MINUTES

For approval at the 2-10-14 meeting

DRAFT

Middleborough Board of Selectmen **January 27, 2014**
Meeting Minutes

Acting Chairman Allin Frawley opened meeting at 7:05 by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Frawley, B. Quelle, L. Dalpe, and J. Knowlton; Town Manager C. Cristello and Executive Assistant J. Shanley.

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

UNANTICIPATED

Chairman Frawley noted letter from Senator Pacheco referencing a letter from MA DOT re the Middleborough Rotary.

Town Clerk Allison Ferreira brought the Board's attention to an inaccurate article in the Brockton Enterprise on 1/18/14 re upcoming Annual Town Election. The Election will be held on 4/5/14. Candidates have until 2/13/14 to draw nomination papers, which must be returned with 50 ballot signatures of registered voters by 2/18/14.

MINUTES

Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to approve the 1/13/14 regular meeting minutes.

ANNOUNCEMENTS & RECOGNITIONS

Selectman Dalpe welcomed Victoria Souza of Middleborough and graduate of Bridgewater State University as our official intern in the OECD.

Selectman Dalpe announced that The Tourism Committee and Herring Festival are putting together a 2014 Festival's brochure. Organizations who would like to be listed in the brochure may go to herringfestival@gmail.com for more information.

Selectman Frawley announced that he will be seeking a second term as Selectman.

Selectman Quelle offered thanks to Fire Chief Benjamino & Fire department for offering the Cold Weather and Ice Survival training.

Selectman Quelle recognized Police Chief Gates and his department for the recent drug bust in Town.

Selectman Quelle announced that the Central Congregational Church has extended an invitation for kindergartners through 6th graders to participate in their Pine Wood Derby on Wednesday at 6:30 PM.

Selectman Quell sent thoughts and prayers to a particular, but unspecified member of the School Committee.

Selectman Quelle announced that he will not seek re-election due to a full personal schedule. He offered that he was happy that Selectman Frawley will run again. He also recognized Selectman Dalpe for all she has accomplished in the short time since having had been elected.

Police Chief Gates announced that they would be holding a farewell luncheon from 11 a.m. to 1 p.m. at the Police Station for Lt. Mackiewicz.

Selectman Frawley offered his thanks to Frank Albani, former Director of the Soule Homestead, for his many years of contributions.

MINUTES
Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to approve 1/13/14 regular meeting minutes.

WARRANTS
Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman, or his designee to sign Warrants for week ending 1/24/14.

NEW BUSINESS
Town Clerk Allison Ferreira addressed Board. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to appoint Election Officer Appointments for 2014, as presented on the attached.

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to appoint Dominick DeAngelis to the Board of Registrars, as presented on the attached.

Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted unanimously to appoint Police Detective Sergeant Joseph M. Perkins to the rank of Lieutenant, effective 2/2/14, and authorized the Chairman to sign the required civil service forms.

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to approve request by River's Edge Realty Trust, LLC for a one-year Earth Removal permit extension.

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to appoint Cory Leeson of Lakeville as a Volunteer Observer to the Middleborough Lakeville Herring Fishery Commission for a one-year term ending 9/30/14.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman to sign a letter to Civil Service increasing the number of Police Officer vacancies from 3 to 4 on requisition #01382.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to award well redevelopment (maintenance) contract for E. Main Street Well No. 2 and Tispaquin Well No. 1.

Town Manager addressed Board. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to sign the MOA Between the Town of Middleborough and NEPBA Local 76 ("Middleborough Police Patrol Officers Union") to Offer a Stipend in Exchange for Opting Out of the Town Health Plan.

HEARINGS, MEETINGS, LICENSES

Edgeway Mobile Home Park

Upon motion by Selectman Quelle and seconded by Selectman Dalpe, Board voted unanimously to continue Edgeway Mobile Home Park hearing re request action on a criminal complaint concerning the $100 per day fine for operating a Manufactured Home Park without a license (continued from 10/21/13) to 3/31/14 at 7:30 PM.

Draft Site Assignment Hearing Decision

Town Manager spoke re Draft Site Assignment Hearing Decision. Health Officer Jeanne Spalding addressed Board and noted that she has some changes to make to the draft to be voted on by the Board next Monday followed by publication. Peter Richer of Waste Management addressed Board.

WRPD-Cumberland Farms, Inc. 90 & 92 E. Grove Street and 147 Wood Street

Chairman opened hearing at 7:41 PM on WRPD application filed by Cumberland Farms, Inc. for 90 & 92 E. Grove Street, Map 65, Lots 299 & 112 and 147 Wood Street by reading aloud the public hearing notice. Applicant's representative, Attorney Douglas Troyer addressed Board to present request. Applicant's engineer addressed Board to review plans. Attorney Troyer provided further review for the Board. Board asked questions. Selectman Knowlton noted he would like the Town's engineer to review. Town Manager offered that we could have Atlantic Design review and have their input/comments by the Board's next meeting. Board asked additional questions. Attorney O'Shaughnessy addressed Board representing a direct abutter from 149 Wood Street. He questioned if the applicant has met the requirements of the special permit. Resident Michael Solimini addressed Board. Attorney Troyer offered that Cumberland Farms intends to sell or lease the present property. Resident Brian Giovanoni made some suggestions relative to the catch basin to which the applicant's engineer responded. Attorney Troyer offered that they are willing to make the attempt in hopes that MA DOT will approve. Upon motion by Selectman Quelle and seconded by Selectman Knowlton, Board voted unanimously to continue the hearing to 2/3/14 at 7:30 PM.

Underground Storage Tank (UST) Permit application by Cumberland Farms, Inc.

Chairman opened public hearing at 8:31 PM on application filed by Cumberland Farms for an Underground Storage Tank license for 90 & 92 E. Grove Street and 147 Wood Street by reading aloud the public hearing notice. Attorney Troyer addressed the Board. Resident Mark Wood addressed Board with questions. Attorney Troyer responded by reading aloud the details of all applicable underground storage tanks. Chairman asked to hear any further comments or questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman Quelle and seconded by Selectman Knowlton Board voted unanimously to approve permit.

Earth Removal Permit – Riverrock Realty Trust, 288 Thompson Street

At 8:43 PM Chairman opened public hearing on application filed by GAF Engineering on behalf of Riverrock Realty Trust for an Earth Removal permit by reading aloud the public hearing notice. Engineer Bill Madden addressed Board. He indicated that they were leaving the number of trucks on the site up to the Board and the conditions it puts on the permit. He has a prepared written response to questions raised by Atlantic Design Engineers, Inc., which he distributed to the Board. Town Manager recommended the responses be reviewed by Atlantic Design and Chairman noted that the Board had only just received comments from our Planning department. Mr. Madden reviewed his responses to each of the concerns raided by Atlantic Design. Resident Steve McKenna addressed Board and advised that they have been putting up with truck traffic for past two years from the Beaton Barron site. Resident Ann Williams questioned dust control and asthma. Her pond has gone down one foot over the past year and she questions whether or not there is enough water. A resident of 37 Fuller Street indicated that Mr. Beaton has been his neighbor for years and has been a good neighbor. He has spoken with Mr. Arruda and had some of his questions addressed. He will provide further questions to the Board ahead of the continued hearing date. Joe Arruda addressed the Board and noted a couple of issues including that they are attempting to help the neighbors to avoid the alternative of houses being built at this site. Chairman Frawley strongly recommended that the applicant finish the project at the end of the three-year permit as the calculations demonstrate that the residents will be tolerating one truck every ten minutes on the roads for the length of this permit. Selectman Quelle asked the applicant to consider alternative truck routes. Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to continue hearing to 2/10/14 at 8 pm.

TOWN MANAGER'S REPORT

Town Manager noted that the Snow & Ice account is over budget. It will be addressed at the ATM in the spring.

Town Manager noted correspondence re one Town's experience going to automated cards

Town Manager noted letter of Support from Congressman Keating for the Fire Department's Grant application to the Assistance to Firefighter's program.

CORRESPONDENCE

#3 Selectman Knowlton noted that the Library parking lot has come into good shape. He congratulated the Board and the Friends for this accomplishment.

#5 Selectman Quelle would like Capeway Rovers Motorcycle Club take the Conservation Agent's advice.

#2 Selectman Dalpe offered that she was glad to say that Conservation Agent Patricia Cassady will be remaining with the Town.

Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to adjourn at 9:22 PM.

_____

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Allison J. Ferreira
Town Clerk

TOWN OF MIDDLEBOROUGH
Town Clerk's Office

Bank Building, 20 Centre Street
Middleborough, Massachusetts 02346-2250
508-946-2415 phone
508-946-2308 fax

MEMORANDUM

TO: Board of Selectmen

FROM: Allison J. Ferreira, Town Clerk

DATE: January 15, 2014

RE: *Election Officer Appointments for 2014*

I respectfully request the Board vote to appoint the following **Election Officer appointments for 2014**:

PRECINCT 1	PRECINCT 2	PRECINCT 3
Arthur L. Turcotte	Elizabeth A. Wainwright	Patricia A. McManus
Laurette Y. Turcotte	Donna J. Stewart	Karen R. Michaelis
Linda M. Eatherton	Ursula E. Hill	Louise M. Wright
Robert Eatherton	Florence M. Cadillic	Judith A. Clark
Robert K. Burke	Janet Esther Walker	Mary L. Ieronimo
Gaynel M. Bradford	Arthur Walker	Susan E. Bell
Meredythe E. Salvucci	Arlene R. Dickens	Anna F. Blanchard
Loretta Batchelder	Donald E. Dickens	Martin P. Foley
	Anne E. Renaux	Brenda L. Krystofolski
PRECINCT 4	**PRECINCT 5**	**PRECINCT 6**
Beverley L. Moquin	Karen E. Nice	Joan E. Ayube
Marie B. Carty	Kathleen M. Foye	Marjorie R. Bragg
Charles H. Carty	Linda Gordon	Lois A. Hawks
Francine L. Perry	Wendy McCormick	Shelly R. Murphy
Joan Green	Susan J. Beaulieu	Isabelle M. Minkle
Tracy Moquin	Cheryl Reimels	Georgia Iverson
Kathleen Zakarian	Margaret Washburn	Jeanne E. Turney
Mary Warren	M. Louisa Brown	Judith L. Thompson
	Danielle Nice	Eileen S. Gates
		Susan H. Kelly

Should you have any questions or concerns, please do not hesitate to contact me.

Allison J. Ferreira
Town Clerk

TOWN OF MIDDLEBOROUGH
Town Clerk's Office
Bank Building, 20 Centre Street
Middleborough, Massachusetts 02346-2250
508-946-2415 phone
508-946-2308 fax

MEMORANDUM

TO: Board of Selectmen

FROM: Allison J. Ferreira, Town Clerk AJF

DATE: January 15, 2014

RE: Board of Registrar Appointment

The Board of Registrars met on December 12, 2013 and interviewed Dominick DeAngelis of the Democratic Town Committee as a potential member to be appointed to the Board of Registrars.

Mr. DeAngelis was referred to the Board of Registrars by the Democratic Town Committee to fill the Democratic vacancy caused by Gisele Lincoln who resigned in 2013. Mr. DeAngelis is actively involved in the community and expressed a sincere interest in joining the Board of Registrars.

Pursuant to Massachusetts General Laws, Chapter 51, Section 15, Board of Registrar vacancies are filled by the Board of Selectmen from a member of the town committee of the political party from which the position is to be filled for the remainder of the vacated original term.

The Board of Registrars voted unanimously to recommend Dominick DeAngelis be appointed to the Board. I respectfully request the Board of Selectmen vote to appoint Mr. DeAngelis to the Board of Registrars to fill the Democratic vacancy of Gisele Lincoln for a term to expire in 2015.

Should you have any questions or concerns, please do not hesitate to contact me.

DRAFT

Middleborough Board of Selectmen **February 3, 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 S. McKinnon, A. Frawley, B. Quelle, L. Dalpe and J. Knowlton; Town Manager C. Cristello and Executive Assistant J. Shanley.

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

ANNOUNCEMENTS & RECOGNITIONS

Chairman asked for a Moment of Silence in memory of Seven-year-old Jesse Heikkila who passed away on Sunday after a long illness.

Selectman Frawley said hello to his daughter who was watching the meeting from home.

Selectman Dalpe attended the retirement luncheon on Friday for Lt. Mackiewicz and presented Mr. Mackiewicz with a proclamation on behalf of the Board for his 37 years of service to the Town.

Selectman Dalpe announced that the MA Office of Travel & Tourism has donated $25,000 to be utilized by the Tourism Committee. Chairman thanked Selectman Dalpe and congratulated her on a job well done.

Town Manager announced that, weather permitting, there will be a Police Station Building Committee meeting this Wednesday, February 5, 2014 at 7 PM in the Selectmen's hearing room.

Brian Giovannoni announced that on Thursday, February 6th at 6:30 PM at the Nichols Middle School the School Committee will meet on the Wellness policy, Capital Plans for Schools, voting on the transfer of the Green School to the Board of Selectmen and voting on the new School calendar.

MINUTES

To be voted on 2/10/14.

WARRANTS

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman, or his designee to sign Warrants for week ending 1/31/14.

NEW BUSINESS

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted to set terms for the Tourism Committee members as presented on the attached, with terms ending on 7/30 of the specified year. Chairman McKinnon advised Selectman Dalpe that the Town's Charter requires that the Committee develop a Statement of Purpose, which she duly noted. Four in favor. Selectman Dalpe abstained.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve a One-day All Alcohol liquor license for The Bartending Service of N.E. for 2/15 from 7 p.m. – 12 a.m. at Town Hall.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve payment of Wright Pierce Invoices: Pilot Testing $19,432.02 and Schematic Design $42,648.04.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to ratify the Town Manager's appointment of Kathleen Foye as a member of the Historical Commission.

Chairman explained the purpose of tonight's discussion of 4 Lovell Street property complaints. Building Commissioner addressed Board to report that he, Fire Chief Benjamino, Captain Carl Reed and the attorney for the estate, Attorney Sherman had the opportunity to visit the site last Friday. The last time they visited this property was in 2004 and nothing much has changed. The estate's representative agreed to comply with a punch list developed by the Building Commissioner and the Fire Chief. Chairman asked if there is any possibility of having a chain link fence installed. Building Commissioner responded that it can be asked of the estate, but not required. Chairman confirmed with him that the only danger of holes in the floors is on the second floor. Building Commissioner confirmed that it does not appear anyone has been inside the house. A female resident named Ashley of 6 Lovell Street, who purchased her home in 2012, addressed Board. She was led to believe that this property was going to be leveled. She has been cleaning up the yard. She insists that the property is not clean and that there are bags of trash on the property. She's had to pay $900 in repairs to her property (fence) due to a tree from that property damaging her fence. She does not want to see someone, especially a child, to get hurt as they do play on that property. Anything that we can do is better than doing nothing. Building Commissioner offered that the Attorney for the estate is going to contact him this week and he will ask him when they intend to tend to the punch list. A male resident of Lovell Street addressed Board. He reported that the soffit on the house is pulled away about one foot as well as holes on the side of the house, both of which are entrances for squirrels. There are trees on the property that are rotting and may pose a hazard. Building Commissioner will advise the Attorney. Adam Bond noted that there is an estate battle and suggested that perhaps the Building Commissioner can ask for the Probate Court docket number that the residents may be able to utilize in getting assistance in forcing cleanup of the property. Building Commissioner agreed that he can ask for it, but can't guarantee it will be provided. Chairman noted that, the Board does have the authority to order that a fence be installed if it gets to that point. Resident, Mr. Gillis, addressed the Board to say that he doesn't understand how the Fire Chief can be concerned for his men to go into this dwelling, but there isn't concern for a contractor. Chairman explained that contractors have experience repairing situations such as this.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to issue the decision on the Site Assignment Hearing re the Middleborough Landfill. The Decision will be published within 7 days as required.

Health Officer Jeanne Spalding addressed Board. Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to approve and sign Agreement for Nursing Services between Middleborough and Lakeville.

HEARINGS, MEETINGS, LICENSES

Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to continue the hearing re WRPD application by Cumberland Farms, Inc. for 90 & 92 E. Grove Street, Map 65, Lots 299 & 112 and 147 Wood Street, Map 65, Lot 372 to 2/20/14 at 8:15 PM.

Green School Committee representative Wayne Perkins addressed the Board and gave an overview of the history of the Green School. He then presented the Committee's request to take a portion of Town owned property and subdivide it and add it to the Green School property for parking. The Board voting to do this would allow for a Town Meeting warrant article, which would be necessary to combine the two parcels. It will require some engineering. The Committee has another donation. Jeff Youngquist of Outback Engineering has agreed to do this for us. This entire project has been done through donations. Selectman Quelle asked if there is a plan to leave a certain amount of vegetation between the building and the abutter's property. Committee member Lincoln Andrews responded by explaining that he knows the abutter and has spoken with him and it is a non-issue. Selectman Dalpe asked if the Committee would consider utilizing the building as a stop for information about the Town. Mr. Perkins offered that the Board will have say in what the building will be used for, but absolutely. Selectman Dalpe asked that the Committee get information to the OECD as it is compiling information about the Town. Selectman Quelle confirmed that there is opportunity for gas hookup and electricity. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the request. Mr. Perkins also requested that the Board consider providing a letter of support to the CPA for funds on behalf of the Green School Committee project. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize its Executive Assistant to send letter on behalf of the Board.

Lee Hartmann, Plymouth Planning & Development Director provided presentation re Plymouth's Tourism Development Plan. Destination Plymouth is a private non-profit group. Selectman Frawley thanked Mr. Hartmann for presenting the information. Mr. Hartmann offered that there are great resources already available for the Town of Middleborough to utilize. Selectman Dalpe offered that Destination Plymouth has been great in working with her in obtaining the grant our Tourism Committee has recently received. Glenn Montapert asked how many international visitors they had when they first started and how many they have today. Mr. Hartmann responded that it's a growing

market. Selectman Dalpe added that MA is up about 2 million visitors from a couple of years ago when they measured it. Also, the international market is picking up. In the entire country, we are 5th for tourism. We've just had several airlines open up at Logan so the international tourism is expected to explode. Brian Giovanoni thanked Mr. Hartmann and noted that, at some point, we have to bite the bullet and fund this. Selectman Dalpe noted that Plymouth doesn't have enough hotel space and they are always referring people. We have a number of large hotels here in Town and may see our hotel tax increase. Chairman thanked Mr. Hartmann and credited Selectman Dalpe for her continued efforts in the tourism endeavor.

TOWN MANAGER'S REPORT

Town Manager noted a letter received from Ronald Andrew at Oak Point suggesting that when we replace our existing recycling bins, we make a plan to re-cycle or re-use the current barrels.

Town Manager reported that they had a meeting last Monday with MA DOT and their representatives of CSX. He noted a written report re the meeting which Glenn Montapert had provided.

CORRESPONDENCE

#1 Selectman Quelle offered thanks to everyone who's worked so hard to see the rotary concerns get to this point.

#1 Selectman Knowlton echoed what Selectman Quelle said. Many people worked on this and deserve credit.

#1 Selectman Dalpe noted that Senator Pacheco did request a Rotary Design Task Force to make sure that this doesn't fall through the cracks with the surrounding communities and Secretary Davey has agreed to that.

#2 Selectman Dalpe announced the New England Blues Festival to be held on 3/15/14, which is an event Supporting Veterans.

#1 Selectman Frawley volunteered to serve on the Rotary Task Force. Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted to appoint to appoint Selectman Frawley as the Board's representative. Selectman Frawley offered his thanks to Town Manager C. Cristello, Planning Director Ruth Geoffroy, the State Representatives and Senator Pacheco for all of their efforts in bringing the rotary matter forward. Chairman would like to offer letters of thanks to all, including SRPEDD. Upon motion by Selectman Dalpe and seconded by Selectman Knowlton, Board voted unanimously to send letters of thanks. Chairman offered thanks to everyone who has been working on this for many, many years.

Upon motion by Selectman Knowlton and seconded by Selectman Quelle, Board voted unanimously to adjourn at 8:30 PM.

_____

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN

Appointments to the Tourism Committee:

Leilani Dalpe, *Chairman*	Three-year term	1/13/14 – 6/30/17
Glenn Montapert	Three-year term	1/13/14 – 6/30/17
Karen Blair, *Vice-Chairman*	Three-year term	1/13/14 – 6/30/17
Mary Stone	Two-year term	1/13/14 – 6/30/16
Winston Stone	Two-year term	1/13/14 – 6/30/16
Judy Bigelow-Costa, *Treasurer*	One-year term	1/13/14 – 6/30/14
Sherri Heartlen-Neely	One-year term	1/13/14 – 6/30/14