

Chairman Dalpe opened the meeting at 7:02 PM and asked those in attendance to join her in the Pledge of Allegiance.

In attendance were: Selectmen L. Dalpe, A. Battistini, N. Demers, M. Germain and N. Rosenthal. Also present was Town Manager, R. Nunes and Executive Assistant, Colleen Lieb.

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

UNANTICIPATED

It is noted that MCCAM is working on upgrading their recording system and that any resident interested in watching this meeting can find the replay of it on YouTube.

ANNOUNCEMENTS AND RECOGNITIONS

Selectmen Germain noted that he is looking for an update on the Home Rule Petition's that are currently having legislation drafted by Town Counsel. There are 57 families looking for an update.

MINUTES

Upon motion made by Selectmen Battistini and seconded by Selectmen Demers, the Board voted unanimously to approve the 7/12/2021 minutes as presented.

WARRANTS

Upon motion made by Selectmen Demers and seconded by Selectmen Germain, the Board voted unanimously to authorize the Chairman or her designee to sign the Warrants for week ending 7/31/2021 and 8/02/2021.

NEW BUSINESS

Jonathan Silverstein – KP Law, Attorney Mike O'Shaughnessy and Frank Zaino III – Present were present for the discussion. Attorney Silverstein explained that this is for an outdoor cultivation facility that will have approximately 80,000 to 100,000 sq ft. of outdoor cultivation. The Host Community Agreement Impact fee is 3%. The agreement is comparable to what the Board has approved for other facilities.

Chairman Dalpe opens the discussion up for comments from the Board. Selectmen Rosenthal clarified that the plan isn't to grow on the entire 199.85 acres and that the proposal is for 80,000 to 100,000 sq ft of outdoor cultivation. Chairman Dalpe opened the discussion up for public comment. There is no comment.

Upon motion made by Selectmen Battistini and seconded by Selectmen Rosenthal, the Board voted unanimously to sign a Host Community and Host Development Agreements with Middleborough growers to be located on Wareham Street, comprised of approximately 199.3 acres shown on Middleboro Assessors Map 109, Parcels 4038, 4084, 4675 and Assessors Map 110, Parcels 4183 and 4928.

Attorney Phil Silverman was present for the discussion. Attorney Silverman noted that he is representing the Green Lady and that they are seeking to negotiate a host development agreement for a manufacturing business and they are finalizing their lease with the landlord. Attorney Silverman spoke about the owner, who is looking to do something in this area and immediately thought Middleborough was the ideal location for it. There is reference to an already established business in Nantucket. Chairman Dalpe opened the discussion up for comment. Selectmen Germain asked how many grow business are currently located at 370 Wareham. The Town Manager estimated that there are four or five. This will be reviewed further. Chairman Dalpe opened the discussion up for public comment. There is no comment.

Upon motion made by Selectmen Battistini and seconded by Selectmen Germain, the Board voted unanimously to authorize the Town Manager to negotiate a Host Community Agreement with The Green Lady to be located at 370 Wareham Street.

Emily Surette – Assistant to the Town Manager and Tara Pirraglia – Information Technology Director were present for the discussion. E. Surette spoke briefly about the RFP and bid process for the payroll and noted that the funding was approved for this. It is noted that the cost is \$50,000 per year for the next three years

Upon motion made by Selectmen Germain and seconded by Selectmen Battistini, the Board voted to approve and sign the Harper Payroll Services Contract. Motion Carries. 4-1-0 (*N. Demers is against.*)

It is noted that the agenda item regarding 33 Bridge Street will be brought back at the next meeting, when the Water Superintendent is able to attend and review the request with the Board.

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Germain, the Board voted to appoint Jack Healey to the Zoning Board of Appeals as a Member for a five year term to expire on June 30, 2026. Motion Carries. 4-1-0 (*N. Demers is against.*)

Upon motion made by Selectmen Rosenthal and seconded by Selectmen Germain, the Board voted to appoint Sandy Abban to the Zoning Board of Appeals as an Associate Member for a five year term to expire on June 30, 2026. Motion Carries. 4-1-0 (*N. Demers is against.*)

Upon motion made by Selectmen Germain and seconded by Selectmen Demers, the Board voted unanimously to approve and sign a Betterment Agreement for Kelly Clancy, 22 Fairview Street in the amount of \$21,420.

Upon motion made by Selectmen Battistini and seconded by Selectmen Rosenthal, the Board voted unanimously to approve and sign a Betterment Agreement for Cheryl Pittsley, 130 Rocky Meadow Street, in the amount of \$25,701.

Discussion on Interdepartmental Permit Review Policy with Department Heads

Bob Whalen – Building Inspector, Patricia Cassady – Conservation Agent, Leeann Bradley – Town Planner, Kayla Davis – Health Agent and Tara Pirraglia – Information Technology Director were present for the discussion. Chairman Dalpe begins the discussion on the Interdepartmental Permit Review Policy with Department Heads and explains that the purpose of this discussion is for Department Heads to give their input in talking about an electronic process for Building Permits in the Town as it relates to Health, Planning and Conservation Commission.

Leeann Bradley, Town Planner, spoke about how the Planning Department is looking for a more inclusive way to include the Planning Department, Conservation Commission, ZBA and Board of Selectmen. She noted that a lot of these departments already share plans and asked for input on a regular basis. It is noted that the point of the discussion is not to single out a Department but to have a more inclusive process where everyone shares information.

Chairman Dalpe opened the discussion up for comments from the Board. Selectmen Battistini spoke about how each permit has different parameters depending on what is needed. He uses the example of demolition requests and how they go to the Historical Commission and how they do not need to see all the building permit requests, only the ones that relate to what they do. Selectmen Germain spoke about making some slight adjustments to the process but not changing the way permit are flowing currently.

Tara Pirraglia spoke about the Permit Eyes Application System and how each module works. She also spoke about the differences in the versions of the Full Circle programs and how the Building and Health Department modules have reached a point where they should be upgraded, she has included this in the Capital Plan and the cost is about \$55,000 to upgrade both modules. There is discussion on the programming of the modules and authority to access other Department modules. There is also discussion on the Site Plan Review bylaw and how this correlates.

Kayla Davis, Health Agent, noted that through Permit Eyes, if she disapproves a building permit due to Title V, the Building Commissioner can still issue the permit, however the Title V must be addressed prior to the issuance of the Certificate of Occupancy being issued by the Building Commissioner.

Patricia Cassady, Conservation Agent, spoke about the due diligence that the Conservation Department does on the various projects, in terms of outreach on anything involving the wetlands. She explained that generally the building permit applicants will reach out directly to the Department in regard to the wetlands on their property. She noted that they are not interested in receiving plumbing or electric permits but are interested in those that want to put in a pool or do work in a wetland area. She noted it is a small percentage that do not due their due diligence and that usually people are very good about talking to the Conservation Department beforehand in regard to their projects.

Bob Whalen, Building Commissioner, explained that they have been using the permit eyes system for approximately six years. He explained that it is the Building Department that picks and chooses which projects get sent to which departments and that they did not realize that there were issues with anything not getting sent in all the time that they have had this program. He referenced how the Board of Selectmen have integrated their WRPD permit process into our Permit Eyes system so that if there is an applicant for a building permit in a WRPD zone, the program will notify the applicant and will provide the paperwork and process to apply for the WRPD permit. He explained that the Permit Eyes system was programmed to work with the Tax Collector and Fire Department requirements. The Building Department does have the ability to contact other Departments such as the Planning and Health Departments so that they can follow up with the items that they need to have addressed. He explained that any permit that involves multiple units or subdivision he has offered to provide that information.

Chairman Dalpe thanks the Department Heads for attending the discussion.

FY '22 BOS Goals

Chairman Dalpe began the discussion with her FY '22 goals. She would like to see the Town investing more in the tourism industry. She noted that the tourism industry has taken major hits due to the restrictions and they need all the help they can get. She wants the Town to continue to support that industry and the economic development that comes with it.

Selectmen Demers noted that his first goal is to continue to work with the Town Departments, Board Members and General Public to get the Peirce Building reopened. He noted that it does seem like the Town is on track and moving along on the project but that there is a lot of work still to be done and he is happy to be a part of that. He also would like to look into and consider the creation of a Land Trust to help acquire and preserve land for the present and future generations of the Town. He also wants to work with the Town Residents, Departments and Subcommittee to explore the potential uses of the previous DPW site. His final goal is to continue to bring awareness to the public regarding open positions on Committee's, Commissions and Boards and increase community involvement.

Chairman Dalpe referenced the current opening that is available on the Tourism Committee if any resident is interested.

Selectmen Germain spoke about better communication with Departments and his idea to have monthly meetings with Department Heads and a member of the Board of Selectmen. He also wants to see Departments work together on better customer service in dealing with the public that everyone is treaded in a polite and professional manner. He feels that are still Departments that are not as polite as they should be and there is work to be done. He also would like to find a way to get more people to volunteer to join the various Boards, Committee's and Commissioners in Town and get more involved.

Selectmen Battistini spoke about wanting to get the Perice Building completed. He also would like to see the Grant Writing position up and running. He wants to make sure that the Town funds a Human Resources position and asked about the new payroll system's Human Resources capabilities. He noted that he would like to see the "non-compete" removed from the Comcast and Verizon to allow for the Town to see if they can offer their own municipal internet service. He also would like to see a study done on the feasibility of a walking path along the Nemasket River.

Selectmen Rosenthal spoke about wanting to have a robust discussion on the Mobile Home Bylaw and whether or not to have it going forward. He feels that the Town should consider getting rid of the bylaw because of the fact that circumstances have changed and mobile homes have changed dramatically. This would not change the existing parks but would impact new parks. He also would like to have an evaluation done of the property known as Southpoint on Rt. 44, this would be to determine what kind of conservation area there is on the property and how that impacts any realistic development of the property so that the Town does not have developers wasting time, money and getting the residents up in arms, for nothing to happen. He noted that the property has been problematic for 30 years and it is about time the Town is proactive on it. He also would like to offer High School Juniors and Seniors the opportunity to shadow a Town Board and have them as a non-voting member so that we can reintroduce government service to the youth of our Town.

HEARINGS MEETINGS AND LICENSES

NEW WRPD HEARING - submitted by Green Seal Environmental, LLC requesting a special permit under the WRPD By-law to allow 39.2% impervious in a WRPD Z-3 for property located at Lot 3A, Charlotte Court, Assessors Map 079, Lot 5452

Chairman Dalpe read into the record the legal notice and opened the public hearing. She explained that there will be not be a presentation nor will any comment taken and that the hearing will be continued to a date certain.

Upon motion made by Selectmen Battistini and seconded by Selectmen Germain, the Board voted unanimously to continue the hearing for Green Seal Environmental, Lot 3A Charlotte Court to August 23, 2021 at 7:30 PM.

Once the hearing was continued, a resident pointed out that the Lot # was incorrect in the WRPD filing for Charlotte Court Lot 3A. It was presented as Map 079, Lot 5452 but on the Town's Assessors Map it is shown as Lot 2452. This will be reviewed further and may require re-advertising.

TOWN MANAGERS REPORT

Robert Nunes, Town Manager, reviewed the Town Manager's Report. The report covered July 12, 2021 through July 23, 2021. R. Nunes provided an update on the MassDOT project at Everett Square and reiterated that the Town has nothing to do with this project. He noted that they will continue paving in the area and that the project is not slated for completion until next spring.

REPORT ON COMMITTEE COMMISSIONS & BOARDS

There is nothing reported.

CORRESPONDENCE

#1 – Chairman Dalpe referenced the letters from BP Tech students sent as part of their civics class. She offers to respond to each of them. There is a brief overview of each letter.

ADJOURNMENT

Upon motion made by Selectmen Demers and seconded by Selectmen Germain, the Board voted unanimously to adjourn at 8:33 PM.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Colleen M. Lieb', written over a large, faint circular watermark or stamp.

Colleen M. Lieb, Executive Assistant

MIDDLEBOROUGH BOARD OF SELECTMEN