

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Earth Removal Permit – Riverrock Realty Trust, 288 Thompson Street

At 8:43 PM Chairman opened public hearing on application filed by GAF Engineering on behalf of Riverrock Realty Trust for an Earth Removal permit by reading aloud the public hearing notice. Engineer Bill Madden addressed Board. He indicated that they were leaving the number of trucks on the site up to the Board and the conditions it puts on the permit. He has a prepared written response to questions raised by Atlantic Design Engineers, Inc., which he distributed to the Board. Town Manager recommended the responses be reviewed by Atlantic Design and Chairman noted that the Board had only just received comments from our Planning department. Mr. Madden reviewed his responses to each of the concerns raised by Atlantic Design. Resident Steve McKenna addressed Board and advised that they have been putting up with truck traffic for past two years from the Beaton Barron site. Resident Ann Williams questioned dust control and asthma. Her pond has gone down one foot over the past year and she questions whether or not there is enough water. A resident of 37 Fuller Street indicated that Mr. Beaton has been his neighbor for years and has been a good neighbor. He has spoken with Mr. Arruda and had some of his questions addressed. He will provide further questions to the Board ahead of the continued hearing date. Joe Arruda addressed the Board and noted a couple of issues including that they are attempting to help the neighbors to avoid the alternative of houses being built at this site. Chairman Frawley strongly recommended that the applicant finish the project at the end of the three-year permit as the calculations demonstrate that the residents will be tolerating one truck every ten minutes on the roads for the length of this permit. Selectman Quelle asked the applicant to consider alternative truck routes. Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to continue hearing to 2/10/14 at 8 pm.

TOWN MANAGER'S REPORT

Town Manager noted that the Snow & Ice account is over budget. It will be addressed at the ATM in the spring.

Town Manager noted correspondence re one Town's experience going to automated cards

Town Manager noted letter of Support from Congressman Keating for the Fire Department's Grant application to the Assistance to Firefighter's program.

CORRESPONDENCE

#3 Selectman Knowlton noted that the Library parking lot has come into good shape. He congratulated the Board and the Friends for this accomplishment.

#5 Selectman Quelle would like Capeway Rovers Motorcycle Club take the Conservation Agent's advice.

#2 Selectman Dalpe offered that she was glad to say that Conservation Agent Patricia Cassady will be remaining with the Town.

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Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to adjourn at 9:22 PM.

Jackie Shanley, Executive Assistant
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