

**MINUTES**  
for approval on **9-14-15**

**Middleborough Board of Selectmen  
Meeting Minutes**

September 8, 2015

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.

**UNANTICIPATED**

Chairman noted various unanticipated items.

**ANNOUNCEMENTS/RECOGNITIONS**

Various announcements were made.

**MINUTES**

To be voted 9/14/15

**WARRANTS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Chairman to sign Warrants for week ending 9/5/15.

**NEW BUSINESS**

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted to approve a Second Hand license for "Former Favorites" to be located at 11 Center Street. Four in favor. Chairman Frawley opposed.

Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted to accept Gift Agreement Between the Town of Middleborough & ARL Healthcare, Inc. re Registered Medical Marijuana facility to be located in Middleborough and to sign letter of support. Motion made by Selectman McKinnon and seconded by Selectman Dalpe to amend Agreement with the following terms:

- Donor shall give to the Town, the sum of **Twenty-Five Thousand Dollars (\$25,000), or 2% of the gross, whichever is greater, upon commencement of operation** of a Registered Marijuana Dispensary ("RMD") in the Town of Middleborough by Donor or an entity affiliated with Donor.
- Donor shall give to the Town the sum of **Thirty-Five Thousand Dollars (\$35,000), or 2% of the gross, whichever is greater, at the beginning of the second year** of Donor's or its affiliate's operation of an RMD in the Town of Middleborough.
- **At the commencement of the third year** of the Donor's or its affiliate's operation of an RMD in the Town of Middleborough and at the beginning of each successive year of operation thereafter, Donor shall give to the Town, for each such year, **a sum of money equal to the amount of the annual base salary plus benefits of the lowest paid police**

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**officer** of the Town's police department in effect at the time of each yearly donation, **or 2% of the gross, whichever is greater.** Board voted unanimously on the amendment. Board voted four in favor of original motion. Selectman Knowlton opposed.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to issue bonds and interim note for the \$25,000,000 upgrade to the Wastewater Treatment facility, as presented.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to sign Chapter 61B application and property owner's acknowledgement of rights and obligations for fiscal year 2017.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize use of barriers to block off Plymouth Street in front of North Congregational Church on Saturday, 9/26 from 8 a.m. to 4 p.m. for the annual Fall Festival & Craft Fair and for DPW to provide the barriers as has been past practice.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to issue Proclamation for Constitution Week, 9/17-23<sup>rd</sup> for the MA Daughters of the American Revolution.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to authorize Central Congregational Church to cordon off a portion of Webster Street from S. Main Street to the driveway of the MG&E from 11 a.m. to 4 p.m. on Saturday, 9/19/15 for its block party.

Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to declare Police department 2008 Ford Crown Victoria, VIN #2FAFP71V38X179212 , as surplus.

Discussions continued re the proposed Solar Bylaw. Green Energy Committee Chairman, Jeff Stevens addressed Board to walk through STM Article #26. Board heard from other members of the Committee.

**HEARINGS, MEETINGS, LICENSES**

Attorney Adam Bond addressed Board and announced that the Hillcrest Mobile Home Park Certificate of Eviction hearing continued from 8-24-15 will not need to go forward. Upon motion by Selectman McKinnon and seconded by Selectman Dalpe, Board voted unanimously to close the hearing as no action by the Board was necessary.

**Board reviewed the October 5, 2015 Special Town Meeting Warrant articles.**

Article 1 – 5 Town Manager gave overview.

Article 6 – Assessor/Appraiser Barbara Erickson addressed the Board.

Article 7 – 9 Town Manager gave overview.

Article 10 – DPW Director Chris Peck addressed the Board.

Article 11 Town Manager gave overview.

Article 12 – School Building Committee Chairman Rob Desrosiers addressed the Board.

Article 13 – DPW Director Chris Peck addressed the Board.

Article 14 – DPW Director Chris Peck and Rich Johnson of Amory Engineering addressed Board and provided handout.

Article 15 – DPW Director Chris Peck addressed Board.

Article 16 Town Manager gave overview.

Article 17 – 18 Conservation Commission Agent Patricia Cassady addressed Board.

Article 19 – 23 Town Manager gave overview.

Article 24 – Selectman Dalpe explained where this article came from. Selectmen Stewart and McKinnon offered comments.

Article 25 – Selectman McKinnon offered that he is opposed to this article.

Article 26 Upon motion by Selectman Dalpe and seconded by Selectman McKinnon, Board voted unanimously to refer to the Planning Board.

Article 27 – Police Chief Perkins addressed the Board.

Article 28 – Conservation Agent Patricia Cassady addressed Board.

Article 29 Town Manager gave overview.

Article 30 – Mr. & Mrs. Reynolds addressed the Board and offered they have a hearing scheduled with the ZBA.

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Upon motion by Selectman Stewart and Selectman Dalpe, Board voted unanimously to approve, contingent upon confirmation of Street address.

**TOWN MANAGER'S REPORT**

Town Manager presented his report.

Town Manager to confirm with Town Counsel as to which comes first the vote of Town Meeting or the placement on borrowing

**CORRESPONDENCE**

#5 Selectman McKinnon noted FiOS TV notice

#4 & #8 Selectman McKinnon noted job postings for the COA & Treasurer's office.

#4 & #8 Selectman Dalpe noted the job postings and offered the COA telephone contact #.

#6 Chairman Frawley noted Roux Associates, Inc. correspondence re Rockland Industries

Jeremy Lederer owner of 151 Campanelli Drive addressed the Board to thank the Board and Town Manager assisting with acquiring the contract from the state for E911 Call Center.

Upon motion by Selectman Dalpe and Selectman McKinnon, Board voted by Roll Call to go into Executive Session at 9:30 PM to discuss strategy relative to Collective Bargaining: Police and Non-Union Contract Employees Steve Dooney and Jacqueline Shanley 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 10:20 PM.

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Jackie Shanley, Executive Assistant  
BOARD OF SELECTMEN