

Chairman Dalpe opened the meeting at 6:15 PM and invited those in attendance to join in the Pledge of Allegiance.

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

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

BUDGET REVIEW

R. Nunes noted that the Treasurer & Collector, Debt and Employee Fringe benefits had to be rescheduled. These budgets will be reviewed at the 3/4/19 meeting.

R. Nunes noted that there was a correction made in the Accounting budget. The total budget for FY '20 is \$158,000.57.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to recommend favorable action on the Accounting FY '20 budget with a total of \$158,000.57.

Allison Ferreira, Town Clerk was present for the discussion. There is a review of the Town Clerk FY '20 budget and noted the request for additional part time staff that was not recommended for the upcoming fiscal year.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to recommend favorable action on the Town Clerk FY '20 budget with a total of \$239,070.

Ms. Ferreira reviewed with the Board the FY '20 Election & Registration budget. The Board briefly discusses the early voting.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to recommend favorable action on the Election & Registration FY '20 budget with a total of \$73,297.

Janis Akerstrom was present for the discussion. There is a review of the Office & Economic Community Development FY '20 budget. There is discussion on the Consultant Services line item. It is noted that there is a request for an additional \$8,000 to utilize a consultant for the application for CDBG funding. The Board discusses the \$12,000 in the Consultant Services line item that is current used to fund the Tourism Clerk. There is discussion on whether the Tourism Clerk should be paid out of the General Fund. It is noted that the Tourism Clerk is slated to work 10 hours per week. The OECD Reg. Pay Clerical is for 16 hours per week and there was some discussion on combining the two positions.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Rosenthal, the Board voted four in favor, one against (A. Frawley) to recommend favorable action on the Office of Economic & Community Development FY '20 budget with a total of \$120,584.

Patricia Cassidy, Conservation Agent, was present for the discussion. There is a review of the Conservation Commission FY '20 budget. It is noted that the Clerk's hours have been increased to 36 hours to be paid from the General Fund and 4 hours to be paid from the Wetland Filing Fees account.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted to recommend favorable action on the Conservation Commission FY '20 budget in the amount of \$166,659.

Tara Pirallia, Information Technology, was present for the discussion. There is a review of the Information Technology FY '20 budget. It is noted that there is a request for an additional person in the Department, an Administrative Technical Assistant that was not approved for this fiscal year.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to approve the Information Technology FY '20 budget with a total of \$443,703.

Andrew Sukeforth, Assistant to the Town Manager, was present for the discussion. There is a review of the Administrative Office Buildings FY '20 budget. There is discussion on the recommend proposal for a new position titled Facilities Manager.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to recommend favorable action on the Administrative Office Buildings FY '20 budget with a total of \$244,809.

UNANTICIPATED

Chairman Dalpe asks for a moment of silence for Attorney George Decas.

ANNOUNCEMENTS AND RECOGNITIONS

Selectmen Frawley speaks about the upcoming fundraiser for Tim Harnett which is going to be a Trivia Night to be held at the Sacred Heart Parish Hall from 6:30 to 9:30 on 3/30/19.

Selectmen Dalpe shows the 350th Celebration Mugs that will be for sale in the local stores, they have the date 1669-2019 – 350 Years. She also noted that Plymouth County Tourism has included Middleborough in their Yankee publication for 2019. She states that Middleborough is on the map!

WARRANTS

Upon motion made by Selectmen Knowlton and seconded by Selectmen Stewart, the Board voted unanimously to authorize the Chairman or her designee to sign the Warrants for Week Ending 3/2/19.

NEW BUSINESS

There is a brief presentation from the representatives of Fuego Farms, Inc. There is discussion on ~~truck~~ ^{truck} traffic and how many trucks they will be utilizing for their business. There is also discussion on putting in language that makes sure that Middleborough resident have priority for hiring.

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted four in favor, one against (J. Knowlton) to authorize the Town Manager to negotiate a Host Community Agreement and Development Agreement with Fuego Farms, Inc.

Upon motion made by Selectmen Stewart and seconded by Selectmen Knowlton, the Board voted unanimously to vote the 2019-2020 Constable Appointments with a term to expire on February 28, 2020 as indicated.

Upon motion made by Selectmen Stewart and seconded by Selectmen Knowlton, the Board voted unanimously to approve the Warrant for the Annual Town Election as presented.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Stewart, the Board voted unanimously to vote the annual appointments of Election Officers and Board of Registrar as presented.

There is a brief discussion on the request from Edward Zaniboni to purchase Town Owned Land off Wall Street. The Town Manager will send this around to the Departments to see if there is any interest in the process. The same procedure as the other two requests will be followed.

Upon motion made by Selectmen ~~Knowlton~~ ^{Frawley} and seconded by Selectmen Knowlton, the Board voted unanimously to approve a One Day All Alcohol License for the Bartending Service of NE for a fundraising event to be held on March 9, 2019 from 5:30 PM to 8:30 PM at the Town Hall.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to allow fourteen days to pay stable permit with the double fee of \$60 and with any additional fees imposed from the Board of Selectmen.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Stewart, the Board voted unanimously to notify Owners to remove the quines from the property if failure to comply with said deadline until the Health Department receives a paid in full table permit for 2019.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Frawley, the Board voted unanimously to approve the General Contractor contract with Fontaine Brothers for the High School Building project in the amount of \$79,515,000.

Upon motion made by Selectmen Stewart and seconded by Selectmen Knowlton, the Board voted unanimously to vote to sign the Electrical contract with ARP Electric Corporation in the amount of \$52,500 for the MCCAM project.

Upon motion made by Selectmen Stewart and seconded by Selectmen Knowlton, the Board voted unanimously to sign a HVAC contract with Specialized Heating & Air Conditioning in the amount of \$61,950 for the MCCAM project.

TOWN MANAGERS REPORT

R. Nunes, Town Manager, reviewed with the Board his Town Manager's Report which covers February 11th through February 22nd. There is a brief overview of the FY '19 Second Quarter Performance Report.

CORRESPONDENCE

#3 – Selectmen Stewart spoke about the annual report provided to the Board from Highpoint. Selectmen Rosenthal speaks about the benefits of Highpoint to the community.

#1 – Selectmen Frawley speaks about Read Across America and Dr. Seuss. He encourages the other Board members to participate.

#4 – Selectmen Knowlton referenced the letter from MassDOT regarding the closing of the three remaining rest areas on Rt. 495.

HEARINGS MEETINGS & LICENSES

NEW HEARING – Earth Removal Permit, Applicant, Zenith Consulting Engineers, Owner Axis Rentals, LLC – 144 E. Grove Street, Assessors Map 065, Lot 5611

Attorney Michael O'Shaughnessy, Nyles Zager – Zenith Engineering Consultants and Anders Martenson III were present for the discussion. Chairman Dalpe opens the hearing and reads into the record the legal notice. Green cards are returned.

Mr. Zager provided an overview of the timeline and process that Mr. Martenson followed for his building permit. He noted that the process began by submitting a plan to Natural Heritage and did not have any issues. They completed the SWPPP for the NPDES Construction general Permit and receive a response in 3/2/17 stating that the project would not result in take. Then they provided a full set of plans to the Building Department and a build permit was issued for three commercial buildings. Mr. Zager points out that the applicant at that time had no idea that an Earth Removal Permit was required and when he asked, he was told it was not necessary as it was incidental to the construction of the buildings.

Mr. Zager continues with how Mr. Martenson brought in a contractor to come in and remove the materials, which was being done for a significant amount of time. He explains that the material that was there is not something that contractors want. The material is not great and the first contractor left the site. A different contractor was brought in and he had begun working the site when the Board issued a Cease & Desist on the project. Since that time the contractor has left the site.

There is reference to the Department comments. It is noted that the applicant has been working on the site since the Cease & Desist was issued/lifted in order to stabilize the site, fencing and fix the grades so that no one gets hurt.

Selectmen Stewart speaks about the runoff water issues and how the Conservation Commission got involved.

There is discussion on the amount of earth removed so far. It is estimated that 40,000 – 50,000 square cubic yards have been removed.

Chairman Dalpe opens the hearing up for public comment.

James Gaudet, Sr. speaks about his son's property and how the water was running off and onto his sons, across the street. He noted that trees were coming down on his son's property because of the water and hay bales had to be put up. He states that it's a shame this wasn't done earlier.

Selectmen Stewart recalls the beginning of the project and the siltation coming down and into the road, the developer was contact and asked to sure up the property at that time.

Jim Gaudet, Jr. & Nicole, residents at 143 E. Grove Street, explains how they called numerous times for months and months about the water problems. She speaks about the dust and how their home went through two air conditioners. She notes that the dust was not controlled and that there was never a water truck onsite. She states that her property is ruined because of this.

Selectmen Rosenthal asks the residents who they called. Jim Gaudet Jr. states that he called Mrs. Lieb's office to let her know what was occurring.

There is no further public comment. There is a brief discussion by the owner who asks the Board if he can put up a fence around the property. The Selectmen agree but no vote is taken. It is suggested that the owner reach out to the resident that had the issue and work with him on it, as well as meet with the Department Heads to discuss and work toward resolving their issues.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Stewart, the Board voted unanimously to continue the hearing for the Earth Removal Permit, Applicant, Zenith Consulting Engineers, Owner Axis Rentals, LLC for property located at 144 E. Grove Street, Assessors Map 065, Lot 5611 to March 25, 2019 at 7:45 PM.

OLIVER ESTATE ITEMS

Chairman Dalpe noted that the Oliver House Kitchen project has begun and is in process.

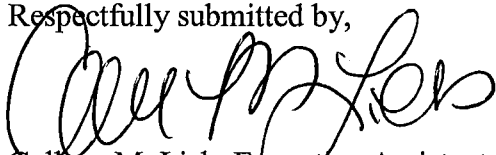
COMMITTEES COMMISSIONS AND BOARDS

There is nothing reported.

ADJOURNMENT

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to adjourn at 8:10 PM.

Respectfully submitted by,



Colleen M. Lieb, Executive Assistant
MIDDLEBOROUGH BOARD OF SELECTMEN