

**Middleboro Board of Selectmen  
Meeting Minutes**

**January 14, 2019**

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

In attendance were: Selectmen A. Frawley, J. Knowlton, N. Rosenthal and D. Stewart; Town Manager R. Nunes and Executive Assistant, Colleen Lieb. Absent was L. Dalpe.

This meeting was recorded by MCAMM for broadcast on Comcast and Verizon.

**UNANTICIPATED**

There is nothing discussed.

**ANNOUNCEMENTS AND RECOGNITIONS**

Selectmen Knowlton spoke briefly about Battistini's Bakery and their 5<sup>th</sup> Anniversary celebration this weekend.

Jeff Stevens, Friends of the Middleborough Cemeteries, spoke about the upcoming campaign events as this year's "Honorary Mayor" Candidates try to obtain enough votes to win in the election. Votes are \$1 each and this is a great fundraiser for the Friends of Middleborough Cemeteries. He notes that their kick-off event will be on February 2<sup>nd</sup> at Boston Tavern with Dale n the Duds performing. Tickets to the event are available at Battistini's Bakery.

**MINUTES**

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to approve the 12/17/18 minutes as amended.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to approve the 1/7/19 minutes as presented.

**WARRANTS**

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to authorize the Chairman or his designee to sign the warrants for week(s) ending 1/19/19 & 1/26/19.

**NEW BUSINESS**

Chairman Knowlton explained that the Board will be taking Item F out of order, since the Finance Committee is present and ready to do a joint appointment with the Board.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to take Item F out of order.

*Kris Belken, Kurt Belkin, Mark Germain, Paula Faye and Chris Ruehrwein were present for the joint appointment.*

Upon motion made by C. Ruehrwein and seconded by M. Germain, the Finance Committee voted, unanimously, to appoint Shari Fedorowicz, to the Finance Committee created by Glenn Cannon's resignation, to fill the remainder of Glenn Cannon's Term until the April Town Election.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously, to appoint Shari Fedorowicz to fill the vacant Finance Committee term created by Glenn Cannon's resignation and to fill the remainder of the term until the April Town election.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to approve and sign a Host Community Agreement with Emerald Grove Inc. amending #3 to remove the duplicate last line, that is #4.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to approve and sign the Developer Agreement with Emerald Grove Inc. amended Item F to 2% as discussed previously.

Meeting with Lakeville Board of Selectmen Regarding the Water Levels on Long Pond and Assawompset Pond

*Chris Peck – DPW Director Middleborough, David DeManche, Town Administrator Freetown, Aaron Burke, John Powderly, Mitzy Hollenbeck – Lakeville BOS, Rita Garbit – Town Administrator, Normal Orrall – State Rep were present for the discussion.*

Aaron Burke thanked the Board for hosting the discussion. He noted that there have been several residents that have attending their Selectmen's meetings to ask about the water levels within the pond complex. He notes that both Assawompset and Long Pond drain through the river in Middleborough. He wants to open dialog on the discussion of pond levels to look at it in terms of emergency preparedness and mitigation in the event of flooding.

Mitzy Hollenbeck spoke about the Assawompset Pond Complex group and explained that she is the Board's liaison to the group. She explains that the meet down at the Taunton Water works and that they have been working together to look at the pond levels. In examining the historical levels there are two pieces she'd like to discuss. The first is that the levels at Long pond are the same as they were prior to the 2010 flooding, Assawompset is the same and the groundwater levels for both bodies of water are high as well. It is like the perfect storm.

Jim Kenney, reviews with the Boards the highlights of an integrated approach to help reduce flooding in the Assawompsett Pond Complex. The plan is to establish a strategic flood plain in the Upper Nemasket Water Basin – between the Assawompsett Pond dam and the Wareham Street dam. The plan would be put into action beginning in early September and run for approximately five months through January of the following year. This would allow a safer, better controlled method to more rapidly lower APC surface water level during periods of extended heavy precipitation.

Mr. Kenney further explains that it would begin by allowing extra flow over the bascule dam spillway to reduce water volume in the upper watershed and to try to get the spillway to its lower elevations. He added that Taunton would need to minimize flow through the Assawompsett dam by allowing the lake level to reach approximately 53' (NAVD 88). This would provide a standby reserve of water volume. He acknowledged that all decisions would be guided by extremes (high or low) in the prevailing conditions of surface and ground water levels. He stresses the key is to start early to reduce the overall water volume.

Ms. Hollenbeck spoke about the meetings that are held regularly on this whole issue and how she would like the residents to understand that the Town Officials are not taking this lightly and that they are looking at all the factors that are out of our control, such as groundwater elevation, and unpredictable weather and trying to come up with an action plan before we get to a flooding situation similar to what happened in 2010. There is discussion on the 18 inches of rain that happened in ten days, creating the perfect storm. Ms. Hollenbeck reiterates that they are not looking for the Town to respond to this presentation but that they want to open dialog with Rochester and Freetown and have a Regional Perspective and dialog on it.

Selectmen Frawley provides a power point presentation of the Nemasket River from the view of a canoe on the river. He provides slides showing obstructions and man-made bridges that restrict the flow of the water.

Chris Peck, DPW Director, spoke about the Wareham Street bascule dam and confirms that they are responsible for moving it up or down through conversations with New Bedford. There is discussion on how in 2009 the bascule dam was lowered all the way down and it ended up drying up the river and the herring were stuck in the riverbeds. He agrees that everyone has to work together on a regional basis.

David DeManche, Town Administrator - Freetown, reiterates his Town's position, which is to support the regional effort and that they are willing to work as a partner to help solve the problem.

Several residents from Lakeville and Freetown spoke about the previous flooding and the concern over the Assawompset and Long Pond water levels.

Norman Orrall speaks in favor of the regional meetings and discussion on the water level issues and notes that he asks that the State Representatives and the Senator be kept in the loop of the regional meetings.

Ms. Hollenbeck speaks further about having an open dialog regionally to make progress on the issue. The Board of Selectmen agreed to participate and assist in any way that they can with this.

Meeting w/ Siemens to discuss the HVAC Assessment and Report on the Old Police Station

*Brendan Leary, Siemens, was present for the discussion.* Mr. Leary discussed with the Board the proposal for 40 hours of investigation only of what exactly needs to be fixed on the existing heating system at the Old Police Station. The estimated cost is \$9,167.06 for this service. Selectmen Rosenthal asks why a study is necessary when things just need to be replaced. Mr. Leary explains that is the plan of the study to determine what needs to be replaced.

Upon motion made by Selectmen Frawley and seconded by Selectmen Rosenthal, the Board voted unanimously to approve and authorize the Town Manager to sign the SIEMENS proposal for the Old Police Station Technical HVAC Assessment and Report.

Meeting with Robert Buker, Health Agent – Discuss Vape and other Flavored Nicotine Delivery Products

*Robert Buker – Health Agent, was present for the discussion.* Mr. Buker speaks briefly about the new tobacco laws that took effect on January 1, 2019 and also to let the Board know that they can update the bylaw to include the most current vaping and sales laws. Mr. Buker explained that the changes in the law are umbrellas and anything that is combustible or vaporized the same rule now applies the same as a regular cigarette.

Selectmen Rosenthal speaks about the alarming rate of vaping in the schools, which is why he asked that the Board take a look at and discuss this. It is asked if DJ Wilson would attend a Selectmen's Meeting and present the slideshow on vaping for the public. Mr. Buker will look into that. There is discussion on having the Middleborough Matters group do a presentation at an upcoming Selectmen's Meeting. R. Nunes will look into that. It is recommended that the Health Agent revise the Tobacco Bylaw to include the vaping and bring it back to the Board for discussion and approval.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to declare surplus the items requested by the Veteran's Department.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to appoint Kelly Jarabak as the Animal Control Officer/Alternative Animal Inspector for a one year term to expire on January 31, 2020 and to authorize the Health Agent to sign the State Appointment Form.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Stewart, the Board voted unanimously to appoint Derel Lee Twombly as the Animal Inspector/Alternative Animal Control Officer for a one year term to expire on January 31, 2020 and to authorize the Health Agent to sign the State Appointment Form.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to appoint Rosemary Archer as the Assistant Part-Time Animal Control Officer for

a one year term to expire on January 31, 2020 and to authorize the Health Agent to sign the State Appointment Form.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to approve "Holton Way" to serve as a new street in the area of 68 Purchase Street at the request of the E911 Database Coordinator.

Discussion/vote for Additional Lighting on Union Street

*Lorna Brunelle and Marsha Brunelle were present for the discussion.* It is noted that the Downtown Improvement Committee will be walking around town at 6 PM tomorrow to determine where enhanced lighting or additional lighting is needed. Selectmen Rosenthal explained that he'd like to expedite the request from the Alley Theater and has asked Lorna Brunelle to attend tonight's discussion.

Marsha Brunelle, frequent patron of the Alley Theater, asked that the Board consider the need for better lighting at the Union Street/Center Street intersection as it is a safety issue. She requests the Board remedy the situation exponentially.

Selectmen Rosenthal noted how dark it is across from the Alley Theater and the noted that the elderly have issues with walking from the theater to the Town's parking lot, there are safety concerns in that area.

Selectmen Frawley asked what the process is for approving lighting requests. Sandy Richter, Public Communications Manager for the Middleborough Gas & Electric, explained that the Board would need to vote to pay for the charges and the installation of the light, or for a greater watt bulb. She also asks the request provide exactly which pole will be used or if a new one has to be installed.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Frawley, the Board voted unanimously to approve the 90 watt street light for the pole in the vicinity of Union and Center Streets and accept the charge of \$6.69 per month to be added to the Town's Account.

**OLIVER ESTATE ITEMS**

Upon motion made by Selectmen Stewart and seconded by Selectmen Rosenthal, the Board voted unanimously to approve the Standish Oil Invoice in the amount of \$1,459.49 to be paid out of the Oliver Estate Revolving Fund.

**TOWN MANAGERS REPORT**

R. Nunes, Town Manager, reviewed with the Board his Town Manager's Report which covers January 7<sup>th</sup> through January 11<sup>th</sup>. He speaks to the Board about the 2019 District Local Technical Assistance, which allocates 20 hours to Planning and 20 hours to the Selectmen. He requests the Board vote those hours to assist the Town in adopting the Complete Streets Program.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to approve 40 hours of Planning by SRPEDD to assist the Town in adopting the Completed Streets Program.

**REPORT ON COMMITTEES COMMISSION AND BOARDS**

There is nothing reported.

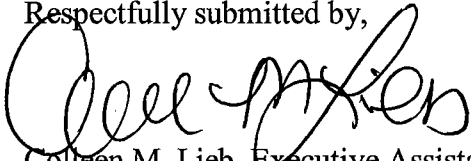
**CORRESPONDENCE**

There is nothing discussed.

**ADJOURNMENT**

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to adjourn at 9:30 PM.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Colleen M. Lieb". The signature is written in a cursive style with a large initial "C".

Colleen M. Lieb, Executive Assistant

MIDDLEBROUGH BOARD OF SELECTMEN