

MINUTES

for approval on 11-23-15

 **DRAFT**

**Middleborough Board of Selectmen
Meeting Minutes**

November 16, 2015

Acting Chairman L. Dalpe opened meeting at 7:00 PM by inviting those in attendance to join in the Pledge of Allegiance.

In attendance were: Selectmen 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

A moment of silence was held in response to the recent tragedies in Paris.

Acting Chairman Dalpe raised issue re the use of the Oliver Estate and requirements re Certificates of Liability Insurance seeking clarification. Discussion ensued. Tourism Committee Vice Chairman Sherri Swindle addressed the Board and asked questions. Discussion resulted in clarification that a Certificate of Liability Insurance will be required by anyone using the Oliver House. It was also further clarified that the Board had more recently adopted a policy that it must approve the use of the Oliver House.

ANNOUNCEMENTS & RECOGNITIONS

Announcements were made.

MINUTES

Upon motion by Selectman Stewart and seconded by Selectman Knowlton, Board voted to approve the 11/9/15 meeting minutes. Three in favor. Selectman McKinnon abstained.

WARRANTS

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to authorize the Chairman, or his designee, to sign Warrants for week ending 11/14/15.

NEW BUSINESS

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to approve & sign T-Mobile Northeast LLC First Amendment to Steeple lease.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously not to meet on 11/30/15 if not needed and if needed, only if we can meet the requirements of the Open Meeting law.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to authorize Chairman Frawley to make final binding decisions, on behalf of the Town, with respect to the Proposed Project described in the Feasibility Study Agreement, and any amendments thereto.

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Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to sign contract between Town of Middleborough and LHS Associates, Inc. for electronic scanners for vote tabulation. Town Clerk Allison Ferreira addressed the Board.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day Beer & Wine liquor license for The Bartending Service of N.E. for 11/21/15 from 4 pm to 6 pm re Middleborough On The Move "Pop Up Shop".

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to approve a One-day All Alcoholic beverages liquor license for The Bartending Service of N.E. for 12/5/15 from 4 pm to 11:30 pm re Toy Drive for Gift Tree program.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to award Cleaning and Redevelopment of Two Gravel Packed Wells to F. G. Sullivan Drilling Co., Inc. in the amount of \$31,600.

Upon motion by Selectman Stewart and seconded by Selectman McKinnon, Board voted unanimously to award Insurance Advisory Services Consulting contract to BD Smith and Associates, not to exceed \$9,950.

HEARINGS, MEETINGS, LICENSES

Eagle Scout Matt Lamoureux addressed Board to present his proposed Town project to replace the existing sign at the Frederick Weston Memorial Forest and clearing fallen trees and overgrowth from the trail on the Tispaquin side of the forest. Derek Adamiec, Chairman of the Weston Forest Committee, addressed the Board to clarify that these are trees that are precarious and bent over in a dangerous way. He publicly thanked Mr. Lamoureux for volunteering to do this project. The Weston Forest Committee supports this project and asked that the Board of Selectmen approve it as well. Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to approve and asked that he work with the Weston Forest Committee.

Earth Removal application – Pentwyn Farms, Sonia Drive

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to close the Earth Removal application hearing for Pentwyn Farms, Sonia Drive and to take no other action at the request of the applicant's Attorney, Robert J. Mather.

CORRESPONDENCE

#8 Selectman McKinnon noted Commonwealth of MA correspondence searching for lease space. Adam Bond suggested notifying local building owners. Chairman asked that the Town Manager notify.

#10 Selectman Stewart noted that the Conservation Commission has received several complaints over the years re Slavery's pond and reminded the public that it is to come before the Board of Selectmen for a special permit when working within the Water Resource Protection District.

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TOWN MANAGER'S REPORT

Town Manager presented his report as is attached.

HEARINGS, MEETINGS, LICENSES

Acting Chairman opened public hearing on application for Certification of Eviction made by Hillcrest Homeowner's Association by reading aloud the hearing notice. Attorney Adam Bond, representing the applicant, addressed the Board. Park resident Robert Capeau was sworn in by Chairman. Board recessed momentarily to allow for him to sign in as a witness. Attorney Bond asked questions of Mr. Capeau to which he provided his testimony. It was noted that Park resident Peter Sparrow for which this Certificate of Eviction was being sought, was not in attendance. Board questioned whether notice was given. Executive Assistant J. Shanley informed Board that Town Counsel had advised notice requirements included sending by Certified and regular U.S. Mail. Both had been done. Attorney Bond offered further confirmation that this is all that is required. Chairman asked to hear any further questions. Hearing none, Chairman declared hearing closed. Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to grant the Certificate of Eviction.

Upon motion by Selectman McKinnon and seconded by Selectman Stewart, Board voted unanimously to adjourn meeting at 8:14 PM.

Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN