Chairman Stewart opened the meeting at 7:00 PM and asked everyone to join in the Pledge of Allegiance.

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

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

UNANTICIPATED
Selectmen Frawley reports on his discussion with Governor Baker regarding the Triple E threat in the southeastern communities. He noted that he was able to ask the question as to why the State is reactive instead of proactive on this matter, by spraying earlier in the season. The Board reviewed the draft letter that was presented. There were no changes other than that the letter be cc’d to every community that has had mosquitos test positive; had a confirmed case of Triple E or a fatality.

ANNOUNCEMENTS AND RECOGNITIONS
Selectmen Frawley congratulates Tim Holick for the 40 years he has been in business in Town and also acknowledges the long list of accomplishment that Mr. Holick has done for the community. The Board recognized his donation of a kitchen for the new MCCAM studio.

Selectmen Dalpe announces the October 5th from Noon to 5 PM Crantoberfest to be held at the KOA. She referenced the email she sent out asking for judges for the bakeoff, costume parade and Miss Crantober, who will represented the Tourism Committee for events for the year.

Brian Giovanoni, School Committee, speaks about how the School Committee will be meeting this week and that one of the topics for discussion will be the School’s 2021 Calendar. He explains that because 2021 is the year the High School is slated to open, the School Committee wants to start the school year before Labor Day. Anyone interested in providing input are encouraged to attend.

Paula Fay, 8309 Oak Point Drive, thanked the First Responder’s and Brewster Ambulance Service for their professionalism during an emergency event she witnessed.

Glenn Montapert, Tourism Committee, invited everyone to attend the 300th Time Capsule Opening to be held on Saturday, September 28th at 10:30 AM. This capsule was placed in the ground in 1969 and will be opened to see what is inside. There will also be a new tree planted to replace the one that was lost during a winter storm last season, this will be donated by the Tourism Committee.

Diane Fay, Chairman - Oliver Estate Advisory Committee, mentioned the installation of the new sign at the Oliver Estate that marks the location of the property. She gives a thank you to Glenn Montapert and Leilani Dalpe for coordinating the design and installation of the sign.
MINUTES
Upon motion made by Selectmen Dalpe and seconded by Selectmen Battistini, the Board voted three in favor, one abstention (A. Frawley) to approve the 9/16/19 minutes as presented.

WARRANTS
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 week ending 9/28/19.

NEW BUSINESS
Upon motion made by Selectmen Battistini and seconded by Selectmen Dalpe, the Board voted unanimously to authorize the Chairman to sign the Evaluation and Rating of Contractor Performance for Winston Builders Corp.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to appoint William Asmussen to the Finance Committee with a term to expire just prior to the Annual Town Election.

Upon motion made by Selectmen Dalpe and seconded Selectmen Frawley, the Board voted unanimously to appoint Emily Ryan as a Fish Warden for the Middleborough Lakeville Herring Fishery Commission with a term to expire on September 30, 2022.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Battistini, the Board voted three in favor, one abstention (A. Frawley) to appoint Allin Frawley, Cynthia M. Gendron, Sargent Johnson, Janet MacCusland, Louis Dery-Wells and David Lemmo as Volunteer Observers for the Middleborough Herring Fishery Commission with terms to expire on September 30, 2020.

Selectmen Frawley asks the Board to issue a Certificate of Recognition for John Lemmo.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to award the bid and authorize the Chairman to sign the contract for the bid for salt to Morton Salt, Inc. at the bid price of $48.38 per ton through the Town of Plymouth Regional Salt Bid #21929.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to award the bid and authorize the Chairman to sign the contract for the bid for Liquid Magnesium to Innovative Surface Solutions at the bid price of $0.95 per gallon through the Town of Plymouth Regional Salt Bid #21929.

Upon motion made by Selectmen Frawley and seconded by Selectmen Dalpe, the Board voted unanimously to award the bid and authorize the Chairman to sign the contract for the bid for Liquid Calcium Chloride to Innovative Surface Solutions at the bid price of $1.00 per gallon through the Town of Plymouth Regional Salt Bid #21929.
OLIVER ESTATE ITEMS
There is nothing to report.

TOWN MANAGERS REPORT
R. Nunes, Town Manager, reviewed with the Board his Town Manager’s Report which covers September 16th through September 20th. There is reference to the meeting with the Department of Revenue and the certification of Free Cash at $4,118,433 which is an increase of $36,869 over last year.

REPORTS ON COMMITTEES COMMISSIONS BOARDS
Glenn Montapert reviewed the upcoming events that are part of the Town’s 350th Celebration.

Selectmen Dalpe noted that at the Crantober Fest the Oliver Estate will be open for free tours.

CORRESPONDENCE
There is no correspondence.

HEARINGS MEETINGS AND LICENSES
New Hearing – Special Town Meeting Warrant Review, Favorable/Unfavorable Action
R. Nunes reviews with the Board the Special Town Meeting Warrant.

Article 1 – This article is for the Report of Committees.

Article 2 – This is the supplemental article. The supplements are as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Office – Office Stationery</td>
<td>$1,000</td>
</tr>
<tr>
<td>Administrative Office – Training</td>
<td>$2,500</td>
</tr>
<tr>
<td>Administrative Office – Electricity</td>
<td>$10,000</td>
</tr>
<tr>
<td>Animal Control – Sundry Office</td>
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<tr>
<td>Debt – Short Term Interest</td>
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<td>Highway – Overtime</td>
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<td>Highway – Sick Leave Buyback</td>
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<tr>
<td>Highway – Snow Removal</td>
<td>TBD</td>
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<tr>
<td>Information Technology – Software Mtce.</td>
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<td>Police – Clothing Allowance</td>
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<tr>
<td>Police – Court Time</td>
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<tr>
<td>Police – Patrol Salary</td>
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<tr>
<td>Police – Lt’s Salary</td>
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<tr>
<td>Police – Sgt’s Salary</td>
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<td>Police – Education</td>
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<td>Police – Specialist Pay</td>
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<td>Police – Shift Differential</td>
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<td>Police – Building Lighting</td>
<td>$33,700</td>
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<tr>
<td>School – Contracted Services/Security</td>
<td>$50,000</td>
</tr>
<tr>
<td>Unclassified – Telephone</td>
<td>$30,000</td>
</tr>
</tbody>
</table>
Article 3 – This article is to pay the prior year bills. The bills are as follows:
- Tentindo, Kendall, Canniff & Keefe, LLP $46,50
- Wilmot’s Decorating Center $142.01
- AppGEO $4,000

Article 4 – This article is to pay a prior year bill for the Water Department to be paid from Retained Earnings. The bill is as follows:
- Amory Engineering $51,235.14

Judy MacDonald, Treasurer was present for the discussion. She explains the rescinding of the various articles, which is to take back the borrowing authorization because those funds were not needed.

Article 5 – This article is to rescind five articles that were not needed and the Town no longer needs to authorize the bonding.

Article 6 – This article is for the annual appropriation to OPEB in the amount of $200,000.

The Board discusses having Tom O’Brien come to a Selectmen’s Meeting to update the Board on the latest Plymouth County OPEB Trust information.

Tara Pirraglia, Information Technology Director, was present for the discussion. There is discussion on the OPENGOV module and the budget builder. She provides an overview of the Disaster Recovery System and Redundancy Program.

Article 7 – This article is for the OPENGOV Budget & Planning Module deployment fee and Disaster Recovery/Systems Redundancy Program in the amount of $75,000.

Matt Foye, Facilities Manager, was present for the discussion. He speaks briefly about the window repairs that need to be done on the Peirce Building.

Article 8 – This article is to repair the HVAC system/Window Weatherization, Repair, Restoration at the Peirce Building in the amount of $30,000.

Chris Peck, DPW Director, was present for the discussion. He speaks briefly about the Stormwater mandates from the State that have to be funded through the Town.

Article 9 – This article is for the cost associated with Stormwater Management in the amount of $100,205.

Article 10 – This article can be postponed indefinitely. There is a hold placed on this article.

Article 11 – This article would allow for the Transfer an unexpended balance in the 10/6/14 Article 17, Open Space Account to be used for the construction of a parking lot at the Oliver Estate.
Article 12 – This article is for painting, insulation, electrical upgrades, repair and restoration at the Oliver House in the amount of $33,000.

Article 13 – This article is for the repair of the Central Fire Station roof and an Uninterruptable Power Supply in the amount of $54,750.

Article 14 – This article is for HVAC repairs/upgrades at the Town Hall and waterproofing of the basement in the amount of $50,000.

Article 15 – This article is in the amount of $500,000 for the Mass Clean Water Trust, which is the repair, replacement or upgrade of septic systems.

Brian Lynch, Superintendent of Middleborough Public Schools, was present for the discussion. He explains the quest to set up an additional Revolving Account within the School system.

Article 16 – This article is accept MGL Chapter 71, Section 71 E and 71B to set up a Revolving Account.

Judy MacDonald, Treasurer & Collector, was present for the discussion. She explains the adoption of MGL Chapter 200A Section 9A which is a guide for uncashed checks and the process to be followed. It is noted that by adopting this, the unclaimed funds will come to the Town General Fund and not given to the State.

Article 17 – This article is to accept MGL Chapter 200A, Section 9A.

Chris Peck, DPW Director, was present for the discussion. He referenced the John Glass Square project and noted that these are the costs associated with the temporary and permanent easements as they relate to the John Glass Square project. These are Chapter 90 Funds.

Article 18 – This article is to acquire the temporary and permanent easements for the John Glass Square project.

Patricia Cassady, Conservation Agent, was present for the discussion. She notes that this is to formally transfer the Care & Custody of the property from the Board of Selectmen to the Conservation Commission.

Article 19 – This article is to transfer the custody of the land located on Plymouth Street, Map 041, Parcel 2098 from the Board of Selectmen to the Conservation Commission.

Chris Peck, DPW Director, was present for the discussion. He explains that this is the wording for the new Stormwater Bylaw. There is one exception which is in regard to Section 27-1. It is noted that there currently is not a statute adopted by the Town that authorized injunctive relief. Town Counsel is recommending that the section be removed in the motion to adopt.
Article 20 – This article rescinds the previous Stormwater Management Bylaw.

Article 21 – This article is to adopt the new Stormwater Management Bylaw, with the exception of Section 27, Paragraph 1. There is a hold placed on this article.

Jason Cox, Veteran’s Agent, was present for the discussion. He explains the request under Article 22, which is to adopt language that will allow a section on Municipal Property Tax Bills, Motor Vehicle and Excise Bills that offers a voluntary check-off to donate or pledge money for Veterans Assistance and to work with the Accounting Office to open an account for these funds.

Article 22 – This article will allow for a donation option on Municipal Property Tax Bills, Motor Vehicle and Excise bills to a Veterans Assistance Fund.

Article 23 – This article is to accept MGL Chapter 59, Section 5N, which is to adopt a Veterans Tax Work-Off Program. If passed this article will allow Veterans to work volunteer hours and receive up to $1,500 off their Real Estate Tax Bill.

Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to recommend postponing indefinitely Article 10.

Upon motion made by Selectmen Battistini and seconded by Selectmen Dalpe, the Board voted unanimously to recommend favorable action on Article 21 with the exception of Section 27, Paragraph #1 in the Stormwater Management Bylaw to be removed.

Upon motion made by Selectmen Battistini and seconded by Selectmen Dalpe, the Board voted unanimously to recommend Favorable Action on Articles 1 through 9; Articles 11 through 20; and Articles 22 & 23 on the Special Town Meeting Warrant.

At 7:58 PM Chairman Stewart steps off the Board and hands the gavel to Vice Chairman Battistini.

NEW HEARING – RENT CONTROL – To consider a petition filed by Hillcrest Mobile Tenants Association whether the rents paid by tenants in the Park will be increased

Frank Cuddy, President and Colleen Preston were present for the discussion. Chairman Battistini opened the hearing and read into the record the legal notice. He explains that the Board has one member not present and one member that will need to be recused. He offers the option to continue the hearing. Mr. Cuddy requests the hearing continue with the three sitting Board Members.

Frank Cuddy, Hillcrest President-11 Gerald Drive, explains the request which is for a $12 per month/per lot increase. He explains that at this year’s Annual Meeting, they had a quorum and a unanimous vote to increase the rent by $12 per month. He further explains that all residents were notified of the results, packets were hand delivered to each home and residents were notified of the rent increase effective October 1st.
Mr. Cuddy speaks briefly about the septic system and the pump repairs/replacement that was dealt with this year by the park. He explains that they are now with another sewer company and have also hired a new management company to help the park with the maintenance issues.

The Board discusses the $73,000 in reserve, which is a bank requirement. It is noted that, in general, resident owned Mobile Home Parks have a lean reserve. Mr. Cuddy agrees that he would like to see the reserve increase.

Chairman Battistini opened the hearing up for Board comment.

There is clarification on the unanimous vote. Mr. Cuddy confirms that there was no objection on the floor and no negative votes, which is reflected in the paperwork they have provided.

Chairman Battistini opens the hearing up for public comment.

Colleen Preston, explains who she is and that her company are advisors and offer technical assistance for the life of the loan for the Mobile Home Park. She noted that she has been working with the Park for five years and that there will most likely be an option to refinance before the “balloon payment” is due. Ms. Preston speaks briefly about the difficulty in obtaining a quorum for Annual Meetings so the quorum has been set at 1/3rd of the park members.

Robert Capeau, 2 Lisa Drive, explained that he and other residents of the park had to keep calling the Town Hall to find out when the Rent Control hearing was going to be held because there was no notification in the park. Mr. Capeau agrees that there are sewer issues in the park and notes that there are four trailers that have leaks, which has raised the water bill. Mr. Capeau states that he does not believe these items justify the increase that is being requested.

Chairman Battistini asks the Mr. Capeau if he received notice of the Annual Meeting and if he attended and addressed his concerns with the Association.

Frank Cuddy explains that the legal notice for the Board of Selectmen’s Rent Increase Hearing was posted on the bulletin board by the mailboxes. Mr. Cuddy notes that if a resident is not in good standing, they cannot vote.

Pamela Banks, 18 Lisa Drive, explains that at the Association’s Annual Meeting the residents were told that there was going to be a $12 increase no matter what because Frank Cuddy was coming before the Board. She notes that is why Mr. Cuddy is saying it was a unanimous vote, because he told us how we had to vote. She tells the Board about a tree removal in her yard that she paid for herself because the Park wouldn’t do anything about it. She also speaks about driveway paving. She expresses frustration because the residents in the Park are not aware of what is happening in the park, she would like better communication to the residents.
Chairman Battistini asks the Ms. Banks if she received notice of the Annual Meeting and if she attended and addressed her concerns with the Association. Ms. Banks confirms she did attend the meeting.

Pamela Banks notes that only one person from each household can vote.

Frank Cuddy confirms that this is correct. He also states that no one gets special treatment in the park.

Charlene Eaton, 14 Lisa Drive, speaks about the tree removal and how it appears that there aren’t enough funds for some residents to have tree work done but other residents get their tree work done immediately.

Chairman Battistini explains that situation is out of the Board’s control and that they only item they can take action on is the $12 increase request.

Ron Brown, 3 Kevin Drive, speaks about the two new lots that haven’t been mentioned during this discussion.

Frank Cuddy explains that they do have two lots. He notes that one will be developed and that the rent from the lot has been included in the financial paperwork provided to the Board. He explains that the second lot will be held as a “just in case” lot, so that if someone in the park has to move their location, the Association has a spot that they can be moved to.

Neil Lawson, 10 Lisa Drive, acknowledges that a lot of the sewer issues can be addressed by going door to door and reminding the residents of the items that cannot be put down the toilet. He notes the success in speaking with the residents who were otherwise unaware. He also proposes a compromise in the increase to $6 instead of $12.

Chairman Battistini asks if there is any further comment. There is none.

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

Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to approve the petition for a $12 monthly/per unit rent increase for Hillcrest Mobile Home Park.
ADJOURNMENT
Upon motion made by Selectmen Dalpe and seconded by Selectmen Frawley, the Board voted unanimously to adjourn at 9:10 PM.

Respectfully submitted by,

[Signature]

Collen M. Lieb, Executive Assistant
MIDDLEBOROUGH BOARD OF SELECTMEN