

**Middleborough Board of Selectmen  
Meeting Minutes**

**December 9, 2013**

Chairman opened meeting at 7:00 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**

Selectman Frawley announced that he attended the Draft Environmental Impact Study hearing with the BIA at Taunton High School. He offered that he found the study for the proposed project to be fraudulent. He recommends anyone who has comments to submit, does so, prior to the 1/17/14 to the BIA. He asked the Town Manager to put the report on the Town's website.

Selectman Frawley attended the MGC hearing on Thursday for the Raynham Parks proposed project. They kept referring to this project as a Casino. He offered that he found that troubling. He suggested keeping an eye on this project.

Chairman asked where the Taunton report can be found by the public. Selectman Frawley suggested there is a link on the City of Taunton website and the Mashpee Wampanoag Tribe website or the public may contact the Town Manager's office. It will also be on the Town of Middleborough website.

Selectman Dalpe spoke about the NSTAR cuttings – she's been on the phone with Senator Pacheco's office, Representative Calter's office, Representative Orrall's office, and Representative Gifford's. She finally got NSTAR to return her calls. She spoke with Bill Hayes and he's been very helpful. She or Representative Orrall's office are both happy to arrange for anyone who wishes to meet with him, to do so.

Glenn Montapert of Marion Road announced the Community Blood Drive on Saturday, December 21, 2013 from 10 am to 3 pm at the Mayflower Lodge, 46 South Main Street.

Glenn Montapert announced that "A Christmas Carol" dramatic reading will be performed from 6 pm to 9 pm on 12/21/13 at the Masonic Lodge.

Bob Carter addressed the Board re Shoe Shop Place. He suggested that the Town has been receiving some outrageous treatment by the DHCD relative to this location. The Neighborhood Corporation/Affordable Housing has applied to the DHCD five times and has been rejected five times. Selectman Quelle joined meeting at 7:12 PM. DHCD went to a very large and well known construction company to renovate this property as opposed to utilizing a local company. They thought this would mean that they would finally get reimbursed. He asked that as many people as possible call Gregory Bialecki, Secretary at DHCD at 617 788-3610 or [Gregory.bialecki@state.ma.us](mailto:Gregory.bialecki@state.ma.us) to help.

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Darlene Parsons of Rocky Meadow Street addressed Board. She offered her appreciation and recognized the Board's support of the two Bills in legislation, but noted that it's a little late for a lot of them. They are hiring a surveyor, at their own expense, to determine the accuracy of the easements and asked who they should share the results with. Town Manager and Selectman Dalpe confirmed she should contact Mr. Hayes with the information. Selectman Dalpe asked if we would still be having an educational meeting. Ms. Parsons offered that they asked for a meeting months ago. Chairman explained that the best-most beneficial action the residents can take is to get as many forms/complaints into the DPU and Representative Orrall's office. She offered that some residents asked for a meeting in August. Chairman apologized and offered that, we had no way of knowing they were going to turn these areas into the DMZ. She informed Board that NSTAR hasn't filed the required notice to the Town that it was installing new Towers/poles

**ANNOUNCEMENTS**

Selectman Knowledge announced that Rock Village will hold the annual Christmas Pageant on the front lawn of Town Hall on Saturday, 12/14 with a rain date of 12/15.

Selectman Dalpe thanked Tara Paraglia of the I.T. department and the staff in the Assessor's office for assisting her with photocopying programs for the downtown Christmas festivities.

Selectman Quelle thanked everyone involved with the parade. It was a great success and a lot of fun, especially for the children. He recognized the Football team and congratulated the Middleborough baseball team who received their championship rings.

**MINUTES**

Postponed until 12/16/13

**WARRANTS**

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize Chairman to sign Warrants for week ending 12/6/13.

**NEW BUSINESS**

Kevin Cook addressed Board on behalf of Karen Cook/All Are Welcome. Karen recently obtained a 501C3 status. He presented the details of the All Are Welcome annual Run For Your Lunch race. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve. He welcomed all Board members to attend and or participate.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve and sign the Agreement between Lakeville & Middleborough for Lakeville Animal Shelter.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the 2014 Liquor licenses as presented.

Town Clerk Allison Ferreira addressed Board and reported that the Building Commissioner conducted inspections on the Class I, II, III Automobile Dealer licenses. She suggested that the

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Board send correspondence to Sports Limited that they are 15 cars beyond their allotted maximum of 25 vehicles allowed on the premises per the conditions of their license. The Building Commissioner ordered owner, Mr. Weaver, to remove the excess vehicles. Board will invite the owner to the 12/16/13 meeting so he can explain the non-compliance. Town Clerk informed Board that the non-compliance is an annual issue with this location. Upon motion by Selectman Frawley and seconded by Selectman Knowlton to approve all licenses, contingent upon all required documentation and all outstanding taxes owed be turned in/paid by 12/16/13, with the exception of Sports Limited.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve a one-hour extension to serve alcoholic beverages on New Year's Eve for those liquor licensed restaurants and clubs that wish to remain open. There is a \$15 fee for this permit.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve the 2014 Automatic Amusement Device licenses, as presented

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the 2014 Weekday Entertainment licenses, as presented.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve the 2014 Sunday Entertainment licenses, as presented.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to sign the change order for the Rivers Edge/Edge Water Drive roadway improvements project in the amount of \$13,260.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to pay Town of Plympton Property Tax bill for Parcel 23-3-19, 0 Prospect Street, in the amount of \$931.65.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted to approve a new Sunday Entertainment license for Middleborough Lodge, 24 High Street. Four in favor. Selectman Frawley abstained.

Town Clerk Allison Ferreira addressed the Board. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted in its capacity as the Board of Health to designate the Town Clerk as Burial Agent and to sign confirmation letter.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to adopt and sign the Order of Taking and the plan re Bertarelli Bros., Inc. – North Middleborough.

**HEARINGS, MEETINGS, LICENSES**

At 7:56 PM Chairman opened public hearing on the application for liquor license transfer from Capeway Convenience Store to Puriba, Inc., d.b.a. Capeway Convenience Store, 578 Wareham Street

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by reading aloud the public hearing notice. Attorney Markella spoke on behalf of the applicant and introduced them. He gave the Board a brief history of the applicant's experience, noting that they run stores in other Towns. He also noted that Viktoria Patel is TIPs certified. Board asked questions. Chairman asked to hear any further comments/questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve.

Joe Arruda addressed Board and provided photographs. He also displayed the project plan and reviewed it with the Board. Board asked questions. Henry Sirignano spoke in opposition to the one-year extension, not to deny it, but to revise the route. He read aloud a statement of complaint. He's asking that the route be changed and to limit his maximum amount of allowed trips on behalf of the residents who live on Plymouth Street. He offered that it is annoying when the trucks go by and rattle the windows. He reports that Mr. Arruda is running 50-70 trips a day. He collected signatures on a petition by all but two houses on Plymouth Street asking for the changes. He did offer that Mr. Arruda has improved in the past two years with his starting hours. Mr. Arruda responded that he has been hauling on this street since 1999 and the only time he's ever received a complaint was this past year. He offered to drive a different route. He reported that he only has five trucks, which allow for only 5-6 trips per day. Mr. Arruda explained that former DPW Director A. Bagas had recommended the current route. He also offered that he has never been cited in all the years he's been running his business. He is willing to change the route to ease the burden on the Plymouth Street residents. He offered that he does sympathize with people. Mr. Sirignano – reported that Mr. Arruda is utilizing other trucking companies. Board agreed to have DPW Superintendent Chris Peck review the proposed travel route and make a recommendation to the Board. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the one-year extension of the permit with a determination of change in route at next meeting and the understanding that we will monitoring the number of trips he makes per day per the Earth Removal permit.

**TOWN MANAGER'S REPORT**

Town Manager noted the Board received the MGC confirmation naming the Town of Middleborough as a surrounding community relative to the Raynham Park Slots parlor. We don't have an agreement yet, but hope to have something for Monday. He informed the developer we only have one more meeting this year so if he wants to get it done, he should get it done.

**CORRESPONDENCE**

#5 Selectman Dalpe asked if we participate in the CommBuys. Town Manager responded that there was a meeting here last year on it, but it appears not to be ready to go forward yet. The Fire and Police Chiefs, various department heads and Caroline attended a forum here last week.

#9 Selectman Frawley once again reiterated that anyone with comments re the BIA-Mashpee Wampanoag Tribe Fee-to-Trust acquisition, should get their comments in before the 1/17/14 extended deadline.

#12 Selectman Knowlton offered his thanks to Representative Orrall's office staff and her for being very diligent and responsive to the residents about the NSTAR issue.

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#12 Selectman Quelle thanked Representative Orrall as well. Citizens came forth and reported that their property was removed and they were not compensated for it. He wants to see that taken care of immediately. He would love to see NSTAR come in and answer whether or not it took personal property.

#2 Selectman Quelle asked for follow up to confirm that the taxi business at 217 Centre Street is not operating.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to adjourn at 8:35 PM.

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Jackie Shanley, Executive Assistant  
BOARD OF SELECTMEN