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CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

CHARLES J. CRISTELLO
Town Manager

508-947-0928
FAX 508-946-2320

TOWN MANAGER'S REPORT
DECEMBER 16, 2013

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

Charles J. Cristello
Town Manager



One Winthrop Square, Boston, MA 02110
617-426-7272 or 800-882-1498
Facsimile 617-426-9546 • www.emiia.org

December 4, 2013

Re: \$2.5 Million Additional Participation Credits Approved by MIIA Board of Directors

Dear MIIA Member:

Once again it gives us great pleasure to inform you of more good news from MIIA!

At their October 2013 meeting, the MIIA Board of Directors approved another additional participation credit of \$2.5 million. Yes, this is another \$2.5 million in addition to the total of \$5 million we returned to you in fiscal year 2013. These participation credits are returned to members of the workers' compensation program and property and liability program for the current fiscal year and, as we previously mentioned, these participation credits are *in addition* to all other credits and discounts you have received as part of your renewal pricing for this year. Participation credits recognize the long-term loyalty and commitment of the MIIA membership. The credit invoice(s) enclosed indicate the following amount of participation credit granted to you by MIIA:

Middleborough

Property & Casualty: \$2,713

Workers' Compensation: \$2,005

While continuous distribution of these credits is not guaranteed, this latest participation credit is a reflection of the MIIA Board's standard practice of reviewing the program's financial position on a quarterly basis. With advice from its actuaries and management, the Board determines if additional credits can be provided to the members. The MIIA Board is composed of local officials who are keenly aware of the difficult financial conditions that cities and towns face. This understanding translates into a Board that seeks to provide members with the highest level of financial benefits possible while at the same time ensuring the long-term fiscal strength of MIIA.

Also, as you know, the MIIA Board continues its commitment to the MIIA Rewards program, our signature loss control initiative that rewards members for participation in risk management and loss control efforts. In total, members earned \$2.6 million through MIIA Rewards in FY 2013 and we anticipate a similar amount to be earned by the close of FY 2014. Beyond this success, the Loss Control Grant program is providing another \$900,000 for members during FY13. This year's grant program is well underway and we are reviewing applications weekly.

We are extremely pleased to be able to offer these cost-saving measures and real-dollar savings. As always, your participation and commitment to MIIA is very much appreciated.

Sincerely,

Ira Singer
Chairman, MIIA
Town Administrator, Middleton

Geoffrey Beckwith
President, MIIA
Executive Director, MMA

Stanley Corcoran
Executive Vice President
MIIA



Southeastern Regional Planning & Economic Development District
◀ 88 Broadway ▼ Phone (508)824-1367 ▼ FAX (508)823-1803 ▼ ssmith@srpedd.org ▼ Taunton, MA 02780 ▶

October 9, 2013

Mr. David Mohler, Executive Director
Office of Transportation Planning
10 Park Plaza
Boston, MA 02116-3973

Dear Mr. Mohler:

In your preparation of the five year capital plan for MassDOT, I would like to remind you of several projects in Southeastern Massachusetts that I want to be sure are included. While these may be obvious, I want to particularly call your attention to them because they have fallen through the cracks at various times over the years and are all overdue for completion.

- South Coast Rail: This project may seem obvious, but the Governor has said that he'd like it to reach "the point of no return" when he leaves office. Given that the final Transportation Finance Bill fell short of the Governor's goal, it is worth mentioning the project once again to be sure that tangible progress is made soon. Construction of stations, track upgrades in the lower triangle and new track for the northern path all could commence within the next 5 years given that a design build approach will be utilized.
- Middleboro Rotary: This is the region's worst traffic nightmare and there have been numerous false starts to resolve it. After several high level and very public commitments to complete the project, the state deferred to the Mashpee Wampanoag Compact in 2007 which promised to invest \$172 million on Route 44 and the rotary in Middleborough. When the Compact collapsed, there was no alternative plan in place, and there still does not seem to be a definitive schedule in place to move forward. SRPEDD's Joint Transportation Planning Group is on record pledging 100% of a future year's target funding to be dedicated solely to this project, and we cannot overstate the importance of MassDOT advancing this project.
- Route 24/140 interchange, Taunton: This is an existing bottleneck that will be made far worse if the Mashpee Wampanoag are successful in their federal casino application. Because of the uncertainty over federal approval of the Native American casino proposal, we cannot afford to sidetrack this project while we await federal action.

These three projects rise to the top of our priorities for projects that need extra attention and effort, but we do not want the plan to overlook projects that are already underway or programmed, such as the spaghetti ramps project in Fall River. Others that need to be highlighted for consideration include the widening of Route 24 between Route 140 and I-495 to 3 lanes in each direction, the Route 79 boulevard project in Fall River, the replacement of the New Bedford/Fairhaven (Route 6) Bridge, and future phases of the JFK Highway/Route 18 in New Bedford.

If you need more information, please do not hesitate to contact me. Thank you.

Sincerely,

Stephen C. Smith
Executive Director



Town of Middleborough
CONSERVATION COMMISSION

December 3, 2013

Denise Bartone
One NSTAR Way, SE-370
Westwood, MA 02090

RE: NSTAR ROW 280 – Middleborough, MA

Dear Ms. Bartone:

On behalf of the Middleborough Conservation Commission I am writing to request that a Request for Determination of Applicability be filed with the Commission to review where the wetland resource areas were delineated in the ROW 280 easement and by whom.

Although cutting has commenced the Commission is still requesting that this permit application be filed under the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131 Sec. 40 and regulations 310 CMR 10.00).

Please contact the Conservation Department as soon as possible at 508-946-2406 and we can go over the filing process with you.

Sincerely,


Patricia J. Cassidy, Agent

For the Middleborough Conservation Commission

Cc: ✓ Charles Cristello, Town Manager
Richard Keller, DEP – SERO, Wetlands & Waterways
Everose Schlüter, PhD, Natural Heritage & Endangered Species Program



Town of Middleborough
CONSERVATION COMMISSION

December 4, 2013

Everose Schlüter, PhD
Senior Endangered Species Review Biologist
Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries and Wildlife
100 Hartwell Street, Suite 230
West Boylston, MA 01583

RE: NSTAR ROW 280 - Middleborough, MA

Dear Dr. Schlüter:

On behalf of the Middleborough Conservation Commission I am writing to request that a Request for Determination of Applicability be filed with the Commission so that the Commission can review that the Conservation Management Plan issued by Natural Heritage is being followed. The Commission would like to ensure that wildlife habitat that is within the jurisdiction of the Massachusetts Wetlands Protection Act is being protected. (M.G.L. Ch. 131, Sec. 40, regulations 310 CMR 10.59 & 10.60).

Although cutting has commenced the Commission is still requesting that this permit application be filed under the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131 Sec. 40 and regulations 310 CMR 10.00).

Please contact the Conservation Department as soon as possible at 508-946-2406 and we can go over the filing process with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia J. Cassidy".

Patricia J. Cassidy, Agent

For the Middleborough Conservation Commission

Cc: ✓ Charles Cristello, Town Manager
Richard Keller, DEP – SERO, Wetlands & Waterways
Denise Bartone, NSTAR Electric & Gas Corp.

Charles Cristello

From: C. Carter Fahy <ccf@envpartners.com>
Sent: Thursday, December 12, 2013 5:17 PM
To: Charles Cristello
Subject: NStar

Hi Charlie – an on-line database search on EPA's website, indicates that NSTAR filed a Construction General Permit – it should be associated with the link below although that one was supposed to expire in 2012.

As such, they should have a Stormwater Pollution Prevention Plan on file. Kevin McCune with Nstar – their contact on the NOI could be contacted to produce it- 781-441-3808

http://ofmpub.epa.gov/CGPSearch/faces/CGPReview?_afLoop=334466671742777&_afWindowMode=0&_adf.ctrl-state=pbx8vxzio_379

Their NOI answers the question - does your project/site discharge stormwater into a Municipal Separate Storm Sewer System (MS4)?

They answer in the negative.

C. Carter Fahy, P.E., LSP, CHMM
Principal

Environmental Partners Group, Inc.
A Partnership for Engineering Solutions
1900 Crown Colony Drive, Suite 402
Quincy, MA 02169

Tel: (617) 657-0254 (direct)
Mobile: (617) 816-5305
Fax: (617) 657-0201

Cape Cod:
396 North Street
Hyannis, MA 02601

North Shore:
18 Commerce Way, Suite 2000
Woburn, MA 01801

www.envpartners.com

GSA Federal Contract #GS21F0098Y

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

GREGORY C. WATSON
Commissioner

TO: All Interested Parties
FROM: ROW Program
DATE: December 3, 2013

Pursuant to 333 CMR 11.06 {3} (a), the following Notices will be published in the Environmental Monitor. The Environmental Monitor will be published on December 4, 2013. A forty five-day comment period commences with the publication date of the Environmental Monitor. This memo serves as notification to interested parties, etc. To view the notice go to the MEPA web site at <http://www.state.ma.us/envir/mepa/index.htm>. Plans may be able to be view from the Departments website at <http://www.mass.gov/agr>

Yearly Operational Plan: National Grid
Comment Period Closes: End of business, Friday, January 17, 2014

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

November 19, 2013

Kathi Luoto, Legal/Admin Asst.
Kraus & Hummel, LLP
99A Court Street
Plymouth MA 02360

RE: Hillcrest MHC, LLC v. Town of Middleborough Rent Board et al

Dear Ms. Luoto:

I enclose a Stipulation of Dismissal in the referenced case which I signed. Please ask Attorney Kelleher (or Kraus) to sign and date and file with the court. Please send me copies of the filing and fully executed stipulation.

Thank you.

Very truly yours,

Daniel F. Murray

DFM/s
Enclosure
cc: Charles J. Cristello, Town Manager

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT DEPT.
PLYMOUTH DIVISION
Civil Action No. PLCV2012-00953-B

Hillcrest MHC, LLC,)
Plaintiff)
)
Vs.)
)
Town of Middleborough Rent Board)
and Alfred P. Rulo, Jr., Stephen J.)
McKinnon, Steven P. Spataro, Allin)
Frawley and Ben Quelle as they are)
Members of the Town of Middleborough)
Rent Board,)
Defendants)

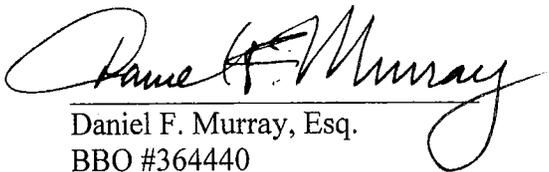
STIPULATION OF DISMISSAL

The parties in the above-captioned action hereby stipulate and agree, pursuant to the provisions of Mass. R. Civ. P. 41 (a)(1)(ii), that the within action, including all claims filed or that could have been filed, by any party against any other, be dismissed with prejudice and without costs.

Respectfully submitted,

DEFENDANTS

By their Attorney,



Daniel F. Murray, Esq.
BBO #364440
decasmurraydecas@yahoo.com
Decas, Murray & Decas
P.O. Box 201
Middleboro, MA 02346
(508) 947-4433

PLAINTIFF

By its Counsel,

Robert Kraus, Esq.
BBO #279535
r.kraus@kraushummel.com
Joseph E. Kelleher, Esq.
BBO #567327
j.kelleher@kraushummel.com
Kraus & Hummel LLP
99A Court Street
Plymouth, MA 02360
(508) 747-4200

Dated: November , 2013

MEMORANDUM

To: Board of Selectmen
From: Caroline R. LaCroix, Ast. to the Town Manager
Re: Sign Approvals/Hall Rentals/Grant Authorization
Date: December 12, 2013

Please be advised of the following approvals:

Sign Request Form:

Burt Wood School of Performing Arts for sign to advertise "The Lion, Witch and the Wardrobe".
Sign dates December 6 – 14.

Grant Authorization:

Please be advised that the Town Manager executed the FEMA reimbursement form in the amount of \$18,517.01 for the February 8 - 9, 2013 blizzard for fire and police department assistance for emergency protective measures and debris removal under category A & B of the FEMA Public Assistance Program.