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**Town of Middleborough**  
*Massachusetts*

CHARLES J. CRISTELLO  
Town Manager

508-947-0928  
FAX 508-946-2320

**TOWN MANAGER'S REPORT**  
**NOVEMBER 18, 2013**

Attached please find correspondence from the office of the Town Manager for your review. Thank you.

Charles J. Cristello  
Town Manager



THE GENERAL COURT OF MASSACHUSETTS  
STATE HOUSE, BOSTON 02133-1053

His Excellency Deval Patrick  
Governor, Commonwealth of Massachusetts  
State House, Room 280  
Boston, MA 02133

Dear Governor Patrick,

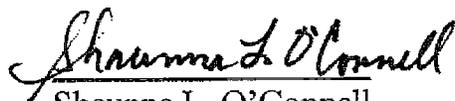
We the undersigned write to you today to urge your reconsideration of the position of withholding \$100 million of authorized Chapter 90 funding for our cities and towns.

As you are certainly well aware, this money is crucial to the maintenance and upkeep of the transportation infrastructure throughout the Commonwealth. Our cities and towns have long waited for the remainder of this funding which has been delivered in a piecemeal fashion that has caused difficulties for cities and towns attempting to implement their own budgets and road maintenance plans.

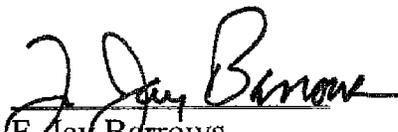
This financing was engrossed unanimously in the House on April 24<sup>th</sup> before being enacted in both chambers, again unanimously, in May. It was then signed by you on May 24<sup>th</sup>, ensuring that our cities and towns would receive a fair increase to \$300 million of Chapter 90 funding. It is now incumbent that the Administration supports the needs of our municipalities by carrying out the funding that we all have promised. To deny them funds for vital road projects not only steps back from our joint commitment to improve our transportation infrastructure, but also our commitment to support local funding to our partner cities and towns.

Again, we urge you in the strongest terms possible to reconsider the decision to withhold \$100 million in local aid funding that our cities and towns have incorporated into their budget and maintenance schedules.

Sincerely,



Shaunna L. O'Connell  
State Representative,  
3<sup>rd</sup> Bristol District



E. Jay Barrows  
State Representative,  
1<sup>st</sup> Bristol District



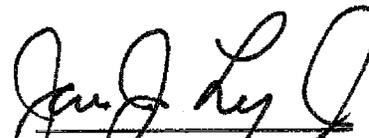
Randy Humason  
State Representative,  
5<sup>th</sup> Barnstable District



Leah Cole  
State Representative,  
12<sup>th</sup> Essex District



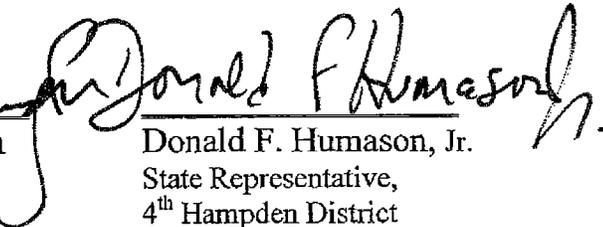
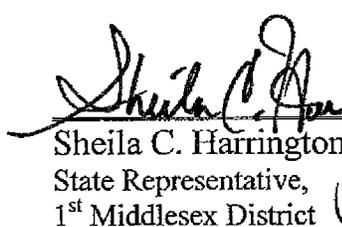
Cory Atkins  
State Representative,  
14<sup>th</sup> Middlesex District



James J. Lyons, Jr.  
State Representative,  
18<sup>th</sup> Essex District



Leonard Mirra  
State Representative,  
2<sup>nd</sup> Essex District



Sheila C. Harrington  
State Representative,  
1<sup>st</sup> Middlesex District

Donald F. Humason, Jr.  
State Representative,  
4<sup>th</sup> Hampden District



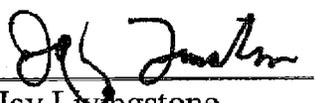
Paul K. Frost  
State Representative,  
7<sup>th</sup> Worcester District



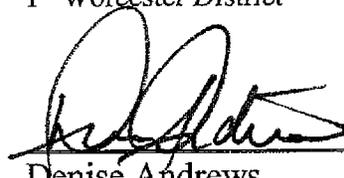
Kimberly N. Ferguson  
State Representative,  
1<sup>st</sup> Worcester District



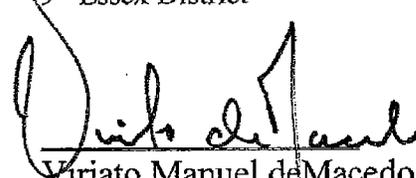
Donald H. Wong  
State Representative,  
9<sup>th</sup> Essex District



Jay Livingstone  
State Representative,  
8<sup>th</sup> Suffolk District



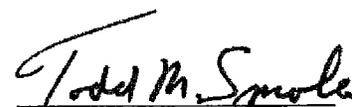
Denise Andrews  
State Representative,  
2<sup>nd</sup> Franklin District



Viriato Manuel deMacedo  
State Representative,  
1<sup>st</sup> Plymouth District



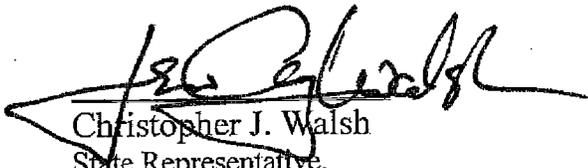
Frank A. Moran  
State Representative,  
17<sup>th</sup> Essex District



Todd M. Smola  
State Representative,  
1<sup>st</sup> Hampden District



Timothy R. Madden  
State Representative,  
Barnstable, Dukes and  
Nantucket District



Christopher J. Walsh  
State Representative,  
6th Middlesex District



Katherine M. Clark  
State Senator,  
Fifth Middlesex



Cynthia Stone Creem  
State Senator,  
First Middlesex and Norfolk

# Massachusetts Department of Transportation

## District 5

11/5/2013

Page 1 of 1

**Municipality:** MIDDLEBOROUGH  
**Contract No.:** 71093 (Project File No. 602603),  
**Project:** MIDDLEBOROUGH- SIGNAL & INTERSECTION IMPROVEMENTS AT  
ROUTE 105 & ROUTE I-495 RAMPS  
**Status:** Traffic Signals Project  
Contractor: P. A. Landers, Inc.  
Percent Complete: 60% Completion Date: 3/21/2014

Hot mix top course has been placed. Contractor is adjusting structures for winter and conduit work at signal location is on-going. Verizon is performing underground conduit work and preparing existing poles at McDonalds and I-495 NB off-ramp for removal which is scheduled to take place by the end of the year weather permitting.

**Contract Price:** \$2,481,401.50

**Legislators:** Rep. Thomas J. Calter, III Sen. Mark R. Pacheco  
Rep. Susan Williams Gifford  
Rep. Keiko M. Orrall

**Description:** This project will enhance safety and improve the efficiency of the traffic flow by installing new coordinated traffic signals at the intersection of Route 105 (North Main Street) and the two I-495 ramp systems (for I-495 Northbound and I-495 Southbound). This work will include adding turn lanes on both the ramps and Route 105, a closed loop signal system for Route 105 from Bridge St. to Route 28; and geometric improvements at the intersection of Route 105 and Clark Street East. The work on Route 105 will extend from Commercial St. to approximately 400 feet south of Route 28.



## Local utility companies deal with tree-cutting backlash

By Scott O'Connell/Daily News staff

**The MetroWest Daily News**

Posted Sep 08, 2013 @ 12:21 AM

### Related Stories

New regulations in the works

More than a year ago, dozens of residents in MetroWest had just about had it with NStar. They angrily packed local meeting halls and wrote letters to their representatives, urging leaders to do something.

It wasn't power outages they were upset with, however. Instead, their ire was focused on the actions the utility company had taken to prevent them, particularly an extensive "reclamation" campaign aimed at clearing trees in its transmission line rights of way in Framingham, Natick, Wayland and Sudbury.

Today, the fruits of that anger are now working their way through various channels of government. On Sept. 17, the state's Department of Public Utilities will hold a public hearing on a new set of regulations aimed at strengthening notification requirements for utilities planning to undertake vegetation maintenance projects in their rights of way. This Tuesday, the Joint Committee on Telecommunications, Utilities and Energy will host a public hearing of its own on a local bill that would also order those companies to develop landscape management plans for transmission line areas in coordination with local authorities.

The objective of those efforts isn't to punish companies like NStar, said Rep. Tom Conroy, who noted the Catch-22 utilities encounter trying to appease both customers who are fed up with prolonged storm outages and those who don't want to part with the trees that often cause them.

"It's a balancing act we're all trying to do," said the Wayland Democrat, who has introduced his own bill this summer that would require utilities to go before local boards for approval before spraying herbicides in their rights of way.

Rep. Chris Walsh, who filed the landscape management bill, said his purposes were more to nudge power companies toward taking a more thoughtful approach to transmission line maintenance, which he believes is ultimately in everyone's best interest.

"The power companies have this problem - they can't do a lot of positive things to make people feel good about them. The only time people pay attention to them is when they don't get power," the Democrat from Framingham said, adding the utilities would get a big public relations boost from working with towns to create more appealing landscaping plans for their rights of way.

Michael Durand, a spokesman for NStar, said the company has no resistance to working with customers and towns to address their particular needs. He also said the utility is "generally supportive" of the proposed DPU guidelines that would require power companies to give 30 days notice before starting any vegetation management work as well as provide annual updates to towns on their overall maintenance plans.

But Durand said NStar's first priority is the reliability of its system, the "backbone" of which are the large transmission lines that carry power to the networks of smaller distribution lines in towns and cities.

"The fact that there are very few if any transmission line outages caused by trees is a testament to the work we do," he said, adding damage to those wires could knock out power to tens of thousands of customers. "We need to take more aggressive steps along those rights of way because of the level of voltage - we can't even let trees be close, because the electricity is just too great."

Since moving through the region last year, Durand said NStar has since heard positive feedback about its restoration efforts in local neighborhoods. The company has already completed replanting in those areas, and is now planning to come through later this fall to spray herbicide to prevent the re-emergence of invasive and unwanted species. The chemicals they use are approved by both the Environmental Protection Agency and the Massachusetts Department of Agricultural Resources, Durand said, adding they apply "the least amount possible to be effective."

Some residents remain skeptical of NStar's long-term commitment to maintaining the rights of way, however, particularly after battling the company over its transmission line work last year.

"I think they have demonstrated they will meet the minimum requirements," said Audrey Hall, who lives near the Saxonville Beach area in Framingham where the utility did extensive tree clearing a summer ago. "But I don't think anyone finds there's a reason to believe they'll go beyond that."

"They're so capricious, they'll do what they want anyway," said Stan Kaplan of Sudbury, whose Victoria Road neighborhood was also affected last year. "That's just the power they have."

Walsh said the vitriol the utilities continue to absorb from residents "should give them some pause."

"I don't think a legislative action is the be-all and end-all of this," he said, adding he is holding out hope the power companies will learn from their own mistakes.

Scott O'Connell can be reached at 508-626-4449 or [soconnell@wickedlocal.com](mailto:soconnell@wickedlocal.com)

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THE 188<sup>TH</sup> GENERAL COURT OF  
THE COMMONWEALTH OF MASSACHUSETTS

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HOUSE DOCKET, NO. 2210 FILED ON: 1/17/2013

**HOUSE . . . . . No. 2988**

*The Commonwealth of Massachusetts*

PRESENTED BY:

*Chris Walsh*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to vegetation management plans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>

HOUSE DOCKET, NO. 2210 FILED ON: 1/17/2013

**HOUSE . . . . . No. 2988**

By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 2988) of Chris Walsh and others for legislation to authorize the Department of Public Utilities to promulgate rules and regulations relative to landscape management by transmission companies. Telecommunications, Utilities and Energy.

*The Commonwealth of Massachusetts*

In the Year Two Thousand Thirteen

An Act relative to vegetation management plans.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 25 of the General Laws is hereby amended by inserting at the end thereof the following new section:-

The department of public utilities shall promulgate rules and regulations requiring transmission companies to file and the department to approve vegetation management plans. Said plans shall also be filed with any affected municipality. Said plans shall include landscape management provisions which require the use of native species plants and shall consider local terrain including soil conditions and visual impacts. Prior to department approval, affected municipalities shall have 30 days to comment on said plans.

Municipalities may file a complaint with the department if the transmission company does not comply with the terms of vegetation management plan.

Vegetation management plans shall be reviewed every four years and prior to approval the department shall hold a public hearing in the affected local municipality.

Transmission companies shall provide sixty days notice to affected abutters of the transmission lines, and said department, of actions to be performed pursuant to the vegetation management plan approved pursuant to this section. This notice shall also be sent to municipal officials of affected communities including but not limited to elected officials, selectmen, planning board members, and conservation commission members. Transmission companies shall be exempt from the requirements of this paragraph in preparation for an imminent emergency event, but must inform municipal administrations of any eminent work.

In the course of maintaining reliability of power along transmission line right of ways, including easements covering private and public property, each transmission company shall restore deleteriously affected vegetation in the form of replanting of trees and other vegetation and shall complete stump grindings wherever trees have been cut to the stump such that the company partially restores the pre-vegetation management activity property value of affected property owners. This paragraph shall apply only to activity that has occurred after January 1, 2012 and prior to January 1, 2014 or the approval of a company's first vegetation management plan filed in accordance with this section.

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MEMORANDUM

To: Board of Selectmen  
From: Caroline R. LaCroix, Assistant to the Town Manager   
Re: Middleborough Town Hall sign request and use of town hall parking lot  
Date: November 15, 2013

Please be advised of the following approvals:

Sign Request

Burt Wood School of Performing Arts for Artisans of New England Annual Faire to be held on Sunday, December 1, 2013. Sign dates, November 18 – December 1.

Thank you.