

539 Waltham St.
Robert Warner
Dad Sports Ltd.

* Original Material from
hearing on 2-12-15

STUDLEY LAW OFFICES
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John E. Studley, Jr.
jstudley@studleylaw.com

February 6, 2015

VIA EMAIL

Allin Frawley, Chairman
Leilani Dalpe, Vice Chairman
John M. Knowlton, Selectman
Diane Stewart, Selectman
Stephen J. McKinnon, Selectman
Middleborough Board of Selectmen
10 Nickerson Avenue
Middleborough, Massachusetts 02346

RE: Sport, LTD.

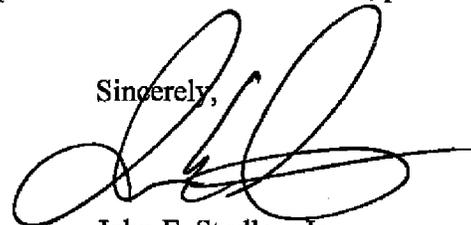
Dear Honorable Members of the Board:

Please be advised that Mr. Robert Weaver of Sport, LTD has asked me to represent him in the matter before the Board concerning the number of vehicles on his property. I understand this matter is on your agenda for this Monday, February 9, 2015. Having just been engaged this day, I will request that this matter be continued so that I may have reasonable time to properly prepare for this matter.

I therefore ask that the matter be continued to **Monday, March 9, 2015** or some other date convenient to the Board. I note that I will be out of the state on March 2, 2015.

Thank you for your attention to this matter. If any questions and/or concerns arise, please feel free to contact my office.

Sincerely,



John E. Studley, Jr.

JES/cat
cc: Robert Weaver



Town of Middleborough

Massachusetts

Board of Selectmen

February 2, 2015

Robert Weaver
Robert Weaver d/b/a Sports, Ltd.
539 Wareham Street
Middleborough, MA 02346

Via: Certified Return-Receipt Requested Mail
7013 1710 0000 6697 6035 & U.S. Mail

Dear Mr. Weaver:

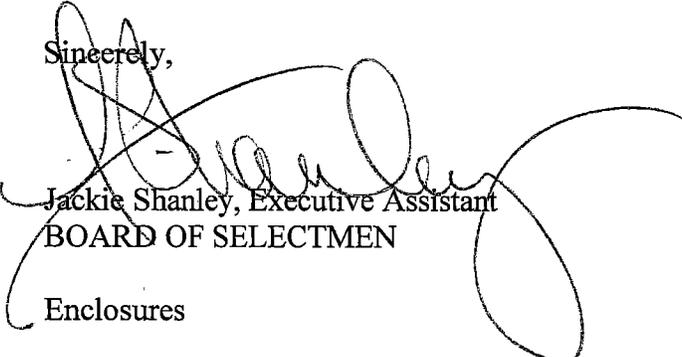
The Board of Selectmen hereby notifies you to appear at a hearing before the Board on **Monday, February 9, 2015**, during which time the Board will consider revocation of your Class II Automobile Dealership license for violation of a vehicle limit condition.

The hearing is scheduled for **8:15 PM**, Town Hall, 10 Nickerson Avenue, 1st floor hearing room.

If you have any questions, please contact the Selectmen's office.

Thank you.

Sincerely,



Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Enclosures

xc: Board of Selectmen
Town Manager

January 13, 2015

To: Chief Joseph Perkins, all concerned parties

From: Sgt. Todd K. Bazarewsky

Re: Inspection dba Sports Ltd., 539 Wareham St.

1/13/15 at approx. 0930 hrs., Chief Joseph Perkins directed me to conduct an inspection of a used car dealer, dba Sports Ltd. At 539 Wareham st. I arrived at that address at approx.. 0945 and did perform a visual inspection. An employee from that location had arrived just ahead of me and I advised him that I would be taking a "car count."

My findings:

Left side of bldg.: 13 vehicles(1 with dealer plate)

Front bldg.: 1 vehicle(dealer plate)

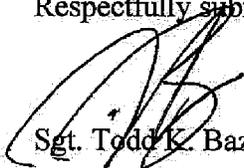
Right side bldg.: 18 vehicles(including flatbed ramp truck)

Adjacent property: 2 vehicles(no plates, appear unreg. @residence 541 Wareham st. ?) Employee stated that those vehs. belonged to Sports Ltd.

Inside garage: : 2 vehicles

Total vehicles : 36 vehicles

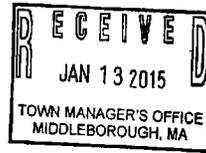
Respectfully submitted,


Sgt. Todd K. Bazarewsky, Middleborough Police

TOWN MANAGER

TOWN of Middleborough, MA

JAN 13th 2015



Today JAN 13th I had six vehicles on my lot over the 25 car limit due to the fact of four cars in for warranty work a tow truck and 2 mechanics cars. We have since called the owners of the cars that were there for warranty and all vehicle have been picked up. The tow truck and vehicle or it have also been removed so as of 12 noon today there are 24 cars on the lot. I have also e-mailed photos of the lot and how neat we keep it. We have been keeping the 25 car limit in compliance with a few times warranty work comes in unexpectedly. I will stay on top on this situation and watch more carefully the 25 car limit.

ROBERT WEAVER

SPORTS LTD 508-736-5305
MIDDLEBOROUGH, MA

E-MAIL photos to
CLARENIX@MIDDLEBOROUGH.COM



The Commonwealth of Massachusetts
TOWN OF MIDDLEBOROUGH

This is to Certify that a LICENSE is hereby granted to

2015

License #: 58

Issued to: Robert Weaver d/b/a Sports Ltd.

License issued: Class II Dealer License

Location: 539 Wareham Street, Middleborough, MA

Conditions: Chapter 140, Section 59

*25 vehicle limit

*No unregistered vehicles parked or repaired on the street or outside of the property lines;

*No car carriers or wreckers, under your control, parked along the street

*Employee vehicles may not be parked on the street

Hours of operation: Monday - Friday (8 a.m. - 8 p.m.)

Saturday (8 a.m. - 6 p.m.)

****This license is granted in conformity with the Statutes and Ordinances relating thereto, and expires December 31, 2015 unless sooner suspended or revoked.****

Dated: Jan. 2, 2015

FOR THE BOARD OF SELECTMEN:

Allison J. Ferreira

By: Allison J. Ferreira, Town Clerk

Licensing Authorities

MEMORANDUM

TO: Board of Selectmen

FROM: Jackie Shanley, Executive Assistant

DATE: 8/8/14

RE: **Robert Weaver dba Sports Ltd. Auto Sales - Update**

As an update to the discussion had at the Board's 7/28/14 meeting, please find attached correspondence mailed to Mr. Weaver by the Selectmen's office on 7/31/14. This correspondence was mailed by Certified, Return Receipt Requested mail and by U.S. mail. The Selectmen's office has received the Certified receipt/verification that this letter was signed for by someone at Sport's Ltd.

Please note that it was requested of Mr. Weaver that he reply, in writing, to the Board, by 8/6/14. There has been no response received as of 8/8/14.

The Board had received a complaint from Maurice Herring as a customer of Sport's Ltd., against Sport's Ltd. Mr. Herring has since submitted the attached email update to keep the Board informed.

On 7/29/14, the Selectmen's office was notified by the Building Commissioner that Mr. Weaver had a total of forty (40) vehicles parked on the Sport's Ltd. dealership site. Mr. Weaver has a twenty-five (25) vehicle limit as a condition of his Class II Automobile Dealer's license. Mr. Weaver was therefore advised to remove the excess vehicles immediately. As of today, I have not been able to verify if he has complied with the order to remove the excess vehicles. I hope to have an update for the Board at its 8/11/14 meeting.

The Selectmen's office will be sending further correspondence, to Mr. Weaver, requiring him to appear before the Board at its meeting scheduled for 8/25/14 to discuss Mr. Herring's claim and the recent violation of his license conditions.

Attachments (2)

> July 31, 2014

Robert Weaver
Robert Weaver d/b/a Sports, Ltd.
539 Wareham Street
Middleborough, MA 02346

Via: Certified Return-Receipt Requested Mail
7013 1710 0000 6697 5939 & U.S. Mail

Dear Mr. Weaver:

Enclosed please find an email dated 7/10/14 from Maurice Herring. Subsequent emails dated 7/21/14 and 7/25/14, updating the Board of Selectmen, are also enclosed.

These emails have been submitted to the Board of Selectmen's office concerning a 2006 V.W. Jetta allegedly purchased by Mr. Herring from you, Robert Weaver, d/b/a Sports, Ltd., 539 Wareham Street, on 6/13/14.

Please review the enclosed correspondence and provide the Board of Selectmen with a written response to Mr. Herring's claims **by August 6, 2014**.

> In addition, please be advised that the Board of Selectmen received a report from the Town's Building Commissioner that you have forty (40) vehicles parked on site as of Monday 7/28/14. As you are well aware, you have a twenty five (25) vehicle limit as a condition of your Class II Automobile Dealer's license. The excess vehicles are to be removed immediately.

The Board does not look favorably upon repeated violations of a license or a history of complaints alleging poor business practices. The Board would like you to be aware that it takes these matters seriously when considering licenses for renewal.

If you have any questions, please contact the Selectmen's office.

Thank you.

Sincerely,

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Enclosures

xc: Board of Selectmen
Town Manager
M. Herring

September 3, 2014

Robert Weaver
Robert Weaver d/b/a Sports, Ltd.
539 Wareham Street
Middleborough, MA 02346

Via: Certified Return-Receipt Requested Mail
7013 1710 0000 6697 5960 & U.S. Mail

Dear Mr. Weaver:

In response to your request, the Board of Selectmen agreed to reschedule your appointment to appear before the Board, originally scheduled for 8/25/14.

You are now scheduled to appear before the Board at its **9/15/14** meeting at **8:30 PM**.

If you have any questions, please contact the Selectmen's office.

Thank you.

Sincerely,

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Enclosures

xc: Board of Selectmen
Town Manager
M. Herring

**Middleborough Board of Selectmen
Meeting Minutes**

September 15, 2014

Robert Weaver dba Sport's Ltd. Auto Sales re Class II Automobile Dealer's license-Violations

Mr. Weaver appeared before the Board to answer to repeated violations of having more than the 25 car limit that he is licensed to have on his site. Board made it clear to Mr. Weaver that it will hold a hearing and consider revocation of his license if he violates the conditions of his license again. Mr. Weaver replied that he may have more vehicles on site than the licensed amount some are there for repair work. Board reiterated that it will not tolerate any further violations.

Board reviewed STM Warrant Article #12 – Water Pollution Control Facility.

Upon motion by Selectman McKinnon and seconded by Selectman Knowlton, Board voted unanimously to support this article.

Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted by Roll Call to go into Executive Session at 9:08 PM to discuss strategy relative to Contract Negotiations (non-union personnel-Police Chief) and not to return into Open Session. Roll Call: S. McKinnon, Yes; L. Dalpe, Yes; A. Frawley, Yes; D. Stewart, Yes; J. Knowlton, Yes. Ended at 9:40 PM.

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN