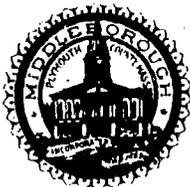


NEW BUSINESS

1-7-13



Town of Middleborough
Massachusetts

BOARD OF SELECTMEN

ORDER OF TAKING

The BOARD OF SELECTMEN of the TOWN OF MIDDLEBOROUGH in the name of and on behalf of the TOWN OF MIDDLEBOROUGH, a municipal corporation situated in the County of Plymouth and Commonwealth of Massachusetts, pursuant to a vote taken under **Article 22** of the warrant for the **October 1, 2012 Special Town Meeting**, pursuant to Massachusetts General Laws, Chapter 79, as amended, and pursuant to every other power hereto enabling, do hereby take by eminent domain the fee and all rights and easements in and to the way known as **Londonderry Lane** in the Town of Middleborough, and also do hereby take by eminent domain one (1) drainage easement affecting Lot 1 as shown on the plan hereafter mentioned. Taken hereby in connection with the drainage easement is the right to flow road drainage and other surface drainage in, under, over and through the easement area, to maintain and store water in the easement area, to construct, maintain, repair and replace drainage ditches, pipes, culverts and other drainage facilities in the easement area and the right to enter the easement area from time to time to carry out authorized activities.

The takings of the way and easement as provided herein shall be for municipal purposes, to wit, for public way purposes of the Town of Middleborough, to be used for all purposes for which public ways are used in the Town of Middleborough.

The way hereby taken is known as **Londonderry Lane**. Said way being situated in Middleborough, Plymouth County, Massachusetts and shown on a plan entitled "As-Built/Layout Plan of Londonderry Lane within Salem Heights, a Subdivision in Middleboro, MA". Drawn by R.I.M. Engineering Co., Inc. which plan is dated June 11, 2001, to be recorded herewith. The easement hereby taken is as shown on said plan.

The structures and trees in or within the way hereby taken and in or within the easement hereby taken are included in this Order of Taking, excepting however from this Order of Taking electric, telephone and cable transmission structures and facilities and any existing easements for electric, telephone and cable transmission structures and facilities.

The supposed owners of the above described way and easement and the holders of any other interests therein are set forth below together with the damages which are hereby determined to have been caused by this taking and are hereby awarded:

<u>MAP/LOT</u>	<u>SUPPOSED PROPERTY OWNER(S) AND OTHER PARTIES</u>	<u>DAMAGES</u>
1. 33/5613	Erasmo Melendez 9 Londonderry Lane, Middleboro, MA 02346	None

- | | | | |
|-----|---------|---|------|
| 2. | 33/5613 | Michelle Melendez
9 Londonderry Lane, Middleboro, MA 02346 | None |
| 3. | 33/5643 | Thomas White
11 Londonderry Lane, Middleboro, MA 02346 | None |
| 4. | 33/5643 | Arlyn White
11 Londonderry Lane, Middleboro, MA 02346 | None |
| 5. | 33/5688 | Town of Middleboro
10 Nickerson Ave., Middleboro, MA 02346 | None |
| 6. | 33/6451 | Itamar Chalif
34 Londonderry Lane, Middleboro, MA 02346 | None |
| 7. | 33/6451 | Robin Chalif
34 Londonderry Lane, Middleboro, MA 02346 | None |
| 8. | 33/6423 | Marie Cushing
32 Londonderry Lane, Middleboro, MA 02346 | None |
| 9. | 33/6423 | Thomas Cushing
32 Londonderry Lane, Middleboro, MA 02346 | None |
| 10. | 33/5687 | Marie Jagiello
22 Londonderry Lane, Middleboro, MA 02346 | None |
| 11. | 33/5687 | Joseph Jagiello
22 Londonderry Lane, Middleboro, MA 02346 | None |
| 12. | | Owners Unknown | None |

This order was adopted and is dated this _____ day of _____ 2012.

TOWN OF MIDDLEBOROUGH
BY:

BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

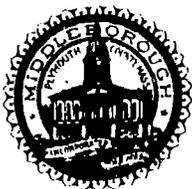
County of Plymouth

On this _____ day of _____, before me the undersigned Notary Public, personally appeared _____, proved to me through satisfactory evidence of identification which was/were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose(s).

Signature of Notary

(Seal)

My commission expires _____



Town of Middleborough

Massachusetts

ORDER OF TAKING

BOARD OF SELECTMEN

The BOARD OF SELECTMEN of the TOWN OF MIDDLEBOROUGH in the name of and on behalf of the TOWN OF MIDDLEBOROUGH, a municipal corporation situated in the County of Plymouth and Commonwealth of Massachusetts, pursuant to a vote taken under **Article 21** of the warrant for the **October 1, 2012 Special Town Meeting**, pursuant to Massachusetts General Laws, Chapter 79, as amended, and pursuant to every other power hereto enabling, do hereby take by eminent domain the fee and all rights and easements in and to the way known as **Silo Lane** in the Town of Middleborough, and also do hereby take by eminent domain seven (7) drainage easements affecting Lots 4, 6, 8, 10, 14, 16 and 18 as shown on the plans hereafter mentioned; and five (5) foot wide tree planting easements that run across the front of each lot shown on said plans (except Lot 1 and Lot 2), said easements being located on the lots between the sideline of the street layout for Silo Lane and a line five (5) feet distant from and parallel to the sideline of said street layouts and one (1) water easement on Lot 5 shown on the plans hereafter mentioned.

Taken hereby in connection with the drainage easements is the right to flow road drainage and other surface drainage in, under, over and through the easement areas, to maintain and store water in the easement areas and to construct, maintain, repair and replace drainage ditches, pipes, culverts and other drainage facilities in the easement areas. Taken hereby in connection with the tree planting easements shall be the right to plant trees and to maintain and replace trees in the easement areas. Taken hereby in connection with the water easement shall be the right to install, maintain, repair and replace in the easement area water pipes, water hydrants and other fixtures, components and appurtenances in connection with a water supply/distribution system.

Taken hereby in connection with the drainage easements, tree planting easements and water easement shall be the right from time to time to enter the easement areas and to carry out authorized activities within the easement areas.

The takings of the way and easements as provided herein shall be for municipal purposes, to wit, for public way purposes of the Town of Middleborough, to be used for all purposes for which public ways are used in the Town of Middleborough.

The way hereby taken is known as **Silo Lane**, said way being situated in Middleborough, Plymouth County, Massachusetts and shown on a plan entitled "Acceptance/Layout Plan, Silo Lane, 'Tispaquin Farms' a Chapter 40B Development in Middleborough, MA, (Plymouth County) Prepared For T.F. Development, Inc." which plan is dated September 3, 2008" prepared by John W. Delano and Associates, Inc., to be recorded herewith. Said Silo Lane is also shown on a plan entitled "Tispaquin Farms Comprehensive Permit Plan of Land in Middleborough (Plymouth County) prepared for MBC Development, Inc." dated October 8, 2003, prepared by John W. Delano and Associates, Inc. and recorded in the Plymouth County Registry of Deeds in Plan Book 48, Page 334.

The easements hereby taken are as shown on said plans or as described above with respect to the tree planting easements.

The structures and trees in or within the way hereby taken and in or within the easements hereby taken are included in this Order of Taking, excepting however from this Order of Taking electric, telephone and cable transmission structures and facilities and any existing easements for electric, telephone and cable transmission structures and facilities.

The supposed owners of the above described way and easements and the holders of any other interests therein are set forth below together with the damages which are hereby determined to have been caused by this taking and are hereby awarded:

<u>MAP/LOT</u>	<u>SUPPOSED PROPERTY OWNER(S) AND OTHER PARTIES</u>	<u>DAMAGES</u>
1. 72/2276	James Terrasi 7 Silo Lane, Middleboro, MA 02346	None
2. 72/2276	Heather Terrasi 7 Silo Lane, Middleboro, MA 02346	None
3. 72/2254	Gerald Iwanski 4 Silo Lane, Middleboro, MA 02346	None
4. 72/2254	Jennifer Iwanski 4 Silo Lane, Middleboro, MA 02346	None
5. 72/3023	Joseph Engrassia 13 Silo Lane, Middleboro, MA 02346	None
6. 72/3023	Amy Engrassia 13 Silo Lane, Middleboro, MA 02346	None
7. 72/2295	Morgan Falk 12 Silo Lane, Middleboro, MA 02346	None
8. 72/2295	Christine Falk 12 Silo Lane, Middleboro, MA 02346	None
9. 72/3037	Mitchell Huddleston 15 Silo Lane, Middleboro, MA 02346	None
10. 72/3037	Regina Huddleston 15 Silo Lane, Middleboro, MA 02346	None
11. 72/2377	Paul M. Kessimian, 16 Silo Lane, Middleboro, MA 02346	None

12. 72/2377	Brianne Kessimian 16 Silo Lane, Middleboro, MA 02346	None
13. 72/3065	Christopher G. Peltier 21 Silo Lane, Middleboro, MA 02346	None
14. 72/3065	Michelle Peltier 21 Silo Lane, Middleboro, MA 02346	None
15. 72/3111	Sergio Moura 20 Silo Lane, Middleboro, MA 02346	None
16. 72/3111	Melissa Moura 20 Silo Lane, Middleboro, MA 02346	None
17. 72/3067	Janet Y. Jordan 25 Silo Lane, Middleboro, MA 02346	None
18. 72/3156	John J. McDonald 32 Silo Lane, Middleboro, MA 02346	None
19. 72/3156	Lori A. McDonald 32 Silo Lane, Middleboro, MA 02346	None
20. 72/3099	Peter J. St. John 29 Silo Lane, Middleboro, MA 02346	None
21. 72/3099	Teresa L. St. John 29 Silo Lane, Middleboro, MA 02346	None
22. 72/3191	Melissa D. Rooney 40 Silo Lane, Middleboro, MA 02346	None
23. 72/3833	Troy A. DiBurgo 33 Silo Lane, Middleboro, MA 02346	None
24. 72/3833	Morgan M. DiBurgo 33 Silo Lane, Middleboro, MA 02346	None
25. 72/3928	Michael C. Ferrara 42 Silo Lane, Middleboro, MA 02346	None
26. 72/3928	Michelle Ferrara 42 Silo Lane, Middleboro, MA 02346	None
27. 72/3838	Richard E. Leonard 37 Silo Lane, Middleboro, MA 02346	None
28. 72/3838	Bonnie L. Leonard 37 Silo Lane, Middleboro, MA 02346	None

- | | | |
|-------------|---|------|
| 29. 72/3957 | Donald H. Baptiste, Trustee
46 Silo Lane, Middleboro, MA 02346 | None |
| 30. 72/3957 | Judith D. Baptiste, Trustee
46 Silo Lane, Middleboro, MA 02346 | None |
| 31. 72/3853 | Jon M. LeTourneau
41 Silo Lane, Middleboro, MA 02346 | None |
| 32. 72/3853 | Kimberly LeTourneau
41 Silo Lane, Middleboro, MA 02346 | None |
| 33. 72/3948 | William C. Maloney
45 Silo Lane, Middleboro, MA 02346 | None |
| 34. 72/3948 | Sandra Maloney
45 Silo Lane, Middleboro, MA 02346 | None |
| 35. | Owners Unknown | None |

This order was adopted and is dated this _____ day of _____ 2012.

TOWN OF MIDDLEBOROUGH
BY:

BOARD OF SELECTMEN

Commonwealth of Massachusetts
County of Plymouth

On this _____ day of _____, 2012 before me the undersigned Notary Public, personally appeared _____, proved to me through satisfactory evidence of identification which was/were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose(s).

Signature of Notary

(Seal)

My commission expires _____

December 10, 2012

Middleborough Board of Selectmen
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

Dear Board Members:

I respectfully submit my resignation as the Board's appointed retirees' representative to the Town of Middleborough's Insurance Advisory Committee. I have taken advantage of the Health Insurance for Retirees policy adopted by the Board at their April 30, 2012 meeting and switched to my wife's health insurance plan with the Commonwealth of Massachusetts GIC. This has enabled me along with the Town to save money.

Whereas, at the present time, I no longer participate in the Town's health insurance plan, I feel that I will no longer be able to represent the health insurance concerns of the Middleborough Retirees' to the degree that they deserve and expect.

I would recommend that the Board appoint Charles Armanetti, Chairman of the Middleboro Retirees Insurance Group, as the new retirees' representative to the Town's Insurance Advisory Committee.

Very truly Yours,


Gene Turney

4 Pearl Street
Middleboro, MA 02346

GTURNEY1@GMAIL.COM

Cc: Charles Armanetti, Chairman MRIG
Deb Batista, Chairman IAC

TOWN OF MIDDLEBORO RETIREES INSURANCE GROUP (MRIG)
MIDDLEBORO.RETIREES.INS.GROUP@GMAIL.COM

December 12, 2012

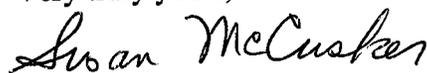
Board of Selectmen
Alfred Rullo, Chairman
10 Nickerson Avenue
Middleborough, MA 02346

Dear Chairman Rullo and Members of the Board:

The Executive Committee of the Middleboro Retirees Insurance Group (MRIG) is in receipt of Gene Turney's resignation letter from the Insurance Advisory Committee as the retiree's representative.

The MRIG Executive Committee is requesting that the Board appoint its Chairman, Charles Armanetti, to the Insurance Advisory Committee. The MRIG Executive Committee is also requesting that the Board also re-appoint Gail Twomey as an alternate member.

Very truly yours,



Susan McCusker, Secretary
MRIG Executive Committee



Bank Building, 20 Centre Street, Middleborough, Massachusetts 02346

December 12, 2012

Board of Selectman
Middleborough Town Hall
Nickerson Ave.
Middleborough, MA 02346

Honorable members:

On December 11, 2012 the Middleborough-Lakeville Herring Fishery Commission voted unanimously to recommend the following appointment:

VOLUNTEER OBSERVER for a term ending September 30, 2013:

Joseph Urbanski

Ray Jarvis

Mr. Urbanski is an interested citizen, recommended by one of the current volunteer observers. We met with him and he expressed enthusiastic interest in helping the Commission. Mr. Jarvis is a fishery biologist who recently moved to Middleborough and is familiar with the herring migration. Mr. Jarvis was introduced to the Commission by Mr. Michael Bednarski, whom we just previously recommended for appointment. He expressed interest and willingness to work with the Commission.

We request that you consider them for appointment at your earliest opportunity.

We request that home addresses and telephone numbers not be published or placed on appointment cards.

Sincerely,

A handwritten signature in cursive script, appearing to read "David J. Cavanaugh".

David J. Cavanaugh
Chairman

COMMONWEALTH OF MASSACHUSETTS
TOWN OF MIDDLEBOROUGH
BOARD OF SELECTMEN (BOARD OF HEALTH)

NOTICE OF BETTERMENT AGREEMENT December 20 _____, 2012
NOTICE OF BETTERMENT

TO THE REGISTER OF DEEDS OF PLYMOUTH COUNTY

NOTICE is hereby given that the Board of Selectmen of the Town of Middleborough acting as a Board of Health pursuant to General Laws, Chapter 111, Section 127B 1/2 entered into a Betterment Agreement

Dated June 22, 2012 with Judy Drapeau
(insert date) (insert name(s) of property owner(s))

with respect to real estate located at 50 Fairview Street
(insert address of property)

in Middleboro, Massachusetts and described in a deed recorded in the Plymouth County Registry of Deeds in Book 4358, Page 382
(insert book and page)

or filed as Document Number _____ with the Plymouth
(insert document number of deed)

District of the Land Court. The purpose of the Betterment Agreement is to authorize and enable the aforesaid property owner(s) to cause the said property to be serviced properly

by a septic system funded by financial assistance from the Town of Middleborough in the sum of up to and not exceeding

Eighteen Thousand Nine Hundred Fifteen &.00/100 (\$ 18,915.00).
(insert amount in writing) (insert amount in numbers)

The aforesaid property owner(s) shall be responsible to pay the Town of Middleborough for all funds advanced to the owner(s) pursuant to the Betterment Agreement together with interest.

The Betterment Agreement and this Notice shall be subject to the provisions of Chapter 80 of the General Laws relative to the apportionment, division, reassessment and collection of Assessment, abatement and collections of assessments and to interest. The lien for betterment under Chapter 80, the Betterment Agreement and this Notice of Betterment Agreement shall take effect by operation of law on the day immediately following the due date of such assessment or apportioned part of such assessment.

This Notice of Betterment Agreement shall be a betterment under Chapter 80.

Alfred P. Rullo Jr., Chairman

Allin Frawley, Vice Chairman

Steven P. Spataro

Ben Quelle

Stephen J. McKinnon

Board of Selectmen
Town of Middleborough

**Commonwealth of Massachusetts
County of Plymouth**

**On This _____ day of _____ 20 _____ before me the
undersigned Notary Public, personally appeared _____, proved
to me through satisfactory evidence of identification which was _____
to be the person whose name is signed on the preceding or attached document, and
acknowledged to me that he/she signed it voluntarily for its stated purpose(s).**

**Signature of Notary
Jacqueline M. Shanley**

**(Seal)
My commission expires:**

COMMONWEALTH OF MASSACHUSETTS
TOWN OF MIDDLEBOROUGH
BOARD OF SELECTMEN (BOARD OF HEALTH)

NOTICE OF BETTERMENT AGREEMENT December 20, 2012
NOTICE OF BETTERMENT

TO THE REGISTER OF DEEDS OF PLYMOUTH COUNTY

NOTICE is hereby given that the Board of Selectmen of the Town of Middleborough acting as a Board of Health pursuant to General Laws, Chapter 111, Section 127B 1/2 entered into a Betterment Agreement

Dated April 30, 2012 with Alan & MaryLou Viera
(insert date) (insert name(s) of property owner(s))

with respect to real estate located at 6 Cliff Street
(insert address of property)

in Middleboro, Massachusetts and described in a deed recorded in the Plymouth County

Registry of Deeds in Book 12083, Page 081
(insert book and page)

or filed as Document Number _____ with the Plymouth
(insert document number of deed)

District of the Land Court. The purpose of the Betterment Agreement is to authorize and enable the aforesaid property owner(s) to cause the said property to be serviced properly

by a septic system funded by financial assistance from the Town of Middleborough in the sum of up to and not exceeding

Twenty Four Thousand Nine Hundred Twenty Five & 00/100 (24,925.00)
(insert amount in writing) (insert amount in numbers)

The aforesaid property owner(s) shall be responsible to pay the Town of Middleborough for all funds advanced to the owner(s) pursuant to the Betterment Agreement together with interest.

The Betterment Agreement and this Notice shall be subject to the provisions of Chapter 80 of the General Laws relative to the apportionment, division, reassessment and collection of Assessment, abatement and collections of assessments and to interest. The lien for betterment under Chapter 80, the Betterment Agreement and this Notice of Betterment Agreement shall take effect by operation of law on the day immediately following the due date of such assessment or apportioned part of such assessment.

This Notice of Betterment Agreement shall be a betterment under Chapter 80.

Alfred P. Rullo Jr., Chairman

Allin Frawley, Vice Chairman

Steven P. Spataro

Ben Quelle

Stephen J. McKinnon

Board of Selectmen
Town of Middleborough

**Commonwealth of Massachusetts
County of Plymouth**

**On This _____ day of _____ 20 _____ before me the
undersigned Notary Public, personally appeared _____, proved
to me through satisfactory evidence of identification which was _____
to be the person whose name is signed on the preceding or attached document, and
acknowledged to me that he/she signed it voluntarily for its stated purpose(s).**

**Signature of Notary
Jacqueline M. Shanley**

**(Seal)
My commission expires:**

MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET
MIDDLEBOROUGH, MA 02346

(508) 947-1212

Fax (508) 947-1009



Bruce D. Gates
Chief of Police

December 31, 2012

Board of Selectmen
Town Hall
Middleborough, MA 02346

RE: Civil Service Requisition

Honorable Board,

This is a request to have the Board give a conditional offer of employment as a recruit Police Officer. The conditional offer would be to Brian W. Fitzgerald, age 25

The following conditions would need to be met:

- Passing a physical/medical examination including drug screening
- Passing a psychological examination
- Passing the Physical Abilities Testing for entry to the police academy

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bruce D. Gates", is written over a horizontal line.

Bruce D. Gates,
Chief of Police

C/c
Charles Cristello
Town Manager

Jacqueline Shanley

From: Jane Blanton
Sent: Monday, December 31, 2012 11:10 AM
To: Jacqueline Shanley
Subject: SHOOTERS

Hi Jackie,

I just wanted to let you know Shooters bounced their check to pay the FY13 Water Lien. They paid this to get their license.

Jane