

**Middleborough Board of Selectmen/Rent Board
Meeting Minutes**

November 4, 2013

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

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

UNANTICIPATED

Jane Kudcey of OECD addressed Board re the DHCD's 2014 one-year action plan where CDFII communities will be limited to 35% of total funding of a joint application. She invited the Board's comments. Board asked questions, which were answered by Ms. Kudcey. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to send letter to Mark Siegenthaler of Mass Department of Housing & Community Development, due by the end of this week.

Robert Yunits owner of Paso Fino del Fuego Farm in Middleborough addressed Board regarding NSTAR's recent tree cutting/clearing easements. He had a Cease & Desist order from an Attorney and NSTAR continued to cut his land on Wall Street. He offered that we are allowing these conglomerates to do this work without any/proper notice to the residents/tax payers of Massachusetts. They cut down the trees on his property. There is nothing left in the buffer zone. He wants NSTAR to bury the electrical lines like they've done in Greenwich, CT. He is asking the Town to get involved. They are creating wind tunnels and opportunity for theft. They are calling the easements their land. He is going to notify every Middleborough resident in these next two weeks. He is holding a meeting this Saturday with an Attorney from Boston and he welcomes a member of the Board to attend. He is asking the Board for a special meeting of the Board of Selectmen to meet with the residents in Town. The Town Manager indicated that we will coordinate such a meeting.

ANNOUNCEMENTS & RECOGNITIONS

There will be a Roast Turkey dinner at the South Middleborough Grange this Saturday at 5 PM.

Selectman Dalpe took the ghost tour and announced that the tours will continue on the weekends through December. Web address: www.lantern-tours.com.

Selectman Dalpe announced a free concert paid for by the Cultural Council to be held at 2 PM on Sunday at the library.

Selectman Dalpe warned the public to be cautious/mindful of deer while driving.

Selectman Frawley took ghost tour and found it to be interesting and enjoyable.

Selectman Frawley noted that the annual Trunk O'Treat was fantastic and thanked everyone who participated in the event.

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Selectman Knowlton noted that the Hannah Shaw had a program yesterday where the residents at the Home spoke about what the Home has meant to them. He offered thanks to Chris Donnelly and her staff.

Police Chief Gates announced the passing of former Fire Chief Julian J. "Smitty" Plaskawiski, Jr.

MINUTES

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board re-voted unanimously to approve 10/21/13 regular meeting minutes with corrections.

WARRANTS

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman to sign Warrants for week ending 11/1/13.

NEW BUSINESS

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the 2013 Christmas Parade requests.

Jane Kudcey of OECD addressed Board. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve OECD request to close Center Street until 5 PM following the Christmas Parade for downtown holiday festival.

Town Manager reviewed HIPAA Update and Business Associate Contract. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve "MIIA Health Benefits Trust, business associate contract health plan provider".

Selectman Quelle joined meeting at 7:33 PM.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously not to exercise the Town's option re Chapter 61A land re Carver-Middleboro Cranberry Co.

Police Chief Gates addressed the Board. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to promote Police Officer Todd K. Bazarewsky to Sergeant, effective, 11/10/13 and to authorize Chairman to sign promotional certification. Chief Gates introduced Sergeant Bazarewsky who thanked the Board and the Chief, offering that it's been a pleasure serving the Town and he looks forward to serving in his new capacity as Sergeant.

Police Chief Gates addressed the Board. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to requisition a civil service list to start the hiring process for three Police Officers.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to authorize the Town Manager to pay Wright Pierce invoices, as presented by the Town Manager.

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HEARINGS, MEETINGS, LICENSES

Rules & Regulations for Mobile Home Parks Hearing

At 7:45 PM Chairman opened public hearing on the adoption of amended Rules & Regulations for Mobile Home Parks by reading aloud the public hearing notice following an explanation as to why this hearing needed to be held a second time. Chairman asked to hear questions/comments. Hearing none, Chairman declared hearing closed. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to adopt the amended Rules & Regulations for Mobile Home Parks.

Hillcrest Mobile Home Tenant's Association, Inc.-Request for Rent Increase Hearing

Selectman Quelle disclosed that his Paternal Aunt is a resident at Hillcrest Mobile Home Park and asked Town Counsel if he should participate in the hearing. Town Counsel answered that he should. Chairman made introductory remarks as to the purpose of the hearing and what the procedures would be. Chairman announced a brief recess at 7:54 PM to allow those in attendance who intended to speak, to sign the "Appearance sheet".

At 7:59 PM Chairman called the meeting back to order and swore in all witnesses who intended to speak. Chairman noted Rent Board Exhibits #1 and #2. Frank Cuddy addressed the Board and explained the Association's plans to make improvements to the Park, noting that the Park needs a lot of work as it has been some time since Capital improvements have been done. Chairman asked how many of the 93 households are in favor of becoming a resident owned park. Mr. Cuddy responded that they have a majority vote to purchase the Park. They have 70 signed current members. They are better than 50%. He did note that there were some residents with concerns, but they went with the majority vote to purchase the Park. Andrew Danforth responded to question by Selectman Dalpe and explained that an engineer comes up with the Capital Improvement figures, including the proposed amount for reserves. Selectman Dalpe expressed concern that the proposed reserve amount may not be enough in the event of an unanticipated major expense. John Cormier of 20 Lisa Drive addressed the Board. He noted that they walked the property with a plumber and engineer and have noted the present issues in the Park. He explained that they are required to have a management company handle rent and eviction issues. They are also required to have a Park Manager and will be utilizing services from a woman who is managing a park in Carver. He informed the Board that, anticipating a vote in favor of the rent increase, they have given the required 30 day notice to the residents of the anticipated rent increase. Mr. Cuddy offered that they will have Board member boot camp and other programs immediately. He added that Morgan did do a lot of clearing of trees so that will eliminate some of the hazards that could cause some liabilities. Mr. Cormier informed the Board that they intend to have various committees and want residents to join. Selectman Dalpe asked Mr. Danforth if he's ever experienced a time when more money was needed than what was put in a reserve fund, to which he answered yes followed by further explanation. Selectman Quelle asked Mr. Cuddy about the water meter. Mr. Cuddy explained that the water meter that was replaced for the Park was for regular household water. The meter by the road doesn't affect the Park. Chairman asked to hear from any tenants or tenant representatives. Hearing none, Chairman invited closing summations. Mr. Cuddy recognized this Board and

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previous Board's and the work they've done with the Parks and offered that they anticipate future Rent Control matters will be much easier. Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve the rent increase as presented, subject to the successful purchase of the Park by the residents. Chairman announced that the written decision will be forthcoming. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to continue hearing to 11/18/13 at 7:30 PM. A written decision will be sent to the Park before then.

At 8:30 PM Conrad Ledger provided Beta Group presentation of Management plan. Board asked questions, which were answered by DPW Director Chris Peck. Megan McDonald of 14 Wilder Street addressed Board to bring attention to the poor condition of her road by Sachem Street. Glenn Montapert of Marion Road asked quality control question. Town Manager offered that the Planning Board takes great pain in its requirements of subdivision roads and will make sure these are built to the same standards. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the use of this plan.

Jane Kudcey of OECD addressed Board re 2014 MDI Tech Assistance Grant application for technical assistance for the creation of a Downtown Cultural District. Board asked questions. The only cost to the Town would be to purchase a couple of signs for the downtown area. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to authorize the Chairman to sign the Application Cover Sheet.

TOWN MANAGER'S REPORT

Town Manager noted his letter in Correspondence addressed to the Mass Gaming Commission on behalf of the Town seeking to designate Middleborough as a surrounding community re Raynham Park, LLC.

Town Manager updated Board on the Eastern Bank building space. The greatest interest, at this point, has been from small community banks.

CORRESPONDENCE

#2 Selectman Quelle suggested that it is obvious Middleborough abuts Raynham in which Raynham Park, LLC will be located. Town Manager responded.

#2 Selectman Frawley offered that there's a meeting coming up in Raynham on this and that he'd be happy to attend.

Chairman noted that the Board's meeting posted for tomorrow may now be cancelled.

Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted unanimously to adjourn meeting at 9:09 PM.

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN