



## TOWN OF MIDDLEBOROUGH OFFICIAL MEETING POSTING

**NAME OF PUBLIC BODY:** Board of Selectmen

**DAY AND DATE OF MEETING:** Monday, April 23, 2012

**TIME OF MEETING:** 7:00 PM

**LOCATION OF MEETING (INCLUDING ADDRESS):** Town Hall, 10 Nickerson Avenue

**MEMBER OF PUBLIC BODY POSTING MEETING:** Jackie Shanley, Confidential Secretary to Board of Selectmen

**POSTED BY TOWN CLERK'S OFFICE:** Rec. April 19, 2012 @ 2:57 pm *JH*

**\*FOR CANCELLATIONS**

**MEMBER OF PUBLIC BODY CANCELLING MEETING:** [Type text]

**CANCELLATION POSTED BY TOWN CLERK'S OFFICE:** DATE:

TIME:

**AGENDA**

1. Pledge of Allegiance
2. Unanticipated
3. Announcements & Recognitions
4. Minutes: 4-9-12 and 4-11-12 Regular & 4-9-12 E.S. Minutes
5. New Business – 7:05 PM
  - a.) Discuss Open Meeting Law Violation filed by Michael Solimini.
  - b.) Vote to appoint George Davey and Sara Cederholm to the Library Board of Trustees.
  - c.) Vote to re-appoint Annette Holmes as a member of the C.O.A. Board of Directors.
  - d.) Vote to refer Zoning Articles to the Planning Board.
  - e.) Vote to approve the annual renewal of Certificates of Registration for Storage of Flammables as presented.
  - f.) Vote to approve the annual renewal of 2<sup>nd</sup> Hand licenses & Pawnbroker license as presented.
  - g.) Vote to approve request from Wee Ones for waiver of 2<sup>nd</sup> Hand license renewal fee.
  - h.) Vote to approve request by Robert Ewell to place Samuel Fuller School Race sign on Town Hall lawn.
  - i.) Vote to appoint SRPEDD Commission Selectmen Representative for term: 5/23/12 - 5/31/12.
  - j.) Vote to appoint Joint Transportation Planning Group (JTPG) Delegate and Alternate for term: 5/23/12 – 5/31/12.
  - k.) Vote to sign Agreement for Nursing Services between Middleborough & Lakeville.
6. Hearings, Meetings, Licenses
  - 7:25 PM Fireside Grille - Change of Manager application
  - 7:30 PM Public Hearing – Dave's Diner New Liquor license (changing from Wines & Malt beverages to All Alcoholic beverages.
  - 7:50 PM Public Hearing – WRPD re Tispaquin Street Fall Brook Culvert
  - 8:00 PM Public Hearing – Tispaquin Family Campground re 2012 Campground Permit application.
  - 8:30 PM Review ATM Articles: #21 Voter I.D. and #31 Drainage Easement for Stone Street.
7. Unfinished Business
8. Town Manager's Report
9. Correspondence
10. Executive Session
11. Adjourn

**Middleborough Board of Selectmen  
Meeting Minutes**

**April 23, 2012**

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

In attendance were: Selectmen A. Rullo, A. Frawley, B. Quelle, and S. McKinnon and Confidential Secretary J. Shanley

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

**UNANTICIPATED**

Selectman Frawley reminded everyone of the Canoe race scheduled for this coming Saturday and extended an invitation to the Board members and anyone from the public interested in participating.

Ed Beaulieu from Oak Point addressed Board on behalf of the Future of Middleborough Trust, The Middleborough Lion's Club, The Middleborough Rotary, and the 4H Club. He announced that during the last week in July, they will be bringing the Royal Lipizon Stallions to Middleborough. Tickets will be available soon at multiple locations. This will be a fundraiser and will take place on the 4H Club property on Thompson Street.

**ANNOUNCEMENTS/RECOGNITION**

Chairman read aloud announcement re COA Volunteer Celebration Recognition dinner to be held on Wednesday, May 2<sup>nd</sup> at the Riverside restaurant.

On behalf of the Friends of the Library Danielle Bowker thanked all of those who attended the Loretta Lorrow show the other night. This Thursday night at 6:30 PM, the Friends will be having a jewelry sale fundraiser at the library.

**MINUTES**

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve 4/9/12 meeting minutes,

Upon motion by Selectman Quelle and seconded by Selectman McKinnon, Board voted unanimously to approve 4/11/12 meeting minutes.

Upon motion by Selectman Quelle and seconded by Selectman McKinnon, Board voted unanimously to approve 4/9/12 Executive Session meeting minutes

**NEW BUSINESS**

Open Meeting Law Violation complaint filed by Michael Solimini

Chairman summarized the basis of the complaint and the process for responding to it. Town Counsel confirmed that the Chairman was correct in his summary. The Board has 14 business days to respond from the date that the complaint was filed. The complaint was filed on 4/10/12. Selectman McKinnon offered that the complaint made some valid points, however, he doesn't

**NEW BUSINESS**

Open Meeting Law Violation complaint filed by Michael Solimini (continued)

believe the complaint was under the knowledge that the Board had at its meeting on 4/9/12. It was his position that allowing the Senator to speak was not a violation as it was the State Senator who appeared unexpectedly before the Board and there was nothing voted on surrounding that discussion. Selectman Quelle offered that he thinks if we have an agenda item posted, we shouldn't consider something like this as unanticipated. He gave credit to Selectman Frawley for having had spoken up that evening against allowing the Senator to speak. Selectman Frawley expressed his position that he does not actually think the Board violated the Open Meeting Law as nothing could have been more unexpected than to have Senator Pacheco walk into the meeting at 8:30 p.m. He noted that the Board only asked the Senator if he would be willing to support the Board's position by signing a letter to the Governor. Chairman Rullo offered that the Board could not reasonably expect Senator Pacheco to have had attended its meeting on 4/9/12. He had spoken to the Senator the week prior and was advised by the Senator that he had a prior engagement. Therefore, the item was pulled from the draft agenda in advance of its posting. He did not think it appropriate for the Board to deny the Senator the opportunity to speak. He offered that he did allow the discussion to go on too long. We did not take any action that evening and we did not vote on anything. He does not believe the Board violated the Open Meeting Law and asked Town Counsel to confirm if the Board's interpretation of the Open Meeting Law is accurate. Town Counsel addressed the Board and indicated that it is clear that the Board's position is that it did not violate the Open Meeting Law. Michael Solimini addressed the Board and offered that this has been a very good deliberation this evening. He went on to say that he does like the flexibility that the Chairman offered in allowing the Senator to speak. He offered that, to him, it's a gray area to have had gone back to "Unanticipated" on the agenda that evening. He offered that his concern is that the public may have left the meeting not expecting this discussion. The Casino issue raises a lot of emotions whether you're for it or against it. He thinks it is unreasonable that the Senator spoke about it for an hour. He agrees that no votes were taken. He didn't think it was right to allow the Senator to ramble for an hour and seven minutes and he wasn't happy with that. Going forward, under "Unanticipated", if the Board is going to allow anything to be brought up at anytime, he would like to see that put in writing and made formal. Chairman responded that he was not going to disrespect the State Senator and not when the Board had wanted his input on the issue at hand. He also offered that he had jumped around the agenda, which he sometimes does, but the Board agreed to return to Unanticipated and allow the discussion. Mr. Solimini also offered that the A.G. also recommends limiting discussion under Unanticipated. He suggests putting a time limit on it. Mr. Solimini offered that the AG strongly urges postings for controversial issues. Mr. Solimini told the Chairman that he allowed the Senator to hijack the meeting and that is the violation. Selectman Frawley noted that until recently "Unanticipated" was at the end of the agenda and people had to wait until late into the evening to speak and he does not think this Board should be penalized for returning to Unanticipated if needed. Chairman offered that while the Casino is a controversial issue, the Board was only asking the Senator to support the Board by writing a letter. Brian Giovanoni addressed Board and offered that the Board did anticipate the topic of Casino discussions with the State legislators on Wednesday, April 11, 2012. This is what he found to be a violation. He does appreciate that the Board allows anyone to speak at anytime.

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**NEW BUSINESS (continued)**

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to write a letter, after confirming with Town Counsel, to the Attorney General in response to the complaint. Mr. Solimini offered that he is very satisfied with tonight's deliberation and will not continue to pursue his complaint re Open Meeting Law Violation. The purpose of his complaint was to have a discussion on what occurred. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to authorize Chairman to draft written response this week with Town Counsel.

Danielle Bowker introduced two appointees to the Library Board of Trustees. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to appoint George Davey to a three-year term, expiring on 3/31/15 and Sara Cederholm to a three-year term, expiring on 3/31/14, as members of the Library Board of Trustees. Chairman thanked them for their willingness to serve.

**HEARINGS, MEETINGS, LICENSES**

Fireside Grille

Mark Gildea addressed Board re Change of Manager for the Fireside Grille. Applicant was present. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to approve.

Dave's Diner

Chairman opened public hearing at 7:48 PM on application filed by Dave's Diner for a New Liquor license changing from serving on Wines & Malt beverages to serving All Alcoholic beverages. Manager John Spinetto addressed Board. Chairman noted that the Board did not have the authority to approve a 10 a.m. serving time on Sundays at this time. Chairman asked to hear any other comments/questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to approve.

WRPD - Tispaquin Street Fall Brook Culvert

Chairman opened public hearing at 7:51 PM on WRPD application filed by Middleborough DPW re Tispaquin Street Fall Brook Culvert by reading aloud the public hearing notice. DPW Director A. Bagas addressed the Board and introduced Environmental Partners Group Project Manager Ryan Trahan to explain the project. Selectman Frawley asked if they will be done by 7/1/12. Mr. Trahan indicated that they can't begin until 7/1/12 and then they have 45 days to complete the project. Selectman McKinnon asked if this was the same stream raised by a resident at a recent meeting. Chairman responded yes and further explained to the engineer what the concerns of the resident were. The Edward Lee of 33 Tispaquin Street asked where the road is going to be shut down/traffic stopped. A. Bagas offered that they will have signs at Wareham Street that say road closed and signs past Mr. Lee's house. Unfortunately, there will not be any detour streets as there aren't any. It's probably going to be an inconvenience at first until people get used to it. All we can do is put as many signs up as possible. The road will be closed 30-45 days, beginning 7/9 through approximately August 16, 2012. Mr. Lee's concern is that people won't pay attention to the signs

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WRPD - Tispaquin Street Fall Brook Culvert (continued)

and will be forced onto Gibbs Road, which is not an accepted Town road. Camp Avoda opens in June and you will have even more traffic. You may not have any way to solve these concerns, but he wanted to bring to the Board's attention as he may appear before the Board again when the project moves forward. Chairman asked him to keep the Board aware, but suggested that there doesn't appear to be another solution. Mr. Lee agreed. Another resident who lives on the other side of Tispaquin Street addressed the Board and suggested that the signs might indicate that the road only goes to a certain number to help make drivers aware. A. Bagas offered that this is part of their plan. Hearing no other questions/comments, Chairman declared hearing closed. Upon motion by Selectman Frawley and seconded by Selectman Quelle, the Board found 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.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to grant the special permit to The Middleborough Department of Public Works to for the replacement of the Tispaquin Street culvert and appurtenant work located within twenty-five (25) feet of the fresh water wetlands as requested in the applicant's application under the Water Resource Protection District By-law pursuant to Section XII.H.3 d.(i) 'limited projects' based on the plans dated January 31, 2012 prepared by Environmental Partners Group, Inc. with the following condition:

1. That the proposed environmental protection measures be completed as part of this project.

Andy Bagas announced that the DPW has a rain barrel program in place and barrels are on display in the Town Hall lobby and at the DPW.

He also announced that next Friday night, May 4<sup>th</sup>, the DPW will hold a fundraiser for Mike O'Brien at the Middleborough Elk's Club.

Michael Solimini addressed Board and asked Mr. Bagas for an update on the Plymouth Street Bridge. Mr. Bagas offered that there isn't any update. They sent a letter to MA D.O.T. and haven't heard back.

Tispaquin Family Campground for a 2012 Campground Permit

Chairman opened public hearing at 8:08 PM on application made by Ralph & Barbara Holton of Tispaquin Family Campground for a 2012 Campground Permit by reading aloud the public hearing notice. Chairman summarized the ongoing Board of Health issues with the campsite and offered the floor to Barbara Holton. Mrs. Holton addressed the Board and read aloud a prepared statement,

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Tispaquin Family Campground for a 2012 Campground Permit (continued)

including a reference that this current Board of Selectmen is unaware of the history regarding the issues surrounding this campground as it was not the sitting Board through the years. She further asked the Board to set aside the animosity it has for her and allow the 2012 permit. Chairman asked her if she has complied with the required septic system installation. She offered that she has a tight tank plan from her engineer and would submit the plan as part of the license agreement and it would be installed by 5/30/12. Chairman asked if the engineer is still engaged by her. She offered that he completed his work by completing the plans and at this point it goes to an installer. Health Officer offered that it's been a whole year and she still has not received any septic plans and the engineer indicated he is no longer working for the Holtons. The conditions have not changed. The only new information the Health Officer has received was from the engineer indicating that he is no longer employed by the Holtons. Chairman noted to Mrs. Holton that the Board offered to allow her the 56 sites plus the safari last year and she indicated that wouldn't be enough for her to run her business. Mrs. Holton raised personal concerns she has with the KOA campsite. Chairman responded that the KOA has been working diligently to make million dollar improvements to its septic. Mrs. Holton offered that she had five Title V's done and they passed. I have a plan, but I am not going to submit/install unless I know that I am going to get a license. Town Counsel explained that the design capacity for this campground is for 49 units. There was a lawsuit brought by the Holtons against the Town and the Town won. The Holton's appealed and it was dismissed because the Holtons failed to file the appeal in a timely manner. The court ordered a preliminary injunction in 2011 to prevent certain zoning violations from continuing. One of the requirements of the Preliminary Injunction was that the units at the campground could not exceed 57 units. The Holtons violated that injunction. There is a hearing scheduled this week for a contempt complaint. It is the certain design capacity requirements for a specific number of units that is the issue before the Board. Chairman offered that her septic system is a health issue per the Town's Health Officer, Town Counsel, and the courts and she is asking him/Board to ignore health risks to the public. He is not going to ignore the advice he is being given. It is his responsibility and his position on the matter. Mrs. Holton offered that she agreed that the system does not meet today's requirements, but neither do any other campgrounds in Town. Health Officer explained that other camping facilities in Town have gone through the Health department and have upgraded their systems. We have been in court for 8 years now, and if, at anytime in these 8 years, they had done the same, we would no longer be in Court. She noted that the system can accommodate 49 units. No plans have been submitted and no work has been done in 8 years. Chairman asked to hear further comments. Summertime campground resident Bill Smith asked if the calculation is based on 7 days per week 365 days/yr. Health Officer responded that it is based on gallons per day – code criteria. Chairman offered that the calculations are determined by the State and asked Town Counsel if it was part of the court findings. Town Counsel responded, yes. When asked if it was upheld by the Court, he responded, yes. B. Holton offered that she knows what the calculations are and said she could work with the DEP. Chairman asked why she hasn't already. She responded that the DEP told her engineer it wasn't necessary for her and her husband to attend the meeting with the DEP and her engineer was not the appropriate person to represent her at that meeting because he knew nothing about the campground. Mrs. Holton informed the Board that she did file an Equal Protection

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Tispaquin Family Campground for a 2012 Campground Permit (continued)

lawsuit against this Town and she doesn't want to go through with it. Lynne Cleveland, 28 year camper, offered that the septic system has never failed. Tricia Smith, camper, and her husband's 32 family members have also been camping at TFC for years and offered that Barbara has rules and makes sure that they are followed by the campers. She offered that they spend a lot of money shopping here in Town. Nobody's looking at the facts or at what she's willing to do. Chairman noted that this is not personal against Mrs. Holton and this Board has one responsibility and that is to the public regarding public health/safety. Mrs. Holton offered that she has a plan and would submit it, but won't if not going to get a permit. Jim Bragga, TFC camper, offered that he thought he understood what the Chairman was trying to say and read a prepared statement re common sense. Adam Bond of Rock Street asked how much time Mrs. Holton would need if she submitted plans for 115 sites and suggested that accepting that would save litigation costs. Chairman offered that if a plan is submitted by the Holtons that is approved by the Health Agent, then the Holtons can re-apply for consideration. Chairman closed the hearing and invited Health Officer to podium, reiterating what was being suggested. Health Officer would certainly support it if it meets DEP criteria as she has indicated over the past 8 years. Town Counsel was asked if this would this would cause him to hold off on the contempt hearing. Town Counsel explained that the hearing is a zoning enforcement action and unrelated to the decision before the Board tonight. Selectman McKinnon asked Health Officer if there is a fee required. Health Officer explained that if it's a tight tank it is to be submitted to DEP and the fee is determined by them. Health Officer indicated that there are 125 to 150 units at the campground. Selectman Quelle addressed Mrs. Holton noting that by her saying give me a license first and then I will begin to do what I was supposed to do over the past eight years was not a good way to proceed. He noted that he was not coming out of this meeting any better than last year. Selectman McKinnon noted that this was his fourth time sitting through this application hearing. He shared that he spoke with a camper today and has no doubt that the Holtons run a tight ship, but he has to abide by the laws. Selectman Frawley offered that this wasn't his 1<sup>st</sup> hearing either, but as he's said in the past, he's rooting for the Holtons. The plans aren't doing anyone any good sitting at her attorney's office. You have the plans, submit them. Mrs. Holton noted that she and the engineer parted ways, but we did it amicably and she would get him back to make changes if needed. Selectman Frawley reiterated that the plans are not doing any good sitting in the lawyers office and until they are submitted wherever they need be, we can't do anything. Chairman summarized that the Board of Health must abide by the regulations and right now the campground is in violation. He doesn't like going to court over these matters either. It has been the Board's consistent position that it would grant a license when the campground is in compliance with the septic system. Health Officer offered that it is a DEP application process. DEP will ask our Health Officer if we are in agreement with the plan. Chairman offered that the DEP process can take some time. Health Officer offered that the tight tank is a fairly straight forward process. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the application for 49 units only. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to rescind vote. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to grant same number of units as approved last year upon

Tispaquin Family Campground for a 2012 Campground Permit (continued)

research by the Health Officer. Chairman asked Mrs. Holton if she intended to abide by whatever is approved tonight. Mrs. Holton responded she would if the vote was for 97 units.

Mrs. Holton screamed at the Board to deny the license and threatened the Board that she will sue the Town. Mrs. Holton exited the meeting. Health Officer addressed the Board and indicated that the Board never approved a permit at all last year. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to rescind the vote. Chairman explained why the Board rescinded and explained that the Board will vote upon at next Monday's meeting with the number of units that the Board last issued a license for nine years ago. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to table until next Monday.

**NEW BUSINESS**

Agreement for Nursing Services between Middleborough & Lakeville

Health Officer addressed Board and indicated that all was fine with the agreement except for body art. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve.

**HEARINGS, MEETINGS, LICENSES**

ATM Draft Article #21 – Voter I.D.

Brian Giovanoni explained that this would apply to the spring Town Election or Special Elections caused by vacancy or town meeting and would require people to show an i.d. The Board of Registrar determines what that i.d. will be. If someone forgets their i.d., they can still vote by placing vote in an envelope and have it confirmed by the Town Clerk's office within 3 days. Chairman pointed out what would happen if half or more don't have an i.d. It could hold up election results for three days. Selectman McKinnon asked how it will affect nursing homes. Mr. Giovanoni responded that it wouldn't because they vote absentee ballot. He further offered that other communities are doing this and that 19 out of 50 states require it. Chairman asked if he spoke with the Registrar and if he knows of any concerns she may have. He indicated that her concern seemed to be you could reduce the number of people who show up at Town Meeting if they don't have an i.d. Since she will have to enforce, we should make it easy for her by allowing her to pick whatever form of i.d. she prefers. Selectman Frawley asked if this is even legal in MA. Mr. Giovanoni indicated that it is. Selectman Frawley asked about fees for i.d.'s noting that you can't make someone pay to vote. Gary Silva, another petitioner of this article explained that this is already established in MA General Laws. He also offered that the Board should be commended for its patience this evening.

ATM Draft Article #31 Drainage Easement for Stone Street

Chairman read aloud. No questions or discussion ensued.

**NEW BUSINESS**

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to appoint Annette Holmes to the COA Board of Directors for a three-year term expiring on 11/1/13.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to refer Zoning Recodification articles to the Planning Board. Chairman explained reason for referral. Brian Giovanoni offered that it took a significant amount of work and time for the recodification.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the 2012-2013 Certificate of Registrations relative to Storage of Flammables, as presented, subject to receipt of all required documentation.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve 2012-2013 Second Hand and Pawnbroker/Junk Dealer/Old Metals licenses as presented, subject to receipt of all required documentation.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to waive \$50 Second Hand license renewal fee for Wee Ones as they very recently obtained and paid for an original license.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve request from Samuel Fuller School to place advertisement sign on the Town Hall lawn for its upcoming road race.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to appoint Stephen J. McKinnon as the Board's 2012-2013 representative to the SRPEDD Commission.

Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted unanimously to appoint Charles J. Cristello as the 2012-2013 JTPG Delegate and Ruth McCawley Geoffroy as the JTPG Alternate.

**CORRESPONDENCE**

#4 Selectman Quelle noted email from Barbara Erickson of the Assessor's office. He offered that he discussed it with the Town Manager and found it unprofessional and an inappropriate use of Town property and Town time. He noted that he had instructed the Town Manager to deal with it as he sees fit.

#27 Selectman Quelle offered that he appreciated the letter sent to the Governor by State Representative Orrall re the I.G.A. with the Mashpee Wampanoag Tribe.

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**CORRESPONDENCE (continued)**

#12 Selectman Frawley offered congratulations to and welcomed Peter LePage as a newly elected member to the Finance Committee.

#23 Selectman Frawley noted the canoe race sponsored by the Middleboro Parks department & the Taunton River Watershed Alliance scheduled for 4/28/12 with a rain date of 4/29/12.

#28 Selectman Frawley and Selectman McKinnon noted that neither of them would be able to attend the MA Complete Streets course on 4/26/12.

#7 Selectman McKinnon noted correspondence from the Conservation Commission indicating that the Mill building looks to be in tough shape and asked the Board's Secretary to ask the Town Manager if we can have our abandoned building committee look into.

#14 Selectman McKinnon noted correspondence from Senator Kerry re Natural Gas Act.

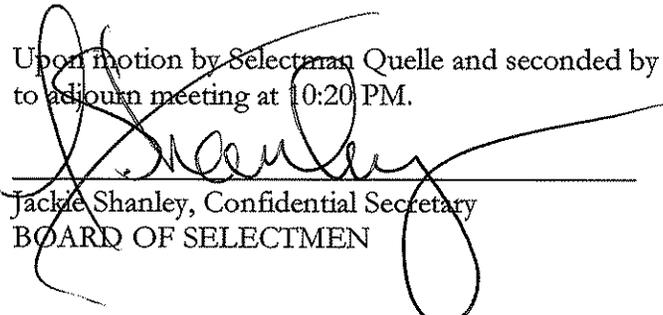
#21 Selectman McKinnon noted fundraiser benefit to be held for DPW employee Mike O'Brien at the Elk's Club on 5/4/12.

#5 Selectman McKinnon noted correspondence from Judy Bigelow Costa expressing concerns re the ability for people to hear the Board's meetings.

Chairman Rullo noted that the Board had received an emailed copy of a letter to the Governor from Senator Pacheco requesting a meeting.

#20 Chairman Rullo noted correspondence re Bristol Plymouth Regional Technical School assessment.

Upon motion by Selectman Quelle and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 10:20 PM.



Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN

**ANNUAL TOWN MEETING ARTICLES FOR REVIEW ON 4/23/12**

**ARTICLE 21. Voter ID By Law:**

Effective July 1, 2012, all registered voters shall be required to show valid photo identification at all town only elections and at town meeting.

Valid photo identification shall be determined by the Registrar of Voters and the list of acceptable identification shall be posted publically with all warrants and specimen ballots. In the event that valid photo identification is not presented at an election, a provisional ballot shall be provided.

Provisional ballot shall be counted upon the presentation of valid identification to the Town Clerks office within three business days of the election.

By Petition

**ARTICLE 31.** To see if the Town will vote to authorize the Board of Selectmen to acquire easements in a parcel of land by gift, purchase or eminent domain in connection with the a drainage outlet pipe and water quality swale located at 29 Stone Street, Middleborough, MA, such parcel being shown on a plan entitled "Drainage Easement Plan, 29 Stone Street, Middleboro, MA" dated March 2012 prepared by Outback Engineering as follows:

Parcel #	Property Owner
E-1	Robert G. and Lynne A. Hession

, or act anything thereon.

# CERTIFICATES OF REGISTRATION FOR FUEL STORAGE 2012

FACILITY	ADDRESS OF TANKS	OWNER
A.L. Prime Energy	414 West Grove Street	414 West Grove Street Trust
A.L. Prime Energy	26 High Street	A.L. Prime Energy Consultant
Amerigas	413 Wareham Street	Petrolane Division of Quantum Chemical
Bedford St. Shell	63 Bedford Street	Arslan & More, Inc.
Belben's Auto Repair, Inc.	760 Centre Street	TJ HD Corp.
W.L. Byrne, Inc.	210 Wood Street	W.L. Byrne, Inc.
Chickering Trucking	164 Everett Street	David and Alan Chickering
Christmas Tree Shops, Inc.	64 Leona Drive	Terry Ryan
Coletti Bros. Oil	576 Wareham Street	Peter and Anthony Coletti
Cumberland Farms, Inc.	200 Centre Street	Eclipse Division
Cumberland Farms, Inc.	87 East Grove Street	Eclipse Division
Cumberland Gulf	150 South Main Street	Eclipse Division
E. Briggs Oil Co., Inc.	144 Everett Street	E. Briggs Oil Co., Inc.
EKS Corporation	157 South Main Street	Trickett Realty Trust
F.G. Adams Co., Inc.	188 East Grove Street	F.G. Adams Co., Inc.
Gas Depot	5 Station Street	Raheel Gafoor
Gates, Shane	43R Smith Street	Shane Gates
Gerson Co.	3 Sumner Avenue	Steven Crowell
Harju, Kenneth	253 France Street	Kenneth Harju
Jim's Automotive	355 Wareham Street	James R. Walker
Kitchen, Nancy	609 Wareham Street	Nancy Kitchen
KVMG, Inc.	407 Wareham Street	KVMG, Inc.
Logan, William	113 East Grove Street	William Logan
Middleborough Gas & Electric	37 Wareham Street	Town of Middleborough
New England Farms	47 Harding Street	Delta Realty
Nemasket Healthcare Center	314 Marion Road	Atrium Nursing Center, LTD.
New England Farms	447 Wareham Street	Delta Realty
Nichols Trucking	34 Vine Street	John and Barbara Nichols
Ocean Spray Cranberries, Inc.	Bridge & Wood Street	Charles Hall
Roby's Propane Gas, Inc.	100 West Grove Street	Roby's Propane Gas, Inc.
Rock Village Cranberry Co.	26 Highland Street	James Paduch
Russell Lawton Cranberries	221 Thomas Street	Russell and Mark Lawton

# CERTIFICATES OF REGISTRATION FOR FUEL STORAGE 2012

FACILITY	ADDRESS OF TANKS	OWNER
Super Petroleum	381 West Grove Street	ASD Realty Trust
Super Petroleum	554 West Grove Street	John and Deanne Dupuis
Shell Oil Co.	2 West Grove Street	Colbea Enterprises, LLC
Standish Oil Co.	62 Cambridge Street	John and Helen Lucas
Standish Oil Co.	66 Cambridge Street	John and Helen Lucas
Staples Savard Oil	228 Bedford Street	Weathermark Investments, Inc.
Stop and Save	160 Centre Street	Badat, Inc.
Tribou Commercial Realty Trust	101 Sproat Street	Tribou Commercial Realty Trust
Middleboro Petroleum	99 West Grove Street	United Gas
Verizon New England	15 Jackson Street	Verizon New England
Woods Pond Cranberry	154 Thomas Street	Lawrence Pink

# Second Hand/Pawnbroker/Junk Dealer/Old Metals Licenses

Effective 5/1/12 - 5/1/13

Store Name	Location	Contact Name	License Type
Gregory Scot Jewelry & Loan	45 Centre Street	Scot Dean	Pawnbroker and "Junk Dealer/ 2nd Hand/Old Metals"
Wee Ones	5 Wareham St., Suite B	Caitlin Whitmore	2nd Hand
The Historic Tinkham House	125 Miller Street	Jeanne Gillen	2nd Hand
Whimsical Eye	47 Oak Street	Linda Dixon	2nd Hand
Ragz	370 Centre Street	Kimberly Henderson Kimberly Hymel Patricia Tubman	2nd Hand
Alco Jewelry & Antique's Exchange	19 South Main Street	Robert Cohen Gary Epstein Dan Dunn	2nd Hand
Twice As Nice	749 Centre Street	Mary Donofrio	2nd Hand