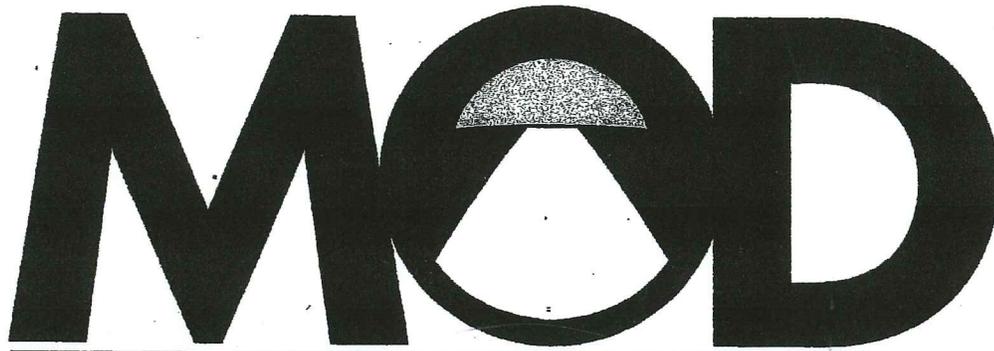


**NEW BUSINESS**  
**7/11/16**

**MASSACHUSETTS OFFICE ON DISABILITY**



**Massachusetts Office on Disability**

**DISABILITY RIGHTS  
LAWS IN  
MASSACHUSETTS**



CHARLES D. BAKER, GOVERNOR  
KARYN E. POLITO, LIEUTENANT GOVERNOR  
DAVID D'ARCANGELO, DIRECTOR

1 ASHBURTON PLACE, ROOM 1305  
BOSTON, MASSACHUSETTS 02108  
617 727-7440

### **Massachusetts Automobile Excise Tax Exemption**

M.G.L. c. 60A, §1

Exempts qualified disabled persons from excise tax requirements. The motor vehicle must be owned and registered by a person who has suffered loss or permanent loss of use of both legs or both arms or loss of vision of both eyes to a certain degree. The exemption applies to one motor vehicle per person, owned and registered for their personal, noncommercial use. Applications for exemptions are available from the local town assessor's office.

### **Massachusetts Automobile Sales Tax Exemption**

M.G.L. c. 64H, §6(U)

This law exempts certain people with disabilities from the purchase and use tax of a motor vehicle. To qualify, a disabled person must be the original registered owner of the motor vehicle and have the loss of two or more limbs or permanent loss of use of at least 80% of two or more limbs. Parents and others, who transport similarly disabled children or adults, who have been found incompetent to legally enter into contracts, may also be entitled to this exemption. See DOR Directive 03-11. The Department of Revenue has clarified that a wheelchair lift used to make a van accessible may also be exempt even if purchased separately from the vehicle. In cases where the lift is purchased after the van, a physician's prescription may be needed to document this exemption. See DOR Directive 00-7.

Department of Revenue, Customer Service Bureau

P.O. Box 7010, Boston, MA 02204

617-887-MDOR (6367), Toll-free in Massachusetts 800-392-6089, 617-887-6140 (TTY)

Website: <http://www.mass.gov/dor>

OR

Mass. Registry of Motor Vehicles, Medical Affairs

P.O. Box 55889, Boston, MA 02205-5889

(617) 351-9222 (Voice); (877) 768-8833 (TTY)

Website: <http://www.mass.gov/rmv>

### **Massachusetts Gas Station Law**

G.L. c. 94, § 295CC

Every gas station owner offering motor fuel for sale from both full-service and self-service pumps shall dispense fuel from the self-service pump for any owner-operator of a motor vehicle bearing handicapped person or disabled veteran number plates as described in section two of chapter ninety (see section on Massachusetts Handicapped Plate and Placard Law below for more information). The gas station must display signs in a prominent location stating its compliance with the provisions of this law. The Division of Standards shall develop standards for such signs including, but not limited to, size, text, legibility and location. Note: The Americans with Disabilities Act also directs gas stations assist people with disabilities. See <http://www.ada.gov/gasserve.htm>

Executive Office of Consumer Affairs

Division of Standards

One Ashburton Place, Room 1115

Boston, MA 02108

(617) 727-3480

Website: <http://www.mass.gov/standards>

## **HANDICAPPED PARKING LAWS**

Massachusetts Chapter 40 governs a variety of activities by cities and towns, including parking. The primary sections that deal with accessible parking are:

## Parking Lots

M.G.L. c. 40 § 21, ¶ 23:

All parking lots and garages open to the public must comply with the parking regulations of the Architectural Access Board (521 C.M.R.), which are similar to but significantly different from the specifications of this accessible parking law. The law requires public or private parking areas that are used by the public to reserve designated parking spaces for vehicles, which bear an HP plate, placard or a disabled veteran plate. Standards under the 1991 ADAAG and 2010 ADA Standards specify yet a third set of minimum number of spaces, and were revised effective March, 15, 2012. The minimum numbers for designated spaces are as follows:

Total Spaces	AAB	1991 ADAAG	2010 Standards
1-14	0	1	1
15-25	1	1	1
26-50	2	2	2
51-75	3	3	3
76-100	4	4	4
101-150	5	5	5
151-200	6	6	6
201-300	7	7	7
301-400	8	8	8
401-500	9	9	9
501-1,000	2% of total	2% of total	2% of total
1,001 and over	20, plus 1 for each 100 over 1000	20, plus 1 for each 100 over 1,000	20, plus 1 for each 100, or fraction thereof, over 1,000

For more information, please visit our website's publication page for our "Handicapped Parking Regulations in Massachusetts" or download the WORD DOC here: <http://www.mass.gov/anf/employment-equal-access-disability/oversight-agencies/mod/mod-publications.html>

## Parking Meter Fees

M.G.L. c. 40 § 22A:

In cities and towns that have parking meters, people who have an HP plate or display an HP placard are exempt from paying parking meter fees. However, this exemption only applies to meters, not any other type of pay to park system. Fines for parking in a handicapped parking space without a plate or placard range from one hundred dollars (\$100) to three hundred dollars (\$300). The municipality determines the exact amount. Also, violators may be towed. Enforcement is by the local police or traffic department.

## Over Time Parking Limits

M.G.L. c. 40 § 22:

People who have an HP plate or display an HP placard are exempt from the time limits on a parking space, such as 15 minutes or 1 hour only, etc. However, this does not exempt plate or placard users from fines or towing when "No Parking" restrictions are in effect, such as snow emergencies.

### **Reserved Spaces and Towing**

M.G.L. c. 40 §22D:

A municipality may further regulate parking by restricting certain on-street areas for vehicles bearing HP plates or placards. People who park blocking curb cuts or handicapped parking spaces can be towed.

### **Massachusetts Handicapped Plate and Placard Law**

M.G.L. c. 90, §2:

HP plates and placards are issued through the Registry of Motor Vehicles to eligible people with disabilities. As discussed under the parking laws above, they entitle holders: to park in designated HP spaces, to park longer than usual time limits, to park at parking meters free of charge, and to make use of the gas station law. The rights, responsibilities and privileges of plate holders and placard holders are the same. The Registry's Bureau of Medical Affairs determines eligibility according to physician's documentation. Only people who meet the disability definition and who are the registered owner of the vehicle and who are licensed drivers may receive plates. Anyone who meets the disability eligibility requirements can get a placard. The Massachusetts Registry of Motor Vehicles also issues temporary placards in some circumstances. An individual who uses an HP placard without proper authorization is the individual who will be penalized, as opposed to the individual with a disability to whom the placard was issued. A driver picking up or dropping off the authorized placard user may not idle in an accessible parking space for more than ten minutes. The fines for unauthorized utilization of an HP placard are five hundred dollars (\$500) for the first offense and one thousand dollars (\$1,000) for subsequent offenses. License suspension for violation of this law run from 30 Days for a first offense to one year for a third or subsequent offense. The fines and penalties in this section are in addition to those specified in Chapter 266, Section 37E for the fraudulent use of another's identity. If a plate or placard user voluntarily allows someone else to use his or her placard or plate, it can result in revocation of the placard or plate.

Also, M.G.L. c. 90 §24B, ¶1 provides that:

"Whoever falsely makes, steals, alters, forges or counterfeits or procures or assists another to falsely make, steal, alter, forge or counterfeit a special parking identification disability placard, or whoever has in his possession, or utters, publishes as true or in any way makes use of a falsely made, stolen, altered, forged or counterfeited special parking identification disability placard shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison for not more than five years or in jail or house of correction for not more than two years."

Massachusetts Registry of Motor Vehicles, Medical Affairs  
P.O. Box 55889  
Boston, MA 02205-5889  
(617) 351-9222 (Voice) / (877) 768-8833 (TTY)

### **Massachusetts White Cane Law**

M.G.L. c. 90 § 14A

Whenever a blind pedestrian, guided by a guide dog or carrying a raised or extended cane that is white or white tipped with red, attempts to cross a street, drivers must stop for the dog or cane user. A person who owns an animal shall restrain and control such animal on a leash when in proximity to a guide dog that is on a public or private way. Violations of this law are punishable by a criminal fine of not less than one hundred and no more than five hundred dollars.

## **DISABILITY COMMISSIONS**

Massachusetts Disability Commissions

M.G.L. c. 40, § 8J

A city or town, which accepts the provisions of this Section, is authorized to establish a Disability Commission to serve in an advisory capacity to municipal governments on disability issues. Commissions work with the Office on Disability to carry out programs and activities designed to integrate people with disabilities into the community. The specific activities of a Commission depend on the needs of the disabled community in the particular city or town. Commissions consist of five to nine members, and are appointed by the mayor or city manager in cities or by the selectmen or town manager in towns. The majority of members must be disabled, and one must be an immediate family member of a disabled person. One member of the Commission must be an elected or appointed official of the city or town. Members are initially appointed in staggered one, two and three year terms. A Commission must have at least six meetings per year, keep records of its meetings and actions, and file an annual report. Commissions generally are authorized to receive gifts and other funds.

#### **Administration of Handicapped Parking Program**

M.G.L. c. 40, § 22G

For the benefit of persons with disabilities, cities and towns which have chosen to implement a Handicapped Parking Program may empower their Disability Commission to receive and administer fines from violations of the Handicapped Parking Law. Funds collected pursuant to this law must be kept in a separate account by the municipality's treasurer and shall be used solely for the benefit of persons with disabilities. Expenditures of money collected from the Handicapped Parking Program, including accrued interest, if any, should be approved in accordance with the accepted procedures of the municipality for the disbursement of funds. To find your local COD, please visit this page: <http://www.mass.gov/anf/employment-equal-access-disability>

## **EDUCATION**

#### **Federal Rehabilitation Act: Entities Receiving Federal Funds, §504**

29 U.S.C. § 794, et seq.

This law prohibits discrimination against people with disabilities under any program or activity receiving or benefiting from federal financial assistance, which often includes educational entities.

U.S. Department of Education, Office of Civil Rights  
33 Arch Street, Suite 900  
Boston, MA 02110-1491  
(617) 289-0111 (Voice) - (877) 521-2172 (TTY)

#### **Massachusetts Public Education Law, Ch. 766**

M.G.L. c. 71B, §§ 1 - 16

This state law guarantees a "free and appropriate public education in the least restrictive environment" to all school-aged children (ages 3 to 21) regardless of disability. Any child who qualifies for special education services will receive services specified in an Individualized Education Plan (IEP). A team of interested parties, including educators, parents, physicians and advocates, develops the plan. The law also mandates support for children with disabilities who may be bullied, providing that: Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing. See: Chapter 92 of the Acts of 2010, §7.

Mass Department of Elementary and Secondary Education - Program Quality Assurance Unit  
75 Pleasant Street, Malden, MA 02148-4906  
(781) 338-3700 (Voice)  
Website: <http://www.doe.mass.edu>

#### **Federal Individuals with Disabilities Education Act**

20 U.S.C. § 1400, et seq.

Also, the Town of Middleborough voted to adopt the following bylaw pursuant to M.G.L. c.40, Section 21 on October 22, 1984:

Oct 22, 1984

ARTICLE 4 - HANDICAPPED AND DISABLED VETERAN PARKING

Voted that the town adopt the following by-law pursuant to General Laws Chapter 40, Section 21

and every other power:

Section (a) Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by Section 2 of Chapter Ninety of the Massachusetts General Laws according to the following formula:

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five per cent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one per

cent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one-half of one percent of such spaces but not less than thirty.

Section (b) Parking spaces designated as reserved under the provisions of Section (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized vehicles may be removed at owner's expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two-eight-foot wide areas with four feet of cross hatch between them.

Section (c.) Leaving unauthorized vehicles within parking spaces designated for use by disabled veterans or handicapped persons as required by Sections (a) and (b) or in such manner as to obstruct a curb ramp designated for use by handicapped persons as a means of egress to a street or public way shall be prohibited.

Section (d) The penalty for violation of this by-law shall be as follows: for the first offense, Fifteen Dollars, for the second offense, Twenty-five Dollars and for each subsequent offense, the vehicle may be removed according to the provisions of Section 120D of Chapter 266 of Massachusetts General Laws.

Approved by the Attorney General January 21, 1985



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Section 22G. Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.

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**SPECIAL TOWN MEETING**  
March 10, 1986

The meeting was called to order by the Moderator, Douglas Hult, at 8:10 P.M. He declared a quorum was present at the Middleborough High School, Wayne M. Aaron Auditorium.

No objections were made to the Town Manager, John F. Healey, sitting on the stage during the meeting as he is not a registered voter in the Town of Middleborough.

It was noted that for the first time the meeting was to be video-taped by Continental Television to be shown at a later date on Middleborough's local access channel. Also, the meeting was signed for the hearing impaired.

Chairman of the Board of Selectmen, Stephen D. Morris, presented a plaque to former Selectman, Frederick E. Bays, Jr. and thanked him for his service to the town during his term of office from 1982 to 1985.

The following action was taken:

ARTICLE 1: Voted by a two-thirds vote declared by the Moderator to authorize the Board of Selectmen to purchase in the name of the Town for the purpose of acquiring the fee and all rights and easements in all or a portion of the land described in the following deeds:

1. A parcel of land on the southeasterly side of East Main Street in Middleborough, Massachusetts and described as the Sixth Parcel in a deed of Rose E. Standish Pratt dated September 24, 1969, recorded in the Plymouth County Registry of Deeds in Book 3550, Page 85.
2. Eighteen acres of land more or less on the easterly side of East Main Street, Middleborough, Massachusetts described in a deed of Wallace C. Niedzwiecki et aux dated May 18, 1970 recorded in said Registry in Book 3591, Page 678.
3. Twenty acres of land more or less off of the westerly side of East Main Street in Middleborough, Massachusetts being a part of land described in a deed of Anthony J. Andreattolla dated June 16, 1982 recorded with said Registry in Book 5162, Page. 292

And for such purpose to raise and appropriate a sum of Four hundred twenty-five thousand dollars (\$425,000.00) by borrowing pursuant to applicable Massachusetts General Laws and special laws. And to authorize the Board of Selectmen on behalf of the Town to enter into any agreement which it deems advantageous with the Commonwealth of Massachusetts for partial or total reimbursement of the cost of acquisition of the above described real estate. And further to direct that any reimbursement received shall be applied to the payment of any borrowing.

Result of a counted vote was Yes - 155, No - 1.  
Finance Committee Recommends Approval.

ARTICLE 2: Voted to accept the provisions of Section 13 of Chapter 188 of the Acts of 1985 which statute provides for a professional development grant program for the purpose of supplementing teacher compensation in the Bristol-Plymouth Regional

School District.

Finance Committee recommends approval

ARTICLE 3: Voted to accept the provisions of Section 8J of Chapter 40A of the Massachusetts General Laws which provides for establishment of a Handicap Commission.

ARTICLE 4: Voted by a two-thirds vote declared by the Moderator to authorize the Board of Selectmen to enter into leases with options to purchase telephone systems for the Police Department and Fire Department pursuant to Section 4 of Chapter of the Massachusetts General Laws.

Result of a counted vote was Yes-154, No-2.  
Finance Committee recommends approval.

ARTICLE 5: Voted that the Town establish a Rent Board appointed by the Board of Selectmen, consisting of five (5) members, for the purpose of regulating minimum standards for the use or occupancy of mobile home park accommodations and evictions of tenants therefrom pursuant to the provisions of Chapter 703 of the Acts of 1985.

Finance Committee recommends approval.

ARTICLE 6: Voted by a two-thirds vote declared by the Moderator to table article.

ARTICLE 7: Voted to accept the provisions of Section 4G of Chapter 40A of the Massachusetts General Laws which statute provides for advertising for proposals, municipal contract for the purchase of equipment, supplies or materials the actual estimated cost of which amounts to four thousand dollars (\$4,000.00) or more.

Finance Committee recommends approval.

ARTICLE 8: Voted to transfer the sum of Two hundred sixty-four thousand hundred twelve and thirty-three cents (\$264,112.33) from Revenue Sharing Fund for the purpose of supplementing the following accounts for Fiscal Year 1986.

DPW - Wastewater Division, Polymer	\$ 8,000.
Water Division, Gates, Valves, Pipes & Fittings	3,000
Water Division, Telemetering	5,500
Sanitation Division, Equipment Mice. & Operation	10,000
Highway, Hot Top	5,000
Town Hall	1,783
Relocation and Renovation	8,000
Police Department	22,341
Overtime	8,000
New Phone System	22,341

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE VII** CITIES, TOWNS AND DISTRICTS**CHAPTER 40** POWERS AND DUTIES OF CITIES AND TOWNS**Section 22G** Funds received from fines for handicap parking violations; deposits in account; expenditures

Section 22G. Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.



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<b>CHAPTER 40</b>	<b>POWERS AND DUTIES OF CITIES AND TOWNS</b>		
		PREV	NEXT
<b>Section 22G</b>	<b>Funds received from fines for handicap parking violations; deposits in account; expenditures</b>		
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Section 22G. Any city or town which has accepted the provisions of section eight J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in said city or town to the commission on disabilities.

Funds so received shall be deposited by the city or town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the city or town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the commission on disabilities in accordance with the accepted procedures of the city or town for the disbursement of funds, including the approval of the mayor and city council or the town manager or board of selectmen. The city or town accountant shall submit annually a report of said account to the mayor and city council or the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts.

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		PREV	NEXT
<b>Section 8J</b>	<b>Disability commission; powers and duties; members; terms</b>		
		PREV	NEXT

Section 8J. A city which accepts the provisions of this section by vote of its city council, subject to the provisions of its charter, or a town which accepts the provisions of this section at an annual or special town meeting, may establish a commission on disability, hereinafter called the commission, to cause the full integration and participation of people with disabilities in such city or town. Such commission shall (1) research local problems of people with disabilities; (2) advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts office on disability; (4) review and make recommendations about policies, procedures, services, activities and facilities of departments, boards and agencies of said city or town as they affect people with disabilities; (5) provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; (6) coordinate activities of other local groups organized for similar purposes.

Said commission shall keep records of its meetings and actions and shall file an annual report which shall be printed in the city or town annual report and shall have at least ten meetings annually.

Said commission shall consist of not less than five nor more than nine members. In cities, the members shall be appointed by the mayor, subject to the provisions of the city charter except that in cities having a Plan D or Plan E form of government said appointments shall be by the city manager, subject to the provisions of the charter, and in towns they shall be appointed by the selectmen, except towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen and except towns having a town council form of government, the town manager. A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said

commission shall be either an elected or appointed official of that city or town. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said commission may, after a public hearing, if so requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The chairperson and other officers shall be chosen by a majority vote of said commission members.

Said commission may receive gifts of property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the board of selectmen in a town, such gifts to be managed and controlled by said commission for the purposes of this section.

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DECAS, MURRAY & DECAS

ATTORNEYS AT LAW

132 NORTH MAIN STREET • MIDDLEBORO • MASSACHUSETTS 02346 • (508) 947-4433

GEORGE C. DECAS (RETIRED)  
DANIEL F. MURRAY, ESQUIRE  
WILLIAM C. DECAS, ESQUIRE

PHONE: (508) 947-4433  
FAX: (508) 947-7147

REPLY TO POST OFFICE BOX 201  
MIDDLEBORO, MA 02346-0201  
DECASMURRAYDECAS@YAHOO.COM

February 18, 2016

Carolyn Gravelin  
11 David Drive  
Middleboro, MA 02346

RE: Handicapped/Disabled Veteran parking

Dear Carolyn:

I enclose a draft Town Meeting article to amend the current Town By-law adopted in 1984. I also enclose documents which you provided.

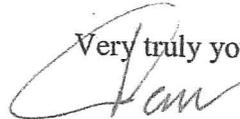
We discussed that you need to insert in the article in the space provided a dollar amount in writing and a dollar amount in numbers after your Commission decides what penalty amount to use. The statute, Chapter 40, Section 21 (24), currently provides for a penalty of \$100.00 to \$300.00, so your Commission should decide on a penalty amount within that range.

The article also provides for removal of unauthorized vehicles pursuant to Chapter 40, Section 22D. The current version of Section 21 (24) of Chapter 40 provides that by-laws shall provide for vehicle removal. The Town accepted Section 22D in 1968, but I don't know if rules and regulations were adopted pursuant to Section 22D regarding removal of vehicles.

The Town Manager expects to receive the article by March 11, 2016. I suggest that you give it to him in advance of 3/11/16 as soon as you are able to do so. I assume you will accompany the article with a written request to include the article in the warrant for the Spring 2016 Special Town Meeting or the 2016 Annual Town Meeting.

Please call if you have any questions.

Very truly yours,



Daniel F. Murray  
Town Counsel

DFM/s  
95-187  
Enclosures



# Town of Middleborough Commission on Disability

February 25, 2016

Robert G. Nunes  
Town Manager  
Town of Middleborough  
10 Nickerson Avenue  
Middleborough, MA 02346

Dear Mr. Nunes:

The Commission on Disability met on February 24, 2016 and reviewed a draft warrant article provided by Town Counsel Daniel Murray regarding handicapped/disabled veteran parking. A motion was made by Diane Stewart, seconded by Laura O'Connor, and voted unanimously by the Commission to request the following warrant article be included on the April 25, 2016 Annual Town Meeting Warrant:

ARTICLE \_\_\_\_\_:

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.

Also enclosed please find the correspondence of February 18, 2016 from Attorney Murray.

Should you have any questions or concerns, please do not hesitate to contact the Commission at (508) 946-2415.

Very truly yours,

Carolyn Gravelin  
Chairman  
Commission on Disability

/ajf

cc: Commission on Disability

## The Application

You can seek either plates or a placard by completing Massachusetts's application for disability parking identification (<http://www.massrmv.com/rmv/forms/20060.pdf>), along with the medical certification, and submitting it to the local branch of the Massachusetts Registry of Motor Vehicles.

### Types of Disability Access Parking Plates and Placards

Once an application is processed the permit is mailed to the applicant by the Department of Motor Vehicles, that is either:

- **Disability Plates** are issued to qualified Massachusetts residents who are primary owners of a registered passenger vehicle or a motorcycle. A holder of a passenger vehicle Disability Plate may be entitled to a Temporary Disabled Placard. A person must demonstrate "good cause" or need for the placard in writing to the Medical Affairs Branch. "Good cause" is interpreted as a valid reason why the plate cannot be used and duration of the need.
- **Disability Placards** are issued to qualified Massachusetts residents on a temporary or permanent basis. A person may be issued only one valid placard at a time.
- **Disability Veteran Plates** are issued only to qualified Massachusetts resident veterans who meet the same qualifications as those applying for a disability plate. This claim must be supported by a statement of disability from the Veteran's Administration. These plates are issued only to persons who have a passenger vehicle registered in their name.

### Abusing Disabled Parking Privileges

The fine for abusing handicapped parking in Massachusetts varies from town to town but cannot be less than \$100 nor more than \$300.

#### Out of state

Massachusetts recognizes out-of-state disability permits.

(ht (ht


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## Disabled Parking FAQ's for Law Enforcement

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### 1. What can we do about Placard/Plate abuse?

The law concerning placard fraud and abuse was amended in 2001. The amended law increased the fines for placard abuse and abuse of the disabled parking space. The provision increases the fine for wrongful use of the HP plate or placard from \$100 to \$500 for the first offense with a mandatory thirty (30) day loss of driver's license. The fine for each subsequent offense is \$1,000. A citation for \$500 can be written under Chapter 90 section 2: Handicap Parking Abuse. A responsible finding for the citation will automatically suspend the violator's license for 30 days.

A parking ticket may also be issued for violation of the HP parking space. Unauthorized parking in a handicap spot was increased from a range of \$25 to \$100 to a range of \$100 to \$300 set by the local jurisdiction. The vehicle may also be towed. The law also makes it illegal to park in certain areas which are intended spaces for wheelchair lifts and ramps.

### 2. What is considered Placard/Plate abuse?

Anyone using a placard in an HP space that was issued to another person is placard abuse. Any tampering or altering a placard is placard abuse. Using a photocopy of a placard is placard abuse. Anyone using an HP plate in a HP space without the HP plate holder either entering or exiting the vehicle is plate abuse.

### 3. What about the person parking in the HP space without the placard or HP plate?

A parking ticket may be issued. Unauthorized parking in a handicap spot was increased from a range of \$25 to \$100 to a range of \$100 to \$300. The vehicle may be towed. The law also makes it illegal to park in certain areas which are intended spaces for wheelchair lifts and ramps.

### 4. How is the revenue from these fines distributed?

One hundred percent of the monies collected by citation payments and parking tickets are distributed to the local jurisdiction.

## MEDICAL AFFAIRS

- [Disability Plates & Placards](#)
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- [Medical Affairs Overview](#)
- [Medical Qualification](#)
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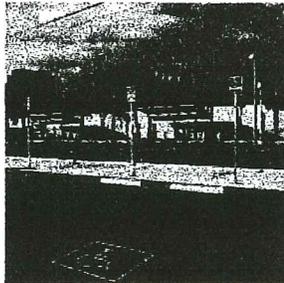
# Massachusetts Handicap Parking Laws

By Carl Miller  
eHow Contributor

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Designated handicapped accessible parking is required in most parking lots to ensure access for the disabled to public places, like grocery stores or churches. The Americans with Disabilities Act (ADA) sets nationwide standards, concerning the placement and design of handicapped accessible parking spaces, which, in Massachusetts, is supplemented by Massachusetts Architectural Access Board (AAB) regulations. In addition, the Department of Transportation (DOT) is responsible for issuing handicapped parking permits, and state law imposes penalties for abuse of handicapped accessible parking spaces. Between the various agencies, there are a number of laws in Massachusetts governing the placement, design and use of handicapped accessible parking spaces.



Handicap Parking image by Joelyn Pullano from Fotolia.com

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## Placement

According to ADA and Massachusetts regulations, any lot used for visitor, customer or employee parking should have handicapped accessible parking spaces. State law also says that the "spaces should be in a level location providing the shortest safe, accessible route of travel to an accessible entrance." (see Ref. 1) The number of required spaces depends on the size of the lot; lots with 1 to 25 spaces require only 1 handicapped accessible space, while lots with 26 to 40 spaces require 2 handicapped accessible spaces and so on. However, some lots require a certain percentage of accessible spaces. For instance, 10 percent of the spaces at outpatient medical facilities should be designated handicapped parking—20 percent for "facilities specializing in treatment or services for people with mobility impairment," according to state regulations. [see Ref.1]

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Additionally, at least one of every eight handicapped accessible spots should be designed and designated "van accessible," with a minimum of one van accessible spot per lot.

### Design

All handicapped accessible spaces in Massachusetts should have an official blue "handicapped parking" sign at the back of the space entrance facing out. All van accessible spaces need an official "van accessible" sign below the regular sign. Regular handicapped accessible spaces need to be at least 8 feet wide, with a 5-foot wide aisle between spaces—van accessible spaces need an 8-foot aisle.

### Permits

The Massachusetts DOT issues handicapped parking permits in the form of special license plates and rear-view mirror hanging placards. According to the DOT, in order to receive a handicapped parking permit, a physician, nurse practitioner or chiropractor must verify that you "cannot walk 200 feet without stopping to rest," or that you suffer from a qualifying condition, such as stage 3 or 4 functional arthritis. (see Ref. 2) Permits may be valid for a couple of months up to multiple years, depending on your qualifying condition.

### Violations

A parking ticket of \$100 to \$300 may be issued to a person who parks in a handicapped accessible spot without a handicapped placard or license plate. In addition, the police can have the car towed. However, the law is much stricter for those who abuse handicapped parking permits. If you are found to be wrongfully using a handicapped permit (using somebody else's placard or using a phony placard, for example), you can be fined \$500 (or \$1000, if it's not your first time). A citation for wrongful use of a handicapped permit will also result in a mandatory 30-day license suspension.

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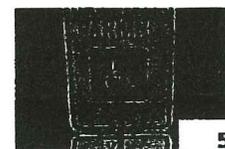
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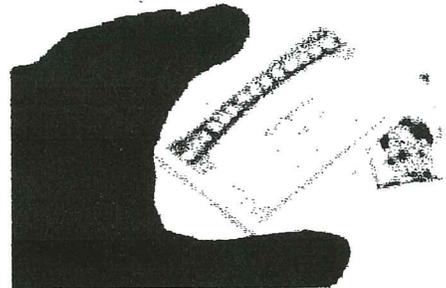
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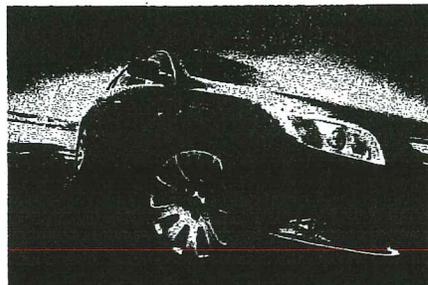
### Massachusetts Parking Laws



Steps To Avoid Bankruptcy Disaster

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#### Massachusetts Parking Laws:



1 Dorney Park Job Listings

2 Water Park Tickets

3 Deals on Theme Park Tickets

4 Discount Theme Park Tickets

5 Cheap Disney Park Ticket

In the state of Massachusetts, the Motor Vehicle Commission is not responsible for issuing parking tickets or collecting payments on them; MA parking laws are upheld by the state's local courts. Additionally, all parking tickets in the state of Massachusetts are processed through the Massachusetts Municipal courts. Because of this system, Massachusetts parking laws are established by individual towns. The specific types of violations and their attached fines will fluctuate based on jurisdiction. With that in mind, Massachusetts parking laws institute and uphold all of the uniform parking laws of the broader nation. Listed below are some common examples of Massachusetts parking laws:

- Massachusetts parking law states that it is illegal to park on reserved bicycle lanes.
- Massachusetts parking law states that it is illegal to park within a certain amount of feet of any intersection; blocking visibility is illegal throughout the state
- MA parking law states that it is illegal to park in a crosswalk or in front of a handicapped

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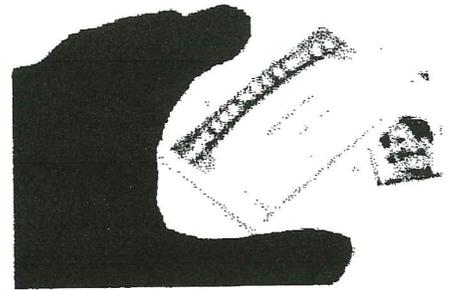
access ramp.

- Massachusetts parking laws regulate the distance for which a car must park near a card
- Massachusetts parking laws state that it is illegal to stop or park next to a parked vehicle (double parking); it is also illegal to block a driveway or park in the area between the roadway of a divided highway
- Massachusetts parking laws make it illegal to park within 10 feet of a fire hydrant
- MA parking laws make it illegal to park on sidewalks

Again, the attached penalties and the intricacies associated with the above violations will fluctuate based on the town and/or jurisdiction you are in.

**What Do I Do I Get a Massachusetts Parking Ticket?**

If you break MA parking laws and receive a ticket for your infraction you must either pay the fine or—if your citation says so—appear in court. Typically a mandatory court appearance is reserved for repeat violators or those who severely break a MA parking law. At court, you may plead guilty and pay your ticket or plead not guilty and fight the charge in court. For most drivers, paying the fine is more appealing, especially considering the fact that MA parking laws has a convenient online payment system for parking and moving violations.

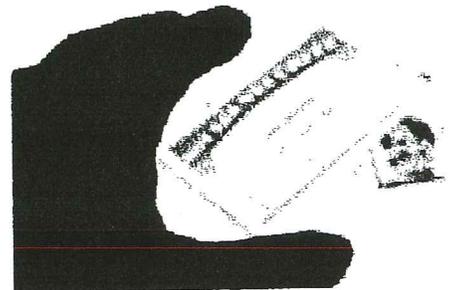


**Steps To Avoid Bankruptcy Disaster**

**How to Pay Your Parking Tickets Online:**

To pay your parking tickets online please visit here.

To pay your Massachusetts parking ticket through this site you must have your license plate number or parking ticket number handy. When you click "continue" you will be brought to the traffic ticket search. On this page you can either enter your license plate number or information found on the tangible parking ticket (court I.D. number, ticket prefix and ticket number). When this information is entered click "continue" and enter your personal information along with your payment method (the Massachusetts Courts accept most major credit cards and debit card transactions). Once your payment information is entered, click submit and record the receipt. At this time your Massachusetts parking ticket is paid.



**Steps To Avoid Bankruptcy Disaster**

- 1 Dorney Park Job Listings
- 2 Water Park Tickets
- 3 Deals on Theme Park Tickets
- 4 Discount Theme Park Tickets
- 5 Cheap Disney Park Ticket

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- Federal MUTCD R7-8 ADA Parking signs constructed of rust-free, heavy gauge, durable aluminum
- R7-8 Handicapped Parking signs made with 3M Engineer Grade Reflective sheeting and 3M inks
- R7-8 Handicapped Parking signs rated by 3M for at least 7 years no-fade service
- R7-8 Handicapped Parking signs have holes drilled at top and bottom center for easy mounting
- DOUBLE the working life of your R7-8 Handicapped Parking Signs by adding 3M Protective Overlay Film (POF)! 3M's high-tech POF protects sign faces against fading caused by the sun and harsh weather—and makes graffiti and sticker defacement damage easy to clear away without harsh abrasives.

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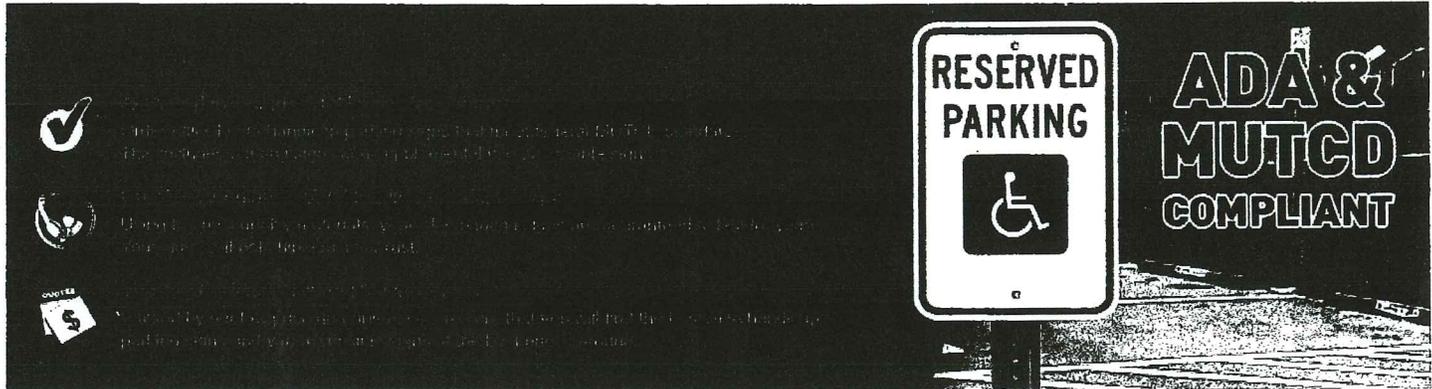
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**MUTCD Reserved Parking Sign (Right Arrow)**  
MUTCD R7-8R  
Item T4534



**MUTCD Van Accessible Sign**  
MUTCD R7-8P/R7-8a  
Item T4592



**MUTCD Van Accessible Sign**  
MUTCD D9-6P/R7-8b  
Item T4585

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NY R7-8D  
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NY R7-8L  
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We the undersigned residents of Brookside Estates request that the Town of Middleborough accept Brookside Drive and Fidelity Lane (the roadways contained within the subdivision known as Brookside Estates) as public ways.

Where as the subdivision has been declared in default and funds in excess of \$430,000.00 are currently held in surety to complete the subdivision, We also request that the Town of Middleborough utilize those funds to complete repairs to bring the roadways to acceptable standards.



Name	Signature	Address
Monica Kavanaugh	<i>Monica Kavanaugh</i>	12 Fidelity Lane
Theodore Nelson	<i>Theodore Nelson</i>	15 Fidelity Lane
Doreen Nelson	<i>Doreen Nelson</i>	15 Fidelity Lane
Steven Bradley	<i>Steven Bradley</i>	24 Brookside Drive
Fitzroy Black	<i>Fitzroy Black</i>	29 Brookside Drive
Avril Jackson-Black	<i>Avril Jackson-Black</i>	29 Brookside Drive
Richard Farmer	<i>Richard Farmer</i>	61 Brookside Drive
Eileen Farmer	<i>Eileen Farmer</i>	61 Brookside Drive
Kia Prisco	<i>Kia Prisco</i>	70 Brookside Drive
Ronald Depaolo	<i>Ronald Depaolo</i>	79 Brookside Drive
Nancy Depaolo	<i>Nancy Depaolo</i>	79 Brookside Drive
David Gagliardi	<i>David Gagliardi</i>	82 Brookside Drive
Kelly Gagliardi	<i>Kelly Gagliardi</i>	82 Brookside Drive
Timothy Grabarz	<i>Timothy Grabarz</i>	85 Brookside Drive
Eric Robitaille	<i>Eric Robitaille</i>	88 Brookside Drive
Christopher Bradstreet	<i>Christopher Bradstreet</i>	91 Brookside Drive
Cynthia Bradstreet	<i>Cynthia Bradstreet</i>	91 Brookside Drive
Larry Franklin	<i>Larry Franklin</i>	97 Brookside Drive
Lucas Carvalho	<i>Lucas Carvalho</i>	105 Brookside Drive
Maria Amara	<i>Maria Amara</i>	102 Brookside Drive
Kirk Akin	<i>Kirk Akin</i>	116 Brookside Drive
Bethany Akin	<i>Bethany Akin</i>	116 Brookside Drive
Nathan Horseman	<i>Nathan Horseman</i>	120 Brookside Drive

Matt Prisco

*Tucker*

70 Brookside Drive

RESOLUTION # \_\_\_\_\_

A RESOLUTION REGARDING A CLOSED-END MOTOR VEHICLE LEASE

WHEREAS, Town of Middleborough [Lessee] (the "Entity") is a public body corporate and politics, duly organized and existing under the laws of the State/Commonwealth of Massachusetts with the requisite power and authority to incur obligations; and

WHEREAS, the Entity desires to procure one or more motor vehicles (the "Vehicle(s)") for use by the Entity in conjunction with the responsibilities and authority granted to it by law; and

WHEREAS, the Entity believes that it would be in the best interests of the Entity to procure the Vehicle(s) by the entering into of one or more Closed-End Motor Vehicle Leases (the "Lease(s)") with Colonial South Chevrolet [Dealership Name], a motor vehicle dealership.

NOW, THEREFORE, BE IT RESOLVED, that the procurement of the Vehicle(s) be and hereby is authorized, and that the agents of the Entity be, and they hereby are, authorized, empowered, and directed to do or cause to be done all such acts and things as they may deem necessary or advisable in connection with the Lease(s), including, without limitation, the preparation and finalization of the Lease(s) and all documents required to be executed in conjunction therewith (collectively, the "Transaction Documents"); and

FURTHER RESOLVED, if and to the extent required by the Transaction Documents, the Entity be and hereby is authorized to grant a lien on and security interest in certain assets of the Entity as set forth in the Transaction Documents as collateral for the obligations of the Lease;

FURTHER RESOLVED, that Robert G. Nunes [Name], Town Manager [Title] shall be and hereby is authorized to execute the Transaction Documents, in the name and on behalf of the Entity, and deliver such Transaction Documents; and

FURTHER RESOLVED, that the appropriate agents of the Entity be, and they hereby are, authorized, empowered, and directed, for and on behalf of the Entity, to pay all amounts, including fees and expenses, in connection with the Lease; and

FURTHER RESOLVED, that in addition to and without limiting the foregoing, any and all acts and things heretofore or hereafter done and any consents, certificates, agreements, undertakings, commitments and other instruments and documents heretofore or hereafter entered into, executed, delivered and performed by any one or more of the agents of the Entity, for and on behalf of the Entity as they deem necessary or appropriate to carry out and effectuate the intent or purposes of the foregoing resolutions are hereby authorized, adopted, approved, and ratified in all respects.

PASSED AND APPROVED by \_\_\_\_\_ [Council Name], in a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Entity: \_\_\_\_\_

Witness Signature

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



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## Town of Middleborough Massachusetts

The Town of Middleborough is soliciting quotes for:

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- The lease needs to include at least ten thousand (10,000) miles per year.
- The total contract price shall not include sales tax.
- The total contract price shall include all dealership fees including but not limited to insuring, registration, and delivery to 10 Nickerson Ave. Middleborough, MA.
- The Fire Department prefers red, with black also being acceptable. Police prefers silver\gray and dark blue. Building prefers metallic gray with black also being acceptable.
- The Town reserves the right to reject any and all offers and the deadline is Friday, June 10th at 10:00am.

Please fill out the lines in the form below, including the:

1. Trim Level
2. Model Year (2016 or 2017)
3. Make
4. Model
5. MSRP
6. Residual Price
7. Total Contract Price over thirty-six (36) months
8. Colors of vehicles
9. Ability to Pay Yearly
10. Name of Dealership Contact and Phone Number.
11. Signature and Date

	1. Trim Level	2. Model Year	3. Make	4. Model	5. MSRP	6. Residual
Vehicle#1:	<u>LT</u>	<u>2016</u>	<u>CHEVY</u>	<u>VOLT</u>	<u>\$35,355.-</u>	<u>\$ 17,323.-</u>
Vehicle#2:	<u>LT</u>	<u>2017</u>	<u>CHEVY</u>	<u>VOLT</u>	<u>\$35,455.-</u>	<u>\$ 18,082.-</u>
Vehicle#3:	<u>LT</u>	<u>2017</u>	<u>CHEVY</u>	<u>VOLT</u>	<u>\$35,455.-</u>	<u>\$ 18,082.-</u>

7. Total contract price over thirty-six (36) month for all leased vehicles: \$ 26,145.00

8. Please provide color: Police Vehicle SILVER Fire Vehicle BLACK Building Vehicle BLACK

9. Ability to pay yearly (please circle one):  Yes or No

10. Name of dealership: COLONIAL SOUTH CHEVY Phone: 508.264.2968 CELL

11. Philip Medina  
Signature

6/8/2016  
Date

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Phone: 508-946-2405

Fax: 508-946-0058

## Town of Middleborough

Massachusetts

Board of Selectmen

July 11, 2016

Emmanuel Owusu  
RE: ENV 17 DCS 01  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street – Suite 900  
Boston, MA 02114

Dear Mr. Owusu:

On Monday, July 11, 2016, the Board of Selectmen voted to support the Conservation Commission's grant application for Local Acquisitions for Natural Diversity (LAND) Grant Program to be used to acquire parcels of land in Middleborough, known as the "Lion's Head" property. The Conservation Commission has identified this parcel of land, which has significant frontage on the Nemasket River a direct tributary to the Wild & Scenic Taunton River, as being an important piece of land to be acquired for conservation as open space. If acquired, this will add to the area of parcels that are currently protected and which are being actively protected.

The Conservation commission hopes to also supplement the purchase of this property with our Community Preservation Act (CPA) funds.

If you have any questions or require additional information, please let me know.

Sincerely,

Diane C. Stewart, Chairman  
Middleborough Board of Selectmen

cc: Patricia Cassidy – Conservation Agent

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405

Fax: 508-946-0058

# Town of Middleborough

Massachusetts

Board of Selectmen

July 11, 2016

Massachusetts Department of Public Health  
250 Washington Street  
Boston, Massachusetts 02108

**RE: Seven Point of Massachusetts Marijuana Dispensary**

To Whom It May Concern:

The Middleborough Board of Selectmen does hereby provide non-opposition to Seven Point of Massachusetts to operate a Registered Marijuana Dispensary in Middleborough. I have been authorized to provide this letter on behalf of the Board of Selectmen by a vote taken at a duly noticed meeting held on July 11, 2016.

The Middleborough Board of Selectmen has verified with the appropriate local official that the proposed RMD facility is located in a zoning district that allows such a use by right or pursuant to local permitting.

If you have any questions or require additional information, please let me know.

Sincerely,

Diane C. Stewart, Chairman  
MIDDLEBOROUGH BOARD OF SELECTMEN

cc Town Manager

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405

Fax: 508-946-0058

## Town of Middleborough

Massachusetts

Board of Selectmen

July 11, 2016

Massachusetts Historical Commission  
Attn: Brona Simon, Executive Director and  
State Historic Preservation Officer  
220 Morrissey Blvd.  
Boston, MA 02125

Dear Ms. Simon,

On behalf of the Town of Middleborough, I would like to thank you for recognizing the Peter Oliver, Jr. Sproat House project with this prestigious grant award.

On behalf of the Town of Middleborough, I am happy to fully accept the matching grant allocation of \$44,000.00 from the Massachusetts Preservation Projects Fund for the Peter Oliver, Jr. Sproat House project. We will comply with all grant requirements in a timely manner and will meet with the appropriate MHC personnel as requested.

Please note that at the time of our grant application submission, Allin Frawley was the Chair of the Board of Selectmen and the authorized signatory on the grant. I am now the Chair of our Board of Selectmen and will be acting as the new authorized signatory on this grant.

Thank you again for helping to bring our project to fruition. Please do not hesitate to contact me with any questions.

Sincerely,

Diane C. Stewart  
Chair, Board of Selectmen  
Town of Middleborough

**Town of Middleborough**  
**SCHEDULE OF DEPARTMENTAL BILLS PAYABLE**

*To the Accounting Officer:*

The following-named bills of the **Oliver Estate Advisory Committee**, amounting in the aggregate to **TWO HUNDRED FIFTY 00/100 DOLLARS (\$250.00 )**, have been approved by the **Oliver Estate Advisory Committee**, and you are requested to place them on a warrant for payment.

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Diane C. Stewart, Chairman  
Middleborough Board of Selectmen  
Date 7/11/16

**Account # 29.3560.34**  
**Oliver Estate Revolving Account**

INVOICES ATTACHED

NAME	ADDRESS	AMOUNT	TOTAL
Russ Frade	93 Braley Road E. Freetown, MA 02717	\$125.00	\$125.00
Russ Frade	93 Brayley Road E. Freetown, MA 02717	\$125.00	\$125.00
	TOTAL		\$250.00

# Russ Frade

93 Braley Rd  
East Freetown, MA 02717

Phone: (508) 763-5305 ~ Fax: (774) 849-5415

# Invoice

Date	Invoice #
4/1/2016	9383

### Bill To:

Middleboro Tourism  
20 Center St  
Middleboro, MA 02346

### Services:

445 Plymouth St  
Middleboro

Services Period	Terms
March 2016	Due on receipt

Item	Quantity	Description	Rate	Amount
Rental & S...	1	Porta Jon Rental Services - Handicap Jon - 445 Plymouth St - Middleboro	125.00	125.00

Thank you for choosing Russ Frade Enterprises for your Port-a-Jon needs. Our toilets are cleaned once per week, if you need additional services please call our office - fees may apply.

Please write your invoice number on all checks.

*Thank You For Your Business!*

Subtotal \$125.00

Sales Tax (6.25%) \$0.00

Payments/Credits \$0.00

**Balance Due \$125.00**

# Russ Frade

93 Braley Rd  
East Freetown, MA 02717

Phone: (508) 763-5305 ~ Fax: (774) 849-5415

# Invoice

Date	Invoice #
6/1/2016	9758

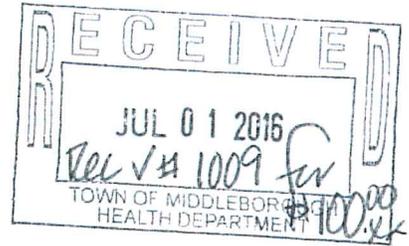
### Bill To:

Middleboro Tourism  
20 Center St  
Middleboro, MA 02346

### Services:

445 Plymouth St  
Middleboro

Item	Quantity	Description	Services Period	Terms
			May 2016	Due on receipt
			Rate	Amount
Rental & S...	1	Porta Jon Rental Services - Handicap Jon - 445 Plymouth St - Middleboro	125.00	125.00
<p>Thank you for choosing Russ Frade Enterprises for your Port-a-Jon needs. Our toilets are cleaned once per week, if you need additional services please call our office - fees may apply.</p> <p>Please write your invoice number on all checks.</p> <p><i>Thank You For Your Business!</i></p>			Subtotal	\$125.00
			Sales Tax (6.25%)	\$0.00
			Payments/Credits	\$0.00
			<b>Balance Due</b>	<b>\$125.00</b>



TOBACCO SALES PERMIT

Permit Number: # 30-16

Fee \$100.00

TOBACCO LOCATION AND SALES

Name of Business: Ohmland Security LLC DBA as Security Ohmland

Location Address: 50 Center St

Mailing Address: 50 Center St

Name of Owner: Ohmland Security LLC

If a Corporation or Partnership Give Name, Title, and home address of officers or partner Maria Stach

Telephone Number: 603-452-1111

Federal Tax I.D. Number/Social Security Number: 000000000

*As the owner, manager, and/or operator who holds a State License to sell tobacco products, I did apply and receive a Middleborough Board of Health Tobacco Permit with the understanding that it is illegal to sell tobacco in any form to individuals under 18 years of age. I am aware that there are no exceptions. I will obtain photographic proof of age from all customers who look to be 25 years of age or younger before selling any tobacco products. I will train my sales staff to conduct tobacco sales legally. Tobacco products will be located so as to be in compliance with the Middleborough Tobacco Regulation.*

*I understand that the Middleborough Board of Health and its agents will conduct unannounced compliance checks. I am aware that violations of any section of the Tobacco regulation may result in issuance of fines and/or the revocation of this permit. I understand that this permit must be renewed annually.*

Maria Stach  
Name of Person Responsible for Permit (Print Name)

[Signature]  
Signature of Person Responsible for Permit

\*COPY OF DEPARTMENT OF REVENUE TOBACCO SALES TAX PERMIT REQUIRED.

This form must be initialed and signed by the owner/operator of the establishment applying for a Tobacco Sales and Location Permit. No permit will be issued until it has been initialed and signed.

1. I have read all sections of the REGULATIONS REGARDING THE SALE, VENDING AND DISTRIBUTION OF TOBACCO IN THE TOWN OF MIDDLEBORO.

MES

2. I understand that is against the law to sell tobacco products to anyone under the age of eighteen, regardless of how old the person looks.

MES

3. I understand that all clerks must ask for and see identification from anyone under 27 years of age to prove that the person is at least 18 years old.

MES

4. I understand that the owner/operator of a business is responsible for any violation of REGULATIONS REGARDING THE SALE, VENDING AND DISTRIBUTION OF TOBACCO IN THE TOWN OF MIDDLEBORO.

MES

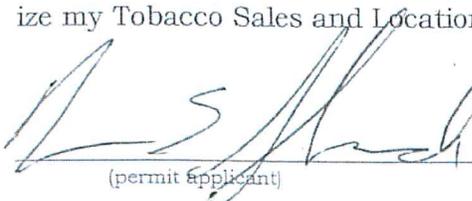
5. I understand that the Board of Health Tobacco Control Program will conduct frequent, unannounced compliance checks of my business to ensure that minors are unable to purchase tobacco.

MES

6. I understand that the Board of Health Tobacco Control Program will conduct inspections of my business to ensure compliance with other sections of the regulation.

MES

By signing this form, I acknowledge that I have read and understand all of the above statements. I further understand that failure to abide by these conditions, as well as all the requirements of the REGULATIONS REGARDING THE SALE, VENDING AND DISTRIBUTION OF TOBACCO IN THE TOWN OF MIDDLEBORO may jeopardize my Tobacco Sales and Location Permit.

  
(permit applicant)



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 Office of Investigations  
 1 Congress Street, Suite 100  
 Boston, MA 02114-2017  
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Ohmland Security

Address: 50 Center st

City/State/Zip: Middleboro MA, 02346 Phone #: 1-800-111-1110

Are you an employer? Check the appropriate box:

- 1.  I am an employer with \_\_\_\_\_ employees (full and/ or part-time).\*
- 2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
- 4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5.  Retail
- 6.  Restaurant/Bar/Eating Establishment
- 7.  Office and/or Sales (incl. real estate, auto, etc.)
- 8.  Non-profit
- 9.  Entertainment
- 10.  Manufacturing
- 11.  Health Care
- 12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: \_\_\_\_\_

Insurer's Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Policy # or Self-ins. Lic. # \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 7/1/16

Phone #: \_\_\_\_\_

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (circle one):  
 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
 6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

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## About Us

The Massachusetts Smoke Free Association (MASFA) is a consumer advocacy group and trade organization with a focus on Tobacco Harm Reduction (THR) through the use of personal vaporizers (electronic cigarettes) and other smokeless tobacco products shown to reduce the morbidity and mortality associated with smoking traditional combustible tobacco products. We seek to cooperate with both government and health organizations throughout the state in order to achieve this goal. We also monitor for legislation, for or against, affecting tobacco harm reduction.

The MASFA was formed in 2015 to provide support and education regarding alternative methods of THR after seeing many years of failed attempts by our public health agencies and state government to present fair and effective regulations for tobacco harm reduction products.

The Massachusetts Smoke Free Association is a 501c6 not for profit organization supported by consumers, retail vendors, manufacturers and supporters through donations. *While we accept donations from many sources, the MASFA has no financial or policy agreements with the tobacco industry. Our contributors are small business throughout Massachusetts and the country, not big tobacco companies.*

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## What is Tobacco Harm Reduction?

Tobacco Harm Reduction is an approach seeking to prevent or reduce the overall harm caused by combustible tobacco products. We base our approach on the recognition that many people throughout the state continue to smoke tobacco despite strong efforts by public health agencies to prevent the continued use of combustible tobacco products. Tobacco Harm Reduction takes a unique approach at educating the public and users of combustible tobacco on 'Switch and Quit' methods using reduced harm tobacco products. Keeping people who use combustible tobacco healthy and alive while preventing irreparable damage caused by smoking is regarded as our most urgent priority.

## We Support



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## Our Mission

The MASFA brings together consumers, vapor products retailers, manufacturers, and national advocacy organizations to advocate for tobacco harm reduction and the vapor products industry in the state of Massachusetts.

We raise funds to promote advocacy, a proactive approach that is imperative for consumers and industry alike. We actively participate in dialogue with the public, vendors, media and industry advocacy groups to ensure our interests are heard and addressed at the state level and work directly with federal advocacy organizations. We are dedicated to fostering communication, sharing reliable information, and providing an outlet where MASFA members and state agencies can engage in meaningful, truthful dialogue regarding public health and industry matters.

We advocate on state issues that threaten the survival of the vapor products industry, provide informative resources, provide updates on state programs to educate and prepare industry participants to meet compliance requirements.

# GRUNT



# JUICE

## BATTLE BATTLE

This is the Grape you're looking for

## JODY

A Rice Crispy Treat Cereal with sliced Bananas

## MANDATORY FUN

Not your average MRE Strawberry Cake Shake

## PARADE PRETTY

Relax... with a Sweet & Tart Raspberry Lemonade

**Grunt Juice is a Veteran owned  
Ejuice company that supports  
Combat Wounded Soldiers and  
their Families. A portion of the  
proceeds will be donated to  
The Fisher House. More infor-  
mation about their organization  
can be found at  
[www.fisherhouse.org](http://www.fisherhouse.org)**



 @GruntJuice

For sales and inquiries visit [OhmLandSecurity.com](http://OhmLandSecurity.com)

## What are Electronic Cigarettes?

Electronic Cigarettes (also known as e-cigs, Personal Vaporizers, or Nicotine Delivery Systems) are an alternative to combustible tobacco cigarettes. They are battery-operated devices that create a vapor that can be inhaled – instead of smoke (a byproduct of combustion).

Devices contain a rechargeable battery that powers a heating element called an “atomizer.” The atomizer uses a low level of heat to turn e-liquid, contained in a tank/reservoir, into vapor which can be inhaled.

Electronic cigarettes come in many shapes and sizes; some look like traditional tobacco cigarettes, some look like a large pen, and others look like small flashlights. Some feature LED-lit screens, some have built-in tanks/reservoirs while others have detachable pre-filled atomizer cartridges. Some may be tubular or even rectangular boxes. Devices are infinitely customizable to allow a user to modify the experience to their particular needs.

Regardless of shape or size, all are designed to provide an alternative to traditional combustible tobacco.



**Join us to advocate for Tobacco  
Harm Reduction and Vapor  
Products in Massachusetts!**

**More Information:  
[www.smokefreema.org](http://www.smokefreema.org)**

**Massachusetts Smoke Free  
Association, Inc.**

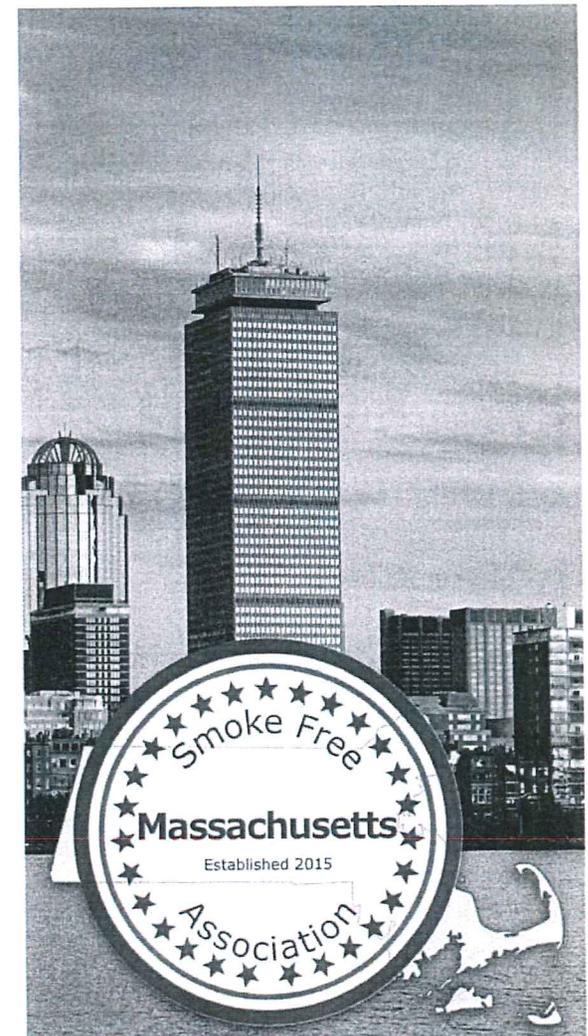
72 Davis Straits - Suite 103B  
Falmouth, MA 02540

[info@smokefreema.org](mailto:info@smokefreema.org)

617.863.0645

© Massachusetts Smoke Free Association, 2015

## Reducing Tobacco Harm in Massachusetts



# MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET  
MIDDLEBOROUGH, MA 02346



Joseph M. Perkins  
Chief of Police

P (508) 947-1212  
F (508) 947-1009  
[middleboroughpolice.com](http://middleboroughpolice.com)

July 7, 2016

Board of Selectmen  
Town of Middleborough  
Nickerson Avenue  
Middleborough, Ma 02346

RE: Auxiliary/Special Police Officer Appointment

Dear Honorable Board,

I would recommend appointing the following as Auxiliary/Special Police Officer for the Town of Middleborough:

Scott McDaniel

Scott McDaniel has met all the department and statutory requirements for the position of Auxiliary/Special Police Officer for the Town of Middleborough.

Respectfully,

A handwritten signature in cursive script that reads "Joseph M. Perkins".

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Joseph M. Perkins  
Chief of Police