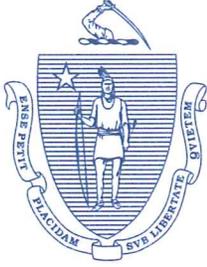


CORRESPONDENCE

12-14-15

1	Senator Pacheco	Municipal Naloxone Bulk Purchase program
2	David Cavanaugh	Nemasket River herring run/Recreational herring fishing
3	Roux Associates	Rockland Industries Site
4	Middleborough MRC	Newsletter
5	Conservation Commission Agent	Revised Enforcement Order-117 E. Grove St-Solar Site
6	Conservation Commission	Certificate of Compliance for Lot 3 River Street
7	Decas, Murray & Decas	Oliver Estate title letter - revised
8	Health department	Receipts



The Commonwealth of Massachusetts

MASSACHUSETTS SENATE
OFFICE OF THE PRESIDENT PRO TEMPORE

SENATOR MARC R. PACHECO
PRESIDENT PRO TEMPORE
First Plymouth and Bristol District

STATE HOUSE, ROOM 312B
BOSTON, MA 02133-1053
TEL. (617) 722-1551

MARC.PACHECO@MASENATE.GOV
WWW.MASENATE.GOV

Chairman
SENATE COMMITTEE ON
GLOBAL WARMING AND CLIMATE CHANGE

Vice Chairman
JOINT COMMITTEE ON
TELECOMMUNICATIONS,
UTILITIES AND ENERGY

SENATE COMMITTEE ON
PERSONNEL AND ADMINISTRATION

December 2, 2015

Allin Frawley
Chair, Board of Selectmen
Middleborough Town Hall
10 Nickerson Avenue
Middleboro, MA 02346

Dear Mr. Frawley:

I am pleased to share with you news of the Municipal Naloxone Bulk Purchase program's opening. Starting immediately, municipalities across the Commonwealth may begin to order naloxone at a discounted price.

This program, created by the Baker Administration in conjunction with the Attorney General's Office, allows first responders to purchase naloxone through the Department of Public Health (DPH), utilizing the purchasing power of the Commonwealth to increase access to this life-saving overdose reversal drug.

If your municipality is interested in the Municipal Naloxone Bulk Purchase program, you may obtain more information at www.mass.gov/dph/naloxone. I encourage you to look into this valuable tool that can make all the difference in addressing the ongoing opioid epidemic. Should you have any questions or require more information concerning this program, please do not hesitate to contact my office.

Sincerely,

Marc R. Pacheco
President Pro Tempore
Massachusetts State Senate

Jacqueline Shanley

From: David Cavanaugh <herringwarden@yahoo.com>
Sent: Thursday, December 10, 2015 9:51 AM
To: Jacqueline Shanley; Executive Asst To the Board of Selectmen Tracie Craig
Subject: Update

For the respective Boards of Selectmen:

UPDATE

As you know, the Middleborough-Lakeville Herring Fishery Commission requested that the Nemasket River herring run be reopened to recreational herring fishing. The process requires approval by the state and then by the Atlantic States Marine Fisheries Commission, after showing that the numbers of herring in the river can sustain viable numbers with a harvest. We want this approval in our "back pocket" should we choose to reopen the run. For most of the year, we have been working with Brad Chase from the Mass. Division of Marine Fisheries to develop a sustainable fishery plan.

The plan has now been elevated for approval to the top level of Marine Fisheries for endorsement and referral to Atlantic States for action.

David J. Cavanaugh
Chairman,
Middleborough-Lakeville
Herring Fishery Commission



ENVIRONMENTAL CONSULTING & MANAGEMENT
ROUX ASSOCIATES INC

12 Gill Street, Suite 4700
Woburn, Massachusetts 01801 TEL 781-569-4000 FAX 781-569-4001

November 18, 2015

Mr. Francis F. Whitty
Key Petitioner
269 Plymouth Street
Middleborough, Massachusetts 02346

Re: Notice of Availability
Response to Public Questions and Comments
Draft Temporary Solution Statement Report
Rockland Industries Site
255 Plymouth Street, Middleborough, Massachusetts
RTN 4-0111

Dear Mr. Whitty:

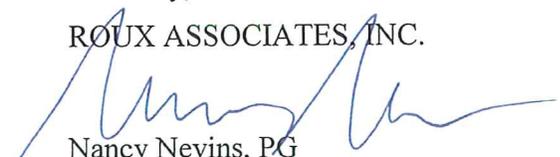
In accordance with the Final Public Involvement Plan (PIP) dated October 7, 1999, and with the Public Notification requirements of the Massachusetts Contingency Plan [310 CMR 40.1403(9)], Roux Associates, Inc. is providing this Notice of Availability of the Response to Public Questions and Comments document that was prepared for the Rockland Industries Site, located at 255 Plymouth Street, Middleborough, Massachusetts, to address public comments and questions that were received regarding the Draft Temporary Solution Statement (TSS) Report, including those received during the September 28, 2015 public meeting.

A copy of the Response to Public Questions and Comments document is attached for your review. Additional copies of the document are available at the Information Repository in Middleborough (the Middleborough Public Library), and at the Massachusetts Department of Environmental Protection's Southeast Regional Office in Lakeville, Massachusetts.

Please contact the undersigned with any questions that you may have regarding this letter.

Sincerely,

ROUX ASSOCIATES, INC.



Nancy Nevins, PG
Project Manager/Senior Hydrogeologist

Mr. Francis F. Whitty
November 18, 2015
Page 2

cc: J. Handrahan, MassDEP
G. Martin, MassDEP
R. Enos, 267 Plymouth Street, Middleborough, Massachusetts
R. Buker, Middleborough Health Officer
P. Cassady, Middleborough Conservation Agent
M. Striar, Rock Industries, Inc.
P. Feldman, Esq., Davis, Malm & D'Agostine, P.C.
Information Repository, Middleborough Public Library
(Middleborough, Massachusetts)
PIP Mailing List (w/o attachment)

Attachment: Response to Public Questions and Comments, Temporary Solution
Statement Report

	<p style="text-align: center;">Middleborough Area Medical Reserve Corps Newsletter</p> <p style="text-align: center;">Serving Middleborough, Wareham, Marion, Mattapoisett, Rochester, Halifax and Plympton</p>	<p style="text-align: center;">Be A Local Hero!</p> <p style="text-align: center;">December 2015</p> 
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Welcome to Middleborough MRC

The Twelve Days of Christmas Preparing Families for Disaster

Most people believe that on the First Day of Christmas the appropriate gift to give is a **PARTRIDGE IN A PEAR TREE**. Well, the American Red Cross believes in building [Disaster Resistant Neighborhoods](#) during the Holiday Season as well as during the Hurricane Season. To help you in purchasing stocking stuffers and Christmas gifts designed to make individuals, families and the homes they live in as safe as possible, the American Red Cross has put together the following recommendations for gifts for the **Twelve Days Of Christmas**. the appropriate gift to give is a **PARTRIDGE IN A PEAR TREE**. Well, the American Red Cross believes in building [Disaster Resistant Neighborhoods](#) during the Holiday Season as well as during the Hurricane Season. To help you in purchasing stocking stuffers and Christmas gifts designed to make individuals, families and the homes they live in as safe as possible, the American Red Cross has put together the following recommendations for gifts for the **Twelve Days Of Christmas**.

On The First Day Of Christmas

On the First Day of Christmas the American Red Cross recommends that you purchase a **SMOKE ALARM**. Smoke Alarms should be installed on every level of a home: outside bedrooms on the ceiling or high on the wall, at the top of open stairways or at the bottom of enclosed stairs and near (but not in) the kitchen. It is important to check your Smoke Alarms every month and replace their batteries when Day Light Savings Time begins in the spring and ends in the fall.

On The Second Day Of Christmas

On the Second Day of Christmas the American Red Cross recommends that you purchase a **CARBON MONOXIDE ALARM**. Carbon Monoxide Alarms should be placed in hallways throughout a home. They should also be placed in recreational vehicles and on boats.

Be Informed

Be Prepared

Be A Volunteer



20 Centre Street

Middleborough, MA 02346

Phone: 508-946-2408

Go to: www.Middleborough.com to the Health Department tab, then to the MRC tab, to find the application to join the Medical Reserve Corps. You can download an application and send it in to:
Health Department
20 Centre Street
Middleborough, MA 02346

On The Third Day Of Christmas

On the Third Day of Christmas the American Red Cross recommends that you purchase a **FIRE EXTINGUISHER**. Install A-B-C type Fire Extinguishers in the home and teach all household members how to use them.

On The Fourth Day Of Christmas

On the Fourth Day of Christmas the American Red Cross recommends that you purchase a **FIRE ESCAPE LADDER**. Homes with more than one floor should have at least one Fire Escape Ladder stored on all floors, other than ground level. These ladders should be stored where they are easily accessible.

On The Fifth Day Of Christmas

On the Fifth Day of Christmas the American Red Cross recommends that you purchase a **FAMILY DISASTER SUPPLIES KIT**. A family will cope best by preparing for a disaster before it strikes. One way to prepare is by assembling a Family Disaster Supplies Kit. Once disaster hits, you won't have time to shop and search for supplies.

On The Sixth Day Of Christmas

On the Sixth Day of Christmas the American Red Cross recommends that you assemble a **PET DISASTER SUPPLIES KIT**. Pets enrich the lives of individuals and families in more ways than you can count. In turn they depend on people for their safety and well-being. Having a Pet Disaster Supplies Kit is one of the best ways to care for pets when disaster strikes.

On The Seventh Day Of Christmas

On the Seventh Day of Christmas the American Red Cross recommends that you purchase a **WEATHER RADIO**. As the voice of the National Weather Service, a Weather Radio provides continuous broadcasts of the latest weather information directly from a National Weather Services Forecast Office. During severe weather routine broadcasting is interrupted and special watch and warning messages are issued.

On The Eighth Day Of Christmas

On the Eighth Day of Christmas the American Red Cross recommends that you purchase a **FIRST AID KIT**. Because the first five minutes of a medical emergency are critical every individual and family should have a First Aid Kit in their home and vehicle and on their boat.

On The Ninth Day Of Christmas

On the Ninth Day of Christmas the American Red Cross recommends that you attend **FIRST AID AND CPR TRAINING**. For more than a century the American Red Cross has been saving lives with Health and Safety Services education programs. A unique idea for a Christmas stocking would be a Gift Certificate for a First Aid and CPR Training course.

On The Tenth Day Of Christmas

On the Tenth Day of Christmas the American Red Cross recommends that you purchase **HOUSE NUMBERS**. Each home should have its number posted clearly on the front door, over the doorway, or elsewhere on the front so emergency responders can easily locate it. Lives and property can be saved simply by adequate house numbers where emergency workers can find them.

On The Eleventh Day Of Christmas

On the Eleventh Day of Christmas the American Red Cross recommends that you purchase a **FLASHLIGHT**. As simple as a Flashlight is, it can become a very important tool during and after disaster strikes. Every Family Disaster Supplies Kit should contain a Flashlight and spare batteries.

On the Twelfth Day of Christmas the American Red

On The Twelfth Day Of Christmas

Red Cross recommends that you create a **EMERGENCY PHONE NUMBERS** list.. Each home should have a list of Emergency Phone Numbers posted near the phone or in the front of a phone book.

Be Ready Using Disaster Preparedness Apps, Texts and Technology!

Today's technology makes it even easier to stay prepared before, during and after a disaster or emergency event. Download these apps and resources today to ensure you stay prepared during the next emergency or disaster event!

- Download the [FEMA App](#) to access disaster preparedness tips, build a personal emergency kit and look for open Disaster Recovery Centers along with open shelters (if you're a disaster survivor).
- Local emergency management officials often have notification systems. Opt-In to a distribution for your community. To find out if your community offers such services, contact your [local office of Emergency Management](#).
- Sign up to receive a monthly preparedness tip from [FEMA's text messages program](#).
- Bookmark important mobile sites:

American Red Cross: www.redcross.org/mobile

Center for Diseases Control: m.cdc.gov

FEMA/Ready: m.fema.gov

National Hurricane Center: www.nhc.noaa.gov/mobile

Put a Freeze on Winter Fires

Decorating homes and businesses is a long-standing tradition around the holiday season. Unfortunately, these same decorations may increase your chances of fire. Following a few simple fire safety tips can keep electric lights, candles, and the ever popular Christmas tree from creating a tragedy. Learn how to prevent a fire and what to do in case a fire starts in your home. Make sure all exits are accessible and not blocked by decorations or trees. Help ensure that you have a fire safe holiday season.

Christmas Trees

What's a traditional Christmas morning scene without a beautifully decorated tree? If your household includes a natural tree in its festivities, take to heart the sales person's suggestion – "Keep the tree watered."

Christmas trees account for hundreds of fires annually. Typically, shorts in electrical lights or open flames from candles, lighters or matches start tree fires. Well-watered trees are not a problem. A dry and neglected tree can be.

Selecting a Tree for the Holidays

Needles on fresh trees should be green and hard to pull back from the branches, and the needles should not break if the tree has been freshly cut. The trunk should be sticky to the touch. Old trees can be identified by bouncing the tree trunk on the ground. If many needles fall off, the tree has been cut too long and, has probably dried out, and is a fire hazard.

Caring for Your Tree

Do not place your tree close to a heat source, including a fireplace or heat vent. The heat will dry out the tree, causing it to be more easily ignited by heat, flame or sparks. Be careful not to drop or flick cigarette ashes near a tree. Do not put your live tree up too early or leave it up for longer than two weeks. Keep the tree stand filled with water at all times.

Disposing of Your Tree

Never put tree branches or needles in a fireplace or wood-burning stove. When the tree becomes dry, discard it promptly. The best way to dispose of your tree is by taking it to a recycling center or having it hauled away by a community pick-up service.

Holiday Lights

Maintain Your Holiday Lights

Inspect holiday lights each year for frayed wires, bare spots, gaps in the insulation, broken or cracked sockets, and excessive kinking or wear before putting them up. Use only lighting listed by an approved testing laboratory.

Do Not Overload Electrical Outlets

Do not link more than three light strands, unless the directions indicate it is safe. Connect strings of lights to an extension cord before plugging the cord into the outlet. Make sure to periodically check the wires – they should not be warm to

the touch.

Do not leave holiday lights on unattended!

Holiday Decorations

Use Only Nonflammable Decorations

All decorations should be nonflammable or flame-retardant and placed away from heat vents. If you are using a metallic or artificial tree, make sure it is flame retardant.

Don't Block Exits

Ensure that trees and other holiday decorations do not block an exit way. In the event of a fire, time is of the essence. A blocked entry/exit way puts you and your family at risk.

Never Put Wrapping Paper in the Fireplace

Wrapping paper in the fireplace can result in a very large fire, throwing off dangerous sparks and embers that may result in a chimney fire.

Candle Care

Avoid Using Lit Candles

If you do use lit candles, make sure they are in stable holders and place them where they cannot be easily knocked down. Never leave the house with candles burning.

Never Put Lit Candles on a Tree

Do not go near a Christmas tree with an open flame – candles, lighters or matches.

VOLUNTEER'S CORNER

Happy Holidays to Middleborough Area Volunteers

E-mail us any input you would like to see such as:

- 1) What training you would like to receive?
- 2) MRC meetings—Do you want Bi-monthly ; Quarterly meetings????
- 3) How can you help us?

Please let us know what you want, e-mail us at mrc@middleborough.com with your suggestions.

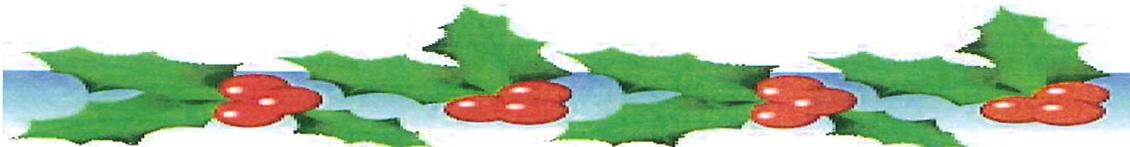
In the upcoming months, we will be having a **Badging Session** to prepare for any emergency that might occur. This will conform with the requirements of Incident Command System requirements.

Middleborough Area MRC



Is now on Facebook  Friend us and leave a posting on our wall. Watch for new postings and lets talk.

See you there



***HAPPY HOLIDAYS
TO ALL and WISHING ALL
A HAPPY HEALTHY NEW YEAR!***

Bob Buker

and

Bob

5

Jacqueline Shanley

From: Patricia Cassady
Sent: Monday, December 07, 2015 3:10 PM
To: amelia@nextsunenergy.com; Jake Laskin (jake@nextsunenergy.com); Chris Donahue (C.Donahue@nextsunenergy.com); Stephen O'Connell
Cc: Robert Whalen; Robert G. Nunes; Attorney Dan Murray; Jacqueline Shanley
Subject: Revised Conservation Enforcement Order
Attachments: 20151207141723562.pdf

Attached you will find a scan of the Revised Enforcement Order for the 17 Jericho (now 117 East Grove Street) Solar Site.

Patricia J. Cassady, Agent
For the Middleborough Conservation Commission
20 Centre Street, 2nd Floor
Middleborough, MA 02346
Ph: 508-946-2406/Fax: 508-946-2309
E-mail: pcssdy@middleborough.com



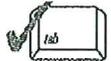
Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE220-1245

A. Violation Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Enforcement Order is issued by:

Middleborough
 Conservation Commission (Issuing Authority)

Revised December 3, 2015
 Date

To:

Renewable Generation MA, LLC (NextSun)

Name of Violator

77 Pond Avenue, Suite 101, Brookline, MA 02445

Address

1. Location of Violation:

Jericho Christian Fellowship, Inc.

Property Owner (if different)

17 Jericho Road (now 117 East Grove Street)

Street Address

Middleborough

02346

City/Town

Zip Code

Map 65

Lot 2916

Assessors Map/Plat Number

Parcel/Lot Number

2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

1) Cutting of 141 Trees and Saplings beyond the erosion controls toward the bordering vegetated wetland. 2)cutting within the bordering vegetated wetland within the vicinity of wetland flag B8. 3) Erosion controls in disrepair and allowing material to enter toward the wetlands. 4) In violation of the approved plans of record dated July 13, 2015 (7 Sheets) under the Order of Conditions. 5) slope and site not stabilized. 6) Some fill material on site not clean fill and has tires and other debris within it. All of this during the construction of a 650kW(AC) rated ground mounted solar electrical generation facility.

B. Findings

The Issuing Authority has determined that the activity described above is in a resource area and/or buffer zone and is in violation of the Wetlands Protection Act (M.G.L. c. 131, § 40) and its Regulations (310 CMR 10.00), because:

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone without approval from the issuing authority (i.e., a valid Order of Conditions or Negative



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-1245

Determination).

B. Findings (cont.)

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

<u>Amelia Tracy Renewable Generation MA, LLC</u>	<u>7/24/2015</u>
Name	Dated
<u>SE220-1245</u>	<u>7, 13, 14,18, 19a, special conditions</u>
File Number	and standard Cond: <u>5, 7, 8, 17</u>

The Order of Conditions expired on (date): _____ Date

The activity violates provisions of the Certificate of Compliance.

The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

Other (specify):

On December 3, 2015 the Commission voted to lift the previous Enforcement Order and issue this revised Enforcement Order for safety reasons to allow the installation and completion of solar panels, electrical components, use of a small bobcat, pick-up truck and lull (Forklift) and only turn on the electric per Building Inspector. No fence or plantings shall take place until further notice.

C. Order

The issuing authority hereby orders the following (check all that apply):

- The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.
- Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

A restoration plan shall be filed with the issuing authority on or before November 12, 2015
 (Was submitted)

for the following:

Cutting in the Buffer zone and wetland, stabilize the erosion controls on-site.

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-1245

C. Order (cont.)

- Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

Date

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

- The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Patricia J. Cassady, Conservation Agent for the Middleborough Conservation Commission

Name

508-946-2406

Phone Number

M-F 8:30 AM - 5:00 PM

Hours/Days Available

Issued by:

Middleborough

Conservation Commission



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-1245

Conservation Commission signatures required on following page.

D. Appeals/Signatures (cont.)

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

Signatures:

Patricia Cassidy, Conservation Agent

Signature of delivery person or certified mail number

6 BOS



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE220-1212
Provided by DEP

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. This Certificate of Compliance is issued to:

Paul E. Turner Corp.
Name
3 Fairway Drive
Mailing Address
Lakeville MA 02347
City/Town State Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Paul Turner Realty Trust
Name
Original: 11/6/2014 Amended: 12/22/2014 SE220-1212
Dated DEP File Number

3. The project site is located at:

Lot 3 River Street (#101) Middleborough
Street Address City/Town
Map 3 Lot 4946
Assessors Map/Plat Number Parcel/Lot Number

the final Order of Condition was recorded at the Registry of Deeds for:

Same
Property Owner (if different)
Plymouth 45628 166
County Book Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

December 3, 2015
Date



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

0E220-1212
 Provided by DEP

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:

- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.

- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

Issued by:

Middleborough
 Conservation Commission

12/3/2015
 Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

Signatures:

Adam Guaraldi _____

Jacqueline Schmidt Jacqueline Schmidt

John Neely John Neely

Diane C. Stewart Diane C. Stewart

John Medeiros John F. Medeiros

Steven Ventresca Steven Ventresca

Janet Miller Janet Miller



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE220-1212
 Provided by DEP

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Conservation Commission.

To:

Middleborough
 Conservation Commission

Please be advised that the Certificate of Compliance for the project at:

Lot 3 River Street (#101)
 Project Location

SE220-1212
 DEP File Number

Has been recorded at the Registry of Deeds of:

Plymouth
 County

for:

Property Owner

and has been noted in the chain of title of the affected property on:

Date

Book

Page

If recorded land, the instrument number which identifies this transaction is:

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

DECAS, MURRAY & DECAS

ATTORNEYS AT LAW

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

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

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

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

HAND DELIVER

COPY

December 10, 2015

Evan Melillo, Assistant to Town Manager
Middleboro Town Hall
Nickerson Avenue
Middleboro, MA 02346

RE: Oliver Estate title letter – revised

Dear Evan:

I enclose triplicate originals of the referenced. Historic New England requested a revised title letter. I take it that you will provide the document to Historic New England (Joe Cornish).

Very truly yours,

Daniel F. Murray
Town Counsel

DFM/s
T-1817
Enclosures
cc: Board of Selectmen (c/o Jackie Shanley)

DECAS, MURRAY & DECAS

ATTORNEYS AT LAW

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

GEORGE C. DECAS (RETIRED)
DANIEL F. MURRAY (REQUIRE)
HAND DELIVER
DANIEL F. MURRAY (REQUIRE)

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

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

December 10, 2015

Middleboro Board of Selectmen
Town Hall - Nickerson Avenue
Middleboro, MA 02346

RE: Oliver Estate – Town purchase and grant of preservation restriction

Dear Members:

Historic New England's legal counsel asked for a "title letter" from the Town's legal counsel that the Town has taken all proper votes and steps for the acquisition of the property at 455 Plymouth Street (shown as Lot A on a plan recorded in the Plymouth County Registry of Deeds in Plan Book 59, Page 957) and for grant of a preservation restriction to Historic New England with respect to the property.

The Town Clerk's certification of vote dated December 9, 2015 is attached. The certification describes a vote taken by the 2015 Annual Town Meeting under Town Meeting Warrant Article 18. The vote taken under Article 18 is the only vote by Town Meeting necessary to acquire title to the property and to grant a preservation restriction to Historic New England with respect to the property.

This letter is to certify to the best of my knowledge and belief that the Town has properly taken all votes and steps to acquire the said property and to grant a preservation restriction to Historic New England with respect to the property.

Very truly yours,



Daniel F. Murray
Town Counsel

DFM/s
T-1817
Enclosure



Allison J. Ferreira
Town Clerk

TOWN OF MIDDLEBOROUGH
Town Clerk's Office
Bank Building, 20 Centre Street
Middleborough, Massachusetts 02346-2250
508-946-2415 phone
508-946-2308 fax

December 9, 2015

To Whom It May Concern:

I do hereby certify that the following vote was taken at the April 27, 2015 Annual Town Meeting, held in the Middleborough High School Auditorium, which was called to order at 7:32 PM by the Town Moderator, Wayne C. Perkins, who declared a quorum present:

Prior to taking a vote on Article 18, Town Moderator Wayne C. Perkins stepped back on Article 18 and appointed Mr. Robert M. Desrosiers as Substitute Moderator to moderate the article in accordance with rules and to avoid any appearance of a conflict of interest as Moderator Perkins served as an appointed member to the Historical Commission which voted to support Article 18.

Also, prior to taking a vote on Article 18, Jane Lopes made a presentation on behalf of the Community Preservation Committee and Dean Harrison conducted a presentation on behalf of the Neighborhood Corporation.

A point of order was made by Glenn Montapert who declared a personal attack when a name was disclosed during discussion, Substitute Moderator Robert M. Desrosiers responded it was acceptable to mention a public official by name.

A point of order was made by Adam Carbone not to discuss the merits of the project, but only whether or not to indefinitely postpone the article.

A motion made and seconded to indefinitely postpone Article 18 failed by majority vote.

ARTICLE 18: Voted by counted vote of yes, 131 and no, 18, to authorize the Board of Selectmen to purchase the real property on Plymouth Street known as the Oliver Estate and shown as Lot 2867 and Lot 2098 on Middleborough Assessors Map 041 for conservation and historic preservation purposes, and to appropriate \$338,000.00, of which \$30,500.00 is to be transferred from the Undesignated Community Preservation Fund of the Community Preservation Committee and \$307,500.00 is to be transferred from the Budgeted Reserve Fund of the Community Preservation Committee, said \$338,000.00 to be used for land purchase expense, incidental legal, due diligence, closing costs and up to \$7,000.00 for in-house project management and oversight, and to authorize the Board of Selectmen to determine what portion of the property is to be park, forest, open space and/or conservation land to be managed by the Conservation Commission with the remainder of the property including buildings to be managed by the Board of Selectmen, to submit on behalf of the Town any and all applications deemed necessary for gifts, grants, and/or reimbursements from the Commonwealth of Massachusetts, the United States and/or any state or federal programs including those in aid of acquisition of property for conservation and for historic preservation and/or any other sources, public or private, all in connection with the aforesaid property, to grant a



Allison J. Ferreira
Town Clerk

TOWN OF MIDDLEBOROUGH
Town Clerk's Office
Bank Building, 20 Centre Street
Middleborough, Massachusetts 02346-2250
508-946-2415 phone
508-946-2308 fax

perpetual conservation restriction on the park, forest, open space and/or conservation land as determined by the Board of Selectmen and to grant a perpetual preservation restriction on the remaining historic portion of the property as determined by the Board of Selectmen, such restrictions to meet the applicable requirements of General Laws, Chapter 44B, Section 12 and General Laws, Chapter 184, Sections 31-33, and to enter into any and all agreements, execute any and all instruments and take any other action as may be necessary with respect to the matters hereby authorized.

Board of Selectmen Recommended Favorable Action
Finance Committee Recommended Favorable Action

Very truly yours,

Allison J. Ferreira

Allison J. Ferreira
Town Clerk

A TRUE COPY ATTEST:

Allison J. Ferreira

TOWN CLERK

Jacqueline Shanley

From: Jo Ruthwicz (MHA) <jruthwicz.mha@verizon.net>
Sent: Thursday, December 03, 2015 11:51 AM
To: Jane Kudcey; 'Renie Hamman'
Cc: Jacqueline Shanley
Subject: RE: Mayflower Manor
Attachments: Mayflwr Manor LIP app.pdf

Attached is the form that needed to be signed by the Affordable Housing committee

will mail original today

-----Original Message-----

From: Jane Kudcey [mailto:jkudcey@middleborough.com]
Sent: Tuesday, December 1, 2015 3:36 PM
To: Renie Hamman
Cc: Jo
Subject: RE: Mayflower Manor

Hi Rennie,

Jo Ruthwicz is the Chair of the Affordable Housing Committee. I've left her a voice mail explaining the situation and copied her on this e-mail. Her contact information is:

Josephine Ruthwicz, Director
Middleborough Housing Authority
8 Benton St.
Middleborough, MA 02346
(508) 947-3824 Ext. 16

Sorry for the confusion!

Jane

From: Renie Hamman <rhamman@freemanlawgroup.com>
Sent: Tuesday, December 01, 2015 1:27 PM
To: Jane Kudcey
Cc: Peter Freeman
Subject: RE: Mayflower Manor

Hi Jane

Don't worry about it. Attached is the page where you were to sign. So if it's okay for you to sign; Peter asks if he can sign for you? I've copied him on this email. Feel free to give him a call if you want to discuss this with him. Thanks again for all your help!

Renie

MASSACHUSETTS
Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

I. GENERAL INFORMATION

Community: Middleborough
Name of Development: Mayflower Manor
Site Address: 84 South Main Street Middleborough, MA 02346
Developer: Mayflower Manor Realty Trust

1. Type of Housing:
 Single Family house Rental
 Condominium Age Restricted

2. Project Characteristics:
 New Construction Conversion
 Rehabilitation Other

3. Total Acres 1.53 Density of Project (units/acre) 28.7

4. Unit Count:

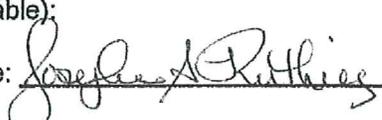
Total Number of Units 44
Affordable 11
Market 33

5. Unit Prices/Rents:
Market Rate \$1,225-1,700
Affordable \$1,079-1,465

Required Signatures for the
Comprehensive Permit Project Application

Chief Executive Officer of Municipality Chair, Local Housing Partnership
(if applicable):

Signature: 

Signature: 

Print Name: Allin Frawley, Chairman Board of Selectmen

Print Name: Middleborough Affordable
Housing Committee

Date: _____

Date: _____

-----Original Message-----

From: Jane Kudcey [mailto:jkudcey@middleborough.com]
Sent: Tuesday, December 1, 2015 1:03 PM
To: Renie Hamman <rhamman@freemanlawgroup.com>
Subject: RE: Mayflower Manor

So sorry I didn't check, I was just happy to find the fed-ex. I'm not sure if I can sign, can you e-mail that page?

From: Renie Hamman <rhamman@freemanlawgroup.com>
Sent: Tuesday, December 01, 2015 12:22 PM
To: Jane Kudcey; Peter Freeman
Subject: Mayflower Manor

Hi Jane

I received the LIP applications today and thank you for returning them to us. I do note, however, that the Housing Committee did not sign them next to the Selectmen's signature. Peter asks if it would be okay if he could sign your name for you?

Thanks and thanks again for all your assistance with this project.

Sincerely,

Renie Hamman, Paralegal
Freeman Law Group LLC
86 Willow Street
Yarmouth Port, MA 02675
(508) 362-4700
rhamman@freemanlawgroup.com<mailto:rhamman@freemanlawgroup.com>
website: www.freemanlawgroup.com<http://www.freemanlawgroup.com/>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.6176 / Virus Database: 4477/11099 - Release Date: 12/01/15

Jacqueline Shanley

From: Jane Kudcey
Sent: Thursday, December 03, 2015 12:16 PM
To: Jacqueline Shanley; 'Jo Ruthwicz (MHA)'; 'Renie Hamman'
Subject: RE: Mayflower Manor

Yes you did!

From: Jacqueline Shanley
Sent: Thursday, December 03, 2015 12:10 PM
To: 'Jo Ruthwicz (MHA)'; Jane Kudcey; 'Renie Hamman'
Subject: RE: Mayflower Manor

Jane,

So, I did have it right after all? Housing needed to sign? Oh boy. Glad it's getting taken care of.

Jackie

Jackie Shanley
Executive Assistant to Board of Selectmen Town of Middleborough
10 Nickerson Ave.
Middleborough, MA 02346
508 946-2405 Tel.
508 946-0058 Fax
jshanley@middleborough.com

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Thanks and thanks again for all your assistance with this project.

Sincerely,

Renie Hamman, Paralegal

HEALTH DEPARTMENT - MONTHLY RECEIPTS 2015													
	January	February	March	April	May	June	July	August	September	October	November	December	Total
Food Establishment	\$775.00	\$325.00	\$350.00	\$750.00	\$579.50	\$435.00	\$340.00	\$425.00	\$2,729.50	\$4,955.00	\$7,341.00		\$19,005.00
Milk & Cream	\$40.00	\$10.00		\$70.00	\$20.00		\$10.00	\$20.00	\$140.00	\$280.00	\$520.00		\$1,110.00
Immunizations													\$0.00
Soil Exam	\$1,125.00	\$675.00	\$6,750.00	\$2,025.00	\$900.00	\$3,150.00	\$1,575.00	\$2,025.00	\$4,350.00	\$3,900.00	\$4,725.00		\$31,200.00
Septic	\$300.00	\$575.00	\$975.00	\$575.00	\$775.00	\$1,250.00	\$3,025.00	\$1,600.00	\$925.00	\$1,300.00	\$1,850.00		\$13,150.00
Plan Review	\$1,160.00	\$150.00	\$400.00	\$250.00	\$375.00	\$350.00	\$600.00	\$650.00	\$500.00	\$880.00	\$600.00		\$5,915.00
Title V Cert. Review	\$200.00	\$100.00	\$650.00	\$550.00	\$700.00	\$1,300.00	\$1,400.00	\$2,300.00	\$550.00	\$300.00	\$400.00		\$8,450.00
Individual Well & Review			\$225.00		\$2,250.00	\$675.00	\$675.00	\$800.00	\$675.00	\$675.00	\$675.00		\$6,650.00
Disposal Works	\$450.00	\$350.00	\$500.00	\$500.00	\$550.00	\$600.00	\$800.00	\$150.00	\$700.00	\$350.00	\$1,100.00		\$6,050.00
Pumper	\$600.00			\$200.00	\$250.00					\$900.00	\$2,250.00		\$4,200.00
Rubbish										\$400.00	\$2,200.00		\$2,600.00
Camps, Cabins, Motels	\$200.00	\$400.00	\$600.00	\$400.00		\$50.00			\$225.00	\$1,830.00	\$1,120.00		\$4,825.00
Frozen Dessert	\$10.00									\$50.00	\$20.00		\$80.00
Residential Pool	\$20.00	\$20.00	\$20.00	\$60.00	\$60.00	\$80.00	\$40.00	\$20.00					\$320.00
Semi-Public Pool				\$200.00	\$250.00	\$100.00			\$400.00	\$100.00			\$1,050.00
Tanning							\$200.00						\$200.00
Funeral Director				\$60.00									\$60.00
Perc Extension	\$50.00		\$350.00	\$100.00	\$50.00	\$3,250.00	\$200.00	\$200.00		\$200.00			\$4,400.00
Stables	\$350.00	\$210.00	\$180.00	\$50.00		\$100.00	\$50.00	\$50.00	\$1,220.00	\$1,220.00	\$1,740.00		\$5,170.00
Tobacco	\$200.00	\$100.00		\$100.00	\$100.00		\$100.00		\$300.00	\$1,500.00	\$1,200.00		\$3,600.00
Food Handlers	\$390.00	\$1,360.00	\$710.00	\$600.00	\$1,060.00	\$810.00	\$960.00	\$2,320.00	\$180.00	\$910.00	\$150.00		\$9,450.00
Housing Inspections	\$200.00						\$100.00				\$100.00		\$400.00
Lodging/Boarding								\$60.00	\$50.00		\$120.00		\$230.00
Misc				\$8.50	\$7.00	\$7.00		\$7.00		\$3.50	\$5.50		\$38.50
Body Art						\$1,550.00		\$100.00					\$1,650.00
Plymouth Coalition		\$829.50	\$678.00		\$3,171.50	\$1,896.01				\$871.50			\$7,446.51
Medical Reserve Corp (MRC)				\$2,593.86		\$3,500.00				\$1,524.66			\$7,618.52
Copies	\$25.25	\$11.25	\$28.75	\$10.75	\$24.20	\$41.35	\$25.00	\$25.50	\$13.25	\$46.00	\$32.75		\$284.05
Beach Water Testing				\$475.00	\$400.00								\$875.00
Tobacco Grant													\$0.00
Lakeville Comm. Disease	\$40.00	\$0.00		\$40.00		\$80.00	\$60.00	\$80.00	\$40.00	\$40.00			\$380.00
Raynham Comm. Disease	\$40.00	\$0.00	\$80.00	\$80.00		\$60.00							\$260.00
Common Victualler				\$25.00	\$25.00					\$300.00	\$325.00		\$675.00
Trailer Fees	\$12,552.00	\$12,552.00	\$12,552.00	\$12,552.00	\$12,552.00	\$12,564.00	\$12,600.00	\$12,624.00	\$12,648.00	\$12,648.00	\$12,684.00		\$138,528.00
TOTALS - 2015	\$18,727.25	\$17,667.75	\$25,048.75	\$22,275.11	\$24,099.20	\$31,848.36	\$22,760.00	\$23,456.50	\$25,645.75	\$35,183.66	\$39,158.25	\$0.00	\$285,870.58
RUNNING TOTALS -2015	\$18,727.25	\$36,395.00	\$61,443.75	\$83,718.86	\$107,818.06	\$139,666.42	\$162,426.42	\$185,882.92	\$211,528.67	\$246,712.33	\$285,870.58		
TOTALS - 2014	\$17,739.50	\$22,917.43	\$22,057.25	\$24,517.68	\$27,547.74	\$22,933.25	\$19,773.50	\$24,939.25	\$35,694.93	\$31,324.18	\$32,449.75	\$28,029.00	
RUNNING TOTALS -2014	\$17,739.50	\$40,656.93	\$62,714.18	\$87,231.86	\$114,779.60	\$137,712.85	\$157,486.35	\$182,425.60	\$218,120.53	\$249,444.71	\$281,894.46	\$309,923.46	

HEALTH DEPARTMENT MONTHLY RECEIPTS 2016 FISCAL													
	July	August	September	October	November	December	January	February	March	April	May	June	TOTALS
Food Establishment	\$ 340.00	\$ 425.00	\$ 2,729.50	\$ 4,955.00	\$ 7,341.00								\$15,790.50
Milk & Cream	\$ 10.00	\$ 20.00	\$ 140.00	\$ 280.00	\$ 520.00								\$970.00
Immunizations													\$0.00
Soil Exam	\$ 1,575.00	\$ 2,025.00	\$ 4,350.00	\$ 3,900.00	\$ 4,725.00								\$16,575.00
Septic	\$ 3,025.00	\$ 1,600.00	\$ 925.00	\$ 1,300.00	\$ 1,850.00								\$8,700.00
Plan Review	\$ 600.00	\$ 650.00	\$ 500.00	\$ 880.00	\$ 600.00								\$3,230.00
Title V Cert. Review	\$ 1,400.00	\$ 2,300.00	\$ 550.00	\$ 300.00	\$ 400.00								\$4,950.00
Individual Well & Review	\$ 675.00	\$ 800.00	\$ 675.00	\$ 675.00	\$ 675.00								\$3,500.00
Disposal Works	\$ 800.00	\$ 150.00	\$ 700.00	\$ 350.00	\$ 1,100.00								\$3,100.00
Pumper				\$ 900.00	\$ 2,250.00								\$3,150.00
Rubbish				\$ 400.00	\$ 2,200.00								\$2,600.00
Camps, Cabins, Motels			\$ 225.00	\$ 1,830.00	\$ 1,120.00								\$3,175.00
Plymouth Coalition				\$ 871.50									\$871.50
Frozen Dessert				\$ 50.00	\$ 20.00								\$70.00
Residential Pool	\$ 40.00	\$ 20.00											\$60.00
Semi-Public Pool			\$ 400.00	\$ 100.00									\$500.00
Tanning	\$ 200.00												\$200.00
Funeral Director													\$0.00
Perc Extension	\$ 200.00	\$ 200.00		\$ 200.00									\$600.00
Stables	\$ 50.00	\$ 50.00	\$ 1,220.00	\$ 1,220.00	\$ 1,740.00								\$4,280.00
Tobacco	\$ 100.00		\$ 300.00	\$ 1,500.00	\$ 1,200.00								\$3,100.00
Food Handlers	\$ 960.00	\$ 2,320.00	\$ 180.00	\$ 910.00	\$ 150.00								\$4,520.00
Housing Inspections	\$ 100.00				\$ 100.00								\$200.00
Boarding/Lodging		\$ 60.00	\$ 50.00		\$ 120.00								\$230.00
Misc.		\$ 7.00		\$ 3.50	\$ 5.50								\$16.00
Copies	\$ 25.00	\$ 25.50	\$ 13.25	\$ 46.00	\$ 32.75								\$142.50
Beach Water Testing													\$0.00
Med. Reserve Corp (MRC)				\$ 1,524.66									\$1,524.66
Body Art		\$ 100.00											\$100.00
Lakeville Comm. Disease	\$ 60.00	\$ 80.00	\$ 40.00	\$ 40.00									\$220.00
Raynham Comm. Disease													\$0.00
Tobacco Program													\$0.00
Common Victualler				\$ 300.00	\$ 325.00								\$625.00
Trailer Fees	\$ 12,600.00	\$ 12,624.00	\$ 12,648.00	\$ 12,648.00	\$ 12,684.00								\$63,204.00
TOTALS - 2016 Fiscal	\$22,760.00	\$23,456.50	\$25,645.75	\$35,183.66	\$39,158.25								\$146,204.16
RUNNING TOTALS -2016 Fiscal	\$22,760.00	\$46,216.50	\$71,862.25	\$107,045.91	\$146,204.16								
TOTALS - 2015 Fiscal	\$19,773.50	\$24,939.25	\$35,694.93	\$31,324.18	\$32,449.75	\$28,029.00	\$18,727.25	\$17,667.75	\$25,048.75	\$22,275.11	\$24,099.20	\$31,848.36	\$311,877.03
RUNNING TOTALS -2015 Fiscal	\$19,773.50	\$44,712.75	\$80,407.68	\$111,731.86	\$144,181.61	\$172,210.61	\$190,937.86	\$208,605.61	\$233,654.36	\$255,929.47	\$280,028.67	\$311,877.03	