

CORRESPONDENCE

10-19-15

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Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

Telephone (508) 946-2425
Fax (508) 946-1991

September 22, 2015

Mr. John C. Manoog, Jr.
Fidelity Financial, Inc.
72 Pine Street
Hyannis MA 02601

Re: Brookside Estates Subdivision

Dear Mr. Manoog,

As you are aware the Planning Board is in receipt of a letter dated June 19, 2015 from your Attorney, Jeffery Johnson, to the residents of Brookside Estates. The letter indicates that it is your intention to abrogate your responsibility for maintenance, repair and completion of the subdivision, Brookside Estates. The Planning Board finds this intended action unacceptable and in violation of the Subdivision Control Law, MGL. Ch.41 Section 81U, the Middleborough Subdivision Rules and Regulations and your Form H Subdivision Covenant, dated August 5, 2003, and recorded in the Plymouth County Registry of Deeds Book 26106 Page 163.

Brookside Estates was endorsed by the Planning Board in August 2003 and Fidelity Financial, Inc. subsequently purchased the project and commenced construction in September 2003. The lots were released from the Subdivision Covenant for sale/construction between the fall of 2004 and 2006. In 2010 the Planning Department notified you of roadway pavement issues related to settlement and that a sinkhole had formed. These conditions progressed into 2011 at which time you retained Outback Engineering and Clogbusters, Inc., to conduct video exploration of the Brookside Estates drainage system and develop a remedial repair plan. As you are aware, the videography revealed significant problems with the drainage system resulting in failure of the 13 foot deep drain lines and the roadway above them. Outback Engineering submitted a proposed remedial repair plan in September 2011. The Planning Board then submitted that plan to its consultant, Camp Dresser & McKee (CDM), who produced a review report with recommendations in November 2011. CDM's report questioned the adequacy and cost effectiveness of a portion of Outback's proposed remedial repair plan.

The Planning Board met with you and your engineer, Jeff Youngquist of Outback Engineering, on November 15, 2011. At that meeting the Board outlined the concerns raised by CDM and asked that you produce additional information with respect to the methodology and extent of the pipe sleeving Outback was proposing for repair of the main drain line. Additionally, there were areas of roadway failure above the main drain line, that appeared to be caused by unconsolidated pipe backfill material, and the Board requested that a proposal be submitted to explore the nature and extent of this area of failure as well as a proposal to repair it. The Planning Board anticipated that Outback Engineering would work with the Planning Department and CDM to develop a plan for temporary repairs to secure the safety of the road, as well as a final remedial repair plan. Planning Department staff sent a letter to you in January 2012 addressing your questions about the subdivision surety, reviewing your responsibility with respect to road maintenance, repair and completion, and identifying a possible way forward if a remedial repair plan could be finalized and the cost of construction estimated. Outback Engineering informed the Planning Department, in early spring 2012, that they no longer represented

Mr. John C. Manoog, Jr.
September 22, 2015
Page 2

Fidelity Financial on the Brookside Estates Project. Fidelity Financial did not submit the materials requested by the Planning Board during the November 2011 meeting, abandoned any attempt to identify the cause of road and drainage system failure at Brookside Estates, never proposed an adequate remediation plan, failed to provide temporary and permanent repair of Brookside Drive and Fidelity Lane and complete the subdivision.

With respect your attorney's letter of June 19, 2015 regarding maintenance of the Brookside Estates roads as well as remediation of the drainage system and completion of the subdivision, the owner is responsible for the subdivision's construction, maintenance and completion in accordance with the approved subdivision plans, Certificate of Approval, Form H Covenant, Form C Application, and Subdivision Rules and Regulations. Although there is no obligation on the part of the Town to accept these roads as public ways, the roads must be built in compliance with the Subdivision Rules and Regulations so that they may be accepted. Owners bought lots in the subdivision anticipating that the roads will be built and completed in accordance with your signed subdivision covenant, so that they may be accepted as public ways. Until the Town accepts the roads as public ways, the Town has no right or responsibility for their construction, repair or maintenance, including but not limited to emergency repairs or snowplowing. The Town of Middleborough cannot and will not maintain the roads in Brookside Estates.

As you are aware, the Planning Board is holding cash surety for the Brookside Estates subdivision in the amount of \$430,000. This surety was estimated and intended for completion of the subdivision's construction, not reconstruction of your contractor's improperly installed infrastructure. The Planning Board estimates that the cost to repair and reconstruct the Brookside Estates roadways exceeds the surety monies held.

The Planning Board and the Planning Department are committed to engaging with you to resolve the problems at Brookside Estates and to complete the project. To that end, the Planning Board must bring back CDM to work with your engineer, Outback Engineering or another firm, to complete the evaluation of the drainage system and to develop a remedial action plan for its repair. Once this plan is prepared and agreed to by all parties, the remaining costs associated with this drainage system remediation, other outstanding construction items and final completion costs can be developed as an updated surety estimate.

The Planning Board proposes that two members of the Planning Board, Planning Department staff and Middleborough's Town Counsel meet with you, your attorney and a qualified civil engineering firm to discuss the outstanding issues at Brookside Estates to explore the actions necessary for moving this project to completion.

Please respond at your earliest convenience and advise whether you will meet with the Planning Board members as suggested.

Respectfully,



Michael J. Labonte, Chairman
For the Middleborough Planning Board

Cc: Atty. Daniel F. Murray
Middleborough Board of Selectmen
Robert Nunes, Town Manager

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Jacqueline Shanley

From: Diane Maddigan <maddtax@comcast.net>
Sent: Friday, October 09, 2015 3:50 PM
To: SelectmenWeb
Subject: Flags of Valor
Attachments: Flagflyer.pdf

I would like to let you all know about the Kiwanis' event, the Flags of Valor. People can sponsor a flag to honor a Veteran or current member of the Armed Forces. The flags will be placed on the Town Hall lawn from November 1 – 14. Lights will be on the flags in the evening according to flag etiquette. Those people honored will have their names placed on a sign near the flags.

Proceeds from the sponsorships will benefit the Kiwanis scholarships and various Veterans needs.

If you have any questions, please contact me at (508) 947-1040 or at maddtax@comcast.net

Thank you for your attention
Diane

The Kiwanis Club of Middleborough

Presents the First

Flags of Valor

We are requesting your help
In honoring our veterans on
November 11, 2015

Please Donate \$10 Per Flag

A field of flags will be placed on the Town Hall lawn November 1-14.

Ceremony following parade on November 11



Please contact Diane Maddigan: (508) 947-1040 or maddtax@comcast.net or
Bob Kinney: (508) 947-4495 or bobkinney@aol.com



Send attached form and donation to

Kiwanis Club of Middleborough

c/o Diane Maddigan 129 Spruce Street Middleboro, MA 02346

Name: _____

Address: _____

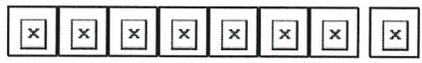
Email Address: _____

Number of Flags: _____ Amount Enclosed: _____

In Memory/Honor of: _____

Jacqueline Shanley

From: The Massachusetts Association of Health Boards <benes@mahb.ccsend.com> on behalf of The Massachusetts Association of Health Boards <benes@mahb.org>
Sent: Sunday, October 04, 2015 8:35 PM
To: Jacqueline Shanley
Subject: MAHB Certificate Program



Time to Register for the MAHB Certificate Program!



Ben

The MAHB Certificate Program is almost complete. You can log in to register through the members portal which is on our home page. The last few workshops are still in development, but the latest information is available on the MAHB website. To view, go to the [MAHB Certificate Program](#).

We have three concurrent tracks covering Governance, Community & Environmental Health and Emergency Preparedness. If you have a new board member or staff, they are strongly encouraged to attend the orientation sessions.

20th Annual MAHB Fall Certificate Program
November 7th Taunton Holiday Inn
November 14th, Marlborough Holiday Inn

This training is offered on two dates and locations for your convenience.

Two of the workshops are highlighted in this issue.

Scholarships are available on request subject to funding!

Guidance for Enforcing Regulations that Restrict Flavored Tobacco Sales

MAHB has developed [guidance documents](#) on product restrictions which can be downloaded from the MAHB website. The first is a template handout of Frequently Asked Questions (FAQ's) that can be adopted for a specific city or town and used to educate retailers on how to comply with the regulation.

The second is a list of products that MAHB believes are flavored. This list is meant to be guidance for enforcers, but it is not exhaustive. MAHB is issuing this list to help inform retailers and enforcement agents about the type of products that are considered flavored and will update this list every 6 months. We request assistance in maintaining and improving this guidance list of flavored products. If you discover additional products that you believe are flavored and think should be on this list, please fill out the third document, which is a Flavored Product Application Form and submit it to sbarra@mahb.org.

Please note that this list and FAQ's are not prescriptive. Boards of health and/or health agents can determine how best to use these documents. If you have any questions, or need any additional information please do not hesitate to contact Cheryl Sbarra at sbarra@mahb.org.

BOH Role in Banning Single Use Styrofoam

This workshop will explore Mass General Law as it relates to the BOH role and responsibility to protect the health, safety, and well-being of people and the environment. This workshop will identify the health and environmental impact of polystyrene as well as consider alternative recycling options currently adopted by Massachusetts cities and towns.

After completing this workshop, the participants will be able to recognize the negative impact polystyrene, aka Styrofoam, has on human health and the environment.

Participants will understand the legal power of the Massachusetts local Boards of Health in regards to health and environmental issues.

At the conclusion of this workshop participants should be able to identify three ways polystyrene is harmful to human health and the environment.

Ready for the Next Snow Emergency? Learning from the Experience of Local Health during 2015 Severe Weather Emergencies and Planning Ahead

Instructors:

Elena Savoia MD MPH, Dorothy Bernard MPH and Marcia Testa PhD MPH

Harvard T.H. Chan School of Public Health Preparedness & Emergency Response Learning Center

This session will be divided in two parts: During the first part we will present the results of a survey of local health departments conducted after the severe weather emergencies occurred during the 2015 winter season in Massachusetts. Survey results will be used to describe public health challenges and successes in responding to the emergency, describe public health support provided to vulnerable populations, and to discuss needs for training and assistance to better respond to future similar emergencies. During the second part of the session we will conduct an exercise focused on the identification of vulnerable groups in the community served by the health department. Access to publicly available data to identify population vulnerabilities and the role of public health in providing support

to vulnerable groups will be discussed during the exercise as well as the impact of risk communications strategies on various segments of the population and access to tools and trainings to improve the public health response to severe weather situations.

VISIT OUR WEBSITE!

Marcia Benes
Executive Director
The Massachusetts Association Of Health Boards
benes@mahb.org

Forward this email



This email was sent to jshanley@middleborough.com by benes@mahb.org | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [About our service provider](#).

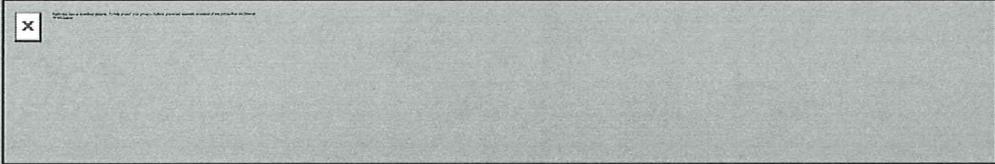


The Massachusetts Association Of Health Boards | 56 Taunton St. | Plainville | MA | 02762

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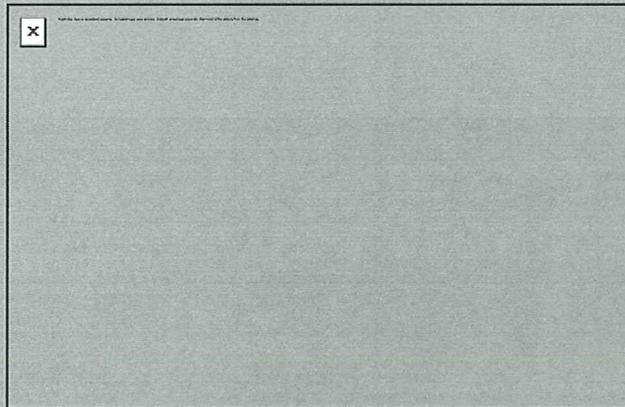
Jacqueline Shanley

From: Taunton River Watershed Alliance <susan@savethetaunton.ccsend.com> on behalf of Taunton River Watershed Alliance <director@savethetaunton.org>
Sent: Tuesday, October 06, 2015 2:38 PM
To: Jacqueline Shanley
Subject: TRWA 2015 Annual Meeting



October 6, 2015

You're cordially invited to:
The Taunton River Watershed Alliance, Inc.
2015 Annual Meeting



Saturday, October 24, 2015, 5:00 to 7:00 p.m.
Bristol County Agricultural High School, Dighton
MA

featuring a special presentation:
"The Burrage Pond Wildlife Management
Area: Past, Present and Future Restoration"

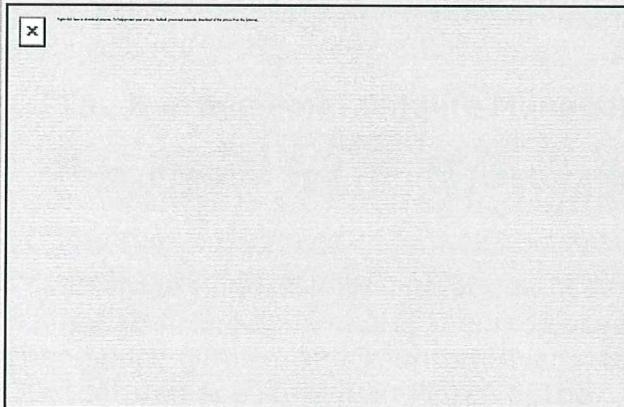
**Guest speaker: Joan Pierce, Land Agent for the
Massachusetts Department of Fish and Game,
Southeast District**

Please join us for TRWA's 2015 Annual Meeting
on

Saturday, October 24 from 5 to 7 p.m. The event
will be held in the auditorium of Bristol County
Agricultural High School, located at 135 Center
Street in Dighton. The program will include
reports on TRWA's activities during the past year,
election of Board members and officers and a
display of award-winning photos from TRWA's
2016 Taunton River Tide Calendar.

**"The Burrage Pond Wildlife Management
Area:
Past, Present and Future Restoration"**

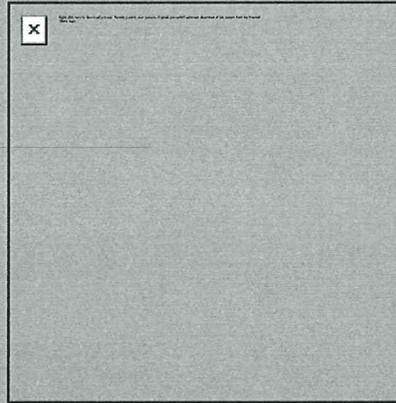
The Burrage Pond Wildlife Management Area in
Halifax and Hanson is one of the irreplaceable
open space gems in the Taunton River watershed.
Our featured speaker, Joan Pierce of the
Massachusetts Department of Fish and Game will
talk about the past, present and future of this
remarkable area: its acquisition history,
outstanding natural resource values, what to see
and where, management issues and future
plans.



Refreshments will be served. The *2016 Taunton
River Tide Calendar* will be available for purchase

at a discounted price.

The Annual Meeting is open to the public. Admission is free and all are welcome. Please bring family and friends as well! You can contact TRWA at 508-828-1101 or e-mail us at: director@savethetaunton.org. You can also visit our website: www.savethetaunton.org.



**Taunton River Watershed Alliance, Inc.
43 communities, one watershed**

1298 Cohannet Street

Taunton MA 02780

508-828-1101

**Learn more about us at:
www.savethetaunton.org**

Forward email



This email was sent to jshanley@middleborough.com by director@savethetaunton.org | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [About our service provider](#).



Taunton River Watershed Alliance | PO Box 1116 | The River Center at the Gertrude Boyden Refuge | 1298 Cohannet Street | Taunton | MA | 02780



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Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

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

October 13, 2015

James P. Gaudet, Jr.
143 East Grove Street
Middleborough, MA 02346

RE: Complaint concerning 143 East Grove Street (Map 65, Lot 5592), Middleborough, MA

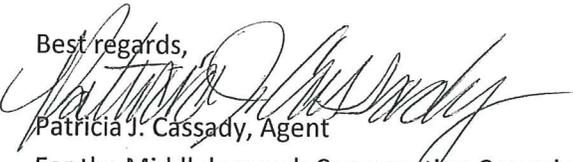
Dear Mr. Gaudet:

On September 4 & 24, 2015 the Conservation Department received a complaint concerning the above-mentioned property for heaving equipment working in the wetlands. On September 9 & 24, 2015 I drove by and saw small machines behind the house.

I would like to set up a meeting/site visit with you to go over this activity. According to the DEP Wetland Mapping that there are wetlands in the rear portion of the property and are associated with Fall Brook. These areas are protected under the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, Sec. 40 and regulations 310 CMR 10.00). Any work within 100-feet of the wetlands may require you file a permit application with the Conservation Commission.

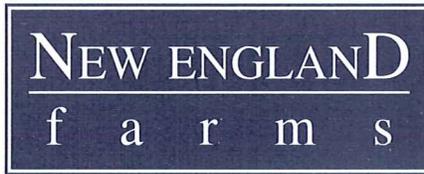
Please contact the Conservation Department at 508-946-2406 or pcssdy@middleborough.com to set up the site inspection.

Best regards,


Patricia J. Cassidy, Agent

For the Middleborough Conservation Commission

Cc: ✓ Board of Selectmen
Robert Nunes, Town Manager
Department of Environmental Protection – Wetlands and Waterways SERO



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CORPORATE OFFICE: P.O. Box 145, Assonet, MA 02702 • (508) 644-3332 • (508) 644-5899 fax

October 1, 2015

To; Town of Middleborough Board of Health

Re: New England Farms Tobacco Violation

Mr. Robert Buker;

As I said at the hearing, we sincerely apologize for the recent tobacco violation at our 447 Wareham Street store. We take this matter seriously and have taken appropriate action with the employee. The employee responsible for the infraction has been terminated per our company policy.

Please know that we truly believe we do everything in our power to make sure we are selling tobacco responsibly in ALL of our locations. Below is a list of the precautions we take in every one of our locations;

1. We have a very strict company policy regarding tobacco and alcohol sales. We train all our employees on the State "We Card" Program when they are hired and at least once per year as a reminder as well. Employees found in violation by any state, local or in-house shop or review face termination.
2. We constantly remind all of our employees of our policies on tobacco sales and actually have them sign a new policy statement a couple times a year. All records are kept on file.
3. Our cash registers prompt the employees to enter a customer's date of birth and we require them to do so if the customer in their opinion appears to be under the age of 35 (as you know, the State suggests the age of 27). There is NOT ANY computer system that is 100% full-proof. ANY system is only as good as the employee using it.
4. We require our Manager's to conduct "Spot Checks" every week on their employees to make sure each employee is entering customer dates of birth in the system and is not constantly overriding the system. We refer to this as a Weekly Loss Prevention Report.
5. We also have a contract with a shopping service company, The BAR'S Program, in which we require them to conduct tobacco and alcohol shops at all of our locations once per month to help us make sure our employees are selling responsibly.

Despite all of the preventive measures we have in place we have to rely on our employees to make good decisions and hold up their end of the agreement because we cannot be there all the time. The employee that was responsible for this bad decision had been with us for 22 months and was a very

good employee that just made a very big mistake. This store had been “shopped” by our contracted shopping service since we started this service 18 months ago and passed every single shop including 3 shops in which this employee passed. I have numerous internal audits on this employee in which he passed our review and appeared to be entering the customers DOB... obviously I cannot review every transaction, I am simply indicating that the “Spot Check” reviews we’ve conducted on this employee all passed.

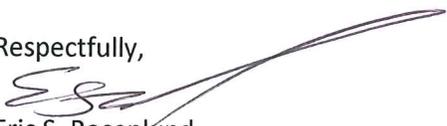
Sometimes good employees make wrong decisions. New England Farms has been in business for 18 years and to my knowledge this is the only incident in Middleborough and I am aware of only one other location in which we’ve had a similar problem. Not a bad record but one infraction is NOT acceptable to us because we do not want to contribute to under age tobacco and alcohol use. Obviously, we also do not want the reputation associated with under age selling. We operate a professional and law abiding company.

As you mentioned at the hearing, we were one of 7 locations (20 % of the town), that failed to do the right thing. We truly believe that this problem will never be 100 % solved in any town no matter how much money a retailer spends on a computer system until the employees that violate the law are held responsible in addition to the business owner. If all employees that are selling tobacco and alcohol know that they will be answering to the local boards, just as the business owner does, and could face a fine of their own I believe the message would be sent. Any town that wants this problem resolved should consider taking a bold step and be the leader in the state by holding employees responsible too.

Perhaps another option would be to consider a By-Law stating that ALL customers wishing to purchase tobacco or alcohol in their community MUST provide proof of age for every transaction despite age.... ALL customers must provide proof of age for all tobacco and alcohol purchases regardless of age at all locations throughout town. This will make it an even playing field for all retailers and help accomplish the ultimate goal of stopping under age purchases throughout the entire town.

Thank you for your time and consideration of the above suggestions.

Respectfully,



Eric S. Rosenlund

Director of Operations
New England Farms, Inc
68 South Main Street
Assonet, MA 02702
781-475-8801 (c)
erosenlund@ne-farms.com

Cc; Mr. Allin Frawley, Chairman, Town of Middleborough Board of Selectmen



Lynch, Malloy, Marini, LLP
Certified Public Accountants & Advisors

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September 30, 2015

The Honorable Board of Selectmen
Town of Middleborough
10 Nickerson Avenue
Middleborough, MA 02346

Dear Board,

Enclosed please find 10 bound copies of our reports on the Town's Schedule of Expenditures of Federal Awards for the year ended June 30, 2014.

As required by M.G.L., we have submitted electronic copies of the all reports to the Bureau of Accounts of the Massachusetts Department of Revenue.

As required by Massachusetts Department of Elementary & Secondary Education, we have submitted electronic copies of the all reports directly to them.

We will be filing Form SF-SAC Data Collection Form with the Federal Single Audit Clearinghouse. You will receive an email with instructions on how to sign the Data Collection Form electronically.

Please feel free to call us should any questions arise.

Sincerely,

Robert J. Lynch, CPA
Partner

Enclosures

* on file in Selectmen's office



October 1, 2015

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

Re: Municipal Emergency Reporting Procedure

Dear Chairman and Members of the Board:

In our effort to better assist our municipal customers, please find below the emergency reporting procedures for certain outside plant and service problems.

In the event that any municipal building experiences problems with downed cable drops, signal transport issues with I-NET or Video Return Lines, Public, Education and Government (PEG) Access channels or to have our technical or construction staff on-site during an emergency, please follow the steps detailed below:

MUNICIPAL - EMERGENCY/TROUBLE REPORTING PROCEDURES
(Please note the XOC telephone number listed below IS NOT for public dissemination)

- **STEP 1 Dial: 1-877-359-1821** (24/7 – XOC)
- **STEP 2 Select: Option # 4 - Greater Boston** or Western NE regions
- **STEP 3 Select: Option # 4 - Commercial Accounts, Municipalities, Utilities, Police & Fire**
- **STEP 4 Reason for call:**
 - Option # 1 - Down Wires (will be prompted to enter zip code)
 - Option # 2 - Pole or all other Municipal Issues
- **STEP 5 Speak with Rep. and obtain job reference #**

The above steps will put you in touch with our Excellence Operations Center (XOC), 24-hours a day, and seven days a week. **Once again, please note this telephone # IS NOT for public dissemination.**

Please do not hesitate to contact me at 617.279.6017 should you have questions.

Very truly yours,
Mary O'Keeffe
Mary O'Keeffe, Sr. Manager
Government Affairs

XOC: Cable Committee



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Brockton, Massachusetts

“City of Champions”

Bill Carpenter – Mayor

Dear fellow Plymouth County Community,

This year marks the 125th Anniversary of an event that became an important part of national and global holiday celebrations. The first department store Santa Claus was the brainchild of James Edgar, a Scottish immigrant who came to Brockton in 1878 and built his life and business from nothing. Edgar’s Department Store was at one time the largest dry goods store in New England.

“I have never been able to understand why the great gentleman lives at the North Pole. He is so far away...only to see the children one day a year. He should live closer to them” Edgar once said.

And bring Santa to life he did, for James Edgar was more than just a businessman, he was a “big-hearted, wholesome man with a sound, hearty handshake and greeting” that loved his adopted city and the people that lived here, especially the children. To celebrate Mr. Edgar’s bringing of the famed Thomas Nast drawing of 1862 to life for children of all ages to enjoy, the people of Brockton are planning a series of events highlighted by the Annual Holiday Parade on Saturday November 28th.

In the spirit of Brockton’s “Santa Hat Challenge” I am offering a friendly challenge to all twenty-six Plymouth County Communities to join us in our celebration of a great American tradition by sending a representation of your community, be it your high school band, a Veteran’s color guard, a float (depicting your community’s holiday tradition), or any creative way to represent your town in the Brockton Holiday Celebration Parade.

If you would like to have your community participate please contact Michael Gallerani, at the Brockton 21st Century Corporation at 508-586-0021 or mgallerani@brockton21.com by October 15 2015.

Sincerely,

Bill Carpenter
Mayor
City of Brockton

RatingsDirect®

Summary:

Middleborough Town, Massachusetts; General Obligation; Note

Primary Credit Analyst:

Christina Marin, Boston 617-530-8312; christina.marin@standardandpoors.com

Secondary Contact:

Ruth S Ducret, Boston (1) 212-438-1410; ruth.ducret@standardandpoors.com

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Rationale

Outlook

Related Criteria And Research

Summary:

Middleborough Town, Massachusetts; General Obligation; Note

Credit Profile		
US\$6.13 mil GO rfdg bnds ser A dtd 10/08/2015 due 09/15/2026		
<i>Long Term Rating</i>	AA/Stable	New
US\$4.1220179 mil GO BANs dtd 10/09/2015 due 10/07/2016		
<i>Short Term Rating</i>	SP-1+	New
US\$2.065 mil GO rfdg bnds ser B dtd 10/08/2015 due 09/15/2027		
<i>Long Term Rating</i>	AA/Stable	New

Rationale

Standard & Poor's Ratings Services assigned its 'AA' long-term rating and stable outlook to Middleborough Town, Mass.' series 2015A and 2015B refunding bonds and affirmed its 'AA' long-term rating on the town's debt outstanding.

At the same time, Standard & Poor's assigned its 'SP-1+' short-term rating to the town's series 2015 bond anticipation notes (BANs). The short-term rating reflects our criteria for evaluating and rating BANs. In our view, Middleborough maintains a very strong capacity to pay principal and interest when the notes come due. The town maintains what we view as a low market risk profile because it has strong legal authority to issue long-term debt to take out the notes and is a frequent issuer that regularly provides ongoing disclosure to market participants.

The town's full-faith-and-credit pledge secures the bonds and BANs. Officials intend to use bond proceeds to refund 2005, 2007A, and 2007B bonds for an estimated collective cost savings of \$1.4 million. According to town officials, BAN proceeds will be used for various capital needs such as improvements to the council on aging facility, wastewater treatment facility upgrades, and police station design, among other appropriations.

The rating reflects our opinion of the following factors for the town, including its:

- Strong economy, with access to a broad and diverse metropolitan statistical area (MSA);
- Strong management, with "good" financial policies and practices under our Financial Management Assessment methodology;
- Strong budgetary performance, with a slight operating surplus in the general fund and balanced operating results at the total governmental fund level;
- Adequate budgetary flexibility, with an available fund balance in fiscal 2014 of 5.4% of operating expenditures;
- Very strong liquidity, with total government available cash of 84.3% of total governmental fund expenditures and 19.0x governmental debt service, and access to external liquidity we consider strong;
- Strong debt and contingent liability profile, with debt service carrying charges of 4.4% of expenditures and net direct debt that is 23.5% of total governmental fund revenue, and low overall net debt at less than 3% of market value and rapid amortization with 92.1% of debt scheduled to be retired in 10 years, but significant medium-term debt plans and a large pension and other postemployment benefit (OPEB) liability and the lack of a plan to sufficiently address

- the obligation; and
- Strong institutional framework.

Strong economy

We consider Middleborough's economy strong. The town, with an estimated population of 23,774, is located in Plymouth County in the Boston-Cambridge-Newton, Mass.-N.H. MSA, which we consider to be broad and diverse. The town has a projected per capita effective buying income of 110% of the national level and per capita market value of \$94,213. Overall, the town's market value grew by 2.4% over the past year to \$2.2 billion in 2015. The county unemployment rate was 6.0% in 2014.

Middleborough is located approximately 35 miles south of Boston and 40 miles north of Providence on the Interstate 495 corridor. The commonwealth's second-largest municipality by land, Middleborough is still relatively rural. The town's leading employers include the corporate headquarters of Christmas Tree Shops, Ocean Spray Cranberries Inc., and Brookfield Engineering. The four principal industries are transportation and utilities, education and health services, manufacturing, and professional services; each of these sectors employs about 1,500.

Although assessed value (AV) has decreased from a peak of \$2.7 billion in 2007, town management expects AV to rebound over the next few fiscal years due to new residential construction and evidence of increased activity in industrial zones. Town management is in conversations with developers for a 236-unit housing project, which is in the permitting phase. They are also speaking with state officials about the pending relocation of a state 911 dispatch center, which is expected to add 100 jobs. Finally, town management is looking to expand an existing industrial park, adding as much as 250,000 square feet in industrial space. We expect these projects will lead to increased property values in the near term.

Strong management

In our view, Middleborough's management conditions are strong with "good" financial management practices under our FMA methodology, indicating that financial practices exist in most areas but that governance officials might not formalize or regularly monitor all of them.

Middleborough has an up-to-date capital improvement plan (CIP) that a capital planning committee drafts in consultation with department heads. Along with different line items for each capital expenditure, the CIP identifies specific financing sources. The town also maintains a long-term, five-year financial budget with growing evidence management uses the forecast to identify and address long-term budgetary challenges. Management budgets conservatively and prepares a three-year trend analysis when budgeting for revenues and expenditures. The reserve policy strives to maintain a minimum stabilization fund at 3% of general fund revenue, though the stabilization fund currently carries less than 3%. The town also maintains a debt policy that establishes parameters for the types of projects it can bond for and caps debt service at 10% of operating expenditures. Middleborough follows state guidelines in managing investments, though review of investment performance is done infrequently. Despite this, we believe the town maintains strong surveillance of the budget with frequent reporting of budget-to-actuals and flexibility to adjust the budget when needed.

Strong budgetary performance

Middleborough's budgetary performance is strong in our opinion. The town had slight surplus operating results in the general fund of 1.1% of expenditures, and balanced results across all governmental funds of negative 0.3% in fiscal 2014. General fund operating results of the town have been stable in the past three years, with a result of negative 0.1% in 2013 and a result of 0.5% in 2012.

According to town officials, Middleborough posted a surplus in 2015 despite an unusually severe winter that pushed snow and ice removal costs \$440,000 over budget. Officials say the surplus is a result of unspent appropriations and aggressive tax collections. The fiscal 2016 operating budget is balanced and appropriations are a 2.1% increase from the previous year at \$69.4 million.

Property taxes generate 51% of general fund revenue while intergovernmental aid accounts for 41%. Tax collections have traditionally been consistent and what we view as strong. In addition, we believe the state aid environment is stable.

Adequate budgetary flexibility

Middleborough's budgetary flexibility is adequate, in our view, with an available fund balance in fiscal 2014 of 5.4% of operating expenditures, or \$3.7 million. Due to a positive operating result in fiscal 2015, the town expects reserves to improve, although town officials budgeted for \$830,000 use of fund balance in fiscal 2016 for one-time capital and retirement spending. In the long term, we expect reserve levels to remain at a level we consider adequate. The town's reserve policy sets a minimum stabilization fund balance at 3% of general fund revenue.

Very strong liquidity

In our opinion, Middleborough's liquidity is very strong, with total government available cash of 84.3% of total governmental fund expenditures and 19.0x governmental debt service in 2014. In our view, the town has strong access to external liquidity if necessary.

We believe the town's strong access to external liquidity is supported by its frequent debt issuances including GO bonds and BANs. Middleborough's gas-and-electric fund has \$45 million of available cash, which we consider significant, but which is not accounted for in our assessment of liquidity. In our calculation, we net out restricted cash. The town has consistently maintained very strong liquidity and we do not expect a change to these ratios.

Strong debt and contingent liability profile

In our view, Middleborough's debt and contingent liability profile is strong. Total governmental fund debt service is 4.4% of total governmental fund expenditures, and net direct debt is 23.5% of total governmental fund revenue. Overall net debt is low at 0.9% of market value and approximately 92.1% of the direct debt is scheduled to be repaid within 10 years, which are in our view positive credit factors.

The town has significant medium-term debt plans, which we account for in our analysis and should not weaken our assessment of the town's liability profile. Middleborough's debt plans include an estimated \$10 million debt issuance for a police station; \$1.4 million for a feasibility study for a school building; and \$6 million for a wastewater treatment facility upgrade, which will be paid from water rates. The town is seeking a debt exclusion for the police station and school building, which means that debt service for these projects will be paid for outside of the town's operating

budget.

Following this bond issuance, Middleborough has \$33 million of total direct debt outstanding, about \$10.6 million of which is self-supporting enterprise debt and \$5.3 million will be reimbursed by the state for school building projects.

In our opinion, a credit weakness is Middleborough's large pension and OPEB liability, without a plan in place that we think will sufficiently address the obligation. Middleborough's combined pension and OPEB contributions totaled 12.6% of total governmental fund expenditures in 2016. Of that amount, 7.4% represented contributions to pension obligations and 5.2% represented OPEB payments. The town made its full annual required pension contribution in 2016. The pension funded ratio is 58.0%.

The town is one of 53 members participating in the Plymouth County contributory retirement system. The annual contribution for 2016 is budgeted for \$5.7 million, a cost which has increased 41% in the past five years and 8.3% from the prior year. The system has an unfunded liability of \$591 million.

Middleborough funds OPEB on a pay-as-you-go basis. In 2014, the unfunded liability was \$69,785,474 for governmental activities and \$9,667,206 for business type activities. The town established an OPEB trust fund, which will have a balance of \$800,000 in fiscal 2016. In recent years, it has contributed \$200,000 annually to the trust fund.

In 2014, Middleborough joined the state Group Insurance Commission (GIC), a pooled health insurance program with more than 65 districts, towns, and schools, as a cost-saving initiative. Officials expect to save \$1.5 million in fiscal 2015. However, costs could rise as the GIC currently faces a \$120 million deficit.

Although management has shown a willingness to lower health care costs and a commitment to funding pension and OPEB liabilities through the introduction of a payment schedule, at the moment, we are not convinced this will keep costs from being a pressure on the budget in the next few years.

Strong institutional framework

We consider the institutional framework score for Massachusetts towns strong.

Outlook

The stable outlook reflects Standard & Poor's opinion of Middleborough's strong liquidity and low debt, coupled with strong management practices. We believe Middleborough's location between Boston and Providence on I-495 and healthy manufacturing base bolster the economy, which translates to stable budgetary performance.

Upward scenario

Over time, we believe an upgrade depends on the reduction of Middleborough's long-term OPEB and pension liabilities, as well as the continued growth of available reserves.

Downward scenario

While unlikely to occur due to the improving tax base, any sustained deterioration in fund balance or budgetary performance could lead us to lower the rating.

Related Criteria And Research

Related Criteria

- USPF Criteria: Assigning Issue Credit Ratings Of Operating Entities, May 20, 2015
- USPF Criteria: Local Government GO Ratings Methodology And Assumptions, Sept. 12, 2013
- USPF Criteria: Bond Anticipation Note Rating Methodology, Aug. 31, 2011
- Criteria: Use of CreditWatch And Outlooks, Sept. 14, 2009
- USPF Criteria: Debt Statement Analysis, Aug. 22, 2006
- USPF Criteria: Financial Management Assessment, June 27, 2006
- USPF Criteria: Limited-Tax GO Debt, Jan. 10, 2002

Related Research

- Institutional Framework Overview: Massachusetts Local Governments

Ratings Detail (As Of September 23, 2015)		
Middleborough GO mun purp loan bnds ser 2014 A dtd 10/01/2014 due 10/01/2027		
Long Term Rating	AA/Stable	Affirmed
Middleborough GO rfdg bnds ser 2014 B dtd 10/01/2014 due 03/01/2024		
Long Term Rating	AA/Stable	Affirmed
Middleborough GO BANs dtd 10/10/2014 due 10/09/2015		
Short Term Rating	SP-1+	Affirmed
Middleborough Twn GO BANs dtd 10/09/2015 due 10/07/2016		
Short Term Rating	SP-1+	Affirmed
Middleborough Twn GO		
Unenhanced Rating	AA(SPUR)/Stable	Affirmed

Many issues are enhanced by bond insurance.

Complete ratings information is available to subscribers of RatingsDirect at www.globalcreditportal.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com. Use the Ratings search box located in the left column.

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Jacqueline Shanley

From: Robert Buker
Sent: Friday, October 02, 2015 8:16 AM
To: All Town Department Heads
Subject: FW: FOR IMMEDIATE RELEASE: STATE HEALTH OFFICIALS ANNOUNCE SECOND WEST NILE VIRUS FATALITY IN MASSACHUSETTS

Please remain aware that this season is still in peak time for mosquito borne illness. Remain vigilant until at least one frost has occurred.

Robert E Buker REHS/RS
Health Officer
Town of Middleborough
rbuker@middleborough.com
(508) 946-2408

From: Ohannessian, Dana (DPH) [mailto:dana.ohannessian@state.ma.us]
Sent: Thursday, October 01, 2015 5:33 PM
To: Robert Buker
Subject: [BULK] FOR IMMEDIATE RELEASE: STATE HEALTH OFFICIALS ANNOUNCE SECOND WEST NILE VIRUS FATALITY IN MASSACHUSETTS

You are receiving this message as a member of DPH's Office of Preparedness and Emergency Management's Statewide Local Boards of Health Listserv.



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor
KARYN E. POLITO
Lieutenant Governor
MARYLOU SUDDERS
Secretary
MONICA BHAREL, MD, MPH
Commissioner

FOR IMMEDIATE RELEASE:
October 1, 2015

FURTHER INFORMATION:
Omar Cabrera (DPH) 617-624-5089

STATE HEALTH OFFICIALS ANNOUNCE SECOND WEST NILE VIRUS FATALITY

IN MASSACHUSETTS

Residents urged to take precautions to avoid mosquito bites

BOSTON – Thursday, October 1, 2015- The Massachusetts Department of Public Health (DPH) today announced the sixth human case of West Nile virus (WNV) in the state this year, and the second WNV-related fatality. The patient was a female Suffolk County resident in her 90s who likely contracted the virus in the Suffolk County area. She was hospitalized due to the severity of her illness and has passed away. Confirmation of this infection came from testing completed at the Massachusetts State Public Health Laboratory.

There is no elevation of risk of WNV as a consequence of this finding; the WNV risk level for Boston, Chelsea, Revere and Winthrop is already classified as High.

“Even with the cooler temperatures upon us, it’s important to remember that Massachusetts still is in peak season for possible West Nile virus infection for human infections,” said State Public Health Veterinarian Dr. Catherine Brown. “Residents need to continue to take steps to protect themselves against mosquito bites: use insect repellent, cover up, and avoid outdoor activities at dusk and after nightfall when mosquitoes are at their most active.”

In 2014, there were six human cases of WNV infection identified in Massachusetts. WNV is usually transmitted to humans through the bite of an infected mosquito. While WNV can infect people of all ages, people over the age of 50 are at higher risk for severe disease. Most people infected with WNV will have no symptoms. When present, WNV symptoms tend to include fever and flu-like illness. In rare cases, more severe illness can occur. Fewer than one percent of people bitten by an infected mosquito will develop a severe form of WNV in which the virus invades the central nervous system.

People have an important role to play in protecting themselves and their loved ones from illnesses caused by mosquitoes.

Avoid Mosquito Bites

Apply Insect Repellent when Outdoors. Use a repellent with DEET (N, N-diethyl-m-toluamide), permethrin, picaridin (KBR 3023), oil of lemon eucalyptus [p-methane 3, 8-diol (PMD)] or IR3535 according to the instructions on the product label. DEET products should not be used on infants under two months of age and should be used in concentrations of 30% or less on older children. Oil of lemon eucalyptus should not be used on children under three years of age.

Be Aware of Peak Mosquito Hours. The hours from dusk to dawn are peak biting times for many mosquitoes. Consider rescheduling outdoor activities that occur during evening or early morning.

Clothing Can Help Reduce Mosquito Bites. Wearing long-sleeves, long pants and socks when outdoors will help keep mosquitoes away from your skin.

Mosquito-Proof Your Home

Drain Standing Water. Mosquitoes lay their eggs in standing water. Limit the number of places around your home for mosquitoes to breed by either draining or discarding items that hold water. Check rain gutters and drains. Empty any unused flowerpots and wading pools, and change water in birdbaths frequently.

Install or Repair Screens. Keep mosquitoes outside by having tightly-fitting screens on all of

your windows and doors.

Protect Your Animals

Animal owners should reduce potential mosquito breeding sites on their property by eliminating standing water from containers such as buckets, tires, and wading pools – especially after heavy rains. Water troughs provide excellent mosquito breeding habitats and should be flushed out at least once a week during the summer months to reduce mosquitoes near paddock areas. Horse owners should keep horses in indoor stalls at night to reduce their risk of exposure to mosquitoes. Owners should also speak with their veterinarian about mosquito repellents approved for use in animals and vaccinations to prevent WNV and EEE. If an animal is diagnosed with WNV or EEE, owners are required to report to DAR, Division of Animal Health by calling 617-626-1795 and to the Department of Public Health (DPH) by calling 617-983-6800.

More information, including all WNV and EEE positive results, can be found on the Arbovirus Surveillance Information web page at www.mass.gov/dph/mosquito or by calling the DPH Epidemiology Program at 617-983-6800.

###

Jacqueline Shanley

From: Reddish, Jill M <jill.m.reddish@verizon.com>
Sent: Thursday, October 01, 2015 1:32 PM
To: Reddish, Jill M
Subject: FiOS TV Notice
Attachments: Customer Notice - Outdoor Channel.pdf

Dear Municipal Official,

This is to notify you of a change to FiOS® TV.

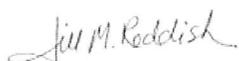
The cost of content increases substantially each year and in order to prevent those costs from being reflected in our subscribers' bills it is sometimes necessary to remove channels from our lineup. The contract for Outdoor Channel, Verizon channel 307/807 (SD/HD), expired on September 30, 2015. We have decided not to renew the contract and have discontinued broadcasting it.

Verizon is currently notifying subscribers through the FiOS® TV Message Center and via email. A sample customer notice is attached.

Access to the FiOS® TV channel lineup is available 24/7 online at verizon.com/fiostvchannels.

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,



Jill Reddish
FiOS TV- Sr. Staff Consultant
Franchise Management - NE
617 342 0558



My Verizon Support

Important Information.

We are committed to providing our customers with the best TV experience while keeping our prices low. Each year, the cost of content increases substantially, and in order to prevent those costs from being reflected on your bill, it is sometimes necessary to remove channels from our lineup. We have decided not to renew our contract for the Outdoor Channel and have discontinued broadcasting it. We are sorry for any inconvenience this may cause.

We encourage you to explore similar content, available on History Channel (channel 128 & 628), Destination America (channel 168 & 668), Nat Geo Wild (channel 132 & 632) and the Discovery Channel, (channel 120 & 620).

Thank You.

[My Verizon](#) | [Help](#) | [Forgot My Password](#)

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Ensure Verizon emails reach your inbox by adding verizon-notification@verizon.com to your "safe" email list. Your email or Internet provider can provide instructions on how it works.

This email has been sent from an auto-notification system that cannot accept incoming email.



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Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

PHONE: 1-508-946-2406

FAX: 1-508-946-2309

September 28, 2015

Ms. Nancy Nevins, Project Manager
Roux Associates, Inc.
12 Gill Street, Suite 4700
Woburn, Massachusetts 01801
Fax: 781-569-4001
Email: nnevins@rouxinc.com

RE: Draft Temporary Solution Statement
255 Plymouth Street
Middleborough, MA 02346
Rockland Industries, Inc.
RTN # 4-0111

Dear Ms. Nevins:

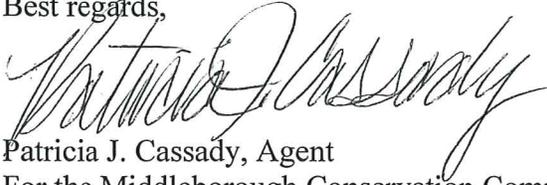
The Town of Middleborough has reviewed the subject draft report and would like to record the following comments:

1. The general provisions for permanent and temporary solutions are listed at 310 CMR 40.1003. Of particular interest at this site is **40.1003(6)(b)** "for a Temporary Solution, plumes of dissolved OHM in groundwater and vapor-phase OHM in the Vadose Zone are stable or contracting or otherwise controlled or mitigated to the extent feasible."

The data set presented in the TSS is not adequate to document that the south groundwater plume is stable or contracting. Groundwater samples have not been collected from many key wells in the south plume for more than a decade. At the bottom of page 20 of the draft TSS Roux states: "data collected from southern plume wells exhibit inconsistent trends, this plume has stabilized somewhere between monitoring wells RX-8S and RX-13S". It is the town's opinion that this falls short of demonstrating that the plume is stable or contracting.

Draft Temporary Solution Statement, 255 Plymouth Street
Middleborough, MA 02346 Rockland Industries, Inc.
RTN # 4-0111

Best regards,



Patricia J. Cassady, Agent
For the Middleborough Conservation Commission

Cc: ✓ Middleborough Board of Selectmen, Chair Allin Frawley
Middleborough Board of Health Agent, Robert Buker
Middleborough Fire Chief, Lance Benjamino
Citizens Environmental Health Impact Committee
Massachusetts Department of Environmental Protection – Bureau of Waste Site
Management – SERO
Massachusetts Department of Environmental Protection – Wetlands & Waterways
- SERO
Massachusetts Congressional Representative, Joseph P. Kennedy, III
Massachusetts State Senator, Marc R. Pacheco
Massachusetts State Representative, Keiko Orrall
Massachusetts State Representative, Susan Williams Gifford
Massachusetts State Representative, Thomas J. Calter
Massachusetts Plymouth County District Attorney, Timothy Cruz
Southeast Regional Planning & Economic Development District, Environmental
Program Director, William Napolitano
Taunton River Watershed Alliance

2007

ANNUAL REPORT WESTON MEMORIAL FOREST COMMITTEE

* As caretakers of the Weston Memorial Forest, the appointed members of the committee received permission of the Board of Selectmen in January 2008 to engage registered forester Philip Benjamin to develop a sound forestry management plan for the property.

Upon inspecting the Purchase Street side of the forest, Mr. Benjamin determined that many oak trees had died due to stress from drought and attacks by three species of moths: tent caterpillar, gypsy and winter. The oak trees have been recommended for removal. Further inspection revealed numerous sites of old growth pine, which also should be harvested.

Mr. Benjamin will oversee the proper harvesting of these trees, which will improve the growth of younger stock by opening the lumbered areas to sunlight.

During the year, several organizations have aided the Committee by maintaining trails, parking lots and clearing brush. Two of the groups were the Association for Rural Middleboro and the Bay State Trail Riders Association. In addition, Cub, Girl and Boy Scouts plus local residents have utilized the property for various activities.

In late 2007, Edward Parks, a member of this committee and who had served on the initial Weston Memorial Forest committee in 1969, passed away. He was a wealth of information and a truly dedicated individual. He is greatly missed.

Members of the committee are Robert Lessard, chairman; Nellie Campbell, secretary; Harry Pickering, treasurer; Anita Cole, Robert Luckraft, Tim Reed and Rick Caseiri, voting members; and Nancy Kitchen, alternate.

FROM BOB LESSARD

WESTON MEMORIAL FOREST ANNUAL REPORT 2008

2008

Major activity of several months duration was scheduled for the Purchase Street side of the Weston Memorial Forest during 2008...which extended into 2009. As reported in the 2007 annual report, the Weston Memorial Forest suffered major damage to hundreds of mature oak trees due to moth infestation and drought conditions.

A survey of the property by registered forester Philip Benjamin of Benjamin Forestry Services, Inc of South Easton found over 45 acres of woodland which required harvesting and improvement. It was estimated that some 292 cords of hardwood and some 101,845 board feet of lumber were to be extracted. The remaining acreage of the Weston Memorial Forest will be checked for future improvement.

Mr. Benjamin surveyed the damaged trees, as well as mature pine, which he marked for removal. He then filed a forest cutting plan with the Department of Conservation and Recreation, which approved the plan.

Removal of the trees will allow sunlight filtration to the understory and promote growth of younger trees. It is estimated that it will probably require about five years or more to note the improvement. Also, where the lumber equipment passed over the forest floor, a new an improved trail system can be maintained at Purchase Street.

A forest products bid proposal and sale contract was sent out to area loggers to bid on the project by Mr. Benjamin. Dan Reed Logging of Raynham proved to be the high bidder and was approved by a unanimous vote of the Weston Memorial Forest Committee.

It should please the citizens of Middleboro to learn that this project saw no spending of tax money. Revenue from the top bid paid for Mr. Benjamin's services and any additional monies were placed into the Weston Memorial Forest account.

During the past year, the Weston Memorial Forest was utilized by numerous residents and visitors at Purchase and the Tispiquin Street sides. Many bird watchers, hikers, boy and girl scouts as well as the average citizen walked the trails of the property. Also, horse riders from The Bay State Trail Riders Association and the Hanson Riding Club used the Purchase Street trails and offered their services to the committee.

Members of the Weston Memorial Committee are:

- Robert Lessard, chairman;
- Harry Pickering, treasurer;
- Nellie Campbell, secretary;
- Anita Cole, Tim Reed, Robert Luckraft and Rick Caseiri, members;
- Nancy Kitchen, alternate.

From Bob Lessard

2009

REPORT OF THE WESTON MEMORIAL FOREST COMMITTEE

It was an active 2009 for the Frederick S. Weston Memorial Committee. Logging, required by the heavy loss of oak trees and the harvest of mature pines on the Purchase Street side, was completed during March. The removal of the oak trees was due to extensive mortality resulting from repeated insect defoliations over the preceding three years.

New roadways were installed over the skid paths. An excavator and bulldozer were hired. Using that equipment, stumps and debris were removed to improve the skid paths for use by emergency vehicles. The new roadways are ideal for hiking and horseback riding. It is important to note that NO UNAUTHORIZED motor vehicles are allowed on any section of the Weston Memorial Forest.

The Bay State Trail Riders, co-ordinated by Al Amaral, cleared brush to maintain the horse trails in June. The Middleboro Gazette in its July 23, 2009 edition printed an article about the Weston Memorial Forest written by special writer John Tessier.

* In October, the committee met with Phil Benjamin of Benjamin Forestry Services, Inc., of Easton to discuss a Massachusetts 10 year forestry stewardship plan for the property. The committee voted to sign a contract for Mr. Benjamin to review the entire property. Under this agreement, the state program will help finance a portion of the stewardship plan. The reimbursement program is financed through the Department of Conservation and Recreation. *

* The Weston Memorial Forest committee participated in Middleboro's Heritage Festival, which was celebrating 140 years of the town's history. Large overlay maps of the nearly 300 acre property were on display providing festival visitors with information. Several brochure handouts were also made available.

Many citizens have taken advantage of the property for hiking, bird watching and horseback riding. There is adequate parking on both the Tispaquin and Purchase Street sides.

It is important to note, that the committee has accomplished the many improvements to the forest without any revenues from the town coffers.

FROM BOB LESSARD

2010

REPORT OF THE WESTON MEMORIAL FOREST COMMITTEE

In March, the estate of Frederick S. Weston, which is administered through trustees of Rockland Trust under his will, announced that the Frederick S. Weston Memorial Forest will receive 39% of the net corpus of approximately \$450,000 to be paid in quarterly statements under the will. Town Treasurer Judy MacDonald, Bob Lessard, chairman, and Harry Pickering, treasurer, of the Weston Forest Committee met with Rockland Trust officials Deidre A. Dennehy and Dawn M. Warner to discuss the terms of the will.

In April, Phil Benjamin of Benjamin Forestry Services, Inc. of South Easton, reported the completion of a Massachusetts 10 year Forestry Stewardship plan for the 281.5 woodland acres. The stewardship program was prepared under the Massachusetts Forest Initiative, which is administered under the Department of Recreation and Conservation. A payment program by the Commonwealth paid \$3,796 of the cost of the plan. The total cost of the stewardship plan was \$5,600 of which the Weston Memorial Committee contributed \$1,804.00. No Middleboro taxpayer dollars were used for this program.

During July, the committee met with Eagle Scout prospect James Anderson regarding his proposals for the Purchase section of the Weston Memorial Forest. James, with the approval of the committee, enlisted numerous volunteers to help in his project. An informational kiosk was constructed and placed in the parking lot, all trails were color coded arrow marked, and, informative sign boards were placed at interesting locales in the forest. It was estimated that over 200 man hours were volunteered towards the project. Also, many businesses donated materials. James was awarded the Eagle Badge in October.

A "Walk In The Woods" on October 14 highlighted the Stewardship program with a trail walk on the Purchase Street side of the property. Phil Benjamin, forester, Marchette Fluet of Berkshire-Pioneer RC & D, and Michael Downey, Service Forester from Pittsfield, led a group of over 30 individuals on a tour, as guests of the Committee. A large Forest Stewardship sign was presented to the committee, which now hangs on the Tispiquin side of the property.

In 2010 a Geocache was hidden in the forest, which has caused many visitors to search for the "treasure," while enjoying the trail walks.

Members of the Weston Memorial Forest Committee include: Bob Lessard, chairman; Rick Casieri, vice-chairman; Harry Pickering, treasurer; Bob Luckraft, secretary; Anita Cole, Tim Reed, Nellie Campbell, members; and, Nancy Kitchen, alternate.

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FROM BOB LESSARD

2011

FREDERICK S. WESTON MEMORIAL FOREST COMMITTEE

Growing interest in by various Middleboro citizens has shown active uses for the 281 acres of the Frederick S. Weston Memorial Forest during 2011. Many folks enjoyed the Purchase Street colored coded trail system during the year by walking, hiking, running and horseback riding. Many others have discovered "treasure" hunts on both the Tispaquin and Purchase Street sides of the property, while looking for geocache spots or through the "letterbox" hiding places

During the Spring of 2011, member Tim Reed and his sons Timothy and Zachary volunteered and cleared the yellow trail of brush and fallen limbs. Members of the Bay State Trail Riders Association (BSTRA) provided manpower and equipment to maintain the trail system at various times during 2011.

Hurricane Irene's powerful winds caused considerable damage to many trees in the forest. Many of the trails including portions of the Purchase parking lot were blocked by falling limbs and trees. Tim Reed came to the rescue by employing his backhoe tractor and chain saw. Tim cleared the entire trail system, plus reworked and expanded the Purchase Street lot. His work in the parking lot created additional parking spaces.

High winds in early December further knocked down additional trees again blocking some of the trails. Chairman Lessard and his son Greg cleared huge fallen pine trees from one area.

Several people expressed interest in snow shoeing and trail skiing on the property. But, a request to the Middleboro Department of Public Works to run a plow through the parking lots was denied by the head of the DPW.

Earlier in the year, discussions were held regarding busing school children to the forest for educational trips. Due to various logistic problems the trips failed to materialize. It is hoped that a program for educational purposes can be conducted in the future.

Members of the Frederick S. Weston Memorial Forest Committee voted unanimously during 2011 to purchase a "brush hogger" to maintain the trails. It was further voted unanimously to loan the machine to the Middleboro Park Department as needed.

Purchase of the "brush hogger" and trail clearing projects were accomplished at no costs to Middleboro taxpayers.

Members of the committee in 2011 : Bob Lessard, chairman, Rick Cassieri, vice-chairman; Bob Luckraft, secretary; Harry Pickering, treasurer; and, members, Nellie Campbell, Anita Cole and Tim Reed, while Nancy Kitchen serves as alternate.

From BOB LESSARD

2012

REPORT OF THE FREDERICK S. WESTON MEMORIAL FOREST COMMITTEE

The forest property containing approximately 281 acres is split in two by swampland. One portion, which has a trail system and parking lot on Tispaquin Street, had been basically maintained by neighborhood residents. Three of those neighbors, Nellie Campbell, Rick Cassieri and Bob Luckraft eventually became active committee members of the Frederick S. Weston Memorial Forest Committee.

Ms. Campbell, who had served as committee secretary, resigned from the committee in 2012 when she moved out of town. She was replaced on the committee by another Tispaquin Street resident, Charles "Chuck" M. Mangio. He has, over the years, taken an active interest in the forest property.

During 2012, the committee voted to contact registered forester Phil Benjamin to peruse the Tispaquin side for possible logging activity. Mr. Benjamin supervised the logging operation on the Purchase side of the Weston Memorial Forest several years ago. After walking the Tispaquin section of the memorial forest with committee chairman Bob Lessard, Mr. Benjamin advised against logging at the time. He reported that the market for white pine, which makes up the bulk of the trees, was in a slump. He later wrote the committee that he will revisit the property at the committee's request.

X Trails on the Tispaquin side were maintained in 2012 by Rick Cassieri and Bob Luckraft using the brushcutter purchased by the committee. X

X The Purchase Street trails and parking lot were aggressively expanded in August using the brushcutter by Tim Reed and his Kioti tractor and assisted by Bob Lessard. Due to aggressive use of the cutter on the trails some damage resulted to the equipment. Alternate Committee member Nancy Kitchen donated repairs for the machine at her company in Wareham at the Cranberry Highway Truck X Center.

Members of the South East Chapter of the Bay State Trail Riders helped maintain the trails during the year.

The Frederick S. Weston Committee meets quarterly at the Central Fire House meeting room. The public is invited to all the meetings.

FROM BOB LESSARD

Eastern Towhee

Pipilo erythrophthalmus

ORDER: PASSERIFORMES

FAMILY: EMBERIZIDAE

 IUCN Conservation Status: Least Concern

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A strikingly marked, oversized sparrow of the East, feathered in bold black and warm reddish-browns – if you can get a clear look at it. Eastern Towhees are birds of the undergrowth, where their rummaging makes far more noise than you would expect for their size. Their *chewink* calls let you know how common they are, but many of your sightings end up mere glimpses through tangles of little stems.

[Identification](#)

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Keys to identification



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[Typical Voice](#)

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Size & Shape

Towhees are a kind of large sparrow. Look for their thick, triangular, seed-cracking bill as a tip-off they're in the sparrow family. Also notice the chunky body and long, rounded tail.

Color Pattern

Males are striking: bold sooty black above and on the breast, with warm rufous sides and white on the belly. Females have the same pattern, but are rich brown where the males are black.

Behavior

Eastern Towhees spend most of their time on the ground, scratching at leaves using both feet at the same time, in a kind of backwards hop. They spend lots of time concealed beneath thick underbrush. You may see this bird more often when it climbs into shrubs and low trees to sing.

Habitat

Look for Eastern Towhees in brush, tangles, thickets, and along forest edges where there's plenty of leaf litter for the birds to forage in.

FROM BOB LESSARD — THIS IS BIRD MENTIONED
IN VOTE NO LETTER TO EDITOR