Selectmen 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, A. Battistini, L. Dalpe, 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.

RE-ORGANIZATION
Selectmen Frawley confirms that both Selectmen Dalpe and Selectmen Battistini have been sworn in. He explains that as the most Senior Member of the Board he will start the reorganization process. He makes the first call for nominations of Chairman. There is a nomination for Diane Stewart. Selectmen Frawley makes the second call for nominations of Chairman. Selectmen Frawley makes a third call for nominations of Chairman. There are no further nominations.

Upon motion made by Selectmen Frawley and seconded by Selectmen Battistini, the Board voted unanimously, to elect Diane Stewart as Chairman to the Board of Selectmen for a one year term to expire just prior to the annual Town Election.

Selectmen Frawley turns the gavel over to Chairman Stewart. Chairman Stewart makes the first call for nominations of Vice Chairman. There is a nomination for Arthur Battistini. Chairman Dalpe makes a second call for nominations of Vice Chairman. There is a third call for nominations of Vice Chairman. There are no further nominations.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Frawley, the Board voted unanimously, to elect Arthur Battistini as Vice Chairman to the Board of Selectmen for a one year term to expire just prior to the annual Town Election.

UNANTICIPATED
Selectmen Frawley spoke about the past weekend and the SeaPerch Competition that ‘Borobot participated in. He provided highlights of the event.

ANNOUNCEMENTS AND RECOGNITIONS
Selectmen Battistini thanked all the candidates that ran in order for volunteer for our Town. He provides statistics on voter turnout. Selectmen Battistini also spoke on the Cultural Council event that was held this past weekend and he noted that 21 different grants were passed out this year to the Town.

Chip Mangio, Friends of the Middleborough Cemeteries, thanks the community for supporting the Honorary Mayor contest. He introduces Jennifer Carter whose running mate was her dad, Joe Freitas, as the winner for this year. Ms. Carter spoke briefly and thanked everyone who voted for her.
Glenn Montapert, Tourism Committee, spoke about the Herring Festival which is coming up next weekend, April 13th and April 14th. He also speaks about the various 350th Events that are taking place this year in celebration of our Town’s birthday. Robert Nunes, Town Manager, confirms the bridges at Oliver Mill Park will be open.

WARRANT
Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to authorize the Chairman or her designee to sign the warrants for weeks ending 4/13/19 & 4/22/19.

NEW BUSINESS
Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to renew the Certificates of Registration for Fuel Storage as presented and subject to the receipt of the required documentation turned into the Town Clerk’s Office.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Battistini, the Board voted unanimously to appoint Selectmen Dalpe to the SRPEDD Commission for a one year term to expire May 22, 2020.

The Board briefly discusses the option presented by Mr. Gosselin and his willingness to deed to the Town a parcel of land shown on Map 043, Lot 1928. R. Nunes reports that there is no interest from Departments on the property so it can be presented at the next Town Meeting for consideration.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Dalpe, the Board voted unanimously to accept Mr. Gosselin’s gift and move forward with placing this on the next Town Meeting warrant.

Karen Foye, Peg Access Department, provided MCCAM’s annual report to the Board. She provided a one year overview of all the items that they have participated in. She also provided an update on the progress of the new studio, which is currently under construction. There are no questions from the Board.

HEARINGS MEETINGS AND LICENSES
SPECIAL TOWN MEETING WARRANT - Hearing
Article 1 – This article is supplements to the current year budget.
Jackie Crowley, Middleboro G&E and Joe Perkins, Police Chief, were present for the discussion. R. Nunes discusses with the Board, the supplement for the large increase in the electric bill since moving to the new Police Station. He notes the $17,000 in back charges due to an adjustment that had to be made on the billing for the new location. The Chief speaks briefly about the rise in electricity costs and notes all the security and locks that require constant electricity. Jackie Crowley explains that the increase of 30-40% in the electric bill is due to the movement into a more efficient system for larger commercial accounts, which has the effect of lowering the per kw hr rate.
Article 2 – This article is to pay unpaid bills and there is one from Atlantic Design in the amount of $777.50.

Article 3 – This article is sponsored by the CPC for the grand ballroom curtain in the amount of $30,000. Kimberly French, CPC Chairman, was present for the discussion. Ms. French spoke briefly about the curtain project.

Article 4 – This article is to transfer funds from previous CPC voted articles to the Oliver Mill Restoration project. Ms. French explains that this is funding for the repair of the bridges structures at Oliver Mill Park.

Article 5 – This article sets the budget for CPC funding. Ms. French explains that this is a requirement of the State to put 10% of our funds into several categories, same as previous years.

Article 6 – This article is for administrative work associated with the MFPF grant for Oliver Mill in the amount of $5,000. Ms. French explains the phases for this work and this is the second phase of work to be done at Oliver Mill Park.

Article 7 – This article is a Capital Planning Article for paving at the Field of Dreams in the amount of $140,000. Steve Morris, Capital Planning Chairman, was present for the discussion. Mr. Morris speaks about the paving of the Little League and Soccer fields on Grove Street.

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. Mr. Morris speaks about the need to repair the elevator at the Town Hall.

Article 9 – This article is a Capital Planning Article to purchase four electric vehicles in the amount of $64,363. Mr. Morris speaks about the purchase of four electric vehicles that are at their lease end and the Town will use them for its employees.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to recommend favorable action on Article 1 through 9 of the Special Town Meeting Warrant.

ANNUAL TOWN MEETING WARRANT - Hearing
Article 23 – This is a citizen petition article that will be explained further by Labor Counsel. Leo Peloquin, Labor Counsel, is present for the discussion. Attorney Peloquin explains to the Board the nature of the citizen’s petition. He talks about the statue, the setup of a panel and who sits on the panel and he notes that this is not the norm nor is it practical to have a panel for determination of medical expenses. He does not recommend the Board act favorably on the adoption of this statue as requested in the petition.
Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to recommend postponing indefinitely on Article 23.

CONTINUED VARIANCE REQUEST for 15 Quail Place, Subsurface Sewage disposal System Upgrade, Local Upgrade Request, River Hawk Environmental, Assessors Map 091, Lot 694 and continued from 4/9/18
Chairman Stewart noted that there is a request for a continuance on this variance request.

Upon motion made by Selectmen Battistini and seconded by Selectmen Frawley, the Board voted unanimously to continue the hearing to June 21, 2019 at 7:30 PM.

CONTINUED HEARING – Earth Removal Permit, Applicant, Zenith Consulting Engineers, Owner Axis Rentals, LLC – 144 E. Grove Street, Assessors Map 065, Lot 5611 (continued from 3/25/19)
Attorney Michael O’Shaughnessy, Anders Martenson III and Nyles Zager, Zenith Consulting Engineers, were present for the discussion. Nyles Zager begins by updating the Board on the progress that had been made since the last discussion. He reviews the revised plans and shows the slopes. There is an overview of the work done with MassDOT on the stormwater management and related permit. There is a brief discussion on the truck route.

Chairman Stewart opens the discussion up for public comment.

James Gaudette, noted that last time he spoke he had concerns regarding the site. He explains that he has met with the engineer and the contractor and that they went over everything and explained what happened. He feels that have been making it right and will make it look really nice moving forward. He thanks the applicant.

Attorney O’Shaughnessy reviews the draft permit with the Board. Selectmen Rosenthal, along with the Board, go through and discuss the conditions of the permit and make several changes.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to close the hearing.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to place on the BOS Agenda for the April 25th the review and approval of the earth removal permit for Axis Rental for property located at 144 E. Grove Street.

ANNUAL TOWN MEETING WARRANT – Hearing (continued)
Article 1 – This article is to hear reports of committees.

Article 2 – This article is the FY '20 Budget. R. Nunes notes that this motion is currently being worked on.

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 necessary 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. Steve Morris, Capital Planning Director, was present for the discussion. Mr. Morris spoke about the request for personal protective equipment.

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

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. Mr. Morris explains the request.

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

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. Mr. Morris explains the request.

Article 13 – Hold.

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

Article 15 – This article is for a Water Project at John Glass Square in the amount of $773,404. Mike Bumpus, Water Superintendent was present for the discussion. Mr. Bumpus explains the request.

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. Mr. Bumpus explains the request.

Article 17 – This article is to cover the cost of replacing tiles in the amount of $60,000. These funds will come from the COA Trust Fund.
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. K. French reviewed the budget.

Article 21 – This is a CPC article in the amount of $40,000 for the MHA Nemasket Apartments Roof Project. K. French spoke about the 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. K. French spoke about Phase II of the Oliver Mill Park Restoration.

Article 23 – Was voted.

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 for the Town to accept an easement of a parcel of land for the DPW Building project.

Article 26 – This article is for the Town to authorize an easement of a parcel of land for the DPW Building project.

Article 27 – Hold.

Article 28 – Hold.

Article 29 – Hold.

Article 30 – This article it to amend the Inter-municipal Agreement with the Town of Lakeville for the 16 Bridge St. resident. Mr. Bumpus recommends favorable action on this article.

Article 31 – Hold

Article 32 – Hold

Article 33 – 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. Jason Cox, Veteran’s Agent, is present for the discussion.
Article 34 – This article is to allow for a motor vehicle tax exemption for former prisoners of war and their surviving spouses.

Article 35 – This article is to allow reservists to receive the difference between their military base pay and the Town salary.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to recommend favorable action on Article 1 through 12, Articles 14 through 22, Article 24 through 26, Articles 30, 33, 34 and 35 of the Annual Town Meeting Warrant.

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

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to recommend favorable action on Article 13.

Article 27 – This article is to change the name of the OEAC to the Oliver Estate Managing Committee.

Article 28 – 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 29 – This article is to change the expending authority from the OEA Committee to the Oliver Estate Managing Committee.

The Board discusses the three Oliver Estate related articles. There are questions asked as to why the name should be changed, why custody of the home should be removed from the Board and why the expending authority is requested to be changed. It is unclear why the Board did not receive or have a discussion on the articles with the Oliver Estate Advisory Committee prior to them be submitted for the warrant. There is reference to an Oliver Estate Advisory Committee meeting where two members of the Board of Selectmen, on the Committee agreed they should be brought before the Board of Selectmen. It is confirmed that did not happen. There are concerns expressed by members of the Board of Selectmen and the public on these three articles.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Rosenthal, the Board voted three in favor, two against, to recommend favorable action on Article 27, 28 & 29.

Article 31 – This is a zoning change article. There is a brief discussion on this petitioned article and it is noted that the Planning Board has not yet made a recommendation on this article.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Battistini, the Board voted unanimously to discuss Article 29 at the BOS Meeting to be held on 4/22/19 at 6:30 PM prior to Town Meeting.
Article 32 – This article is a Citizen’s Petition to change working in the Marijuana bylaw. Tim McNamara, Holistic Healthcare, was present for the discussion. Mr. McNamara speaks about the citizen’s petition. R. Nunes notes that this will increase the number of recreational dispensaries from three to four.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to recommend favorable action on Article 32.

OLIVER ESTATE ITEMS
There is nothing discussed.

TOWN MANAGERS REPORT
R. Nunes, Town Manager, reviewed with the Board his Town Manager’s Report which covers April 1st through April 5th. He noted that he had just received word from the Finance Committee Chairman who told him that the Finance Committee did vote to adopt the FY ’20 budget but that they did not include the funding for the Facilities Manager. He will get further clarification on this.

REPORT OF COMMITTEES COMMISSION AND BOARDS
There is nothing discussed.

CORRESPONDENCE
There is no correspondence to discuss.

ADJOURNMENT
Upon motion made by Selectmen Frawley and seconded by Selectmen Stewart, the Board voted unanimously to adjourn at 10:48 PM.

Respectfully submitted by,

Colleen M. Lieb, Executive Assistant
MIDDLEBOROUGH BOARD OF SELECTMEN