

**HEARINGS, MEETINGS, LICENSES**

**3-28-16**

**Town of Middleborough  
Department of Veterans' Services  
20 Centre Street, third Floor  
Middleborough, Massachusetts 02346-2252**

*MEMORANDUM*

To: Middleborough Board of Selectmen and the Town Manager

From: Paul J. Provencher *PJP*  
Veterans' Services Officer

Subject: Justification for an administrative staff member for 20 or more hours per week

Date: March 25 2016

In a lot of ways, the Veterans' Services Department should be considered as a social services department that is no longer able to keep up with the mandated administrative responsibilities of the department. This will hopefully be proved out in the narrative below in such a way as to substantiate the need for an administrative staff for this town department.

As many of the baby boomers that are either Vietnam war veterans or Vietnam war era veterans retire they're realizing they don't have the financial resources that they need to live day to day. The Vietnam war veterans are also becoming aware of the medical issues they have that often turn out to be presumptive illnesses of exposure to Agent Orange in the Vietnam War. Additionally they're also confronted with facing their post-traumatic stress disorder (PTSD) issues, which have been buried for more than 40 years. Now that they're no longer gainfully employed and raising families, and have the time to get into their own heads these psychiatric issues often times cause them great distress. I mention this because these veterans make up the biggest increase in my new clients, both with the Department of Veterans' Services (DVS) Chapter 115 program and the Federal VA service connected disability cases.

With what appeared to be a very successful limited ground offensive during Desert Storm back in 1991 & 1992 the military started what was called the build down of the active military forces. This concept brought forth what is now called the 1 military concept. This brought the reserve and national guard forces from all the branches of the military in play as being a more integral part of the future fighting force. Fast forward to 9/11 and the

current war and you see what may well be looked upon as the major shortfall off that concept. With a smaller active duty component the reserve and guard forces have been called in time after time for deployments to the war zones. This in turn lead to my next thought in regards to the current war veterans.

The Gulf War veterans make up the next major increase in my workload. They often times come in having a hard time finding employment and dealing with the financial ramifications related to that. They also have PTSD issues the likes of which I've never seen before due primarily to the multiple deployments into the war zones. Along with PTSD, they have the physical ailments associated with carrying around in excess of 100 pounds of gear on patrol, as well as being blown out of vehicles, symptoms of the Gulf War syndrome, and a whole variety of other issues.

The 2 paragraphs above are mentioned because it is incumbent upon the Veterans' Services Officer (VSO), acting on behalf of the town, to provide the in-depth quality services for each and every one of these veterans that walks in the door. I feel we've failed to provide that level of service to our veterans in Middleborough, for the past few years. I've been working as hard as I can with the limited resources that I've been provided with, pertaining to the lack of administrative staff for this department. I can not keep up with this workload and pace. Those that know me know, I'm a workaholic and put in 3 to 5 hours a day almost every Saturdays, Sundays, and holidays just to try and stay caught up. This is all done without requesting comp time that will never be used. I've failed in regards to being able to be caught up for at least the last couple of years and have been requesting an administrative staff to pick up the insurmountable administrative shortfall in the department.

The World War II veterans, and Korean War veterans along with the cold war and peacetime veterans and their family members have not been forgotten. Their issues are also and important part of the daily workload for the office.

The MA. Welcome Home Bonus bill passed on Veterans' Day 2005 changed the definition of veterans in the state forever. For the first time ever peacetime veterans were able to apply for and qualify for DVS chapter 115 benefits. That played a major role in the significant increase of foot traffic, phone calls, and emails that this office received from that point forward and a major jump in the chapter 115 cases over the next few years.

The Veterans' Services department, for the town of Middleborough, during the tenure of VSO Dick Bagdasarian had essentially been that of a part-time VSO, in a full-time VSO position. Dick Bagdasarian was essentially a full-time health department employee, being paid out of the Veterans' Services budget.

The town is mandated by the state DVS to have a full service, full-time VSO. A community with a population in excess of 12,000 residents is required to have a full-time VSO. I submit for consideration that with a population in excess of 24,000, such as Middleborough, an administrative staff should be a high priority to fully service the veterans, their families, and the community as a whole.

The case load of the former VSO, back in 2002, was five Middleborough veterans and or their family members on state mandated Chapter 115 veterans benefits, with an annual budget for that line item of \$25,000. Additionally the town had less than \$3,000,000. coming in from the Federal VA system. Fast forward to calendar year 2015 when 100 veterans and or their family received these same benefits and the expenditure for that line item was \$616,855.68. The average number of veterans and or their family members on chapter 115 benefits month to month during 2015 was 75. The town of Middleborough with the 75% reimbursement from the state for the monies expended by the town under chapter 115 benefits in 2015 received \$462,541.77. That reimbursement is the full 75% that the state can pay. That means that every penny that was spent under the chapter 115 program by the Middleborough VSO, was fully authorized by the state and accounted for by the town. It is no small feat to make the state and town numbers match day to day, week by week, and month to month. This shows that this department has been a good steward of the monies it has been entrusted with by the town even as it fails to keep up with the true needs of the population it was hired to service. Balancing these books could easily be the responsibility of an administrative staff person leaving time for the VSO to conduct the needed appointments with veterans and or their family members.

Below are the categories of the chapter 115 benefits that are paid out, along with the chart showing monies expended in each category for calendar year 2015:

**Ordinary benefits:** This benefit is available to veterans and their eligible family members whether they are retire, disabled and/or unable to work. It allows for a shelter allowance.

**Fuel allowance:** This benefit helps veterans and their eligible dependents pay to heat their residence.

**Medications co-pays, Doctor Co-pays, Dental bills, and other miscellaneous medical expenses:** This benefit pays non-reimbursed medical costs of those on chapter 115 benefits. The items that fall under the miscellaneous category include reimbursement for Medicare parts B & D payments. This expense comes right out of some of the chapter 115 clients monthly social security payments. This department also takes care of medi-gap supplemental medical insurance plans, such as Blue Cross and Blue Shield. We can also help cover the cost for needed medical supplies, such as medical alert systems. The veteran and eligible dependents are also reimbursed for eye glasses, hearing aids, and to a certain extent, the burial costs of indigent veterans and their eligible family members. These are but a few of the major items that are covered under the miscellaneous portion of the chapter 115 benefits.

Ordinary benefits:	\$337,350.61
Fuel allowance:	\$111,190.72
Doctor visits:	\$2,567.88
Medication:	\$20,919.74

Hospitals:	\$889.90
Dental:	\$19,126.00
<u>Miscellaneous:</u>	<u>\$124,810.83</u>
TOTAL	\$616,855.68

By comparison, from 2010 to present the numbers go like this:

Year	Cases	Monies spent
2010	81	\$376,649.56
2011	84	\$454,979.49
2012	93	\$458,949.30
2013	83	\$501,482.65
2014	92	\$546,600.24
2015	100	\$616,855.68
2016	?	\$618,447.44 (projected)

From 2010 to 2016 the chapter 115 funds expended increased approximately 64%, while the staffing stayed the same. More man hours have been needed year to year in this portion of the work to gather together and process, all the documents to substantiate, each and every expenditure.

Every client application and supporting document for expenditures under the DVS chapter 115 program needs to be electronically sent to DVS for approval. Then each transaction needs to flow through the processing cycle with both DVS and the town. This in turn has the VSO responsible for communicating with the veterans and or their family members, and the various government agencies, and medical providers to make sure that the 75 to 200 electronic transactions done with DVS monthly are fully documented and approved. Again, this is another area where an administrative staff person would be invaluable.

The time requirement on the VSO for this portion of the workload is insurmountable. A 20 hour a week or more administrative support person would be a significant help in gathering together the required documents from the veterans themselves, their family members, the various government agencies, and medical providers. The much needed support person would also be able to input the documents and transmit them to the DVS and the town.

Additionally an administrative support person would also be invaluable with making phone calls, answering incoming calls, scheduling appointments, photo coping, faxing,

collating, mailing, distributing, and filing of not only chapter DVS 115 related work, but also the Federal VA paperwork. The administrative staff person would also be able to post the changes and update the regulations and directives in a timely manner. They would also be able to fill out the numerous forms, draft out the reports, and help in the balancing of the accounts between the state DVS and the town.

In addition to the state DVS chapter 115 work load, DVS also requires VSOs to do Federal VA work. This work requires the VSO and any support staff to be current and up to date with the rules and regulations, governing VA service connected disabilities, as well as VA non-service connected pensions, for both the veteran and their surviving spouse. It also includes having to know how to process VA dependency indemnity compensation, VA vocational rehabilitation educational benefits, GI bill educational benefits, and VA aid and attendance benefits. This just mentions a few of the Federal VA programs that are available to certain veterans and or their family members. Additionally the VSO and administrative staff need to be able to assist veterans with enrolling in and staying current with the VA health care system. The processing of the forms and the follow-ups on the status of claims from the start to finish is often times way in excess of 2 years, when you factor in the appeals process that the VSO helps out with. Each step along the way needs the interaction of the VSO and support staff. At any given time there are in excess of 100 to 150 active Federal VA cases being handled by the Middleborough VSO. The Middleborough veterans and or their family members currently receive in excess of \$7,000,000 per year from the Federal VA, thanks to the assistance and guidance of the Middleborough VSO. This is in comparison to the \$3,000,000 mentioned above that the previous VSO had coming in going back to 2002.

Another requirement the VSO is charged with is making sure that their state DVS chapter 115 clients maintain their eligibility for benefits. This requires house calls to be made on a regular basis to make sure the recipients are still living where they say they are and that no additional individuals have moved in to the residence, that are not listed on their application. Also, employable veterans on chapter 115 benefits need to be seen weekly in accordance with the chapter 115 regulations to show proof that they're looking for work. The VSO is also held accountable by DVS to seek out alternative sources of compensation that the chapter 115 clients can take advantage of to hopefully get them off the chapter 115 roles or at least decrease the amount of money that they're getting under the chapter 115 program. Some of the alternative benefits that need to be looked at are SSDI, VA service connected disabilities, VA non-service connected pension, VA widows pension, VA dependency indemnity compensation, VA aid and attendance, and the VA vocational rehabilitation educational benefits just to mention a few of the more prominent ones. Seeking out the applicable benefits for a veteran and or their family members and getting that applied for all takes time. The processing of the paperwork for those programs could easily be done by an administrative person and therefore cut down on the monies spent by the town under the chapter 115 program, when they are applied for in a timely manner.

I am out in the community day and night 7 days a week primarily as just a resident of the town, and seldom is there a time when I'm not approached about veterans issues. My work clock does not stop at 5:00pm and I see it as part of the reason that there's a

veterans' agent in each and every city and town. The questions need to be answered and the issues need to be addressed whenever and wherever they're encountered.

In conclusion, the goal of the Middleborough Department of Veterans' Services has been to provide outstanding service to the veterans and their eligible dependents within the community. We owe it to our veterans to take care of them in their time of need, as they've taken care of preserving our freedom and American way of life.

It has been impossible to achieve the goals of the Middleborough VSO over the past few years due to not having an administrative staff.

**SEVEN POINT.**

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## SEVEN POINT OF MASSACHUSETTS, INC.

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March 9, 2016

The Town of Middleborough  
c/o Robert G. Nunes, Town Manager  
10 Nickerson Avenue  
Middleborough, MA 02346

RE: IMPACT OF "DISPENSARY" FACILITY IN MIDDLEBOROUGH, MA

Dear Mr. Nunes:

The purpose of this correspondence is to explain in greater detail the meaning of a Dispensary Only Facility ("DF") and its potential impact on the community of Middleborough in regard to traffic, activity, safety, and security.

### What is a Dispensary-Only Facility?

Pursuant to 105 CMR 725.100, Medical Marijuana Treatment Center means a not-for-profit entity, to be known as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible Marijuana Infused Products ("MIPs"), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

A DF will be devoted solely to retail distribution of medical marijuana and MIPs. Such retail distribution will be via patients visiting the DF and deliveries. Most all marijuana and MIPs delivered to the DF will be grown and/or manufactured at Seven Point's cultivation facility which is planned to be in Ayer. It's possible some deliveries may come from other cultivators as well via secure vehicles.

### Who will have access to the DF?

Access to the DF will be strictly limited to the minimum number of Seven Point employees essential for efficient operations in addition to registered patients with an active medical marijuana card. Access will also be available anytime to local regulatory and health officials, local law enforcement officials, security personnel, and the Massachusetts Department of Public Health ("DPH").

We expect to employ six to twelve full or part time employees to operate the DF. This may increase in subsequent years based on volume of sales. All employees are required to undergo background checks and be certified/registered by the DPH pursuant to 105 CMR 725.030.

All outside vendors, contractors, and visitors must obtain a visitor identification badge prior to accessing the DF, and shall be escorted at all times by a dispensary agent authorized to enter the DF. The visitor identification badge must be visibly displayed at all times while the visitor is in the DF. All visitors will be logged in and out, and that log shall be available for inspection by the DPH and local authorities at all times. All visitor identification badges shall be returned to the DF upon exit.

### What will the exterior of the DF look like?

The exterior of the building may remain the same or could possibly be redone and will have a clean aesthetically pleasing appearance. The appearance of the exterior will be evaluated by management if/when Seven Point receives a conditional registration by DPH for its proposed Middleborough dispensary. There will be nothing

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## SEVEN POINT OF MASSACHUSETTS, INC.

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on the exterior signage other than the name, "Seven Point." There will be discreet security cameras around the perimeter of the building, all entrances and exits, and the parking facility. The building will be well-maintained and landscaped throughout the year. We have attached as part of our presentation materials a picture of the proposed property for your review on page 9.

How will the DF affect traffic in the area?

We do not expect the DF to have any increased impact on traffic in Middleborough. The amount of traffic will be the same or less than any other business with a comparable number of employees operating in the same space. As previously mentioned, access to the DF will be limited to essential employees, patients and caregivers with medical cannabis cards ("Program Cards") and local and state law enforcement and regulatory officials.

As a comparison, a traffic study was conducted for an applicant who is opening a RMD with cultivation and retail in Quincy, Massachusetts and it was determined that there would not be an adverse impact on traffic in Quincy, even with the additional patient traffic. That applicant was granted a special permit by the Zoning Board of Appeals in Quincy.

What kind of activity can we expect around the DF?

The activity around the DF will be limited to employees, patients, patient caregivers with medical marijuana cards, ("Program Cards") and state and local inspectors. Employees will work in shifts, with the majority during the day, and fewer at night. Additionally, the DF will receive scheduled deliveries from our cultivation facility via secure transport vehicles.

Pursuant to 105 CMR 725.110, we will ensure that marijuana is: (a) transported in a secure, locked storage compartment that is part of the vehicle transporting the marijuana, whether from our cultivation facility to our dispensaries or from our cultivation facility and DF to registered patients; (b) not visible from outside the vehicle; and (c) transported in a vehicle that bears no markings that indicate that the vehicle is being used to transport marijuana nor indicates the name of the RMD.

Will there be noise, odors and lights from the DF?

If necessary, we will use carbon air filters to prevent odors related to the cannabis from escaping the DF. We do not anticipate this will be necessary though. The activities at the DF will not create any significant noise. Any offsite lumens from the parking lot will meet code.

For your information and review, I have attached DPH guidelines for writing a letter of support or non-opposition for an RMD. Please do not hesitate to contact us with any additional questions regarding Seven Point of Massachusetts, Inc. or the Medical Use of Marijuana Program.

Very truly yours,

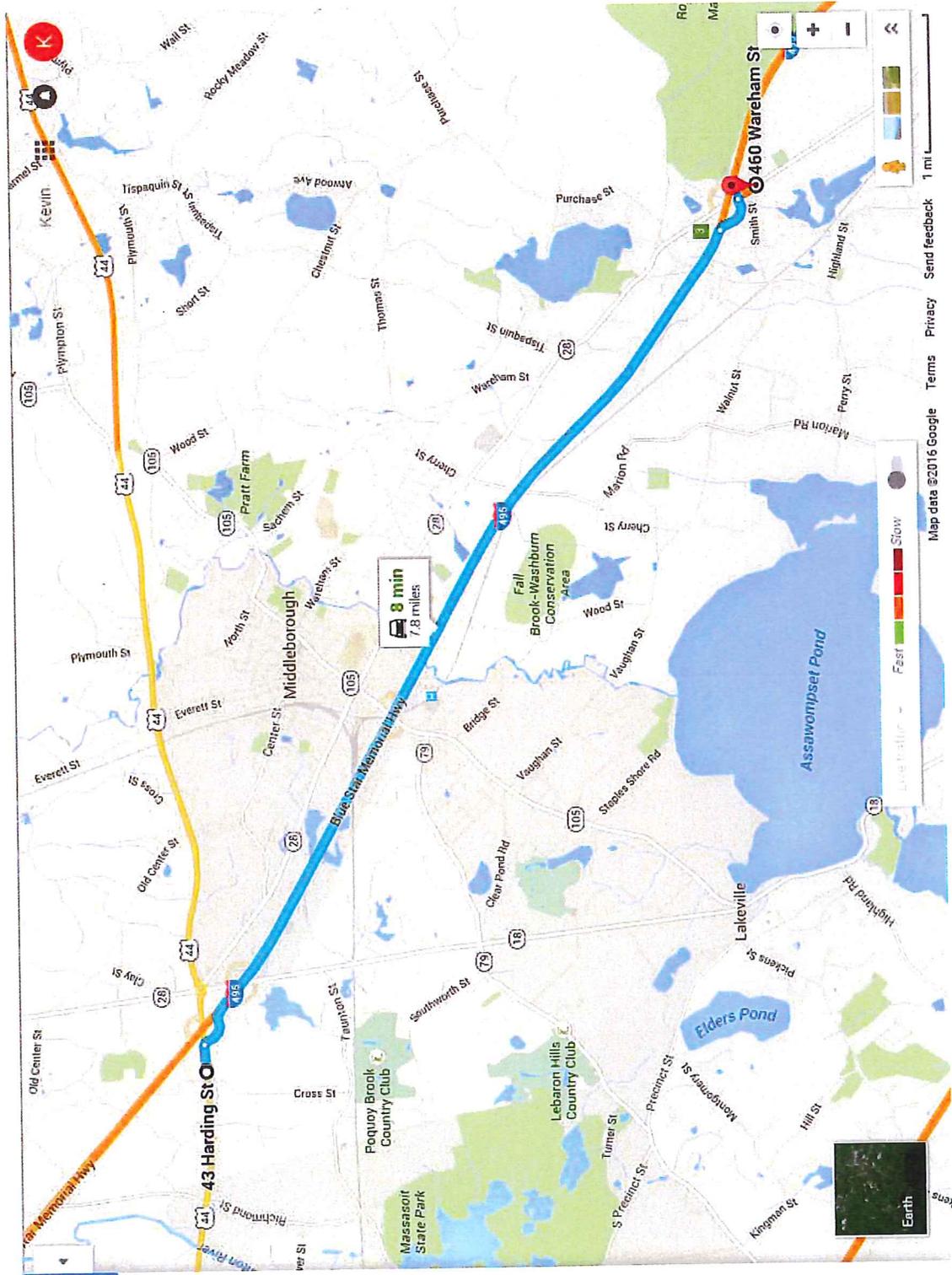


Brad A. Zerman, President/CEO

Enclosures: Seven Point collateral materials

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Distance From Seven Point Proposed RMD Location 460 Wareham St. To Other Proposed RMD Location 43 Harding St. Is 7.8 Miles



← from 43 Harding St, Middleborough, MA 02346  
 to 460 Wareham St, Middleborough, MA 02346

📍 **8 min (7.8 miles)**  
 via I-495 S  
 7 min without traffic

📍 **43 Harding St**  
 Middleborough, MA 02346

↑ **Head east on US-44 E toward Chalet Rd**  
 0.2 mi

↘ **Turn right to merge onto I-495 S toward Wareham/Cape Cod**  
 7.1 mi

📍 **Take exit 3 for MA-28 toward Rock Village/S Middleboro**  
 0.8 mi

↘ **Turn right onto MA-28 S (signs for Rock Village)**  
📍 Destination will be on the right  
 0.2 mi

📍 **460 Wareham St**  
 Middleborough, MA 02346

These directions are for planning purposes only. You may find that construction projects, traffic, weather or other events may cause conditions to differ from the map results and you should plan your route accordingly. You must obey all signs and notices regarding our route.

**SECTION C: LETTER OF SUPPORT OR NON-OPPOSITION**

*Attach a letter of support or non-opposition, using one of the templates below (Option A or B), signed by the local municipality in which the applicant intends to locate a dispensary. The applicant may choose to use either template, in consultation with the host community. If the applicant is proposing a dispensary located and a separate cultivation/processing location, the applicant must submit a letter of support or non-opposition from both municipalities. This letter may be signed by (a) the Chief Executive Officer/Chief Administrative Officer, as appropriate, for the desired municipality; or (b) the City Council, Board of Alderman, or Board of Selectmen for the desired municipality. The letter of support or non-opposition must contain the language as provided below. The letter must be printed on the municipality's official letterhead.*

**Template Option A: Use this language if signatory is a Chief Executive Officer/Chief Administrative Officer**  
I, [Name of person], do hereby provide [support/non-opposition] to [name of non-profit organization] to operate a Registered Marijuana Dispensary ("RMD") in [name of city or town].  
I have verified with the appropriate local officials that the proposed RMD facility is located in a zoning district that allows such use by right or pursuant to local permitting.

\_\_\_\_\_  
Name and Title of Individual

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Template Option B: Use this language if signatory is acting on behalf of a City Council, Board of Alderman, or Board of Selectman**  
The [name of council/board], does hereby provide [support/non-opposition] to [name of non-profit organization] to operate a Registered Marijuana Dispensary in [name of city or town]. I have been authorized to provide this letter on behalf of the [name of council/board] by a vote taken at a duly noticed meeting held on [date].

*The [name of council/board] has verified with the appropriate local officials that the proposed RMD facility is located in a zoning district that allows such use by right or pursuant to local permitting.*

\_\_\_\_\_  
Name and Title of Individual (or person authorized to act on behalf of council or board) *(add more lines for names if needed)*

\_\_\_\_\_  
Signature *(add more lines for signatures if needed)*

\_\_\_\_\_  
Date

Information on this page has been reviewed by the applicant, and where provided by the applicant, is accurate and complete, as indicated by the initials of the authorized signatory here: \_\_\_\_\_

Seven Point of Massachusetts, Inc. ("Seven Point") is a Massachusetts not-for-profit corporation that is currently applying for a Registered Marijuana Dispensary (RMD) registration through the Massachusetts Department of Public Health (DPH). The company has a locally approved cultivation site in the Town of Ayer, MA.

## BRAD ZERMAN CEO & CO-FOUNDER

Sky Processing is one of the nation's largest independent operators of ATMs and has dispensed an estimated \$5 billion in cash withdrawals since 2000. Mr. Zerman's company, on average, securely processes more than one million debit card transactions each month.

Brad is a director of the Illinois Cannabis Industry Association <http://www.ilcia.org/about-ilcia/leadership/>. He is also a director of the Medical Cannabis Alliance of Illinois.

Mr. Zerman has extensive experience successfully doing business in highly regulated industries. Sky Processing operates ATMs in 39 states, the District of Columbia, and Puerto Rico and is regulated by all applicable federal, state and local regulations, including applicable licensing requirements similar to the medical cannabis industry, the ATM operations industry is considered "cash intensive" and requires strict adherence to numerous reporting guidelines, licensing, compliance regulations, and oversight. For example, Sky Processing regularly submits detailed reports to its sponsoring financial institutions and the Federal Financial Institutions Examination Council (FFIEC) regarding more than 2,200 individual ATM locations, including the source of funds and ownership of all cash held within the individual vaults of each ATM. These reports share similarities to the established State of Illinois reporting requirements of a medical cannabis dispensary in Illinois.

Mr. Zerman has 25 years of experience designing and implementing sophisticated security and risk mitigation practices. Mr. Zerman previously designed and manufactured secure outdoor-rated ATMs through his brand Qualtex. Now, as an operator of more than 2,200 ATMs, processing more than 13 million transactions per year, Mr. Zerman securely handles sensitive cardholder and customer data, including debit card numbers, credit applications, background checks, social security numbers and other personal data. Mr. Zerman has a proven and longstanding history of properly safeguarding customer data and other information.

In addition, Mr. Zerman has extensive experience in the broader payment processing industry and oversees all Sky Processing vendor relationships with transaction processors, vault cash providers, and national armored carriers. This background and his existing relationships within the armored carrier and payments industries will be essential to running a successful operation in the medical cannabis industry. Given his extensive experience in the payments industry, Mr. Zerman will be a capable leader who can navigate many of the pending payment and banking issues facing the medical cannabis industry.

Brad is an active member of the Chicago community. He is a founder, past president and past Board Member of the East Wicker Park Organization where he participated in the management of the Dean Park Committee, raised funds for the redevelopment of Dean Park and developed policies during the massive reintegration of East Wicker Park. He is currently on the Council of the Graceland West Community Association. In 2014, he was a mentor in the JCC PresentTense Program and in 2015 a judge in a Shark Tank-style event where Fellows competed for which venture would bring about the most social change. He is an active fundraiser and donor to the Jewish United Fund. He is a Director of Giving Rocks Foundation, a charity dedicated to finding a cure for Langerhan's Cell Histiocytosis. Brad graduated from the University of Wisconsin-Madison.

## RYAN GOLDSTEIN CO-FOUNDER

Ryan Goldstein is Co-founder of Seven Point of Massachusetts and a Principal in Seven Point of Oak Park. Mr. Goldstein was integral in identifying and securing the location for Seven Point of Oak Park and is now leading the real estate efforts for Massachusetts. Mr. Goldstein has over 15 years' experience in the Real Estate industry and currently is Founder and President of RWG Realty Company LLC. RWG Realty Company focuses on Land Development, Property Management, Real Estate Brokerage and Investment. Prior to starting his own company, he was manager at Sandz Development, who has a solid reputation for quality construction, project management, strategic financing and innovative marketing. Before getting into the real estate industry, Mr. Goldstein worked for Neoforma.com, a B2B healthcare company. Mr. Goldstein was a team member in the medical equipment auction division and is a trained auctioneer. Mr. Goldstein graduated from the University of Arizona in 1999 and is an Illinois Licensed Real Estate Managing Broker. Mr. Goldstein is an active fundraiser and donor to the Lynn Sage Cancer Research Foundation at Northwestern Hospital as well as the Renee Israel Foundation.

**BETH ANN BERGER ZERMAN**  
DIRECTOR OF LEGAL & COMPLIANCE

Ms. Berger Zerman will oversee regulatory compliance, risk management and government relations for the entity. Ms. Berger Zerman is also a Partner in the Chicago office of the law firm Lewis Brisbois Bisgaard & Smith LLP, a firm with more than 900 attorneys and 31 offices coast to coast.

Ms. Berger Zerman has more than 20 years of experience representing both public and private companies in a broad variety of industries. Ms. Berger Zerman serves as outside general counsel for a range of companies, including those in industries such as insurance, financial, media, importing and manufacturing. Ms. Berger Zerman counsels her clients on insurance coverage and business matters, and negotiates on their behalf regarding transactions and legal relationships. Ms. Berger Zerman is also an experienced litigator with a string of successes nationwide. She represents her corporate and insurance clients in legal disputes including lawsuits, arbitrations and mediations.

Ms. Berger Zerman is a former Director of Litigation for a Chicago-based national property, casualty and specialty lines insurer. In that position she focused on regulatory concerns and oversight of litigation against health care industry professionals. During Law School, Ms. Berger Zerman was selected as a Judicial Extern for the Honorable Harry D. Leinenweber, United States District Court for the Northern District of Illinois.

**STEVEN HICKOX**  
DIRECTOR OF CULTIVATION

Steven Hickox is a founding member of Medicinal Wellness Center, LLC, (dba Green Cross Superstore), founded in June 2010 for the purpose of operating a vertically integrated cannabis business in the State of Colorado. Since receiving its first license in August 2010, the company has experienced consistent growth and continues to be successful. Currently, Medicinal Wellness Center has annual gross revenues of \$8 million dollars and 37 full-time employees throughout 4 retail stores and 3 grow warehouses located in the Denver area. Mr. Hickox is responsible for the operations of the company, including the site locations and corporate finance matters. His responsibilities also include overseeing licensing requirements and ensuring regulatory compliance throughout the company. To date, Medicinal Wellness Center has had no licensing or regulatory violations. As a managing member of the company, he is involved in both the retail and growing operations of the business, and visits all sites and locations at minimum on a bi-weekly basis.

**MARIE SWAIN**  
DIRECTOR OF DISPENSARY SALES

Ms. Swain was the assistant manager of a medical cannabis dispensary in Portsmouth, Rhode Island where she also served as the acting manager for several months during personnel changes. She focuses heavily on patient education and interacted with roughly 20 to 30 patients daily providing counseling and answering questions on the differences in strain types as well as general differences between sativa and indica strains. In addition, Ms. Swain oversaw the production of all in-house cannabis infused products.

**MITCH SUZAN**  
DIRECTOR OF SECURITY

Mr. Suzan served with the Town of Mattapoisett Police Department for 27 years. As a Senior Patrolmen, he was responsible for responding to various emergency situations, taking appropriate action when necessary. Mr. Suzan conducted investigations leading to numerous arrests. He served as the Old Rochester Regional School District's Resource Officer for 13 years, serving as a liaison between the Mattapoisett Police Department, school administration, students, parents, town departments, community organizations and the court system. Mr. Suzan was an active SWAT member for six years in the SEMLEC (Southeastern Massachusetts Law Enforcement Council) and hostage negotiation trained by the FBI. Prior to joining the Mattapoisett Police Department, Mr. Suzan was a United States Army Military Police Investigator from 1984-1987 in the 1st MP Company at Fort Riley, Junction City, Kansas.

## DAVID MILLER

DIRECTOR OF REAL ESTATE

Mr. Miller has successfully run his own business in Capital Markets and Derivatives Search since 2001. His clients include major Investment Banks, Hedge Funds, and boutique Advisory and Solutions businesses. Prior to entering the Executive Search business in 1991, Mr. Miller worked for Wang Laboratories in their Corporate Offices in International Finance and Treasury, supporting the international subsidiaries for the Americas, Asia, and Pacific regions. Mr. Miller is initially responsible for acquiring dispensary locations for Seven Point of Massachusetts. Mr. Miller received his Bachelor of Science from the University of Lowell in International Finance and holds an MBA from Babson College, in Wellesley, MA.

## JEFF BILODEAU

DIRECTOR OF DISPENSARY PROPERTIES

Mr. Bilodeau is responsible for securing real estate for Seven Point of Massachusetts, Inc. Jeff has spent the last 20 years in various Sales and Marketing roles within the telecommunications industry. Jeff is an innovative result driven sales professional with a track record of providing multi-million dollar revenue growth for his clients and employers by leveraging exciting new technologies to create additional revenue streams. Jeff is very passionate about medical cannabis and relishes the opportunity to help educate patients and communities about the countless therapeutic benefits of medicinal cannabis.

### FINANCIALS:

Per DPH requirements, \$900,000 has been committed to Seven Point of Massachusetts, Inc.

### BENEFITS TO LOCAL TOWN/CITY:

Potential increased property taxes; donations once profitable; jobs with benefits for local residents; and the ability to exercise control through local regulatory authority.

### SECURITY:

The Regulations for the Medical Use of Marijuana Program have detailed security requirements located at 105 CMR 725.110. An outline, describing how Seven Point will comply, is attached along with an example of the security overlay for Mr. Zerman's Chicago-area medical cannabis dispensary. These requirements include: limiting access to those authorized under the Program; prohibiting on-site consumption; destruction of excess cannabis; and storage of money and medicine in vaults. In addition, Seven Point will work with the local Police Department to address any and all security concerns of the town/city.

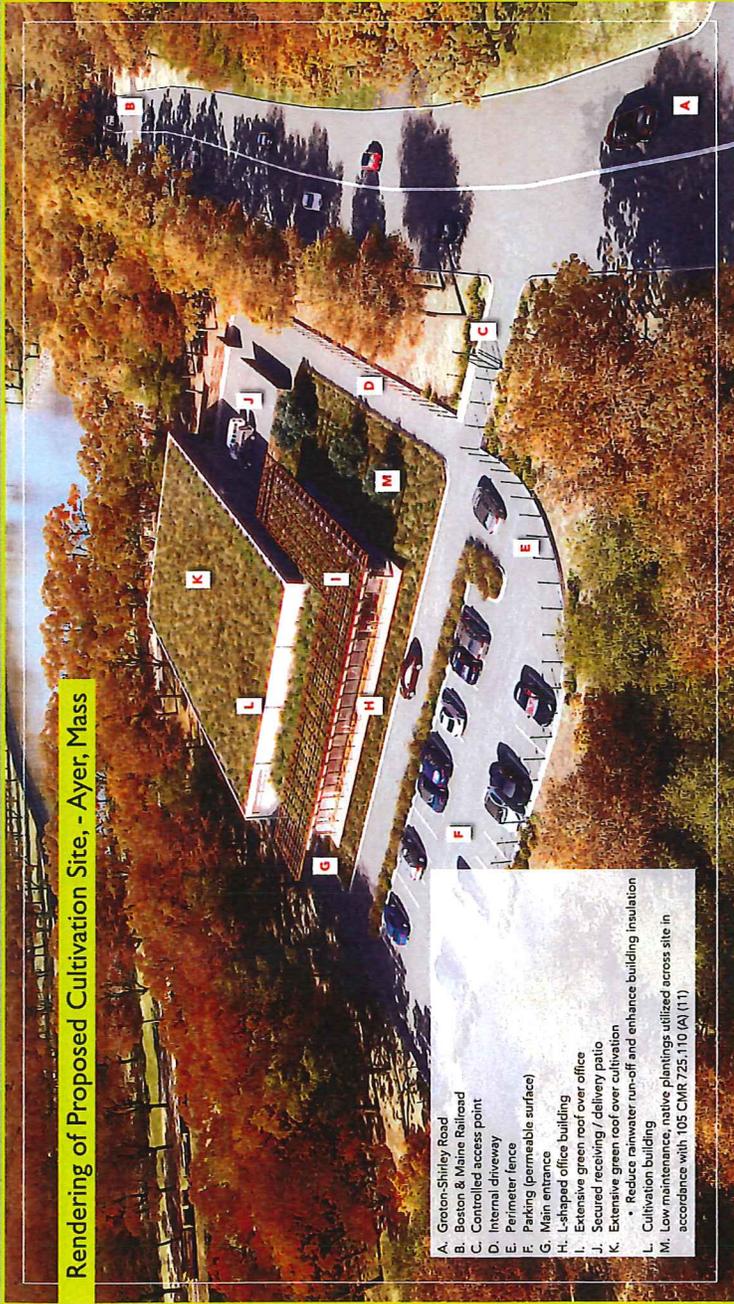
### PROCESS:

On June 29, 2015 Seven Point submitted its Application of Intent for an RMD location and subsequently submitted the second phase of the application process, the Management and Operations Profile for its first application for a second location. Since that time, DPH invited Seven Point to submit the third and final phase of the application process, the Siting Profile. One of the requirements for the Siting Profile is obtaining a letter of support or non-opposition from the proposed municipality for both cultivation and dispensary locations.

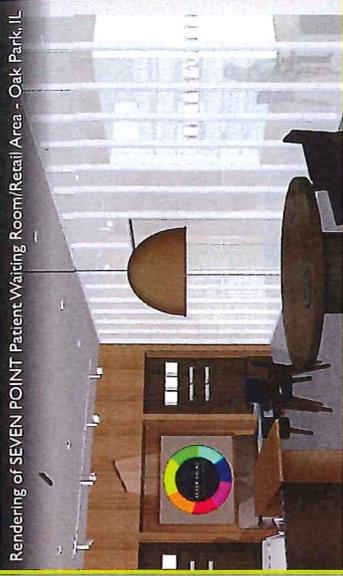
### PROGRAM:

The Medical Use of Marijuana Program in Massachusetts is one of the most highly regulated programs in the country. The program is designed to provide safe medicine (tested for pesticides, metals, microbes and concentration) exclusively to patients who have been approved by their doctors and the Massachusetts Department of Public Health. Additionally, the program requires implementation of a real time "seed to sale" tracking system which securely tracks and controls the amounts of cannabis from the time it is planted until the time it is sold to patients for medical use.

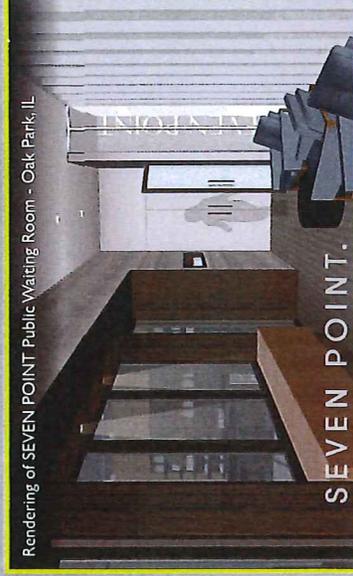
## Rendering of Proposed Cultivation Site, - Ayer, Mass



- A. Gorton-Shirley Road
- B. Boston & Maine Railroad
- C. Controlled access point
- D. Internal driveway
- E. Perimeter fence
- F. Parking (permeable surface)
- G. Main entrance
- H. L-shaped office building
- I. Extensive green roof over office
- J. Secured receiving / delivery patio
- K. Extensive green roof over cultivation
  - Reduce rainwater run-off and enhance building insulation
- L. Cultivation building
- M. Low maintenance, native plantings utilized across site in accordance with 105 CMR 725.110 (A) (11)

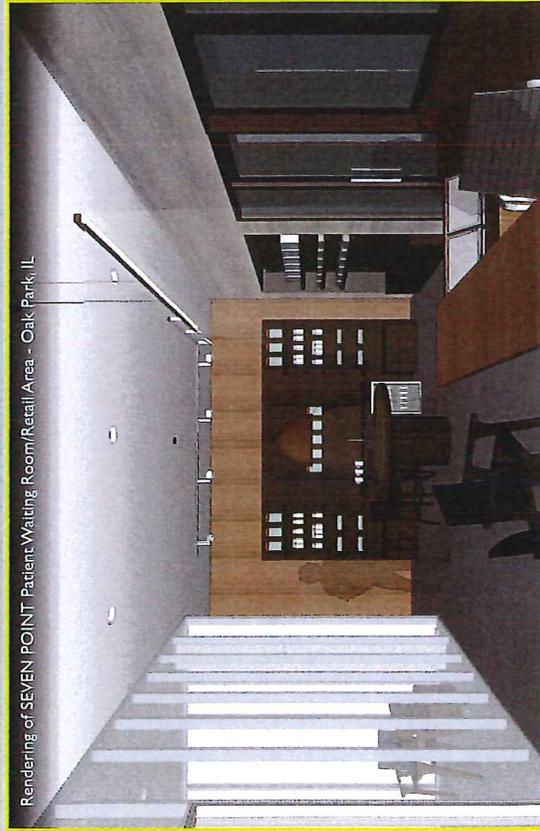


Rendering of SEVEN POINT Patient Waiting Room/Retail Area - Oak Park, IL



Rendering of SEVEN POINT Public Waiting Room - Oak Park, IL

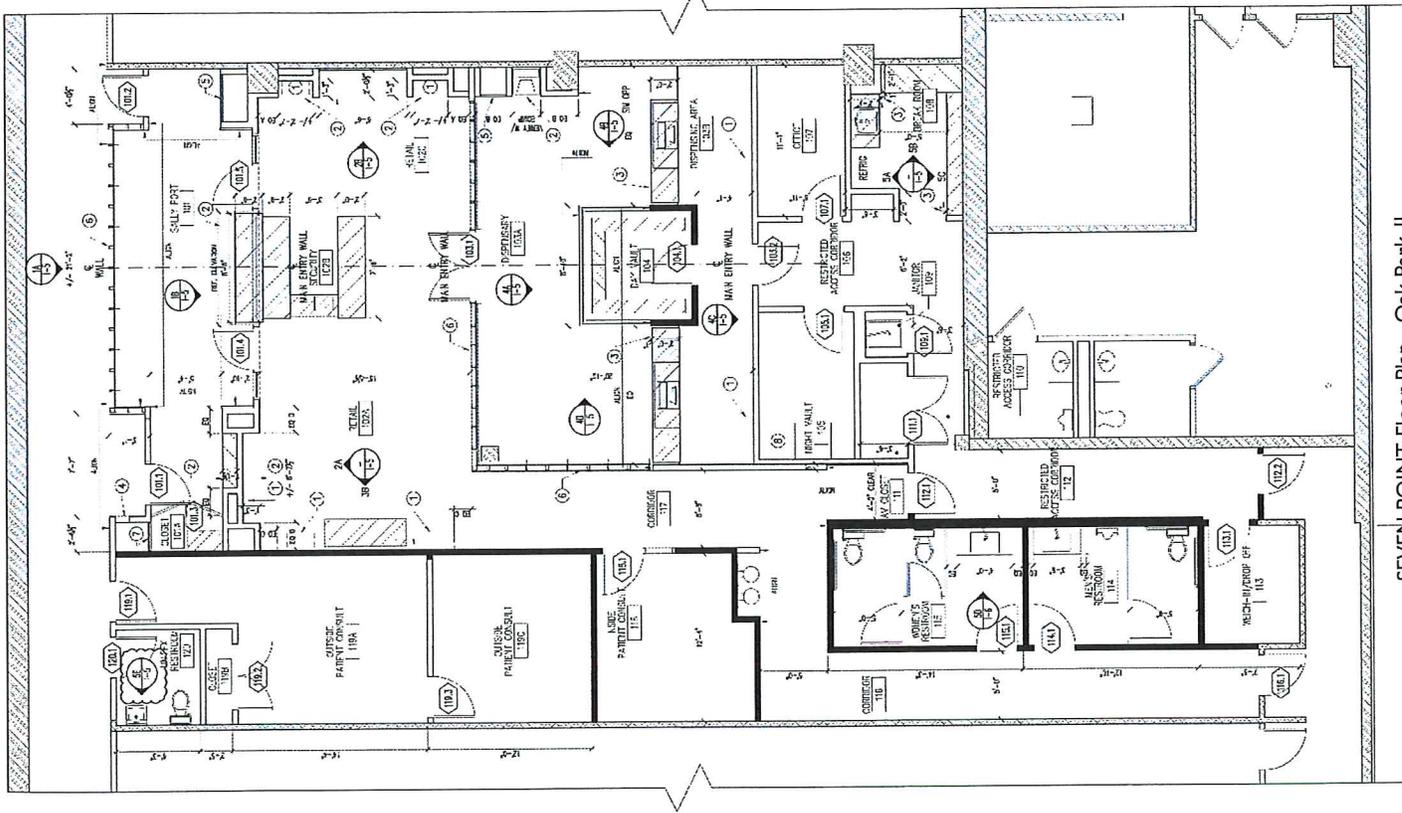
SEVEN POINT.



Rendering of SEVEN POINT Patient Waiting Room/Retail Area - Oak Park, IL



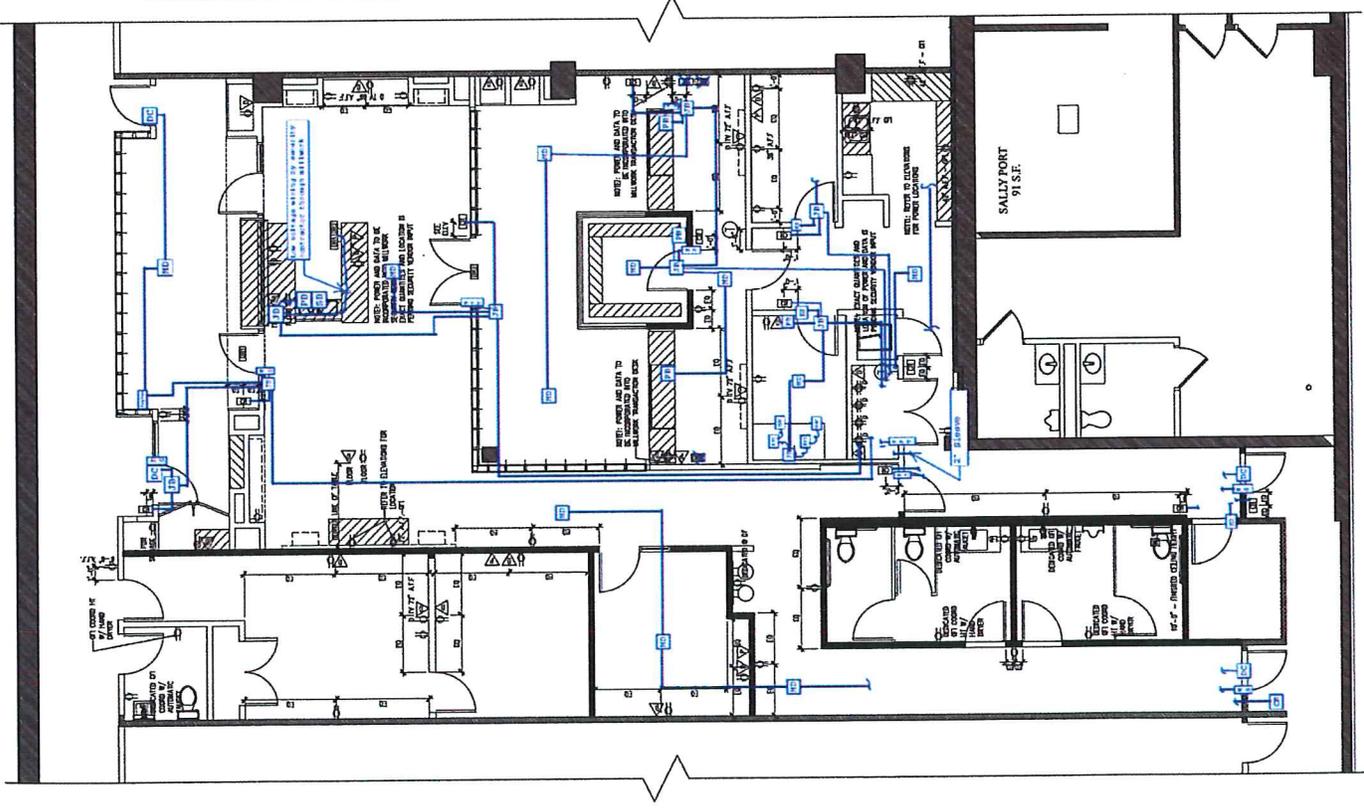
Rendering of SEVEN POINT Dispensing Area - Oak Park, IL

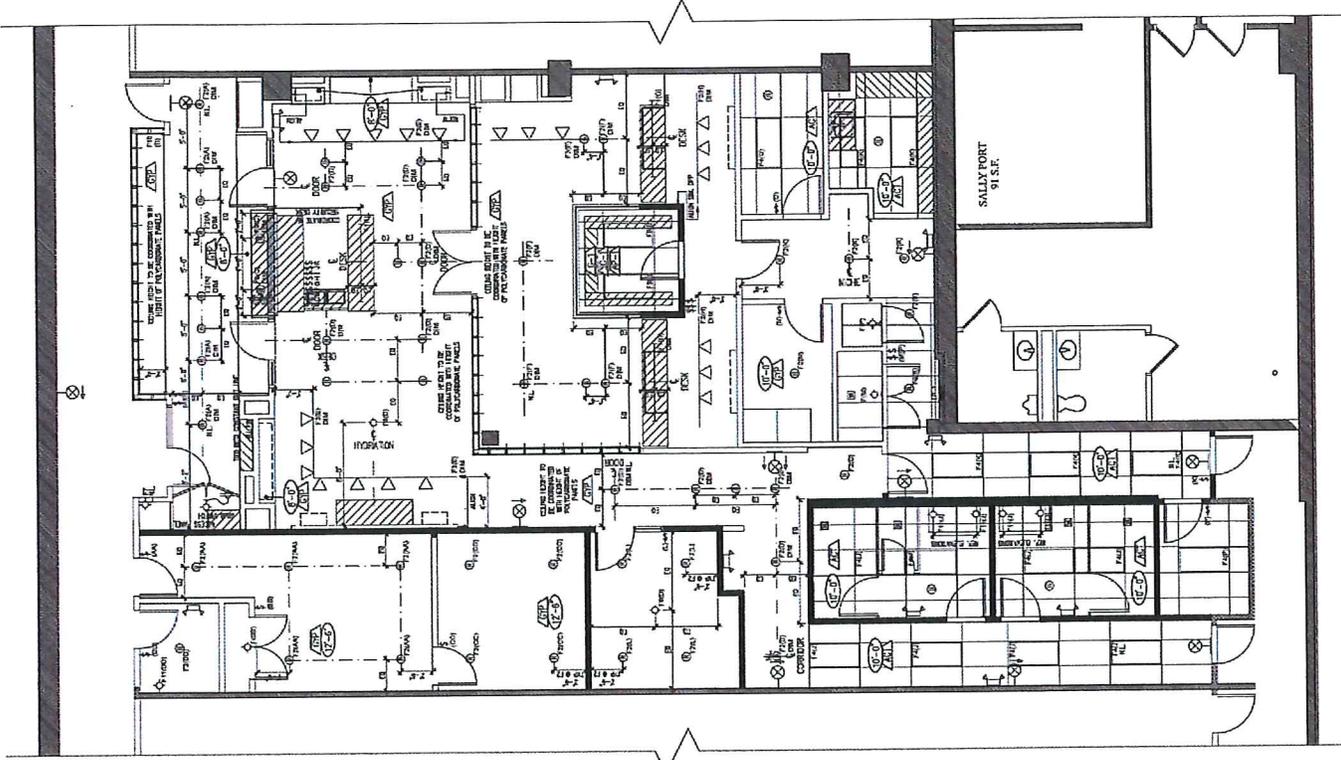


SEVEN POINT Floor Plan - Oak Park, IL

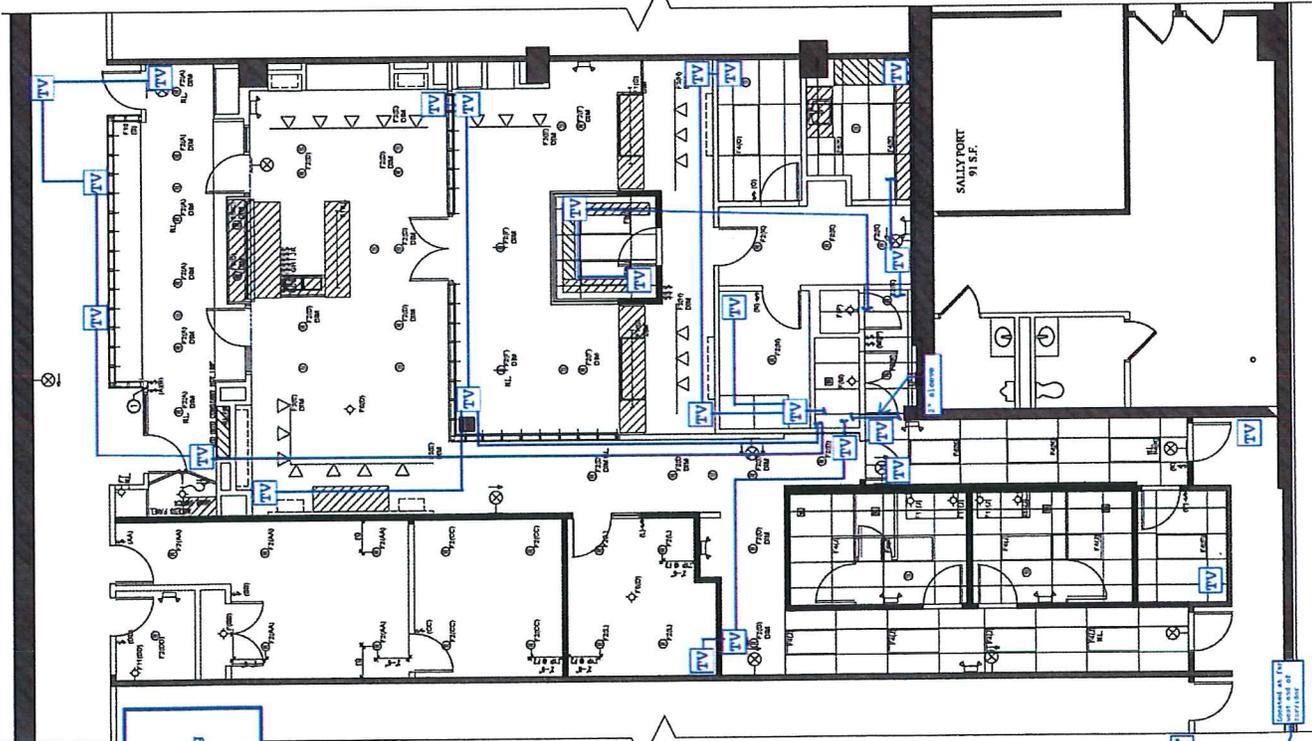
**NOTES**  
 ALL CONDUIT 3/4" unless noted otherwise  
 Devices located in lift out ceiling that do not  
 require conduit rough-in are not shown  
 All boxes 4" square 1900 with single gang ring  
 DC, ES and EPT are stubs or whips only, no back  
 box required.  
 DR, PB and SB devices are under counter mounted  
 under the Millwork, require conduit stub to  
 Millwork only, no back box required  
 This plan does not show data/telco or AV conduit.  
 Camera conduit is shown on a separate plan.

SECURITY AND ACCESS CONTROL CONDUIT PLAN  
 SENTRY SECURITY 12-3-2015





REFLECTED CEILING PLAN | FIXTURE LOCATIONS



REFLECTED CEILING PLAN | SWITCHING

NOTES  
 All conduit is 3/4" unless noted.  
 All camera back boxes are deep 4" square 1900 boxes with single gang rings  
 Do not combine conduits

Office of the Ayer Board of Selectmen  
Office of the Ayer Town Administrator

Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us



October 19, 2015

Department of Public Health  
Bureau of Health Care Safety and Quality  
Medical Use of Marijuana Program  
99 Chauncy Street, 11<sup>th</sup> Floor  
Boston, MA 02111

Dear Commissioner Bharel,

On behalf of the Ayer Board of Selectmen, I am writing to notify you that the Board of Selectmen at a duly posted public meeting held on October 6, 2015 voted 2-1 to provide a letter of non-opposition for Seven Point of Massachusetts, Inc. to operate only the cultivation and processing facility for a Registered Marijuana Dispensary in Ayer. I have been authorized to provide this letter on behalf of the Ayer Board of Selectmen.

We do not provide this letter to Seven Point of Massachusetts, Inc. to operate a retail location where patients would go to purchase marijuana products or anything else from Seven Point of Massachusetts, Inc. in Ayer.

The Board of Selectmen has verified with the appropriate local officials that the proposed cultivation and processing facility is located in a zoning district that allows such use by right or pursuant to local permitting. Thank you.

Sincerely,

Robert A. Pontbriand  
Town Administrator



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Care Safety and Quality  
Medical Use of Marijuana Program  
99 Chauncy Street, 11<sup>th</sup> Floor, Boston, MA 02111

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Deputy Governor

February 3, 2016

Mr. Brad Zerman  
Seven Point of Massachusetts, Inc.  
109 State Street, Suite 404  
Boston, MA 02109

Re: Invitation to Submit Siting Profile

Dear Mr. Zerman,

Seven Point of Massachusetts, Inc. is invited to submit a Siting Profile (Application 3 of 3) to the Department of Public Health ("Department"). Please note that the Management and Operations Profile was submitted on December 10, 2015. To proceed, the applicant must earn a Provisional Certificate of Registration within one year of that date. Please submit the Siting Profile so as to allow the Department sufficient time to review it, the applicant time to respond to any additional or revised information required, and the Department time to review any additional or revised information submitted.

Please follow all directions posted on the Medical Use of Marijuana Program website when completing the application forms. Please remember to type all responses in the application forms.

Please note that the background checks into any individuals or entities identified to the Department are ongoing. Any identified background check issues must be resolved prior to obtaining a Provisional Certificate of Registration.

Please note that you are required to submit copies of the loan agreements described in your responses to Questions C.12 and C.14 in the Management and Operations Profile as well as an independent legal opinion that the agreements described in your response to Questions C.12 and C.14 are in compliance with the non-profit requirements of 105 CMR 725.100(A)(1) and the Guidance for Registered Marijuana Dispensaries Regarding Non-Profit Compliance (<http://www.mass.gov/eohhs/docs/dph/quality/medical-marijuana/applications/non-profit-compliance-guidance.pdf>). Please be advised that the applicant must submit such documents prior to receiving a Provisional Certificate of Registration. An application will not be deemed complete until all materials requested by the Department are submitted.

The Siting Profile must be submitted by U.S. mail or hand-delivered to:

Department of Public Health  
Medical Use of Marijuana Program  
RMD Applications  
99 Chauncy Street, 11<sup>th</sup> Floor  
Boston MA 02111

You may direct any questions regarding the application process to [EMDApplications@state.ma.us](mailto:EMDApplications@state.ma.us) or 617-660-5370.

Sincerely,

Eric Shegkian, J.D.  
Interim Bureau Director  
Bureau of Health Care Safety and Quality  
Massachusetts Department of Public Health



Proposed Dispensary Location - 460 Wareham St., Middleborough, Mass

# Seven Point could provide medical marijuana this winter

by Steve Schering, Contact Reporter  
PIONEER PRESS

When Amy Lee's father battled mesothelioma, she was willing to try anything to ease his symptoms.

"The effects of cancer caused him immense pain," Lee said. "He was prescribed so many pharmaceutical medications and I was the one to give them to him. They were helping some symptoms, but other symptoms came up. He just wanted to stay in the bedroom the whole day. It was really horrible."

Lee and her sister eventually chose to use marijuana, and said the drug provided the relief they had hoped.

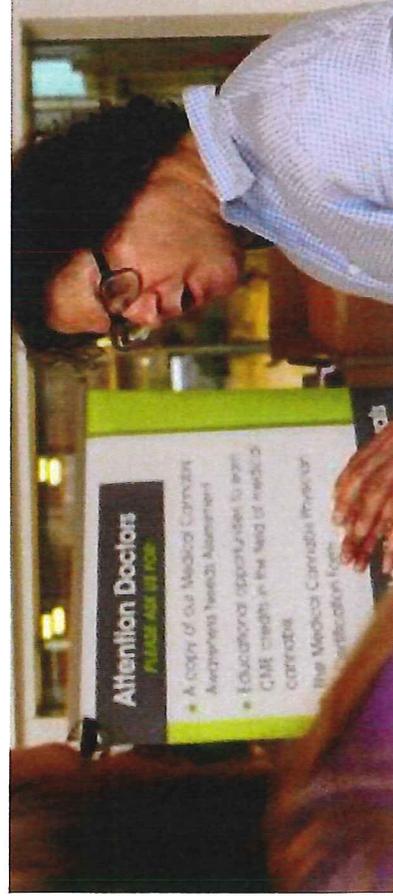
"It really did improve his quality of life drastically," Lee said. "He was back out in the living room, he could be around the kids and it made him eat more. He just seemed to be a little more at peace. We were able to enjoy his last few weeks of life with him."

Anthony Bahl passed away on Aug. 1, 2013 at age 72, the same day former Illinois Governor Pat Quinn signed a bill legalizing the use of medical marijuana in the state.

Since that time, Brad Zerman was awarded a license to open a medical marijuana dispensary within district 36, which includes Oak Park, River Forest, Berwyn, Cicero and Riverside.

Zerman gained approval from the state to open a 4,000 square-foot dispensary at 1140 Lake St., which would sit behind the former Penzeys Spices storefront in downtown Oak Park. The dispensary will operate under the name Seven Point.

At an informational session discussing medical marijuana, Lee, who is working with Seven Point, spoke to a group at the Oak Park Library on June 10.



Marijuana dispensary draws crowd at Oak Park health fair



Amy Lee, on behalf of Seven Point marijuana dispensary, speaks about medical marijuana to guests at the Oak Park Public Library June 10. (Steve Schering, Pioneer Press)

According to Lee, cannabinoids from the marijuana plant are able to mimic the naturally occurring endocannabinoids produced by the human body.

"Cannabinoids from the plant can supplement if there is a deficiency," Lee said. "It can supplement when our body needs to maintain health and wellness."

Lee talked about the medical conditions that qualify for medical marijuana, and the process of getting an Illinois medical marijuana card.

"The first step would be to make an appointment with your doctor to talk about medical cannabis," Lee said.

According to Lee, the patient is then required to submit an application, a caregiver application if necessary, a physician certification form, fingerprint consent form, proof of Illinois residency, proof of identity, proof of age and must select a medical marijuana dispensary.

If approved for the Seven Point dispensary, the patient will meet with dispensary staff to discuss the uses of medical marijuana. Patients will only be allowed to purchase 21/2 ounces of marijuana every two weeks, Lee said.

"We always want to be informing people," Lee said. "It's important that everyone has this information."

Zerman said he hopes to have Seven Point open this fall, with medical marijuana being available for purchase this winter.

Lee plans to host additional medical marijuana informational sessions at 6:30 p.m. July 15 and Aug. 12, at the Oak Park Public Library, 834 Lake St. Guests can RSVP to the sessions by emailing amy@sevenpointoakpark.com.

**HEARING**  
**EARTH REMOVAL PERMIT**  
**COSTELLO DISMANTLING**

(PLANS CAN BE VIEWED IN THE BOS OFFICE)

**7:45 PM**



A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nicker-son Avenue, Middleborough, MA on **Monday, March 28, 2016 at 7:45 PM**, for the purpose of discussing an application filed by **Costello Dismantling Co., Inc.**, for an **Earth Removal Permit** for property located at **701 & 703 Wareham Street, Middleborough, MA, Assessors Map 110, Lots 3952 & 3985**. The reason for this request is to complete the removal of the final 20,000 cubic yards of material that remains on the site in order to grade the site to its final approval grades. Anyone desiring to be heard on this matter should appear at the time and place designated.

Allin Frawley, Chairman  
Leilani Dalpe

John M. Knowlton

Diane C. Stewart

Stephen J. McKinnon

BOARD OF SELECTMEN

March 17, 2016

The Middleboro Gazette Newspaper



Town of Middleborough  
Massachusetts

BOARD OF SELECTMEN  
APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE Feb 17, 2016  
NAME OF APPLICANT Costello Dismantling  
ADDRESS OF APPLICANT 46 King's Highway, Rochester, MA  
ASSESSORS MAP & LOT Map 110, Lots 3352 & 3995  
DAYTIME TELEPHONE 508-291-2324

NAME OF BUSINESS Costello Dismantling, Inc  
OWNER OF PROPERTY TO BE LICENSED CDD,LLP  
ADDRESS OF PROPERTY TO BE LICENSED 701 & 703 Wareham Street  
ASSESSORS MAP & LOT Map 110, Lots 3352 & 3995

TYPE OF LICENSE REQUESTED (Check One)

2<sup>nd</sup> Hand \_\_\_\_\_ WRPD \_\_\_\_\_  
Class I Automobile Dealer License \_\_\_\_\_ Earth Removal Permit X  
Class II Automobile Dealer License \_\_\_\_\_ Liquor License \_\_\_\_\_  
Class III Automobile Dealer License \_\_\_\_\_ Junk Dealer \_\_\_\_\_  
Entertainment \_\_\_\_\_ Other \_\_\_\_\_

Anticipated Start Date for Business: March 15, 2016  
Days & Hours of Operation: Monday - Friday, 7:00 A.M. - 5:00 P.M.

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?  
If yes, explain:  
Yes, earth removal permit issued on this site for removal of same material but material was not removed within time limits allotted.

Signature [Handwritten Signature]

DATE OF HEARING: \_\_\_\_\_

Please bring to the Treasurer/Collector's office @ the Town Hall Annex, 20 Center Street, 3<sup>rd</sup> floor to obtain confirmation/signature that no outstanding taxes/municipal charges exist.

Dear Treasurer/Collector:  
Please inform this department as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? no

[Large Handwritten Signature]

# JAMES ENGINEERING, INC.

125 GREAT ROCK ROAD, HANOVER, MA 02339

2/9/2016

Board of Selectmen  
Town of Middleboro  
267 Main Street  
Middleboro, MA

RE: Earth Removal Permit Application

To the Members of the Board;

On behalf of the applicant, Costello Dismantling, Inc., attached for your review and approval is an application for an Earth Removal Permit for 701 & 703 Wareham Street. The package includes 5 sets of plans, the application, and the completed checklist. The proposed earth removal is to complete the removal of the final 20,000 cubic yards of material that remains on this site in order to grade the site to its final approved grades.

The applicant had already obtained an earth removal permit from the Board for the removal of this material about 10 years ago. The 20,000 cubic yards remaining is located on 2.63 acres in the center of the site and was included in the 45,000± yards permitted back then. This material was not removed pending resolution of the existing dwelling and the commercial structure at the above noted address. It has now been determined that these structures cannot be saved or utilized any further and will be removed. As this permit is being prepared, the existing house has already been razed. The former restaurant structure is scheduled for removal this summer. The removal of these two structures will finally allow the applicant the ability to utilize the entire site in accordance with the original intent.

Although the parcel has been subdivided into 5 separate parcels, it is currently being used by a single user as a contractor's yard and Asphalt, Brick & Concrete recycling facility in accordance with the State issued permit. Except for the 2.63 acres where the earth removal will occur, the remainder of the site has been graded to a relatively flat surface which is covered by either recycled asphalt or recycled concrete. These materials when compacted produce an excellent working surface for the current use for both vehicular movement and material storage. In addition, there is a concrete pad in the middle of the site which is comprised of 10'x10' sections of concrete slab that were removed from a site in conjunction with a demolition project. There is a subsurface disposal system beneath this slab which infiltrates all of the runoff from this surface.

The area of the proposed removal is located in the middle of the lot and is located outside of the limits of the 100' buffer to the bordering vegetated wetlands as flagged in the prior filings. This area is also being maintained as a vegetated buffer for the abutter to the west. The excavation of the material will proceed from south to north. This will insure that none of the runoff from the exposed surfaces of the excavation will flow towards the wetlands to the north. Runoff which flows southward will be collected and treated in a storm water basin that is located just southeast of the entrance. In conjunction with this excavation, all of the existing paved driveway access to the former dwelling will be removed.

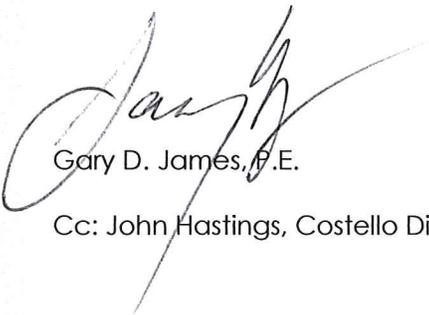
The site is bounded by Route 495 to the northeast and Route 28 (Wareham Street) to the southwest. The abutter to the east is the applicant. Since the first permit, the applicant has purchased both of the parcels which were previously owned by the Town of Middleboro, and is maintaining them as a buffer. To the west, the office building at 695 Wareham Street, is the only abutting active use. As noted above, a 130'± buffer will be maintained both for the benefit of the abutter and to maintain the 100' buffer to

the wetlands. Along Wareham Street, the existing 6' high masonry wall will be maintained as a visual barrier for traffic along this way. In addition, a berm has been installed south of the wall which also acts as a visual barrier between the wall and the current entrance. To the west, a berm is also proposed along the outside edge of the existing parking lot area. This berm will block the view of the site activity for both the abutter and vehicular traffic on Wareham Street.

The material will also be processed on site in conjunction with the removal. It will be screened to either a 2" minus or ¾" minus. The screening plant along with the processed material stockpiles, will be located along the easterly outside edge of the excavation towards the middle of the site. This will insure that the abutter to the west is more than 800' from this activity. Pending the demolition and removal of the former restaurant structure, we are anticipating that the material will be removed from the site in a year. Trucks leaving the site will proceed south on Route 28, to Route 58 and 495. All of this traffic will be outside of Middleboro, since the Town line separates the site from the driveway entrance which is located in Rochester.

I look forward to meeting with the Board to discuss this matter further. If you have any further questions or concerns before the meeting, please do not hesitate to contact me.

Sincerely:

A handwritten signature in black ink, appearing to read "Gary D. James". The signature is stylized and written over the typed name.

Gary D. James, P.E.

Cc: John Hastings, Costello Dismantling, Inc.

Incorporated 1669



CRANBERRY CAPITAL  
OF THE WORLD



**DIVISIONS**

Highway  
Sanitation  
Insect & Pest Control  
Tree Warden  
Wastewater  
Water

**Town of Middleborough**  
Massachusetts

Department of Public Works  
48 Wareham Street  
Middleborough, MA 02346  
Phone 508-946-2481 Fax 508-946-2484

Christopher Peck  
D. P. W. Director

March 24, 2016

Mr. Allin Frawley, Chairman  
Board of Selectmen  
Town Hall  
10 Nickerson Ave  
Middleborough, Ma 02346

**Subject: Costello Dismantling (701/703 Wareham St.)- Earth Removal Permit Review Letter**

Dear Mr. McKinnon,

At the request of the Board of Selectmen I have reviewed the Earth Removal Permit Application as submitted by James Engineering Inc. on behalf of their client Costello Dismantling. As part of the submittal I received the following:

- Earth Removal Permit Application dated February 17, 2016, prepared for Costello Dismantling, prepared by James Engineering, Inc.
- Project Plan prepared by James Engineering, Inc.

The Department of Public Works comments are as follows:

1. It is assumed that the exiting trucks will utilize the existing site driveway located southwest of the proposed earth removal area. Please clarify. The applicant should take measures to prevent sediment from being tracked out onto Route 28 which is owned and maintained by MassDOT.
2. The plan notes "100.0' Buffer to be maintained" and "Proposed limit of clearing" contradict each other. The proposed limit of clearing is shown within the 100 foot buffer. Please clarify.
3. The applicant should provide protection of the existing leaching field to prevent possible damage to the leaching field. The limit of excavation is approximately 50 feet from the existing leaching field.

4. It appears there will be approximately a 14 foot cut in the area of the northerly portion of the earth removal. The applicant should maintain a stabilized slope condition at all times during the earth removal.
5. Please verify the map and lot numbers of 703 Wareham Street. The proposed plans show Map 110, Lot 3995, while the town assessor's map shows Map 110, Lot 3985.

Very Truly Yours,



Christopher Peck  
Director of Public Works

Cc: Town Manager



## Town of Middleborough

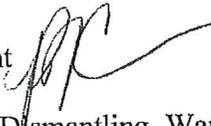
### CONSERVATION COMMISSION

20 CENTRE STREET  
MIDDLEBOROUGH, MASSACHUSETTS 02346

PHONE: 1-508-946-2406  
FAX: 1-508-946-2309

### MEMORANDUM

TO: Board of Selectmen  
Ruth Geoffroy, Planning Director  
Robert Whalen, Building Commissioner  
Christopher Peck, DPW Superintendent

FROM: Patricia J. Cassady, Conservation Agent 

RE: Earth Removal Application – Costello Dismantling, Wareham Street (Map 110,  
Lots 3952 & 3985)

DATE: March 24, 2016

---

This memorandum is in response to the earth removal permit that the above-mentioned applicant has submitted to the Board of Selectmen.

I have the following comments regarding this site:

- 1) Per the DEP Water Resources Mapping this site is within an Interim Wellhead Protection Area.
- 2) The site does not have floodplain nor is it mapped under the Division of Fisheries & Wildlife Natural Heritage & Endangered Species Program.
- 3) The Conservation Commission issued an Order of Resource Area Delineation approving the wetland line on April 16, 2009 under DEP # SE220-1075. This permit was valid for 3 years and was to expire on April 16, 2012 but through the Permit Extension Act this permit was valid for an additional 4 years. This permit is set to expire on **April 16, 2016**.
- 4) The wetland line was mostly delineated from July 15 through July 30, 2007 and some was delineated on April 8, 2009. That would make this wetland line almost 10 years old.
- 5) There is a potential vernal pool in the powerline easement.
- 6) **This wetland line will need to be re-delineated and approved by the Conservation Commission if work is to take place after April 16, 2016.**

If you have any further questions, don't hesitate to contact the Conservation Office at 508-946-2406.

Thank you

pjc

**HEARING**  
**CLASS II DEALERS LICENSE**  
**DENISE MARGOLIN**  
**35 HARDING STREET**  
(PLANS CAN BE VIEWED IN THE BOS OFFICE)



The Middleborough Board of Selectmen will hold a public hearing on **Monday, March 28, 2016 at 8:15 PM** in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, for the purpose of discussing an application filed by **Denise Margolin, City Limits Auto Brokers** for a **Class II Automobile Dealer's License** for the premises located at **35 Harding Street, Middleboro, MA, Assessors Map 47, Lot 535**. Anyone desiring to be heard on this matter should appear at the time and place designated.

Allin Frawley  
Leilani Dalpe  
John M. Knowlton  
Diane Stewart  
Stephen J. McKinnon  
**BOARD OF SELECTMEN**  
March 17, 2016

The Middleboro Gazette Newspaper

**APPLICATION FOR LICENSE OR LICENSING TRANSACTION  
(PLEASE TYPE OR PRINT CLEARLY)**

DATE 11-23-15  
NAME OF APPLICANT Denise Margolin  
ADDRESS OF APPLICANT 195 Tremont St., Mansfield, MA 02048  
ASSESSORS MAP & LOT \_\_\_\_\_  
DAYTIME TELEPHONE 774-244-1154  
EMAIL ADDRESS \_\_\_\_\_

NAME OF BUSINESS City Limits Auto Brokers  
OWNER OF PROPERTY TO BE LICENSED Albert Dias  
ADDRESS OF PROPERTY TO BE LICENSED 35 Harding St., Middleboro, MA 02346  
ASSESSORS MAP & LOT Map 47 Lot 535

**TYPE OF LICENSE REQUESTED (Check One)**

2 <sup>nd</sup> Hand _____	WRPD _____
Class I Automobile Dealer License _____	Earth Removal Permit _____
Class II Automobile Dealer License <u>X</u>	Liquor License _____
Class III Automobile Dealer License _____	Pawnbroker _____
Weekday Entertainment _____	Automatic Amusement Device _____
Sunday Entertainment _____	Other _____

Anticipated Start Date for Business: Upon issuance of license  
Days & Hours of Operation: Sunday thru Saturday 10:00 a.m. to 7:00 p.m.

Has the applicant previously held a similar license in the Town of Middleborough or elsewhere?

If yes, explain:

Yes, currently licensed in Norfolk, MA 02058

Signature 

**Please bring to the Treasurer/Collector's office @ the Town Hall Annex, 20 Center Street, 3<sup>rd</sup> floor to obtain confirmation/signature that no outstanding taxes/municipal charges exist.**

**Dear Treasurer/Collector:**

Please inform this department as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? \_\_\_\_\_

THE COMMONWEALTH OF MASSACHUSETTS

Town                      OF Middleborough

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE  
OR ASSEMBLE SECOND HAND MOTOR VEHICLES  
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a.....  
class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with  
the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Denise Margolin d/b/a City Limits Auto Brokers

Business address of concern. No. 35 Harding.....St.,  
Middleborough.....~~City~~ — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? .....

3. If an individual, state full name and residential address.

Denise Margolin  
195 Tremont Street, Mansfield, MA 02048

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President .....

Secretary .....

Treasurer .....

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES ..

If so, is your principal business the sale of new motor vehicles? NO .....

Is your principal business the buying and selling of second hand motor vehicles? yes .....

Is your principal business that of a motor vehicle junk dealer? NO .....

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.  
The business will consist of a portion of the property at 35 Harding Street, Middleboro, MA. The vehicles will be displayed in the southeast corner of the lot as shown on the attached plan. There will be only two vehicles on display at any time. The office will be in the front of the existing office area of the building as shown on the attached plan.

8. Are you a recognized agent of a motor vehicle manufacturer? ... NO  
(Yes or No)  
If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? ... n/a  
(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? ... YES  
(Yes or No)  
If so, in what city — town ... Norfolk, MA  
Did you receive a license? ... YES For what year?  
(Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? ... NO  
(Yes or No)

Sign your name in full. ....  
(Duly authorized to represent the concern herein mentioned)

Residence 195 Tremont St., Mansfield, MA 02048

### IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application after investigation ..... (Approved or Disapproved)

License No. .... granted ..... 19 .....

Signed. *Denise Margolin* .....

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO (EXTRACT)

SECTION 57. No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles.

SECTION 58. Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of remodeling, taking apart or rebuilding the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts, may be granted a motor vehicle junk license.

SECTION 59. The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no case shall exceed fifty dollars. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made from an investigation of the facts stated in the application and any other information which they unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for addition thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of property abutting on the premises where such license or permit is proposed to be exercised. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The decision of the justice shall be final.

APPLICATION FOR A LICENSE TO BUY, SELL,  
EXCHANGE OR ASSEMBLE SECOND HAND  
MOTOR VEHICLES OR PARTS THEREOF.

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APPLICANT WILL NOT FILL THE FOLLOWING BLANKS

Application No. ....

Class ..... License No. ....

Name .....

St. and No. ....

City — Town .....

Date Issued .....

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Remarks .....

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CLERKS

05/05/2008 13:09 9452308



The Commonwealth of Massachusetts  
Department of Industrial Accidents  
Office of Investigations  
600 Washington Street  
Boston, Mass. 02111

Workers' Compensation Insurance Affidavit - General

name: Denise Margolin dba City Limits Auto Brokers Tax ID #

address: 35 Harding Street zip: 02346 phone # 774-244-1154  
city Middleboro state: MA

work site location (full address):  
 I am a sole proprietor and have no one working in any capacity. Business Type:  Retail  Restaurant/Bar/Eating Establishment  
 Office  Sales (including Real Estate, Autos etc.)  
 I am an employer with \_\_\_\_\_ employees (full & part time).  Other  
 I am an employer providing workers' compensation for my employees working on this job.

company name:  
address:  
city: phone #:

insurance co. \_\_\_\_\_  
 I am a sole proprietor and have hired the independent contractors listed below who have the following workers' compensation policies:

company name:  
address:  
city: phone #:

insurance co. \_\_\_\_\_  
company name:  
address:  
city: phone #:

insurance co. \_\_\_\_\_  
company name:  
address:  
city: phone #:

Failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one year's imprisonment as well as civil penalties in the form of a STOP WORK ORDER and a fine of \$100.00 a day against me. I understand that a copy of this statement may be forwarded to the Office of Investigations of the DIA for coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Print name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Official use only do not write in this area to be completed by city or town official  
city or town: \_\_\_\_\_ permit/license # \_\_\_\_\_  
 check if immediate response is required  
contact person: \_\_\_\_\_ phone #: \_\_\_\_\_  
 Building Department  
 Licensing Board  
 Selectman's Office  
 Health Department  
 Other

**HEARING/MEETING  
STM ARTICLES  
&  
ATM ARTICLES  
DRAFT**

## Special Town Meeting Articles

Middleborough Massachusetts

To Joseph Perkins, Police Chief or any of the  
Police Officers of the Town of Middleborough

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn all the inhabitants of said Town, qualified to vote in Town affairs, to meet in the **Auditorium of the Middleborough High School**, on **Monday, April 25, 2016, at 7:00 P.M.**, to act on the following articles:

ARTICLE 1. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, or other available source, to supplement and/or adjust departmental budgets for Fiscal Year 2016, or act anything thereon.

<i>Department</i>	<i>Dept. No</i>	<i>Account</i>	<i>Line Item</i>	<i>Amount</i>
<b>Veterans Department</b>	<b>543</b>	<b>577000</b>	<b>Medical &amp; Cash Aid</b>	<b>\$90,000.00</b>
<b>DPW – Highway</b>	<b>422</b>	<b>0159293</b>	<b>Snow Removal</b>	<b>TBD</b>
<b>Town Manager's Office</b>	<b>123</b>	<b>542400</b>	<b>Printing</b>	<b>\$4,000.00</b>
<b>Board of Selectmen</b>	<b>122</b>	<b>511101</b>	<b>Regular Pay</b>	<b>\$20,186.24</b>
<b>Town Manager's Office</b>	<b>123</b>	<b>511103</b>	<b>Regular Pay Assistant</b>	<b>\$7,500.00</b>
<b>Police Department</b>	<b>210</b>	<b>524100</b>	<b>Building Maintenance</b>	<b>\$8,946.36</b>
<b>School Department</b>	<b>313</b>	<b>563150</b>	<b>Special Ed Tuition</b>	<b>\$100,000.00</b>
<b>Assessor's Office</b>	<b>141</b>	<b>511101</b>	<b>Regular Pay</b>	<b>\$2,763.00</b>

ARTICLE 2. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, or other available source for unpaid bills from prior years, or act anything thereon.

**SouthCoast Media Group**

**\$111.52**

ARTICLE 3. To see if the Town will vote to raise and appropriate and/or transfer \$20,000 from taxation, free cash, another specific available fund, the Stabilization Fund, and existing appropriation or account or other available source, to raze a town owned structure located on Cambridge Street, Map ID 50I, Parcel 3472, or act anything thereon.

ARTICLE 4. To see if the Town will vote to transfer \$400,000 from free cash to the Stabilization Fund, or act anything thereon.

ARTICLE 5. To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for the Memorial Early Childhood Center Roof Replacement Project, 219 North Main Street Middleboro, MA, 02346, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for

which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). [*Alternatively, if a repair project:* The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program.] The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Town of Middleborough may receive from the MSBA for the Project shall not exceed the lesser of (1) 56.26 percent ( %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, or act anything thereon.

ARTICLE 6. To see if the Town will vote to authorize and establish a revolving fund pursuant to General Laws Chapter 44, Section 53E ½ for Fiscal Year 2016 (7/1/15 – 6/30/16) for the Oliver Estate Advisory Committee established by vote under Article 25 of the warrant for the October 5, 2015 Special Town Meeting, the Board of Selectmen and the Conservation Commission for a program for the Oliver Estate property which program includes holding open houses, tours, celebrations and other events from which revenue is derived from entry and parking fees, advertising charges, vendor fees, sale of food and other items and from other sources. All revenue received or derived from or in connection with program activities shall be credited to the revolving fund with the Oliver Estate Advisory Committee, Board of Selectmen or Conservation Commission authorized to expend from the fund for purposes of the fund and program including expenses incurred in connection with the program activities and for maintenance, operation, rehabilitation and use of the property including construction costs and engineering and consultant fees and expenses incurred in connection with such maintenance, operation, rehabilitation or use of the property, with a limit of Twenty-Five Thousand Dollars (\$25,000.00) in total amount which may be expended from the fund for Fiscal Year 2016, or act anything thereon.

ARTICLE 7. To see if the Town will vote to appropriate a sum of money from free cash or from another specific available fund or account, which sum is intended to replace and offset the transfer of funds from the donations account of the Old Tourism Committee to the General Fund, for the use of the New Tourism Committee established by vote under Article 24 of the warrant for the October 5, 2015 Special Town Meeting to pay expenses incurred by the New Tourism Committee in connection with carrying out its program which includes sponsoring and/or holding events, celebrations, promotions and other activities, or act anything thereon.

ARTICLE 8. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in fiscal year 2016, with each item to be considered a separate appropriation:

Reserves:

From FY 2016 estimated revenues for Historic Resources Reserve	\$7,334.00
From FY 2016 estimated revenues for Community Housing Reserve	\$7,334.00
From FY 2016 estimated revenues for Open Space Reserve	\$7,334.00

, or act anything thereon.

Sponsored by the Community Preservation Committee

ARTICLE 9. To see if the Town will vote to transfer \$56,691 from the CPA Budgeted Reserve account to the following CPA Accounts, or act anything thereon:

Open Space Fund Balance Reserve	Account 26.3252.00	\$18,897
Community Housing Fund Balance Reserve	Account 26.3253.00	\$18,897
Historic Resources Fund Balance Reserve	Account 26.3254.00	\$18,897

Sponsored by the Community Preservation Committee

Given, under our hands at Middleborough, this **day of April, 2016.**

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**Allin Frawley, Chairman**

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**Leilani Dalpe, Vice Chairman**

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**John M. Knowlton**

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**Diane Stewart**

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**Stephen J. McKinnon**  
**BOARD OF SELECTMEN**

Pursuant to the instructions contained in the above warrant, I have notified and warned all inhabitants of said Town of Middleborough, qualified to vote as expressed in said warrant, to meet at the time and place for the purpose specified by causing an attested copy of the same to be published in the Middleboro Gazette on the **th day of April, 2016**, that date being more than fourteen days before the time specified for said meeting.

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**JOSEPH PERKINS**  
Police Chief



## Annual Town Meeting Warrant

Middleborough Massachusetts

To Joseph Perkins, Police Chief or any of the  
Police Officers of the Town of Middleborough

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn all the inhabitants of said Town, qualified to vote in Town affairs, to meet in the **Auditorium of the Middleborough High School**, on **Monday, April 25, 2016, at 7:15 P.M.**, to act on the following articles:

ARTICLE 1. To hear the report of any committee or officer of the Town, to appoint any committee, or act anything thereon.

ARTICLE 2. To see if the Town will vote to raise and appropriate a sum of money by taxation or from available funds in the treasury to defray expenses of the Town for the fiscal year beginning on July 1, 2016, relating to all or any of its officers, boards or departments and for purposes authorized by law, or act anything thereon.

ARTICLE 3. To see if the Town will vote to transfer from the income from the sales of gas and electricity a sum of \$700,000.00 to the Assessors for the purpose of fixing the tax rate for Fiscal Year 2017, or act anything thereon.

ARTICLE 4. To see if the Town will vote pursuant to Section 53E ½ of Chapter 44 of the General Laws, as amended, to authorize and/or reauthorize establishment of one or more revolving funds for the purpose of funding certain activities and operations of certain departments and programs of the Town during Fiscal Year 2017 as set forth below, or act anything thereon.

<b>PROGRAM</b>	<b>EXPENDING AUTHORITY</b>	<b>SOURCE</b>	<b>AMOUNT TO BE EXPENDED</b>
Municipal Fire Alarm System Hazardous Materials Incident	Fire Chief	Fees	Not to exceed \$15,000
Training & Materials	Fire Chief	Fees	Not to exceed \$50,000
Recycling Program	Public Works Sup.	Fees	Not to exceed \$5,000
Composting Bin Program	Public Works Sup.	Fees	Not to exceed \$2,500
Herring Fishery Program	Herring Fishery Com	Fees	Not to exceed \$10,000
Recreation and Sports Program	Park Commission	Fees	Not to exceed \$100,000
Zoning Map, Bylaws and Subdivision Rules & Regulations	Town Clerk	Fees	Not to exceed \$2,500

**Program:** Oliver Estate Advisory Committee  
**Expending Authority:** Oliver Estate Advisory Committee, Board of Selectmen, Conservation Commission  
**Source:** Fees  
**Amount to be Expended:** Not to exceed \$25,000

ARTICLE 5. To see if the Town will vote to authorize and establish a revolving fund pursuant to General Laws Chapter 44, Section 53E ½ for Fiscal Year 2017 (7/1/16 – 6/30/17) for the New Tourism Committee established by vote under Article 24 of the warrant for the October 5, 2015 Special Town Meeting for the program operated by the New Tourism Committee which includes sponsoring and/or holding events, celebrations, promotions and other activities from which revenue is derived from entry and parking fees, advertising charges, vendor fees, sale of food and other items and from other sources. All revenue received or derived from or in connection with program activities shall be credited to the revolving fund with the New Tourism Committee authorized to expend from the fund for expenses of the program with a limit of Twenty-Five Thousand Dollars (\$25,000.00) in total amount which may be expended from the fund for Fiscal Year 2017, or act anything thereon.

ARTICLE 6. To see if the Town will vote to raise and appropriate and/or transfer \$161,600 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase new police cruisers and Automated External Defibrillators (AED's) for the Police Department, or act anything thereon.

ARTICLE 7. To see if the Town will vote to raise and appropriate and/or transfer \$102,625 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase a new wheelchair accessible van for the Council on Aging and a wheelchair mini-bus for the School Department, or act anything thereon.

ARTICLE 8. To see if the Town will vote to raise and appropriate and/or transfer \$45,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing for installation costs of a septic system at the Oliver House and to purchase a new boiler for the Library, or act anything thereon.

ARTICLE 9. To see if the Town will vote to raise and appropriate and/or transfer \$325,413 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase a fire truck-tanker for the Fire Department and a public safety communications system for the Department of Public Works, or act anything thereon.

ARTICLE 10. To see if the Town will vote to raise and appropriate and/or transfer \$123,800 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing for Office 365 Exchange, a server, LCD monitors, workstations, network hardware upgrades and printers for the Information Technology Department, or act anything thereon.

ARTICLE 11. To see if the Town will vote to raise and appropriate and/or transfer \$43,500 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing for a Kubota tractor/mower and a used pickup truck for the Park Department and installation of a handicapped ramp at Masi Field House, or act anything thereon.

ARTICLE 12. To see if the Town will vote to raise and appropriate and/or transfer \$197,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase network hardware upgrades/wiring (switches, routers) and devices for the School Department, or act anything thereon.

ARTICLE 13. To see if the Town will vote to raise and appropriate and/or transfer \$130,500 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing for the purchase of a pickup truck with a plow, used cab and 10 wheel chassis for the Department of Public Works and for the reconstruction of the Jackson Street Parking Lot, or act anything thereon.

ARTICLE 14. To see if the Town will vote to raise and appropriate and/or transfer \$60,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing and \$60,000 from Water Department Retained Earnings for the purchase of a portable asphalt reclaimer, or act anything thereon.

ARTICLE 15. To see if the Town will vote to raise and appropriate and/or transfer \$17,819 from Water Department Retained Earnings, \$17,819 from Wastewater Retained Earnings and \$17,819 from Sanitation Retained Earnings for the purchase of a utility software module package, or act anything thereon.

ARTICLE 16. To see if the Town will vote to transfer \$60,000 from Water Department Retained Earnings for purchase of a diesel utility truck with plow, or act anything thereon.

ARTICLE 17. To see if the Town will appropriate \$9,500,000 from borrowing to pay costs for the construction of a new Police Station, including, but not limited to, the employment of professionals and equipping and furnishing said building and all other costs incidental and related thereto, and to meet this appropriation to authorize the Treasurer, with the approval of the Board of Selectmen to borrow, said sum under General Laws Chapter 44, or any other enabling authority and issue bonds or notes of the Town upon such terms as the Treasurer and the Board of Selectmen shall determine; provided that the appropriation hereunder shall be subject to and contingent on the passage of a ballot question to exempt the amounts required for the payment of principal and interest on the bonds or notes authorized hereunder from the limitations on taxes imposed by M.G.L. Ch.59, section 21C (Proposition 2 ½ ), or act anything thereon.

ARTICLE 18. To see if the Town will vote to raise and appropriate and/or transfer \$308,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing for road resurfacing projects, or act anything thereon.

ARTICLE 19. To see if the Town will vote to raise and appropriate the sum of \$400,000.00 by borrowing under General Laws, Chapter 44, by borrowing from the Massachusetts Water Pollution Abatement Trust pursuant to General Laws Chapter 29C or by raising and appropriating said sum from some other source for the purpose of funding the Town's program to repair, replace or upgrade waste disposal systems, or act anything thereon.

ARTICLE 20. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in fiscal year 2017, with each item to be considered a separate appropriation:

Appropriations:

From FY 2017 estimated revenues for Committee Administrative expenses \$13,000

Reserves:

From FY 2017 estimated revenues for Historic Resources Reserve \$24,000

From FY 2017 estimated revenues for Community Housing Reserve \$24,000

From FY 2017 estimated revenues for Open Space Reserve \$24,000

From FY 2017 estimated revenues for Budgeted Reserve \$165,000

Or take any action thereon.

Sponsored by the Community Preservation Committee

ARTICLE 21. To see if the Town will vote to appropriate \$25,000 from the Community Housing Resources Reserve of the Community Preservation Fund to fund a portion of the Middleborough Housing Authority's Nemasket Apartments Window Project (9 Hale Avenue and 21 Maddigan Way) for the purpose of improving housing conditions for twelve elderly housing units in two buildings; said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored by the Community Preservation Committee

ARTICLE 22. To see if the Town will vote to appropriate \$87,319 from the Historic Resources Reserve of the Community Preservation Fund including \$8,000 for in-house project management and oversight for the purpose of Historic Preservation/ Rehabilitation /Restoration of the Oliver House; said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored by the Community Preservation Committee

ARTICLE 23. To see if the Town will vote to appropriate \$21,000 from the Historic Resources Reserve of the Community Preservation Fund including \$2,000 for in-house project management and oversight for the purpose of Historic Preservation/ Rehabilitation /Restoration of the Soule Homestead Barn and Farmhouse; said funds to be expended under the direction of the Community Preservation Committee; or take any other action thereon.

Sponsored by the Community Preservation Committee

ARTICLE 24. To see if the Town will vote to appropriate \$171,088 for land purchase expense and incidental legal, due diligence, and closing costs including up to \$10,000 for in-house project management and oversight to enable the Town of Middleborough to acquire for conservation preservation purposes under M.G.L. Chapter 44B, the Community Preservation Act, and to authorize the Board of Selectmen to purchase land at Woloski Park in Middleborough, Massachusetts, and shown as Lots 2465, 2487, 2476, 2448, 2444, 2339, 2414, 2454, 2457, 2482, 2478, 2442 and 2455 on Middleborough Assessors Map 020; the portion of the land determined by the Board of Selectmen to be park, forest, open space and/or conservation land to be managed by the Conservation Commission; and that to meet this appropriation to authorize the Treasurer with the approval of the Board of Selectmen and Community Preservation Committee, to borrow \$171,088 under General Laws Chapter 44 and Chapter 44B, or the sum of \$171,088 from the Community Preservation Open Space Reserve fund as appropriate and available, and to authorize the Board of Selectmen to submit on behalf of the Town any and all applications deemed necessary for gifts, grants, and/or reimbursements from the Commonwealth of Massachusetts, or the United States, and/or any other state or federal programs including those in aid of conservation land acquisition and historic preservation acquisitions; and/or any others in any way connected with the scope of this Article; said gifts, grants, and/or reimbursements to be deposited in the Undesignated Community Preservation Fund and Open Space Reserve Fund, as appropriate; and that the Board of Selectmen be authorized to demolish and remove all buildings on the land which is purchased so as to restore the and to open space, and to grant a perpetual conservation restriction on the park, forest, open space and/or conservation land, to be determined by the Board of Selectmen, which shall meet the requirements of M.G.L. Chapter 44B, § 12 and M.G.L. Chapter 184, §§ 31-33, and to enter into all agreements and execute any and all instruments as may be necessary to affect said purchase or act anything thereon

Sponsored by the Community Preservation Committee

ARTICLE 25. To see if the Town will vote to use some of the funds, received by the Town from Weston Forest timber sales re: the trust fund established under Clause Nineteenth C – VII of the will of Frederick S. Weston in connection with the Frederick Weston Memorial property, for the Stipend for Weston Forest Committee secretary, to appropriate from said funds \$1,000 for such purposes, or act anything thereon.

ARTICLE 26. To see if the town will vote to appropriate One Hundred Twenty-One and 76/100 Dollars (\$121.76) from the Old Tourism Committee's donations account (Account Number 29.3280.46) and authorize the New Tourism Committee and/or Old Tourism Committee to use the appropriation to pay the expense fee charged by the public records custodian in connection with fulfilling a public records request by the Old Tourism Committee, or act anything thereon.

ARTICLE 27. To see if the Town will vote to amend the handicapped and disabled veteran parking by-law adopted under Article 4 of the October 22, 1984 Special Town Meeting by deleting Section (d), the penalty clause of the by-law, and replacing it with the following:

Section (d):

- (1) The penalty for violation of this by-law shall be Three Hundred Dollars (\$300.00) for each offense.
- (2) Any unauthorized vehicle parked or standing in violation of this by-law shall be removed in accordance with Section 22D of General Laws Chapter 40; or act anything thereon.

ARTICLE 28. To see if the Town will vote to amend the action taken to form the Oliver Estate Advisory Committee as approved by Special Town Meeting of October 5, 2015 Article 25, by adding the following language: "The appointing authority shall fill a vacancy based on the unexpired term of the vacancy in order to maintain the cycle of appointments", or act anything thereon.

ARTICLE 29. To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a PILOT tax agreement on behalf of the Town, as authorized by MGL Chapter 59, section 38H, with Earth Clean Syn I, II and III LLC, with respect to annual payments in lieu of personal property taxes for a term of up to twenty years relative to a solar energy system with an AC rated capacity of up to one and a half (1) megawatt to be installed on different parcels of land owned by Howard Anderson and Lauderdale Realty, LLC, and located at River Street and Sylvan Street, or act anything thereon.

ARTICLE 30. To see if the Town will vote to accept Captain Hall Road, Augustus Way, Hayden Way and Leland Way in Eastwood Estates as Town ways as laid out by the Board of Selectmen and to authorize the Board of Selectmen to acquire by eminent domain by gift the fee in the ways as shown on the road layout plan on file with the Board of Selectmen and Town Clerk containing four (4) sheets and entitled "Roadway Acceptance Plan – Captain Hall Road (Sheet 1) – Augustus Way (Sheet 2) – Hayden Way (Sheet 3) – Leland Way (Sheet 4), prepared by Prime Engineering Inc. which plan is dated February 4, 2016 (Sheets 1 and 2) and January 4, 2016 (Sheets 3 and 4), and any related easements, or act anything thereon.

ARTICLE 31. To see if the Town will vote to accept Sheffield Road as a Town way as laid out by the Board of Selectmen and to authorize the Board of Selectmen to acquire by eminent domain or by gift the fee in the way as shown on the road layout plan on file with the Board of Selectmen and Town Clerk entitled "Roadway Acceptance Plan of Land – Sheffield Estates in Middleborough, Massachusetts", prepared by Outback Engineering, Incorporated, which plan is dated May 3, 2013, and any related easements, or not anything thereon.

Given, under our hands at Middleborough, this **day of April, 2016.**

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**Allin Frawley, Chairman**

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**Leilani Dalpe, Vice Chairman**

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**John M. Knowlton**

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**Diane Stewart**

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**Stephen J. McKinnon**  
**BOARD OF SELECTMEN**

Pursuant to the instructions contained in the above warrant, I have notified and warned all inhabitants of said Town of Middleborough, qualified to vote as expressed in said warrant, to meet at the time and place for the purpose specified by causing an attested copy of the same to be published in the Middleboro Gazette on the **day of April, 2016**, that date being more than seven days before the time specified for said meeting.

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**JOSEPH PERKINS**  
Police Chief