Middleboro Board of Selectmen **October 17, 2016**
Meeting Minutes

Chairman Stewart opened the meeting at 7:05 PM by inviting those in attendance to join in the Pledge of Allegiance.

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

UNANTICIPATED
There is nothing under unanticipated.

ANNCOUNCMENTS AND RECOGNITIONS
Selectman Knowlton spoke about the newly created Pathways Committee and encourages residents interested in creating multiple mobile opportunities in the Town are encouraged to apply.

Selectman Frawley spoke about hunting season which is open for archery. He asks that hunters put yellow, green, pink or orange on their dogs so they are not mistaken as game.

Selectman Dalpe thanked the volunteers for making Octoberfest a successful event. There was an estimate of 1500-1800 people attending. She also spoke about the upcoming Ghost Tours at the Oliver House and the ones that are set up for the Town Hall the weekend of Halloween.

Selectman McKinnon spoke about the Middleborough Mess Movers and the pick-up of trash for the last time this season. The Mess Movers will begin again in April 2017.

Brian Giovanoni, School Committee Member, thanked and recognized Oak Point for the money they revised at their yearly yard sale and donate the school in scholarship. He noted that they also donated toward the purchase of gym equipment.

MINUTES
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to approve the September 26, 2016 as presented.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to approve the October 3, 2016 as presented.

WARRANTS
Upon motion made by Selectman Dalpe and Seconded by Selectman McKinnon, the Board voted unanimously to authorize the Chairman, or designee, to sign the Warrants for weeks ending 10/15/16, 10/8/16 and 10/22/16.

NEW BUSINESS
Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the Veteran's Day Activities as listed in the October 11 2016 memo.

The Board reviews the Job Description and the Job Posting for the Veteran's Agent position. There are two changes noted.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously, to approve the Job Posting with the change from "Honorably Charged" to "Honorably Discharge" and to approve the Job Description removing the line "Work is performed under typical office conditions with limited staffing."

Solar Pilot Agreements

Keith Akers, Kyle Lechner from Syncarpha Capital, LLC were present for the discussion. Also present was Barbara Erickson, Assessor. Ms. Erickson spoke about the Town Meeting vote and the authorization to proceed with the Solar Pilot Agreements. There is clarification on some of the wording in the contracts. It was noted that Town Counsel did review the contracts and did provide language changes that have been incorporated.

Upon motion made by Selectman McKinnon and seconded by Selectman Frawley, the Board voted unanimously, to approve the Solar Pilot Agreement with EarthCleanSyn III, LLC, for the property located at Assessors Map 58H Lot 3245, Site 1.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously, to approve the Solar Pilot Agreement with EarthCleanSyn III, LLC, for property located at Assessors Map 059, Lot 2577, Site 2.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the Solar Pilot Agreement with EarthClynSyn III, LLC for property located at Assessors Map 004, Lot 3037.

Upon motion made by Selectman McKinnon and seconded by Selectman Frawley, the Board voted four in favor one abstention, to approve the purchase of flyer for the Ghost Tours with a not to exceed amount of $100.

Upon motion made by Selectman Knowlton and seconded by Selectman McKinnon, the Bard voted unanimously, to authorize the purchase of fire extinguishers, first aid kits and incidentals as recommended by the Fire Chief to be paid from the Oliver Estate Revolving Fund.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously, to approve the Invoice from Russ Frade for porta-potty rentals at the Oliver House for the month of September.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously, to approve a one day All Alcoholic Liquor License for the New England Bartending Service on 10/22/16 at Abbey Lane from 4 PM to 11:30 PM.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve a on day All Alcoholic Liquor License for the New England Bartending Service on 12/3/16 at Abbey Lane from 4 PM to 11:30 PM.

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, the Board voted unanimously to declare Lights ON After School Day, October 20th and issue the presented proclamation.

Fran Cass was present for the discussion. The Board discussed the idea of the Middleboro Park Department having a Friends of the Park Department and setting up a 501(c)3. The Board agrees that they do not need to formally approve the idea but suggest that this be presented to Town Counsel to make sure that it is done correctly and to assure that it is a good idea for the Park Department.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the placement of a Stop Sign at the intersection of Union Street and Nickerson Avenue.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the payment of $1,000 to be paid to Joan Ayube as approved under Article 25 of the October Special Town Meeting.

The Board reviewed and discussed the meeting schedule for the next remainder of 2016.

Upon motion made by Selectman Frawley and seconded by Selectman Dalpe, the Board voted unanimously to not hold Selectmen Meetings on the following dates: 11/28/16, 12/26/16 and 1/2/17.

Upon motion made by Selectman McKinnon and seconded by Selectman Frawley, the Board voted unanimously to advertise the opening of Volunteer Fish Warden for the Herring Fishery Commission.

Upon motion made by Selectman McKinnon and seconded by Selectman Frawley, the Board voted unanimously to award the contract for Brookside Drive/Fidelity Lane roadway and drainage repair to C. Naughton with the low bid of $656,288.

HEARINGS MEETING AND LICENSES

Hearing - Class II Automobile License, Atlantic Coast Wholesale, Inc., Dennis Hogan, 22 Cambridge Street

Dennis Hogan was present for the discussion. Chairman Stewart read the legal notice and opened the hearing. Mr. Hogan turned in the green cards and provided a brief presentation of what his plans are for a Class II Auto operations at the 22 Cambridge Street property.

Chairman Stewart referenced the correspondence received from the Conservation Agent, which explains there are not wetlands, endangered species or floodplains in or near the property. Chairman Stewart also noted that the Building Inspector had no issues with the zoning or the proposed use. The Board discussed with Mr. Hogan the number of cars for sale. There is clarification on the total number of vehicles allowed on the property at any one time. Mr. Hogan and the Board agree to six cars for sale and a total of no more than ten cars on the lot at any one time.

Chairman Stewart opened the hearing up for public comment. There is no comment from the public.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously, to close the hearing.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously, to approve a Class II Automobile License for Atlantic Coast Wholesale, Inc. for premises located at 22 Cambridge Street for a total of six vehicles for sale and a not more than ten vehicles on the lot in total at any one time and hours of operation to be set as M-Thurs 3 PM – 6 PM or by appointment only.

Public Hearing – Earth Removal Permit - Costello Dismantling
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board, voted unanimously to continue the hearing for the Earth Removal Permit Application for Costello Dismantling to November 7, 2016 at 8:15 PM and to send a letter to the applicant that they will not be continuing the hearing any further it will either be an approval or denial.

Pole Hearing – Fairview Street
Bill Taylor, Middleborough Gas & Electric, was present for the discussion. Chairman Stewart read the legal notice and opened the hearing for a pole to be placed at 8 ½ Fairview Street to avoid an aerial trespass. Chairman Stewart opened the hearing up for public comment. There is no comment.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to close the hearing.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve the Petition for a Pole to be placed at 8 ½ Fairview Street as indicated on the presented plans.

Tax Classification Hearing
Barbara Erickson, Assessor, was present for the discussion. Chairman Stewart read into the record the legal notice and declared the hearing open. Ms. Erickson reviewed with the Board the overview of the economy and the decision to leave the shift at 5% rather than moving to a single rate at this time.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to close the Tax Classification hearing.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to set the tax classification at $15.77 per thousand and $16.77 per thousand for Commercial.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously, to authorize the Executive Assistant to sign electronically on behalf of the Board of Selectmen.

TOWN MANAGER REPORT
The Town Manager will provide his report at the next meeting.

CORRESPONDENCE
#1 Selectman Frawley suggested that Town Counsel review the letter from R. Desrosiers regarding the Survey Board and the refusal to look at the River Street property. The Board agrees to forward to Town Counsel and ask if this is an appropriate lack of action.

Selectman McKinnon suggested to the Board not having the public speak on this matter where there is pending litigation.

Chariman Stewart allows one resident to speak on the letter.

Jamie Meserve, River Street Resident, spoke on her opinion that the Building Inspector should not have been consulted and that the Survey Board should be acting independently.

The Board agrees to forward the letter to Town Counsel.

#2 Selectman Frawley referenced the minimal response from Mass DOT.

#3 Selectman Frawley recognized the Peirce Trustees contribution to the Right to Farm signs that will be going up around Town.

#4 Selectmen Frawley spoke about the letter from Kimberly French, resident and Community Preservation Member, which discussed the date of the Special Town Meeting and the conflict with the Jewish Holiday. The Board will take this under advisement and consideration when setting future Town Meeting dates.

#5 Selectmen Frawley referenced the letter regarding the removal of debris at the 539 Wareham Street property. He noted that the Board is familiar with that address and the business. They will be taking all of it into consideration when the January renewals of the Class II license are done.

EXECUTIVE SESSION
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted at 8:35 PM to enter into Executive Session to return to open session for the purpose of discussing Collective Bargaining AFSCME Local 1700 to return to Open Session. Polled Vote: Selectmen A. Frawley - Aye, L. Dalpe - Aye, J. Knowlton – Aye, S. McKinnon – Aye and D. Stewart – Aye.

The Board returned to Open Session at 8:58 PM.

ADJOURNMENT
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to adjourn at 9:00 PM.

Respectfully submitted by,

Colleen M. Lieb, Executive Assistant
Middleborough Board of Selectmen