

# **MINUTES**

**For approval at the 9-30-13 meeting**

Chairman opened meeting 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; and Executive Assistant J. Shanley

**UNANTICIPATED**

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the Rodman Ride for Kids cycling event to take place on 9/28/13, subject to no objections by Police and Fire Chiefs and contingent upon the understanding that the applicant will clean up any event related debris on the roadways.

Selectman Frawley announced that he was called on Friday by a resident and informed that there is a product being sold in Town referred to as Scooby Snax. He has sent a sample draft ordinance to our Health Officer to draft an ordinance for the Town of Middleborough in order to ban this product. The Center of Disease Control website contains details regarding this product. He feels that this is a Health emergency and proposed giving the Board's blessing to its Health Agent in drafting a bylaw and passing it as soon as possible banning the sale of these products in the Town of Middleborough, and once that is done, to share all of our information and our bylaw with surrounding Towns in hopes of banning this elsewhere. Chairman proposed holding a hearing on 9/30/13 at 7:30 PM. Health Officer reported that she has prepared a draft ordinance, which she will run by the State attorneys and Town Counsel. Selectman Dalpe offered comments. School Superintendent addressed Board to say that she was informed of this today and that there have not been any issues in the schools related to this product. She offered that she supports doing anything we can to protect children and residents from this product.

Selectman Knowlton shared that he just received information that the Department of Public Health has approved 158 of the 181 applications for Registered Marijuana Dispensaries (RMD) in MA. Phase II is now beginning. Of the 16 applications that were made for Plymouth County, 12 are able to proceed to Phase II and four were denied. We can expect them to start seeking community approval within the next few weeks.

Veterans' Agent Paul Provencher announced that the Women's Veterans' Memorial Committee will be holding a spaghetti dinner fundraiser at the VFW on 10/4/13. They plan to put a women's Memorial in the Veterans' Memorial Park. The Veterans' Memorial Park Committee is also having its Taste of Middleborough event on 10/16/13.

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Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted to approve the 9-16-13 meeting minutes. Four in favor. Selectman Dalpe abstained.

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**WARRANT**

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize Chairman, or his designee, to sign Warrants for week ending 9/20/13.

**NEW BUSINESS**

**Board met with members of the CPA Committee.** Chairman, Jane Lopes, addressed Board. Upon motion by CPA Statutory member Dave Thomas and seconded by CPA Statutory member Josephine Ruthwicz, CPA Statutory Committee members voted unanimously in favor of reappointing Citizen At Large members Ted Eayrs and Michael Maddigan for two-year terms, effective 9/19/13 through 6/30/15. Upon motion made by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously in favor of reappointing Citizens At Large members Ted Eayrs and Michael Maddigan for two-year terms, effective 9/19/13 through 6/30/15.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to reappoint Laura O'Connor to the Commission on Disability for a three-year term, effective 10/17/13 through 6/30/16.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to reappoint Michelle McClellan to the Commission on Disability for a three-year term, effective 10/12/13 through 6/30/16.

Upon motion by Selectman Dalpe and seconded by Selectman Frawley, Board voted unanimously to appoint Diane C. Stewart as a member of the Commission on Disability, filling the vacancy caused by the resignation of Alan Edwards, effective 9/23/13 through 6/30/15.

Upon motion by Selectman Frawley and seconded by Selectman Quelle, Board voted unanimously to reappoint Mark Mobley, Adam Pelletier, and Charles J. Cristello to the Permanent Cable Committee for three-year terms, effective 6/30/13 through 6/30/16.

Middleborough/Lakeville Herring Fisheries Commission

**Volunteer Observers**

Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted in favor of reappointing the following individuals as Volunteer Observers for a one-year term, effective 9/30/13 through 9/30/14:

Harold Atkins	Cynthia Gendron, Wareham
Mike Bednarski	Joseph Urbanski, Lakeville
Allin Frawley	Sylvester Zienkiewicz, Lakeville

Four in favor. Selectman Frawley abstained.

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**New Appointment**

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to appoint Teri Iwamoto of Lakeville as a Volunteer Observer for a one-year term, effective 9/30/13 through 9/30/14.

**Fish Wardens**

Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted unanimously to reappoint Sargent Johnson and David Lemmo for three-year terms, effective 9/30/13 through 9/30/16. Selectman Knowlton offered thanks to all of the people who volunteer to serve the Town. Chairman offered same.

OECD Director Jane Kudcey addressed Board to explain the need to extend for FY2010 CDBG block grant. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve an extension request for FY2010 CDBG block grant

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize Chairman to authorize Town Manager to sign FEMA Grant in the amount of \$138,523.13. Chairman recognized Fire Chief for obtaining another grant for the Town.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve the 13<sup>th</sup> Annual MHS Homecoming parade on Saturday, October 12<sup>th</sup> at 12 Noon, contingent upon any barricades used being movable, and with the understanding that the applicant will take responsibility to clean the roadways of any event related debris.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to approve the 2<sup>nd</sup> Annual 4-H 5K Run/Walk fundraiser on Saturday, October 12<sup>th</sup> at 9 a.m., contingent with the understanding that the applicant will take responsibility to clean the roadways of any event related debris.

Capital Planning Committee Chairman Steve Morris addressed Board to explain the reason for Article 8. Selectman Frawley offered that the Police Chief had attended a Capital Planning Committee meeting and provided a presentation to explain the need for new firearms. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to support Article 8.

Capital Planning Committee Chairman Steve Morris addressed Board to explain the reason for Article 9. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to support Article 9.

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Capital Planning Committee Chairman Steve Morris addressed Board and explained that the Committee would like to postpone Article 10 until Annual Town Meeting in the spring. Board agreed to postpone the article.

Capital Planning Committee Chairman Steve Morris addressed Board to explain the reason for Article 11. I.T. Director Ellen Driscoll addressed the Board. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to support Article 11.

Chairman explained Article 22 (Zoning-Registered Marijuana Dispensaries). Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to support Article 22.

Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to recommend to Planning Board tomorrow evening to add in the GUX Section.

Chairman left meeting room at 7:48 PM

Selectman Frawley read aloud Article 23 (Tax Deferral for National Guard Members). Barbara Erickson of the Assessor's office explained the reason for Article 23. Veterans' Agent Paul Provencher answered questions by the Board. Glenn Montapert of Marion Road asked if this was for all branches of the service to which Mr. Provencher answered, yes. Upon motion by Selectman Dalpe and seconded by Selectman Quelle, Board voted unanimously to recommend Article 23.

Chairman returned to meeting at 7:51 PM.

Chairman read aloud Article 30 (Thomas Memorial Park). Jackie Crowley, General Manager of the MG&E addressed Board to explain reason for Article 30. Ms. Crowley answered questions by the Board. It's her understanding that a group of residents had taken it upon themselves to maintain the Park. She suggested that someone, perhaps a Town department, could coordinate the continued maintenance. Selectman Frawley offered that the Town shouldn't ask the rate payers or the MG&E to pay for the maintenance of a Town-owned park. He suggested that it be turned over to the Parks & Recreation department to maintain. He offered his thanks to the MG&E for its past contribution in maintaining the Park. Judy Bigelow Costa addressed the Board, and, as a member of the Parks & Recreation Committee, requested that the Board discuss the matter further with the Park's Committee/department prior to determining that the Park's department should take over the maintenance of this Park. Brian Giovanoni addressed Board and suggested that the language is ambiguous in this Article. Board members offered response and Selectman Frawley suggested that the Town Manager could cleanup language. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to support Article 30.

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Jackie Crowley addressed Board to explain reason for Article 31 (Municipal Light Board Easements). Bernie Gosson provided further explanation to Board. Upon motion by Selectman Knowlton and seconded by Selectman Dalpe, Board voted unanimously to support Article 31.

Chairman read aloud Article 34 (IMA with Lakeville). Resident Richard Tinkham addressed Board and offered that, as the former Water Superintendent, he recommends that the Town move forward with an Intermunicipal Agreement. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to support Article 34.

**CORRESPONDENCE**

#4 Selectman Knowlton noted Comcast's continuation to provide free internet to the schools and the library and that it is appreciated.

#6 Selectman Knowlton noted the Women's Veterans' Memorial Committee Spaghetti dinner fundraiser scheduled for 10/4/13 and that he will attend.

#7 Selectman Knowlton noted Chairman's letter to Representative Orrall. He and Selectman Frawley may be going on a tour with the Representative and Representative Schmidt through the Nemasket River. They will be joined by some Lakeville Selectmen as well.

#9 Selectman Knowlton urged the public to take necessary public safety precautions against EEE.

#4 Selectman Dalpe noted the Xfinity Internet Essentials and Digital Literacy training programs.

#8 Selectman Dalpe noted correspondence from the Department of Public Utilities re electric and gas rates increasing and asked MG&E General Manager Jackie Crowley she could reassure those in attendance that the Town's rates will not be increasing. Ms. Crowley offered that the MG&E is keeping its rates the same.

#7 Selectman Frawley noted that he had asked Representative Orrall if she'd be interested in visiting the Nemasket River and she embraced the idea. She extended the invitation to Representative Schmidt who represents Freetown.

#7 Chairman McKinnon explained that the Town had already tried what the residents requested, but it didn't work. It only created flats. There has to be a good study done of the river.

#4 Chairman McKinnon questioned the Comcast dollar amount of the value of broadband contribution to Middleborough. The decimal point appears to be in the wrong place.

#2 Selectman Frawley offered that he will be attending the MMA Fall Conference. Selectman Dalpe offered that she is as well. Selectman Knowlton offered that he will attend the MMA meeting in Boston in January.

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Selectman Knowlton is going to join Selectmen Frawley and McKinnon in the St. Vincent DePaul Walk next Sunday, September 29<sup>th</sup>.

Upon motion by Selectman Knowlton and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 8:29 PM.

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Jackie Shanley, Executive Assistant  
BOARD OF SELECTMEN

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