

MINUTES

For approval at the 1-28-13 meeting

**Middleborough Board of Selectmen
Meeting Minutes**

January 14, 2012

Chairman opened meeting at 7:08 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen A. Rullo, A. Frawley, S. Spataro, B. Quelle, S. McKinnon and Confidential Secretary J. Shanley.

UNANTICIPATED

None.

ANNOUNCEMENTS & RECOGNITIONS

Various announcements were made.

Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to approve 12/17/12 meeting minutes.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 12/17/12 E.S. minutes.

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to approve 1/7/13 minutes.

NEW BUSINESS

Upon motion by Selectman McKinnon and seconded by Selectman Frawley, Board voted unanimously to abate part of a sewer bill for the Police department.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreements for 770 Plymouth Street in the amount of \$13,435.

Upon motion by Selectman Spataro and seconded by Selectman McKinnon, Board voted unanimously to approve Betterment Agreements for 11 Woods Lake Terrace in the amount of \$13,950.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve Betterment Agreements for 2 Chestnut Street in the amount of \$14,300.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to appoint Robert Moseley as a Member of the Agricultural Commission for a term of three years, effective 1-14-13 with a term ending 6-30-16.

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Upon motion by Selectman Spataro and seconded by Selectman Quelle, Board voted unanimously to approve a One-day liquor license for the Bartending Service of N.E. for:

1/26/13 @ the Alley Theatre from 7 pm to 11 pm.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to approve a One-day liquor license for the Bartending Service of N.E. for:

2/9/13 @ Town Hall from 12 Noon to 4:30 pm.

HEARINGS, MEETINGS, LICENSES

Town Manager joined meeting.

Joint Hearing between Town of Middleborough & Town of Fairhaven re CDBG 2013 Application

Jane Kudcey opened the public hearing portion of the BOS meeting and announced the 2013 CDBG joint application with the Town of Fairhaven as the lead applicant and that they are using the services of Breezeway Farms Consulting Services. She announced that they will be applying for up to \$1,000,000. The shared projects for which funds are sought are approximately \$471,000 for a Housing Rehabilitation program in the downtown Middleborough Target Area and the Fairhaven Target Area. Funds of \$325,000 are being sought for Infrastructure projects.

Approximately \$137,000 will be used for grant and program administration for both Towns.

For Middleborough, approximately \$170,000 will be used for direct loan assistance to repair 5 – 6 homes. The infrastructure repair budget of \$150,000 will be used for the portion of Sproat and Park St. that abut the Nemasket Senior Apartment Complex. This area was chosen because of the condition of the roads and because it the Nemasket Apartments are for LMI seniors.

Jane then introduced Dr. Brian Bowcock, the Chair of Fairhaven's Board of Selectmen and Bill Roth, the Director of the Fairhaven Office of Planning and Economic Development.

Dr. Bowcock was greeted by the Middleborough BOS. He explained that Fairhaven has had several years of success with the grant funding and that now that the funding has become more difficult, they appreciate working with Middleborough and believe it will be mutually beneficial for both towns. Bill Roth explained that Fairhaven will be incurring the cost of the consulting and that the Towns will be sharing the same engineering consultant and will bid it as one project.

Dr. Bowcock announced that Fairhaven will be conducting their portion of the joint public hearing on the 28th. Al Rullo and Charlie Cristello will be attending. At that point, the meeting was opened for public input:

Jo Ruthwicz of the Middleborough Housing Authority said that there are 20 apartments by the infrastructure project and that the tenants met earlier today and voiced their support for the project.

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She mentioned that the tenants are elderly and many have mobility issues. Repairing the roads by this complex will greatly improve the lives of these residents.

Cheryl Sweazy of 10 Elm St. spoke next. She had received funding for home repairs that she never would have been able to afford to do herself and enabled her to stay in her house. She doesn't know where she'd be without it.

Judy Bigelow Costa, President of Middleborough on the Move and on the Disabilities Commission spoke about Housing Rehab. She said that individuals renovating their homes begin to feel a part of the community. They do not feel alienated from their neighbors. Their esteem goes up which correlates to becoming productive, better community-spirited and they begin to feel an accomplishment that relates toward spending more in their surroundings. Thus it reaches out to benefit in the community as a whole.

Selectman Spataro asked Dr. Bowcock for his input on regionalization and how Fairhaven approaches it. Dr. Bowcock mentioned that towns must look more towards regionalization in this new economic environment. Fairhaven has regionalized police dispatch and discussed regionalized school systems. He also thought that savings could be achieved through purchase power as well.

The Board thanked Dr. Bowcock for coming to Middleborough and look forward to working together,

The Public Hearing portion of this Meeting was closed at 7:45 p.m.

Tracy Moquin - request for a Road Opening Permit rebate

Tracy Moquin addressed Board re his request for a Road Opening Permit rebate. He gave Board a handout of photographs of the property. Question and answer period ensued. DPW Director addressed Board to say he has not seen these photographs, nor has he seen site surveyor information. He would like to visit the site to confirm what has been presented to the Board. He would recommend a Road Opening Permit be obtained to protect against possible damage to Town property. Mr. Moquin offered that Mr. Bagas is suggesting to the Board that it will only take him ten minutes to review, however, he has known about this for at least three months. Town Manager offered that new information has been presented to the Board, which the DPW Director has not seen. Board agreed it will address the matter on 1/28/13.

General Government/Human Services/Cultural/Recreation/DPW FY14 Budget Reviews

Board reviewed the following budgets:

- Information Technology
- Highway Department
- DPW Administration
- Highway
- Tree Warden
- Insect & Pest Control
- Trash Disposal Enterprise
- Water Enterprise System
- Wastewater Enterprise System
- Library
- Historical Commission
- Park Department
- Veterans Services
- COA

DPW Director Andy Bagas introduced a new program in Town:

Turn your rags into riches for Middleboro

Bring all your old clothes, shoes and household linens to the new Bay State Textile trailer next time you go to the Brook Street Landfill. Bay State Textiles of Pembroke is partnering with the Town of Middleboro to reduce disposal costs, and will be paying the Town \$100 for every ton of outgrown sweaters, old painter pants, unwanted stuffed animals, and other household "soft-wear".

Sheets, towels, coats, purses, belts, small toys, Bay State Textile wants it all: the good, the bad and the ugly. They only ask that items be dry and reasonably clean.

Put your castoffs in plastic bags, so they stay dry during their journey to a second life as refurbished clothing and household linens, wiping cloths, insulation, carpet padding, etc.

About 800,000 pounds/year of textiles are disposed in Middleboro's trash each year, at a cost of nearly \$11,000/year. That material could bring in \$40,000 in revenue if it's put in the Bay State Textile container. With trash disposal costs about to double in 2015, your DPW Director, Andy Bagas, has found a great way to help Middleboro residents reduce their trash volume, save and earn the Town thousands.

Shooter's Steakhouse & Sports Bar

Board met with John Hoban, owner & manager of Little John's Restaurant, dba Shooter's Steakhouse & Sports Bar, 360 Wareham Street regarding the liquor license for this establishment

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and various payments with insufficient funds made payable to the Town by Mr. Hoban. Board expressed its concerns & displeasure to Mr. Hoban. Board explained the importance of being a responsible liquor license holder and the requirements expected as a license holder. The Board strongly recommended to Mr. Hoban that he follow through with his previously promised installation of a fence to resolve the ongoing complaints received about noise disturbances. In response to the suggestion that the Town no longer accept checks from Mr. Hoban, Mr. Hoban offered that he is willing to pay all fees with bank certified checks going forward. Board agreed. Mr. Hoban offered that he and his family have agreed to pay for next year's liquor license as early as October next year. Neighbor of Shooter's, Brian Dorr, addressed the Board and indicated that the problems he has experienced with Shooter's have continued. He also clarified that he has met with Mr. Hoban at least three times, and though he has yet to follow through with what he promised, Mr. Hoban agreed to put in Canadian Hemlocks as opposed to a fence. Mr. Hoban addressed Board and said he is willing to do whatever the Board wants him to do. Chairman Rullo advised him to get together with his neighbor and work out a solution. Town Manager offered that he had suggested to Mr. Door that, because the area does not have the best soil and his concern is that Hemlocks may not grow well there. Chairman strongly urged Mr. Hoban to realize he is being put on notice to improve the matters discussed this evening moving forward. Motion made by Selectman McKinnon to modify the serving hours for Shooter's for 30 days as Monday through Friday from 12 Noon to 6 PM. After lengthy discussion amongst the Board, and with feedback from the Town Manager, motion was not seconded. Motion did not carry. Board agreed it will work towards implementing a new policy that will prevent end-of-year issues with liquor license renewals, including, but not limited to, non-payment of licenses, taxes, & liens.

TOWN MANAGER'S REPORT

Town Manager reported that he and the Town Moderator have been working towards, and have agreed to, include in their appointment letters, an expectation that the appointees will attend both Special and Annual Town Meetings as participants in the legislative body. Upon motion by Selectman Frawley and seconded by Selectman McKinnon, Board voted to approve the Town Manager's request that the Board agree to include this same language in its appointment letters.

Technical Assistance being offered by SRPEDD has been distributed to the Town department heads by the Town Manager asking for their feedback.

In response to a request by the Town of New Bedford, having problems with water levels upstream, the Herring Fisheries Commission has been consulted, and does not oppose, some minor lowering of the Wareham Street Dam as long as it is returned back to where it should be prior to March 1st. DPW Director has begun gradually lowering the Dam, and will continually monitor it. The Town Manager noted that, while none of the Town of Middleborough officials believe that the

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water levels of the Dam have anything to do with the ongoing problems, they have agreed to the request to be considerate neighbors.

CORRESPONDENCE

#4 Selectman McKinnon noted correspondence from MT Environmental Restoration and offered his interpretation of the information to read that there are minimal amounts of hydrocarbons in that area now. Town Manager offered to research and report back.

#9 Selectman Frawley noted correspondence from R. Lessard, Weston Memorial Committee re plowing the parking lot of Weston Forest. Town Manager noted that the Weston Forest Trustees have been talking with us about helping the Parks department with purchasing a new dump truck. The Town Manager contacted Fran Cass today and asked him if the Park's department would be willing to help out with the plowing, to which he agreed.

Selectman Frawley asked the town Manager if he knows if the State plows the State boat ramp at Tispaquin Pond. Town Manager will find out and report back.

#12 Chairman Rullo noted correspondence from MMA re consolidation of Local Housing Authorities. Town Manager responded that he is scheduled to meet with Josephine Ruthwicz who works for our local housing authority tomorrow. He will report back to the Board at its next meeting.

#6 Selectman McKinnon noted correspondence from Tiverton Town Council re Tolls on Sakonnet River Bridge. Upon motion by Selectman McKinnon and seconded by Selectman Quelle, Board voted unanimously to send letter of support opposing the proposed tolls on the new Sakonnet River Bridge.

Upon motion by Selectman Spataro and seconded by Selectman Frawley, Board voted unanimously to adjourn meeting at 10:21PM.

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN