MINUTES

For approval at the 7-29-13 meeting

Middleborough Board of Selectmen **DRAFT** **July 15, 2013**
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, L. Dalpe and J. Knowlton, Town Manager C. Cristello and Executive Assistant J. Shanley.

UNANTICIPATED
None.

ANNOUNCEMENTS & RECOGNITIONS
Selectman Knowlton provided an update re signal and intersection improvements at Routes 105 & 495. As of the end of June, the project is 35% complete, including the installation of electrical conduit and new electrical lines under Route 495, the completion of drainage operations and the contractor will complete the box cut widening areas off of the ramps in the spring. The construction is scheduled to end in the spring of 2014.

Selectman Dalpe noted that she and Selectman Knowlton will be at Friendly's for its renovation unveiling ceremonial "first scoop" of ice cream next Monday, starting at 11:30 a.m.

MINUTES
Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted to approve the 7/1/13 meeting minutes. Three in favor. Selectman McKinnon abstained.

WARRANTS
Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman to sign Warrants for week ending 7/12/13.
Chairman explained that there would not be an Executive Session this evening.

EXECUTIVE SESSION
Chairman announced that the Executive Session matter will be held at a later date. The posting did not fit the posting criteria.

NEW BUSINESS
Chairman announced that Item "a" would be addressed at a later date.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve the request by the N. Congregational Church to use barriers to block off Plymouth Street on:

- Saturday, August 17th from 5 pm to 10 pm for a barbeque & music event

- Saturday, September 28th from 8 am to 4 pm for Fall Festival/Craft Fair (rain date of Sunday, September 29th from 10:30 am to 4 pm), subject to confirming all requirements by the Chief of Police are met.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve Betterment Agreement for 68 Thomas Street in the amount of $15,824.58.

Upon motion by Selectman Dalpe and seconded by Selectman Frawley, Board voted unanimously to approve request by The Bartending Service of N.E. for One-day Beer & Wine liquor licenses for Krazy Days as follows:

- Friday, August 2nd from 10 am to 7 pm in front of Glass Company on Main Street
- Saturday, August 3rd from 10 am to 7 pm (same location)
- Saturday, August 3rd from 3 pm to 7 pm at Massasoit (for barbeque)

HEARINGS, MEETINGS, LICENSES
Wayne Perkins addressed Board to review all activities planned for Krazy Days to be held on 8/2 and 8/3/13. Middleborough businesses pay $25 for a booth and if they show up both days, they get a full refund.

ANNOUNCEMENTS & RECOGNITIONS (continued)
Selectman Frawley announced that the Historical Association will hold an Ice Cream Social this Sunday from 1:30 to 4 pm at the Historical Museum at 18 Jackson Street. Proceeds will support the Museum upkeep.

Selectman Knowlton offered that the Republican Town Committee is doing the Krazy Days dunk tank and the Committee wanted him to ask each of the Selectmen if they wished to participate.

Brian Giovanoni reminded the public that the Summer Concert Series will be held on Thursdays on the lawn of the Town Hall.

HEARINGS, MEETINGS, LICENSES (continued)
Ellen Driscoll addressed Board re proposed public Wi-Fi Internet Service Agreement. A question and answer period ensued. Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to approve the Agreement. All equipment is in place, however, the start date was pending Agreement approval by the Board. It is possible that it could be as early as this Thursday. Brian Giovanoni suggested that it would be nice to offer the service as far as downtown in the future. Town Manager indicated that it will be looked into and considered.

UNANTICIPATED
Wendy Dries of 74 Forest Street addressed the Board to say that she has not heard from DPW about the matters she raised at the last meeting. She also voiced concerns about High Point locating at the former St. Luke's hospital. She offered that, in her opinion, it will not attract tourism or new business, having two mental health facilities in Town. Chairman asked her if she had addressed her concerns with the ZBA, to which she responded that she had. She suggested that it would have been helpful to have heard the tourism presentation given at the last meeting prior to her raising her issues that evening. Chairman offered that the employees from these facilities will shop at local merchants. Selectman Frawley explained that Unanticipated is located at the beginning of the meeting agenda's to be more user friendly for the public. She offered that she would like a reverse 911 call implemented, within a one mile radius, if there is ever an escape from McLean hospital, much like Bridgewater State prison. Town Manager offered that, at the next Selectmen's meeting, we will be discussing the new emergency notification system that we've been working on, and are about to implement, called "Code Red", which would give us the same capability that we've been using through the County, in house.

CORRESPONDENCE
#4 Selectman Dalpe spoke with the Building Commissioner and he will have the sign taken down on Smith Street.

#7 Selectman Dalpe noted correspondence from the MBTA & Mass DOT re trains in Middleborough.

#13 Selectman Frawley noted Dan Badger Wilderness Guides Veterans Invitational to be held on 8/24/13 at Souther's Marsh Golf Club in Plymouth, MA. Chairman noted that, as a 501 c 3 Charitable Organization, sponsorship assistance is being sought for those interested.

#5 Selectman Frawley noted FEMA correspondence re response to Planning Board letter re Nemasket River Study Data.

#2 Selectman Frawley noted letter to MEPA re Taunton Casino. He offered appreciation and recognition to Town Planner Ruth Geoffroy for her continued insight and work on this matter.

#8 Selectman Frawley asked Town Manager if he had any thoughts re the Commonwealth's search for lease space. Town Manager will call to confirm if they are still looking for space or if they've found it already. If they still need space, we will pursue it. Brian Giovanoni offered a few suggestions of buildings in Town that may become available in the near future with the necessary square footage.

#5 Selectman Knowlton offered appreciation to State Representative Orrall for getting FEMA to fund the Nemasket River Study.

#11 Selectman Knowlton noted the notice from Verizon re anticipated increases in rates.

#5 Chairman asked if there are any other avenues the Town can pursue to get funding to drudge, level, or cleanup the segment from Assawompsett to Wareham Street. Town Manager offered that the Town should seek an earmark as it involves several other communities. It has the impact of flooding people's homes, and may be a reasonable way to fund a resolution. Town Manager suggested it may be best if he seeks input from Representative Orrall for her advice.

HEARINGS, MEETINGS, LICENSES (continued)

Joe Arruda re Harju Earth Removal Permit Site – Request for Alternate Travel Route

Joe Arruda addressed Board and indicated that he has taken over hauling for, and from, the Harju earth removal site located at Assessor's Map 062, Lots 2091, 1336, 2247 & 745. He requested that the Board approve an alternate travel route to and from the site. Chairman questioned that there must be an end date eventually for this project, noting that this permit has been in place for a number of years. Mr. Arruda explained that the route he is asking to use is a route that he has been traveling for years for other projects. He noted that the Harju's are one of the top cranberry growers in the area and he is confident that they would like to continue their good reputation. He offered that he only owns five trucks. They are not adding any truck traffic. It would be the same truck traffic that has been traveling this route for a number of years. Selectman Dalpe asked if he anticipates needing to continue beyond the expiration of this permit. He responded that he does not. There is not a lot of material to be removed at this point. Selectman Dalpe offered that it is a residential route whereas his present route more involves Route 58. He offered that his drivers are courteous and the trucks are not loud, and again, they are not adding any more trucks. Selectman Knowlton asked if changing the route will allow him to finish the project sooner. Mr. Arruda responded that it allows them to finish the project period. Otherwise, it doesn't make sense for them to travel the presently approved route. The Harju's may be able to find someone else, but it wouldn't work for him. Selectman Knowlton noted that we have received some complaints and asked Mr. Arruda to comment. Mr. Arruda offered that they do not start earlier than the permit allows. Selectman Frawley offered that a 7:30 a.m. start time is reasonable and asked Mr. Arruda how he handles dust issues. Mr. Arruda offered that they have a water truck that they would bring there if necessary, but he is unaware that it has been to this point. He offered that anyone who believes there is a problem with any of his trucks, are welcomed to call him directly and he will address. Resident Bob Lessard addressed the Board to give a timeline of his observations, registered complaints, and the responses he received from the Selectmen's Executive Assistant. He offered his opinion that this permit has been issued to the Harju's, and Mr. Arruda has no business asking for a change in the travel route as it is not his permit. He additionally offered that one of Mr. Arruda's trucks almost hit a school bus. He therefore suggested that the start time be changed to 8 a.m. Mr. Lessard agreed that Mr. Arruda's drivers are generally pretty good and noted that they are courteous. He offered that the permit is specific as to what the permit holder intends to do, is allowed to do, and how they are going to do it. Chairman advised the Town Manager that he would like a re-inspection of the site done and a report from Mr. Peck that the signage at the site and the stickers on the trucks are appropriate and that the Board would address the issue at its next meeting on 7/29/13. Brian Giovanoni offered that his concern is that if a hard turn is made onto Wall Street, it will tear up the asphalt. He would hate to see that happen. Mr. Arruda did note for the Board that he does

have trucks traveling the route he is proposing, to remove gravel from another site in Carver. He wanted the Board to be aware in case it hears reports of his trucks being seen traveling this route. Selectman Knowlton questioned if contractors have the right to be altering the route/permit when they are not the permit holder. Town Manager explained that it is common for permit holders to hire outside contractors to actually remove the material from their permitted sites.

Allen Decker, Director of Land Protection, Buzzards Bay Coalition
Allen Decker, Director of Land Protection, Buzzards Bay Coalition addressed Board to discuss the Conservation Restriction to be donated by the Wankinquoah Rod & Gun Club. Howard Perkins, representing the Wankinquoah Rod & Gun Club was also in attendance. Selectman Frawley offered that he is ecstatic about what they are doing. Mr. Decker offered that they will be establishing a Baseline Monitoring Report, by walking the property, taking numerous pictures, and incorporating the forest management plan to name a few. Bob Lessard thanked the Rod & Gun Club for doing this. Upon motion by Selectman Frawley and seconded by Selectman Dalpe, Board voted unanimously to authorize the Chairman to accept and sign the Conservation Restriction granted by the Wankinquoah Rod and Gun Club, Inc. to Buzzards Bay Coalition, Inc., pursuant to MGL Chapter 184, S 32.

Upon motion by Selectman Frawley and seconded by Selectman Knowlton, Board voted unanimously to adjourn at 7:37 PM.

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Jackie Shanley, Executive Assistant
BOARD OF SELECTMEN