MINUTES

For approval at the 9-26-11 meeting

Middleborough Board of Selectmen
Meeting Minutes

DRAFT

September 19, 2011

Chairman opened meeting at 7:04 PM by inviting those in attendance to join in the Pledge of Allegiance. In attendance were: Selectmen A. Rullo, S. McKinnon, S. Spataro, A. Frawley, and Ben Quelle and Confidential Secretary J. Shanley.

Chairman announced the sad and unexpected passing of Anna Nalevanko, Director of the Office of Economic and Community Development. Chairman called for a moment of silence.

The meeting was broadcast by MCCAM and Verizon and taped by MCCAM.

Edgeway Mobile Home Park

Selectman Quelle gave update regarding the Edgeway Mobile Home Park agreed upon Court settlement as of 9/15/11. Selectman Quelle explained that certain items are to be completed by certain dates, and if not, the agreement is terminated. We may have outside counsel available at next week's meeting to address some of the concerns and questions relative to the Town's Rules & Regulations and the laws regarding the oversight of these parks. Chairman will contact Town Counsel tomorrow and have him get in touch with the Park's attorney. Selectman Frawley pointed out that all of the timeline dates do come with a five-day grace period. Upon motion by Selectman Frawley and seconded by Selectman Spataro, Board voted unanimously to set up a workshop re Rent Control. Selectman McKinnon noted that he is not available from 10/4 through 10/11. Selectman McKinnon raised pending question of having Jessie Martinez of MFHP attend next meeting and if that would be the best meeting for him to attend. Chairman said he is welcome to come in sometime, but the scheduled meeting next week is about illegal rents, not rents regarding the conditions of the Park. Anne McGann asked if he can come speak next week and Chairman responded that if he ants to talk about matters regarding the condition of the Park, he can, but that he would not be able to speak under the anticipated "hearing" as that is specifically regarding illegal rents. Chairman also reiterated that holding a workshop might be a better place for him to attend.

ANNOUNCEMENTS

Pratt Farm Fall Festival will be held on Saturday, 9/24 from 9 a.m. to 4 p.m. with a rain date of 10/1.

A Meet and Greet Tasting Party will be held at the Masonic Lodge on Thursday, 9/29 from 5:30 p.m. to 7 p.m. to introduce the concept of a Community Kitchen. RSVP required by contacting Karen Cook by 9/22.

Selectman Spataro reminded the public that there is a Special Election tomorrow.

Judy Bigelow-Costa , President of Middleborough on the Move and Plymouth Career Center will hold a Job Fair at Town Hall in the auditorium on 10/12/11 from 8 a.m. to 1 p.m.

Karen Cook noted that the Meet and Greet it is RSVP only. It is not public invite. Also reminder she sent all of you instructions for emergency funds for preservation of historic buildings. If we want to apply for funds through the MA Historical Commission to put something over the Freight House for the winter, regardless of whether we are going to do anything with it, we should maybe look into applying for those funds.

Judy Bigelow-Costa of Middleborough on the Move noted that they will have a business breakfast on 10/13 from 9 a.m. to 11 a.m. at Oak Point and Lt. Governor Tim Murray will be attending. The cost for breakfast is $10/person.

MINUTES
Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to accept 9/12/11 meeting minutes with changes to page 1 and page 4 as noted.

NEW BUSINESS
Chairman read aloud Dog Officer Warrant. Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to sign the Dog Officer Warrant.

Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to approve KENO TO GO for Sunoco, subject to confirmation by Police Chief that there have been no issues and confirmation that all taxes have been paid.

HEARINGS, MEETINGS, & LICENSES
Community Preservation Act (CPA) Committee - Citizen at Large Appointments
Community Preservation Act (CPA) Statutory Committee members Jane Lopes, representing the Historical Commission, Housing Authority Director Jo Ruthwicz, Planning Board member Dave Maddigan, Conservation Commission member Lauren Bell, and Park Commissioner Dave Thomas all present for a joint meeting with the Board of Selectmen to appoint the Citizens at Large. Chairman noted that all eight interested individuals are terrific and explained that, as he had discussed with Jane Lopes, the CPC Statutory Committee members would make the first 4 recommendations. The Statutory Committee Members voted as follows:

Ted Eayrs – Unanimous 5 votes
Michael Maddigan - Unanimous 5 votes
Maureen Franco – Unanimous 5 votes
Mark Belanger – Unanimous 5 votes

Selectman Quelle cast his vote for: Ted Eayrs, Michael Maddigan, Maureen Franco & Mark Belanger.
Selectman Frawley cast his vote for: Mark Belanger, Maureen Franco, Richard Young & Richard McNair.
Selectman McKinnon cast his vote for: Mike Maddigan, Maureen Franco, Sherry Neeley & Richard McNair.
Selectman Rullo cast his vote for: Ted Eayrs, Richard McNair, Maureen Franco & Richard Young.
Selectman Spataro cast his vote for: Michael Maddigan, Ted Eayrs, Richard McNair & Maureen Franco.

Ted Eayrs, Mark Belanger, Maureen Franco and Mike Maddigan were voted in as Citizens at Large to serve on the CPA Committee. Members can't be sworn in until after 9/29 as per new approved bylaw.

Liquor License Transfer – Fireside Grille
Attorney Mark Gildea introduced himself. Chairman opened hearing at 7:57 PM by reading aloud public hearing notice. Present owner David Fisher addressed Board and gave history of the Fireside Grille location. Selectman Spataro left meeting room at 8 PM. Chairman noted to Mr. Fisher that the Fireside is a fine establishment. Mr. Fisher spoke in support of the ten a.m. Sunday serving time request. Michael Barrett confirmed that they intend to keep the current employees. Selectman Spataro returned at 8:06 PM. Chairman asked to hear any other questions or comments. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Frawley,

Board voted unanimously to approve request for 10 a.m. serving time. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the Entertainment license. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve a Common Victualler license, subject to the Board of Health Food application/inspection and approval. Upon motion by Selectman Quelle and seconded by Selectman Frawley, Board voted unanimously to approve the Liquor License Transfer. Upon motion by Selectman McKinnon and seconded by Selectman Spataro, Board voted unanimously to approve the Change of Manager. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve the Pledge of License. David Fisher noted that all gift certificates and functions will continue.

Pawnbroker and 2nd Hand/Junk Dealer/Old Metals license

Applicant Scot Dean addressed Board. He's been a resident for 13 years. He noted he is governed by MA State Law to provide information to the Police Chief. Applicant spoke and indicated that his business will be primarily a jewelry store, but he wants the pawn ability for other items if they are brought in. Resident Judy Bigelow-Costa spoke to questions raised by Selectman McKinnon relative to the Junk Dealer's license. She noted that the location isn't such a large space that we need to be concerned about a lot of junk being collected there, and we are losing a business in that area soon. This man is bringing another business in. He will answer to Chief Gates and there will be two officers walking nightly beat in the Town center. Resident Diane Maddigan noted that there have been a lot of break-ins lately and she feels that dealers should be required to hold items for a certain time period. Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve a "Pawnbrokers" license and a "Junk Dealer/2nd Hand/Old Metals" license for Gregory Scot Jewelry & Loan, 45 Centre Street. Mr. Dean offered that he will be in touch with the Police Chief immediately to introduce himself.

CORRESPONDENCE

#7 Selectman Quelle noted correspondence from Clean Harbors re diesel fuel release at 5 Station Street. Chairman asked that we ask owners to come in and explain how this happened.

#1 Selectman Frawley noted that he will attend the MMA Regional Meeting on 9/21 in Halifax.

#2 Selectman Frawley confirmed with the Board's Secretary that she has the DVD's on the Plymouth/Carver Aquifer in the Selectmen's office.

Selectman Frawley asked if we are going to release the check to AMR for submitting 4th quarter reports. He noted that, if we haven't given them their last check, we would like to.

#8 Chairman Rullo noted copy of letter from Rev. Richard Crowley re ZBA and 14 E. Main Street. He will contact Bruce Atwood to get more information. Selectman Spataro offered that the Town's Building Commissioner has a lot of information about it.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 8:41 PM.

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Jackie Shanley, Confidential Secretary

BOARD OF SELECTMEN