

Chairman Dalpe opened the meeting at 7:00 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.

UNANTICIPATED

Paula Fay, Oak Point Resident, spoke to the Board about the ongoing issues with repairs at the Hometown America/Oak Point properties that date back to July of 2018. She requests that the Board take action on the matter of water on the slabs under all the mobile homes as it relates to the degradation of the gas pipes which could lead to a potential explosion.

Selectmen Stewart noted that she had spoken with Town Counsel on the possibility of the Board of Health holding a hearing on the matter but that she would like more information and a layout of what the Board's procedure would be for a hearing like this along with how it would be published.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to consult with Town Counsel so that the Board may proceed with a Board of Health Hearing in regards to the water/slab issue with Hometown America/Oak Point.

ANNOUNCEMENTS AND RECOGNITIONS

Selectmen Frawley gives a shout out to the hard working young ladies who competed in the NEMA Championship for twirling.

Selectmen Stewart spoke about how today is National Cerebral Palsy Awareness Day and explains to anyone who is unaware that her brother Ricky has Cerebral Palsy. The Board all says hello to Ricky.

Selectmen Knowlton spoke about the upcoming Oak Point Veteran's Association Candidates Night, to be held in the Oak Point Ball Room and will be a great opportunity for candidates to speak about themselves.

Selectmen Stewart spoke about the Reduce, Re-use & Recycle Group that is looking for interested people in joining their group. They meet once a month on a Monday at 6:30 PM. Interested parties should email the Town Manager.

Diane Faye, 8309 Oak Point Drive, reminded everyone that the second week in April is National Library week and that the Tuesday of that week is National Libraries Workers Day.

MINUTES

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to approve the minutes from the 3/11/19 meeting as presented.

WARRANTS

Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to authorize the Chairman or her designee to sign the warrants for week ending 3/30/19.

NEW BUSINESS

Jonathan Silverstein, KP Law, was present for the discussion.

Upon motion made by Selectmen Frawley and seconded by Selectmen Rosenthal, the Board voted four in favor, one against (J. Knowlton is against) to approve and sign the Host Community and Development Agreements for Green Envy located at 370 Wareham Street.

Middleborough Mess Movers – Melissa Guimont

Melissa Guimont was present for the discussion. Ms. Guimont provided an overview of all the trash statistics from 2018. She noted that in 2018 they picked up 169 bags of trash with an average of eleven people per month. She explains that April 20th is going to be the first date for 2019 and that they will be picking up trash off West Grove Street around the shopping plazas. She thanks all the volunteers and recognizes the DPW for their assistance in hauling away to the dump what the Mess Movers collect during their outings. There is a brief discussion on what items the Mess Movers need donated this year. Industrial Trash bags and reflector vests are requested for this year.

The following dates of the Mess Movers are announced: 4/20, 5/18, 6/16, 7/20, 8/17, 9/21 and 10/19. Selectmen Stewart asks the Board if they will pick a day when they can all work to pick up trash as a Board. The date of May 18th is agreed upon.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to approve and sign the Amendment to License Agreement to allow for a change of location for 'Borobot from 10 Nickerson Avenue to 251 E. Main Street, the Green School.

Sarah McColgan, Director of the Tobacco Control Project, Mass Health Officers Association, was present for the discussion. She reviewed with the Board the regulations that restrict the Sale of Tobacco Products to minors. She notes that the Board has options on some of the regulations and that they will need to decide how restrictive the Town wants to be on some of the matters. Several Board members noted that they are open to adopting all of the proposed bylaw changes and ask the Health Agent to speak on the matter.

Robert Buker, Health Agent, presents to the Board his materials as a handout. He notes that he updated the existing bylaws to incorporate all of the changes and presents a draft Regulation of the Middleborough Board of Health Restriction the Sale of Tobacco Projects bylaw for review.

The Board discusses putting out a public hearing notice on the proposed bylaw changes and holding a public hear so the residents/owners/interested parties can make their arguments against certain changes that are proposed, if they are inclined.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to set a hearing date of May 6, 2019 at 7:30 PM and to advertise the discussion to consider regulations restricting the sale of Vape tobacco products with the proposed changes available in advance for the public to review.

HEARINGS MEETINGS AND LICENSES

Special Town Meeting Warrant Review

Article 1 – This article is to put funds into the Stabilization Fund.

Article 2 – This article is to pay unpaid bills.

Article 3 – This article is sponsored by the CPC for the grand ballroom curtain in the amount of \$30,000.

Article 4 – This article is to transfer funds from previous CPC voted articles to the Oliver Mill Restoration project.

Article 5 – This article sets the budget for CPC funding.

Article 6 – This article is for administrative work associated with the MPPF grant for Oliver Mill in the amount of \$5,000.

Article 7 – This article is a Capital Planning Article for paving at the Field of Dreams in the amount of \$140,000.

Article 8 – This article is a Capital Planning Article for the purchase of an elevator in the amount of \$50,000 for the Town Hall.

Article 9 – This article is a Capital Planning Article to purchase four electric vehicles in the amount of \$64,363.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to place all of the presented articles on the Special Town Meeting Warrant as presented.

Annual Town Meeting Warrant Review

Article 1 – This article is to hear reports of committees.

Article 2 – This article is the FY '20 Budget.

Article 3 – This article is the PILOT payment from the MG&E in the amount of \$745,000.

Article 4 – This article is to reset the Town's revolving funds as listed.

Article 5 – This article establishes a special revenue fund for PEG Access and Cable related access.

Article 6 – This article sets the budget for the PEG Access Channels as presented

Article 7 – This article is to cover the expenses on the repair of the Stony Brook Dam and the Nemasket Park Dam as required by DCR in the amount of \$12,750.

Article 8 – This article is for the purchase of Personal Protective Equipment for the Fire Department in the amount of \$80,000.

Article 9 – This article is for sidewalk reconstruction on Center Street in the amount of \$225,000.

Article 10 – This article is for a 10ft power angle truck mounted belly scraper and a pavement roller with trailer for the Highway Department in the amount of \$65,000.

Article 11 – This article is to purchase hardware for the IT Department in the amount of \$127,816.

Article 12 – This article is for the construction of two basketball courts and a tennis court at Peirce Playground in the amount of \$100,000.

Article 13 – This article is for funds for the Oliver Mill Park Project in the amount of \$90,000.

Article 14 – This article is for the resurfacing of the parking lot at the Elementary School complex in the amount of \$199,800.

Article 15 – This article is for a Water Project at John Glass Square in the amount of \$773,404.

Article 16 – This article is for Water Department to purchase software for the SCADA computer system, personal computers/workstations and a K3500 4x4 regular cap with continental 8' plow in the amount of \$88,500.

Article 17 – This article is to cover the cost of replacing tiles in the amount of \$60,000.

Article 18 – This article is to pay expenses associated with the acquisition by the Town of property on and off Wood Street, owned by Elliot R. Schneider in the amount of \$13,070.38

Article 19 – This article is for \$5,000 for the Middleborough-Lakeville Herring Fishery Commission for invasive weed removal.

Article 20 – This article is the annual budgeting for the Community Preservation Funds.

Article 21 – This is a CPC article in the amount of \$40,000 for the MHA Nemasket Apartments Roof Project.

Article 22 – This article is to designated specific amounts to come out of each of the noted CPA accounts to fund the Oliver Mill Park Phase II.

Article 23 – This is a citizen petition article that will be explained further by Labor Counsel.

Article 24 – This article is for the stipend payment of the Secretary to the Weston Forest Committee in the amount of \$400.

Article 25 – This article is to change the name of the OEAC to the Oliver Estate Managing Committee.

Article 26 – This article is to transfer the care and custody of the Oliver House from the Board of Selectmen to the Oliver Estate Managing Committee.

Article 27 – This article is to change the expending authority from the OEA Committee to the Oliver Estate Managing Committee.

Article 28 - This article it to amend the Inter-municipal Agreement with the Town of Lakeville for the 16 Bridge St. resident.

Article 29 – This is a zoning change article.

Article 30 – This article is a Citizen's Petition to change working in the Marijuana bylaw.

Article 31 – This article is to allow Mass National Guard or Military Reserves to obtain a reduction in port of their real and personal property taxes while serving in a foreign country.

Article 32 – This article is to allow for a motor vehicle tax exemption for former prisoners of war and their surviving spouses.

Article 33 – This article is to allow reservists to receive the difference between their Military base pay and Town salary.

Upon motion made by Selectmen Knowlton and seconded by Selectmen Stewart, the Board voted unanimously to place all of the presented articles on the Annual Town Meeting Warrant as presented.

CONTINUED HEARING – Earth Removal Permit, Applicant, Zenith Consulting Engineers, Owner Axis Rentals, LLC – 144 E. Grove Street, Assessors Map 065, Lot 5611 (continued from 2/25/19)

Attorney Michael O’Shaughnessy and Anders Martenson IIII were present for the discussion. Attorney O’Shaughnessy requested a continuance of the hearing to allow for the Planning Board to comment on the applicant’s response to their questions. Attorney O’Shaughnessy also asked if the applicant could have the Board’s permission to remove the silt from the temporary stormwater basins so that there is no flooding on Rt. 28.

Selectmen Rosenthal references the Conservation Commission comments and the moving of a lot of earth to the 21 or 22 Valley Road address. He asks that the Agents comments be addressed. He also requested that the applicant run the truck routes for the project by the Police and Fire Departments for comment. Selectmen Rosenthal points out that an Earth Removal Permit is a privilege and not an absolute.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Stewart, the Board voted unanimously to continue the Earth Removal Permit Hearing prepared by Zenith Consulting Engineers, Owner Axis Rentals, LLC for property located at 144 E. Grove Street to Monday, April 8, 2019 at 7:45 PM.

Upon motion made by Selectmen Stewart and seconded by Selectmen Frawley, the Board voted unanimously to allow the applicant to remove any silt from the stormwater basins only.

NEW BUSINESS (continued)

Chairman Dalpe spoke on the technical assistance and study that can be done through SRPEDD at that intersection in question, which is Mayflower and S. Main Street. She refers to the form that was provided by SRPEDD that can be completed by the Town Manager’s Office to request a study be done of the intersection. R. Nunes noted that he and the DPW Director will be meeting with MassDOT District 5 on April 10th to discuss the intersection as well.

Upon motion made by Selectmen Frawley and seconded by Selectmen Rosenthal, the Board voted unanimously to authorize the Town Manager to accept technical assistant from SRPEDD for the study and recommendation of sight lines at the corner of Mayflower and S. Main Street.

The Board briefly discussed the request to change the signs to no overnight parking on the roadway. It is agreed that the Board will wait and see what SRPEDD has to say about the

overnight parking. The Town Manager will make sure that SRPEDD is aware of the residents on street parking concerns in that area.

Upon motion made by Selectmen Frawley and seconded by Selectmen Knowlton, the Board voted unanimously to approve One (1) Additional Auto-Amusement Device for the Mitchell Memorial Club, 29 Elm Street.

OLIVER ESTATE ITEMS

There is nothing reported.

TOWN MANAGERS REPORT

R. Nunes, Town Manager, reviewed with the Board his Town Manager's Report which covers March 18th through March 22nd. He also provided an update to the Board on his discussion with the Town Manager of Carver and the proposed development off Rt. 44. He also noted that MassDOT is tentatively scheduled to give the Board an update on 4/8.

REPORT ON COMMITTEES COMMISSIONS AND BOARDS

There is nothing reported.


CORRESPONDENCE

There is no correspondence.

ADJOURNMENT

Upon motion made by Selectmen Knowlton and seconded by Selectmen Stewart, the Board voted unanimously to adjourn at 8:30 PM.

Respectfully submitted by,


Colleen M. Lieb, Executive Assistant

MIDDLEBOROUGH BOARD OF SELECTMEN