MINUTES

for approval on 10-20-14

DRAFT

Middleborough Board of Selectmen **September 29, 2014**
Meeting Minutes

Chairman opened meeting at 7:00 PM by inviting those in attendance to join in the Pledge of Allegiance.

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

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

UNANTICIPATED

Selectman McKinnon updated Board re Plymouth County Advisory Board meeting – pension liability.

ANNOUNCEMENTS & RECOGNITIONS

Board made various announcements. Selectman Dalpe announced that the Town Manager Search Committee will meet on 10/2 and 10/7. Board agreed announcements of top candidates for the position of Town Manager will be on 10/20/14. Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to hold interviews on Thursday, October 23rd starting at 6 pm.

MINUTES

Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to approve 9/15/14 Executive Session meeting minutes.

Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to approve 9/22 regular meeting minutes.

WARRANTS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman, or his designee, to sign Warrants for week ending 9/27/14.

EXECUTIVE SESSION

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted by Roll Call to go into Executive Session at 7:20 PM to discuss strategy relative to Collective Bargaining (Police Union) and to return into Open Session. Roll Call: L. Dalpe, Yes; S. McKinnon, Yes; A. Frawley; Yes; D. Stewart, Yes; J. Knowlton, Yes. Ended at 7:57 PM.

NEW BUSINESS

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted to authorize payment of Atlantic Design Engineer's invoice for review of Cumberland Farm's WRPD application for 150 S. Main Street in the amount of $1,606.50. S. McKinnon not present for vote.

Upon motion by Selectman Stewart and seconded by Selectman Knowlton, Board voted to approve payment of Wright-Pierce invoice for Final Design in the amount of $119,053.35 and to authorize the Town Manager to sign. S. McKinnon not present for vote.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted to approve payment of Wright-Pierce invoice for Design Upgrades PH (50%) in the amount of $26,137.40 and to authorize the Town Manager to sign. S. McKinnon not present for vote.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board to approve payment of Wright-Pierce invoice for Final Design in the amount of $191,946.65 and to authorize the Town Manager to sign. S. McKinnon not present for vote.

Board voted to approve payment of Wright-Pierce invoice for Comprehensive Wastewater Management Plan (CWMP) in the amount of $35,000 and to authorize the Town Manager to sign. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted to approve. Four in favor. S. McKinnon not present for vote.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to authorize Chairman to sign Realty Networks Associates, Inc. Exclusive Right to Lease Listing Agreement.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to authorize Town Manager to sign CIC Grant application.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to accept bid for bond, refunding, & note, as presented.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to approve CDBG FY10 Grant Extension until 3/31/15 and authorize Chairman to sign.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted, with discussion by Selectman Knowlton, as to where this vacancy was announced/published, in favor of appointing Richard J. Stewart, Jr., as a member of the Commission on Disability for a term to expire on 6/30/16, filling the unexpired term of Michelle McClellan who resigned in February of 2014. Selectman Stewart abstained.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to approve MHS Student Council's request to hold Homecoming parade with MPD cruiser to lead & follow on 10/11/14 beginning at 2:45 PM, as presented, subject to no issues/concerns by Police/Fire Chiefs.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign Equitable Sharing Agreement & Certification for MPD.

HEARINGS, MEETINGS, LICENSES

Fernway Estates Subdivision resident Pam Franey addressed the Board to discuss the subdivision. She offered that they may go into litigation with various entities. Town Manager read aloud his email addressed to Ms. Franey. Adam Bond spoke. Chairman agreed to attend a meeting with the

residents and Planning Board. Resident John Scanlon addressed Board and asked the Board members to visit the subdivision and see the road prior to winter to see the condition of the road. He suggested steps/paperwork can be done this winter to prepare for next spring so that this will be absolutely ready for Spring ATM. Pam Franey will schedule the meeting and email date/time to entire Board.

At 8:27 PM Chairman opened public hearing on application for eviction of Gary Booker from Hillcrest Mobile Home Park by reading aloud the public hearing notice. Attorney Adam Bond, representing Hillcrest Mobile Home Park, addressed Board and provided handout of the most up-to-date figures of outstanding rent. Attorney Bond suggested two options for the Board to consider from. Mr. Booker addressed the Board and agreed with documentation provided by Attorney Bond as did the Homeowner's Association President Frank Cuddy. Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to continue hearing to 10/20/14 at 8:30 PM.

At 8:33 PM Chairman opened public hearing on application for eviction of William Kupchun from Hillcrest Mobile Home Park by reading aloud the public hearing notice. Attorney Adam Bond addressed Board. Board's Executive Assistant confirmed that she notified Mr. Kupchun that tonight's hearing would be opened and that it may go forward, despite his note that he had a prior commitment and could not attend. Attorney Bond presented that the Board is not issuing an Eviction, but rather a Certificate of Eviction. Attorney Bond presented Board with a handout. Attorney Bond offered that Frank Cuddy indicated that he saw Mr. Kupchun standing in his kitchen today. He asked the Board to move forward with tonight's hearing. Board agreed to move forward this evening with the hearing. Frank Cuddy, President of Hillcrest Mobile Home Park Association addressed Board and answered questions presented by the Association's Attorney. Owner Exhibit #1 Statement of Rent Outstanding. Application was noted as Exhibit #2. Selectman McKinnon again confirmed with Ms. Shanley re Mr. Kupchun's communication. Chairman asked to hear any further questions/comments. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to issue a Certificate of Eviction. Attorney Bond presented his thought as to whether or not the Rent Board process is necessary for this type of matter, with the significant amount of time it takes to process the paperwork and arrange for the hearing, etc. Selectman McKinnon responded that the Board is here as an ear for the tenants.

STM ARTICLES

#23 Litter Bylaw. Melissa Guimont of Middleborough Mess Movers addressed Board asking for support in increasing the littering fine to $200. The group picked up 600 bags of trash this year. Police will have to enforce this. Chairman thanked Ms. Guimont for all she does for the Town. Selectman Knowlton offered that there is a state law that someone can be fined $5,000 for littering and suggested that the language in the bylaw should be clearer about the definition of trash. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted in favor of supporting this article. Four in favor. Selectman Knowlton opposed.

#18 Weston Forest Funding for Oliver House – to be postponed.

TOWN MANAGER REPORT

Town Manager noted The Bridgewater Triangle event scheduled at Town Hall on 10/25 at 8 PM.

CORRESPONDENCE

None.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to adjourn at 9:40 PM.

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Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Middleborough Board of Selectmen
Meeting Minutes (Special Town Meeting)

October 6, 2014

Chairman opened meeting at 6:30 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectman A. Frawley, L. Dalpe, J. Knowlton, D. Stewart, and J. Knowlton; and Town Manager C. Cristello.

Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for week ending 10/4/14.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day All Alcoholic beverages liquor license for Muckey's Liquors for 10/23/14 from 5 pm to 10 pm at 200 Oak Point Drive for Candidate's Night.

Upon motion by Selectman Stewart and seconded by Selectman Knowlton, Board voted unanimously to approve, and to authorize Chairman to sign, contract with MMA Consulting Group for town Manager search.

Upon motion by Selectman Dalpe and seconded by Selectman Stewart, Board voted unanimously to adopt resolutions authorizing the Town Manager to file applications & execute agreements with DEP for grant & loan assistance.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to include the June 2004 Plan of Sewer Service Area, prepared by Weston & Sampson, as part of the Town's Wastewater Policy voted on March 8, 2004.

Board discussed STM Article #16 – Robbin's Museum. Josephine Ruthwicz reported that the amount is $30,000. The total cost will be $94,000. It will meet the Department of the Interior standards. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to support this article.

Board discussed STM Article #18 – Oliver Estate. Ms. Dalpe reported that the Weston Forest Committee was not opposed to the use of funds. Mr. Frawley confirmed that assessment. Selectman McKinnon stated his opposition. Upon motion by Selectman Stewart and seconded by Selectman Dalpe, Board voted in favor of supporting this article. Four in favor. Selectman McKinnon opposed.

Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted by Roll Call to go into Executive Session at 6:45 PM to discuss strategy relative to contract negotiations (Fire Chief's contract) and to return into Open Session in the MHS Auditorium to conduct STM business. Roll Call: S. McKinnon, Yes; L. Dalpe, Yes; A. Frawley, Yes; D. Stewart, Yes; and J. Knowlton, Yes. Ended at 7:00 PM.

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Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN