

MINUTES
for approval on **11-2-15**

**Middleborough Board of Selectmen
Meeting Minutes****October 19, 2015**

In attendance were: Selectmen S. McKinnon, J. Knowlton and D. Stewart; Town Manager, R. Nunes and Executive Assistant J. Shanley.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to authorize Selectman McKinnon to run tonight's meeting in the absence of the Chairman and Vice Chairman.

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

ANNOUNCEMENTS & RECOGNITIONS

Board made various announcements & recognitions.

MINUTES

None

WARRANTS

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to authorize the Chairman, or his designee, to sign the Warrants for week ending 10/17/15.

NEW BUSINESS

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve the Wastewater Treatment Plant Change Order #1.

Board discussed RFP for Town Hall annex. Town Manager to discuss with Town Counsel the possibility of adding some incentive language and allowing some re-design. Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve Betterment Agreement for 152 Wareham Street.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve real estate tax payment to the Town of Plympton for 0 Prospect Street.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve Cape Cod Getawy MS Bike Ride, contingent upon approval by Police & Fire Chiefs.

Upon motion by Selectman Knowlton and seconded by Selectman McKinnon, Board voted unanimously to approve the use of Town Roads for the Jesse Heikkila Foundation 2nd annual Bat Run on 9/18/16. Selectman Stewart recused herself from discussion and abstained from voting.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve FY2010 CDBG Block Grant for \$10,000.

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Josephine Ruthiwicz addressed the Board to explain the Committee's wish to change the name of the Middleborough At Home Committee to Middleborough Affordable Housing Committee. Upon motion by Selectman Stewart and seconded by Selectman Knowlton, Board voted unanimously approve.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to appoint to reappoint and appoint members of the MAH as presented on the attached.

Upon motion by Selectman Stewart and seconded by Selectman Knowlton, Board voted unanimously to reappoint & appoint members of the Herring Fisheries Commission as presented on the attached.

Clare Cole, Chairman of the Cultural Council addressed the Board. Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to appoint members to the Cultural Council as presented on the attached.

Veterans Services Officer Paul Provencher addressed the Board to present the 2015 Veterans' Day activities. Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve, as presented, with the exception of the request for a sign on the Town Hall lawn and the request to place a sign on the corner of Routes 105 and 28.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to award the bid for Construction of the Mizaras Gravel-Packed Well to F. G. Sullivan Drilling.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day All Alcoholic beverages liquor license to the Bartending Services of New England for Middleborough Friends Halloween ball at Town Hall on 10/24/15 from 7 pm to 11 pm. Selectman Knowlton recused himself from discussion and abstained from voting.

HEARINGS, MEETINGS, LICENSES

Town Moderator addressed the Board to discuss the Oliver House Committee. He asked that the Board members forward him any expectations it has for this Committee, including how often it provides the Board with updates. He is looking for seven members. He has received some letters of interest and is looking for more.

Joe Lynch gave presentation re Middleborough Industrial Park @ 495.

Chairman opened public hearing on Tax Classification hearing at 9 PM. Diane Maddigan of the Board of Assessors addressed the Board. The Board of Assessors recommended keeping the tax rate at 5%. Board asked questions. Chairman asked to hear any further discussion. Hearing none,

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Chairman declared hearing closed. Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted unanimously to approve as follows:

\$15.95 residential
\$16.98 business

Weston Forest Committee report on Committee activities

Derek Adamiec, Chairman of the Weston Forest Committee addressed the Board. He offered that the forest is seriously underused and the Committee had brainstormed about uses for the property. The Committee had moved forward with disc golf course because it believed it to be past practice by the Committee. The Committee had meetings with the Town Manager that indicated other uses for the forest were wanted. Selectman Knowlton confirmed with Mr. Adamiec that the Committee has agreed to cease & desist until there is clear direction from Town Counsel. In response to questions by Selectman Stewart, Derek replied that he did not go to the EPA re any possible environmental impacts. Josh Quackenbush addressed the Board.

Jim Knox of Tispaquin Street addressed the Board and offered that when a project like this is proposed, we should know the scope. He has several questions and the answers were not provided before this project began. He will attend the Forest Committee meeting tomorrow night.

Bob Lessard addressed the Board. He read aloud a letter written by resident Kathleen S. Anderson, also the Chairman of the Natural Heritage and Endangered Species Advisory Committee to the MA Division of Fisheries and Wildlife and provided a copy. Josh Quackenbush addressed the Board in response. Adam Bond of 8 Rock Street addressed the Board. It's his understanding that this Committee is an advisory committee, and as such, is charged with "advising", only. He suggested providing a written document of the Board's expectations for each Committee.

A male resident addressed the Board concerned with taking a local source and turning it into a regional source. He would like to see the Planning Board look this over, as experts, in what the traffic could be.

Carl Reid addressed the Board

A female resident from Purchase Street addressed the Board. She's researched the Weston Forest Committee website and the disc golf course website. The impact will spread throughout the forest and affect all of the animals. She is concerned that there is not enough parking. She is concerned about trash, it will be an expense for the police department, and when there is an injury, the Town will be sued, not the Weston Forest Committee. She cannot see what the Town will gain from this golf course.

Kevin Quackenbush addressed the Board.

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Mary Nash of Faye Avenue addressed the Board. She thinks we need qualified people who are objective to look at this, such as the Planning Board.

Judy Holbrook of Faye Ave. She raised concerns about it being in the WRPD.

Kathy Holmer from Purchase Street expressed concern about the narrow width of Purchase street/traffic/safety concerns.

Faye Johnson offered that, as a guiding principle there is no charter to explain what this land is for outside of the Will.

Bob Lessard addressed the Board. He asked the Town Manager to ask Town Counsel about Zoning and Planning issues. Town Manager responded that he has already presented those questions to Town Counsel.

Josh Quackenbush addressed the Board and offered to meet with anyone, and will walk the forest with them too, if wanted.

TOWN MANAGER'S REPORT

Town Manager presented his report as is attached.

CORRESPONDENCE

#11 Selectman Knowlton noted West Nile Virus memo from the Health Officer.

#2 Selectman Stewart noted correspondence re Kiwanis event: Flags of Valor.

#12 Selectman McKinnon noted correspondence from Verizon re Outdoor Channel.

#13 Selectman McKinnon noted the Draft Temporary Solution Statement for 255 Plymouth Street from the Conservation Commission.

#3 Selectman McKinnon noted the MAHB Certificate Program from MA Association of Health Boards.

Upon motion by Selectman Knowlton and seconded by Selectman Stewart, Board voted by Roll Call to go into Executive Session at 9:27 PM to discuss strategy relative to Police Personnel and not to return into Open Session. Roll Call: J. Knowlton, Yes; D. Stewart, Yes; S. McKinnon, Yes. Ended at 9:45 PM.

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Incorporated 1669
344 Years of Progress



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

ROBERT G. NUNES
Town Manager

508-947-0928
FAX 508-946-2320

MEMORANDUM

TO: Board of Selectmen
FROM: Bob Nunes
RE: Economic Development Monthly Report
Date: October 19, 2015

- I. Community Development Corp. (CDC)
 - Framework to BOS in November
 - Partner with Middleborough on the Move
- II. Downtown
 - Meeting with Property Owners
 - Reedy's
 - a. New owner
 - b. Improvements to façade and interior
 - TA Connect – Mass Development visit to Downtown 10/26
- III. Economic Development Compact Community - Preparing for Success Application
 - Approved
 - Compact signing on November 19th in Plymouth
- IV. Project Review Committee
 - Meeting on October 29th regarding 84 South Main Street
 - Old Telephone Company Building
 - Proposed 44 housing units
- V. South Pointe Business Park
 - Route 44
 - 230+ acres
 - Auction - October 22, 2015 at 11:00am at Holiday Inn Express
- VI. Next Report to BOS
 - November 16th, 2015

**MIDDLEBOROUGH
AFFORDABLE
HOUSING**

Jacqueline Shanley

From: Work <jruthwicz.mha@verizon.net>
Sent: Tuesday, October 06, 2015 3:25 PM
To: Jacqueline Shanley
Subject: MAH

Jackie

didn't know if BOS wanted 3 or 5 yr terms, but wrote something up to start discussion

Me - since Chair - 3 yr term and thereafter for 3 year terms
Paul Provencher - since Vice Chair - 3 yr term and thereafter for 3 year terms
Andrea Priest - initial 2 yr term and thereafter for 3 year terms
Sarah Person - initial 2 yr term and thereafter for 3 year terms
vacancy - initial 1 yr term and thereafter for 3 year terms

Also, I think that the Housing Auth and Comm Dvlpmt Office Directors and Town Planner should be on it if town residents, otherwise they should be ex officio members.

*Josephine A. Ruthwicz
Executive Director
Middleborough Housing Authority
8 Benton Street
Middleboro, MA 02346
P: 508.947.3824 x16
F: 508.947.6393*

HERRING FISHERY COMMISSION

Jacqueline Shanley

From: David Cavanaugh <herringwarden@yahoo.com>
Sent: Wednesday, September 16, 2015 9:17 AM
To: Executive Asst To the Board of Selectmen Tracie Craig; Jacqueline Shanley
Subject: Appointment requests

Hi Jackie and Tracie

On Sept. 15, the Middleborough-Lakeville Herring Fishery Commission voted to recommend the following appointments to both Boards of Selectmen. I will send a formal letter on letterhead in the next couple of days, but here is the text below.
Thanks,
Dave C.

Dear Members of the honorable Boards:

On September 15, 2015, the Middleborough-Lakeville Herring Fishery Commission voted unanimously to recommend the following appointments:

VOLUNTEER OBSERVERS for a one-year term ending September 30, 2016:

Mike Bednarski (reappointment)

Middleborough, MA 02346

Allin Frawley (reappointment)

Middleborough, MA 02346

Cynthia Gendron (reappointment)

Wareham, MA 02571

Cory Leeson (reappointment)

Lakeville, MA 02347

These dedicated volunteers have shown a continuing commitment to the operation of the Commission, protection of the annual herring migration, and protection of herring habitat. We feel they will continue to be an asset to the Commission.

FISH WARDENS for a three-year term ending September 30, 2018:

Tom Barron (reappointment)

Lakeville, MA 02347

Ronald Burgess (reappointment)

Middleborough, MA 02346

Brad Day (new appointment)

Middleborough, MA 02346

Brad is a new appointment to fill a Middleborough resident warden position. He is moving up from a Volunteer Observer slot and has shown much enthusiasm and dedication to the position over two years as an observer.

These dedicated volunteers have shown a continuing commitment to the operation of the Commission, the protection of the annual herring migration, and protection of herring habitat. We feel they will be an asset to the Commission.

We request that you consider the above recommendations for appointment at your earliest opportunity.

We request that home addresses and telephone numbers not be published or placed on appointment cards.

Sincerely,

David J. Cavanaugh
Chairman

CULTURAL COUNCIL

To:
Town of Middleborough Board of Selectmen
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

From:
Arthur Battistini

Middleborough, MA 02346

Re: Middleborough Cultural Council Appointment

To Whom It May Concern:

This letter serves to express my interest in being appointed to the **Middleborough Cultural Council**.

As a lifelong resident of Middleborough and a local business owner, I am deeply invested in our community. In order to help our town grow and improve, I have been involved in Middleborough on the Move and the Tourism Committee over the past year. As such, I have seen the direct benefit of the work that the Middleborough Cultural Council does for this town in providing supporting grants to local groups and events. These include Krazy Days, the Herring Run Festival, Soule Homestead's Harvest Fair and Joe Davies Folk Festival, as well as bringing music to the Farmers' Market. They represent our town as one of 329 local and regional Cultural Councils in the Commonwealth, which operate under the Massachusetts Cultural Council. Last month I attended the local Cultural Council meeting to get a feel for the group and their process. Although the council only meets a few times a year, the work that they do is hugely important to our community.

For these reasons, I am seeking appointment to the Middleborough Cultural Council for a term of 3 years.

Thank you for your consideration.

Sincerely,

Arthur Battistini

Arlyn A. White

Middleboro, Massachusetts 02346

Allin Frawley, Chairman
Board of Selectmen
Town of Middleboro
10 Nickerson Avenue
Middleborough, MA 02346

Dear Mr. Frawley:

On October 17, 2012 I was appointed by the Middleborough Board of Selectmen to serve a three year term on the Middleborough Cultural Council. My term will expire in October of this year and I am writing to express my interest in continuing my service to the town as a member of the Middleborough Cultural Council.

My recent retirement has afforded me the time to become more engaged in community activities and I have enjoyed serving in my position on the Council. Two years ago I was elected to the position of Treasurer and I am confident that I have fulfilled that role very effectively.

I have been encouraged by the Middleborough Cultural Council Chair, Claire Cole to seek re-appointment to the committee and respectfully request the Middleborough Board of Selectmen re-appoint me to the Council. The Council provides an important service to our community and I would be honored to continue to serve as a member.

Thank you for your consideration,

Sincerely,



Arlyn A. White

August 26, 2015

Board of Selectmen
10 Nickerson Ave,
Middleborough, MA 02346

Dear Members of the Board,

This is in response to the notice of the Town's website regarding openings on various committees. I would like to request appointment to the Middleborough Cultural Council. I know how important the council is to many groups and residents within the Town. Now that I have the time, I would be happy to volunteer for this vital committee.

I look forward to hearing from you soon regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Danielle Bowker". The signature is written in black ink and is positioned above the printed name.

Danielle Bowker

Middleborough, MA 02346

 **DRAFT**

**Middleborough Board of Selectmen
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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 R. Nunes and Executive Assistant J. Shanley.

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

UNANTICIPATED

Members of the audience made announcements.

ANNOUNCEMENTS & RECOGNITIONS

Board and audience made various announcements.

MINUTES

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve 10/5/15 regular meeting minutes.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve 10/5/15 Executive Session meeting minutes.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve 10/13/15 regular meeting minutes.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to approve 10/13/15 Executive Session meeting minutes.

WARRANTS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for week ending 10/24/15.

NEW BUSINESS

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to discontinue use of existing voting equipment and to begin using new voting equipment in the next allowable election. Town Clerk Allison Ferreira addressed the Board. Selectman McKinnon asked the Town Manager to make sure the voting equipment, stored in the Town Hall annex, has its own designated storage room. Town Manager agreed.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to award bid for Road Salt, Magnesium Chloride, Calcium Chloride and Ice Ban Bids FY16.

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Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize payment of invoice for S. Coast Media Group.

Town Manager presented Town Counsel's opinion re Weston Forest & Disc golf course. Board members offered feedback. The Town Manager offered that he and Fran Cass will be touring various Town properties over the next couple of weeks and will keep disc golf in mind for a potential site. Mark Belanger addressed the Board to suggest that Town Counsel does not explain why disc golf is not an allowed use in a park through his opinion and asked that the Board request clarification of that specific point. Derek Adamiec, Chairman of the Weston Forest Committee, addressed the Board. He asked for clarification of point #3 offered by Town Counsel. He let the Board know that the Committee does have plans to suggest a variety of possible uses for the forest. He asked the Board to look into installing signs on the roadway alerting the public to the location of the forest. Town Manager asked that he send him an email/memo with details of exactly what the Committee wants the signs to say and where it wants to locate them. Mark Belanger addressed the Board and reiterated his request that Town Counsel clarify the aforementioned points of his opinion.

Selectman McKinnon began discussion re various Board, Committee, and/or Commission charges. He created a list of suggested information to put together for each group to formulate something official, in writing, that can serve as a future handout. He suggested the members of the Board of Selectmen research a handful each. Selectman Knowlton noted the Board had each of the Committees in to provide an update of its activities and recommended that this practice continue.

Neil Rosenthal addressed the Board addressed the Board to say that Town Counsel was asked for his opinion and that's what was given. Derek Adamiec responded. Joshua Quackenbush addressed the Board to read a definition of parks and recreation. Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to have the Town Manager ask Town Counsel to clarify why disc golf is not allowed as a recreation activity in a park.

Selectman McKinnon will get the list of all committees and pass out groups to each member of the Board to research. Donna Johnson of Faye Avenue addressed the Board.

HEARINGS, MEETINGS, LICENSES

Upon motion by Selectman Stewart and seconded by Selectman Dalpe, Board voted unanimously to continue the Earth Removal hearing re Pentwyn Farm, Sonia Drive to 11/16/15 at 7:30 PM at the request of Attorney Robert Mather.

Unexplained Paranormal Research provided presentation for the Board of unexplained voices recorded in the Town Hall building. Board asked questions.

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Joseph Cornish provided presentation re Oliver House Historic New England Preservation Restriction. Community Preservation Committee Chairman Jane Lopes addressed the Board. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to sign, subject to the review by the Commission on Disability on Wednesday, 10/28/15.

TOWN MANAGER'S REPORT

Town Manager presented the FY16 Strategic Plan First Quarter Performance Tracker report.

Selectman Dalpe left the meeting at 9 PM. Selectman Dalpe returned to the meeting at 9:03 PM.

CORRESPONDENCE

#9 Selectman Knowlton noted the COA opening of Libby's Café on every Wednesday.

#10 Selectman Stewart noted correspondence from the Stidhams re trash cleanup – Taunton River site entrance

#8 Chairman Frawley noted MA Audubon Road-Stream Crossings & Culvert Replacements workshop.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted by Roll Call to go into Executive Session at 9:56 PM to discuss strategy relative to Leasing of Real Property and not to return into Open Session. Roll Call: S. McKinnon, Yes; L. Dalpe, Yes, J. Knowlton, Yes; D. Stewart, Yes; A. Frawley, Yes. Ended at 10 PM.

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN