MINUTES

for approval on 10/17/16

Chairman Stewart opened the meeting at 6:50 PM.

EXECUTIVE SESSION
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted to enter into Executive Session to return to open session for the purpose of discussing pending litigation. 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 7:05 PM.

Chairman Stewart returned the meeting to session 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
Selectmen Frawley brought up the request to put a possible traffic light at the Hannaford intersection. He noted the recent paving and striping of crosswalks right at the intersection. He referenced the new crosswalks and how almost no one on the roadway is paying attention to them. There is a potential for some sort of blinking lights for the crosswalk and/or lights at the intersection.

ANNCOUNCMENTS AND RECOGNITIONS
There was an announcement made for upcoming Octoberfest, Country Piece Makers Quilt Guild from Oak Point at the Oliver Estate and the Ghost Tours.

Chairman Stewart announced the hydrant flushing.

Bob Burke, Oak Point Veteran's Association, explained that they will be having a candidate's night at the Oak Point Ballroom with all the candidates that represent Middleborough.

MINUTES
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to approve the September 19, 2016 as presented.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to approve the July 27 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 10/1/16, 10/8/16 and 10/15/16.

NEW BUSINESS

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously, to approve the request to put up Blue Ribbons in support of Law Enforcement starting October 1, 2016.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to authorize the Chairman to sign the Location Release for the "Afraid of Nothing" documentary to be done at the Oliver House.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to sign the Citation for Doris Lemmo for her 99th Birthday.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to approve a one Day All Alcohol License for 10/5/16 from 5-10 PM for Oak Point Veteran's hosted Candidate Night.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to waive the Town's Option to buy Chapter 61A Land of 68 acres located off Precinct Street.

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted that they hereby determine in accordance with G.L. c. 70B, that the amount of the cost of the Early Childhood Center roof replacement project authorized by a vote of the Town passed on April 25, 2016 (article 6) not being paid by the school feasibility study grant is $563,380 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

It was further moved that the sale of the $2,935,724 General Municipal purpose Loan of 2016 Bonds of the Town dated October 5, 2016 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of $3,022,443.61 and accrued interest, if any, is hereby approved and confirmed. The bonds shall be payable on October 1 of the years and in the principal amounts and bear interest at the respective rates as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2017	$410,724	2.00%	2022	$305,000	2.00%
2018	$400,000	2.00%	2023	$305,000	2.00%
2019	$380,000	2.00%	2024	$290,000	2.00%
2020	$330,000	2.00%	2025	$100,000	2.00%
2021	$315,000	2.00%	2026	$100,000	2.00%

It was further voted to approve the sale of $5,168,788 2.00 percent General Obligation Bond Anticipation Notes of the Town dated October 7, 2016, and payable October 6, 2017 (the "Notes"), to Eastern Bank at par and accrued interest, if any, plus a premium of $54,688.50.

It was further moved that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 12, 2016, and a final official Statements dated September 21, 2016 (the "Official Statement") each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

It was further moved that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 14, 2016, and a final official Statement dated September 21, 2016, each in such form as may be approved by the Town Treasurer, be and hereby ratified, confirmed, approved and adopted.

It was further moved that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

It was further moved that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to executive and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

It was further moved that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient or if such procedures are currently in place, to review and update said procedures in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

It was further moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are authorized to take any and all such actions, and executive and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Discussion on Mass DOT South Coast Rail and Middleboro Alternative

The Board discusses the MASSDOT plans to run a rail through Stoughton but recently there was an option discussed of going through Middleborough. The MASSDOT is requesting comments back by September 30, 2016 on the plans. Selectman Frawley expressed his concern at attending a meeting in the Town of Wareham and hearing a presentation that proposed Middleborough as an option with a new rail station in the center of Middleborough. It was noted that while this was not a MASSDOT held meeting, the concept discussed involving Middleborough was disconcerting. Current there is no cost estimate or ridership estimate on the Middleborough option.

Selectman Dalpe expressed concern that no actual plan has been presented and that there are a lot of questions that weren't answered at the presentation held in Middleborough. Selectman McKinnon spoke about only allowing the train through Middleborough once the rotary project is

addressed. Selectman Knowlton spoke in favor of the project and noted that MassDOT does not have to have the Town's permission to pursue the project through Middleborough. He does not feel that the rotary should be tied in with the rail.
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously, to send a letter to MassDOT requesting to be kept up to date on the project, that materials on the project be provided if available and that the Town is included in future meetings or discussion on the railway project and to authorize the Chairman to sign the letter.

The Board briefly discussed the Oliver Estate Bid Package and agreed to review it further and discussed it at the next meeting.

HEARINGS MEETINGS, LICENSES
There is discussion on Article 8 – which is in regard to the HVAC system at the Town Hall Annex. Chairman Stewart noted that the Building Inspector was not able to attend the discussion but he did provide comment on the issues with the large windows and the a/c system not being able to keep up with the heat generated from them. It was noted that the Bank section of the building would not reach cool enough temperatures and was an issue. The quote of $30,000 is for two new systems. The Board discussed having the students from Bristol-Plymouth High School take a look at the existing system and see if it is repairable.

Upon motion made by Selectman Knowlton and seconded by Selectman Dalpe, the Board voted four in favor, one against, to recommend unfavorable action on Article 8.

Hearing – WRPD Application made by Pilling Engineering for property located on Fuller Street Map 025, Lot 1026 Zoning Resident Rural, WRPD District Z4 (continued from 9/12/16)
Todd Pilling – Pilling Engineering was present for the discussion. Mr. Pilling referenced the September 12, 2016 letter referencing the comments from the September 7 2016 letter being adequately addressed. He explained that there is nothing to be done on the Lot #2 plans and to disregard. Chairman Stewart opens the hearing up for any public comment. There is no comment.

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

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, The Board finds that the proposed use:

a. Is in harmony with the purpose and intent of the WRPD By-law and will promote the purposes of the Water Resource Protection Districts.
b. Is appropriate to the natural topography, soils and other characteristics of the site to be developed.
c. Will not, during construction or thereafter, have an adverse environmental impact on the aquifer, recharge areas, water resources of the Town.

d. Will not adversely affect any existing or potential water supply.

The Board votes to grant a special permit under the Water Resource Protection District By-law to allow for 1000 sq ft of wetland filling for a proposed driveway access to a new single family house and propose 2000 square feet of wetland replication pursuant to Section 8.2.9 WRPD Z4 Use Regulations, based on the plan titled "New Construction" for Lot #1 Fuller Street, Assessors Map 025, Lot 1026, prepared by Pilling Engineering Group, Inc., dated revised September 13, 2016.

Hearing – Earth Removal Permit made by Foresite Engineering Inc. For property located at 375 Wareham Street, Map 073, Lot 5813 (continued from 9/12/16)
Frank McDonald, Sue Okolita and other YMCA Representatives were present for the discussion. Chairman Stewart referenced the correspondence from the Project Engineer who has not had the opportunity to review and respond to comments from Atlantic Design. It is noted that Town Counsel and the Building Inspector are reviewing the "change of use" aspect of the zoning on the project. It was also noted that a WRPD application will be forthcoming.

Chairman Stewart opened the hearing up for public comment.

Steve Ramsay, 373 Wareham Street, asked about the traffic control coming out of the YMCA Camp. He explained that it is a little difficult in getting out of their driveway already and that an earth removal operation will increase the problem.

Chairman Stewart noted that this will be brought back to the engineer to address the truck traffic and limiting the number of trucks going in and out of the project.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to continue the Earth Removal Hearing for 375 Wareham Street to Monday, October 24, 2016, at 7:45 PM.

TOWN MANAGER'S REPORT
Bob Nunes reviewed with the Board the summary by function report for the FY '17 budget. There is a review of the new growth figure and the local receipts. The Board has no questions.

ADJOURNMENT
Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to adjourn at 8:10 PM.

Respectfully submitted by,

Colleen M. Lieb, Executive Assistant

Middleborough Board of Selectmen

Middleboro Board of Selectmen **October 3, 2016**
Meeting Minutes **Middleborough High School**

Chairman Stewart opened the meeting at 6:35 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.

NEW BUSINESS

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to sign the Subordination Agreement for 151-155 Center Street as directed by Town Counsel.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to sign the License Agreement with Marjorie H. Thomas, Trustee for property located off Wareham Street on Don Boucher's Way.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to approve a Beer & Wine License for 10/15/16 from 12 PM to 6 PM for Octoberfest at Oliver Estate.

Upon motion made by Selectman Frawley and seconded by Selectman McKinnon, the Board voted to approve the Police Patrol Collective Bargaining Agreement as discussed previously.

Upon motion made by Selectman Dalpe and seconded by Selectman McKinnon, the Board voted unanimously to sign the Warrant for the State election of 11/8/16.

The Board briefly discussed the Oliver Estate Revised Bid Package. It is agreed that the members have not had the chance to review the document. The bid package will be forwarded to Town Counsel for review/comment and it can be discussed or voted on at the October 17, 2016 meeting.

TOWN MANAGERS REPORT

Mr. Nunes spoke about his discussion with the DOT and the 2018 project of repairing the bridge over Rt. 24 on Rt. 44. This will result in a three day shutdown of the exit ramps in 2020. He noted that the DOT is aware of the letter that was sent by the Chairman and they will keep the Town posted on upcoming meetings.

RECESS TO TOWN MEETING

Upon motion made by Selectman McKinnon and seconded by Selectman Dalpe, the Board voted unanimously to recess to the Special Town Meeting at 6:45 PM.

Respectfully submitted by,

Colleen M. Lieb, Executive Assistant
MIDDLEBOROUGH BOARD OF SELECTMEN