

NEW BUSINESS

12-20-10

The Board of Selectmen of the **Town of Middleborough** voted at their meeting held on _____, 2010 to award contracts to the bidders listed below under the SERSG DPW Services IFB for a twelve month period commencing 1/1/11. This award is conditioned upon the receipt of the appropriate documents specified in the above IFB. The SERSG Regional Administrator will collect these documents on behalf of the Board of Selectmen and present them to the Board for final approval and signature.

2. In-Place Bituminous Concrete

Zone E: Bridgewater & Middleborough

Aggregate Industries - Saugus, MA

<i>BIDDER'S NAME</i>			
In-Place Bituminous Concrete	\$61.90 per ton	8,000	\$495,200.00
Structure Adjustments	\$165.00 each	24	\$3,960.00
Structure Rebuilt	\$50.00 each	24	\$1,200.00
Hand Work	\$90.00 per ton	0	\$0.00
Sawcutting	\$1.00 per linear foot	100	\$100.00
Playgrounds/Parking Lots	\$61.90 per ton	0	\$0.00
	Item Sub-Total		\$500,460.00

Chair, Board of Selectmen

Please note that this is a unit price contract. Contract values above are based on estimated quantities, and it is understood that the contractor will provide the quantities actually required by the municipalities.



Stantec Consulting Services Inc.
5 LAN Drive Suite 300
Westford MA 01886-3538
Tel: (978) 692-1913
Fax: (978) 692-4578

Stantec

December 7, 2010
File: 195112310

Charles Cristello
Town Manager
Town Hall
10 Nickerson Avenue
Middleborough MA 02346

Reference: Water SCADA System - Bid Recommendation

Dear Mr. Cristello:

On Wednesday December 1, 2010 five (5) bids were received for the project referenced above. This letter is written to present the bid results and recommend contract award.

The following list presents all bids received.

Bidder Name	Total Base Bid Amount	Total With Add Alternate No. 1*
Annese Electrical Services Inc. Weymouth, MA	\$683,000.00	\$748,000.00
Ewing Electrical Co. Inc. Deerfield, NH	\$702,700.00	\$765,400.00
Fall River Electrical Associates Co. Inc. Fall River, MA	\$716,900.00	\$788,315.00
Waterline Industries Seabrook, NH	\$984,677.00	\$1,047,177.00
The Chappy Corporation Chelsea, MA	\$1,167,000.00	\$1,235,000.00

*Add Alternate No. 1 is a standby generator for the Spruce Street well site.

After reviewing all the bids, Annese Electrical Services Inc. was determined to be the lowest bidder.

Stantec has direct familiarity with Annese Electrical Services Inc. through involvement in several projects. We have a sufficient level of confidence that Annese Electrical Services Inc. is qualified to complete this work.

Stantec

December 7, 2010

Page 2 of 2

Reference: Water System SCADA - Bid Recommendation

We have reviewed their bid submission and find it to be complete and in accordance with the bid instructions.

Based on the above information, it is our opinion that Annese Electrical Services Inc. is the lowest, responsible and eligible bidder. Therefore, we recommend that the Town of Middleborough award the contract entitled "Middleborough DPW Water System SCADA" to;

Annese Electrical Services Inc. of 280 Libbey Industrial Park Way Weymouth, MA 02189 at their bid price of:

Seven^N Hundred Forty Eight Thousand Dollars and Zero Cents (\$748,000.00)

Attached please find the Notice of Award for your use. If you decided to Award this contract please have the Selectmen sign and date this Notice of Award form and return to Stantec. We will then forward the Notice of Award to "Annese Electrical Services Inc. and have them prepare bonds and insurance paperwork for the project.

If you have any questions concerning this matter, please call me at the office.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Jeff Faulkner, P.E.
Project Manager
Tel: (978) 577-1417
Fax: (978) 692-4578
jeff.faulkner@stantec.com

Attachments: Notice to Award

Cc: Andrew Bagas, DPW Director

Joseph Silva Water Superintendent

SECTION 00420
NOTICE OF AWARD

To: Annese Electrical Services, Inc.
280 Libbey Industrial Park Way
Weymouth, MA 02189
781-337-6462
781-337-6559

PROJECT Description: **WATER SCADA SYSTEM
MIDDLEBOROUGH, MASSACHUSETTS**

The OWNER has considered the Bid submitted by you on 12/01/10 for the above described Work in response to its Advertisement for Bids dated November, 2010 and Information for Bidders.

You are hereby notified that your Bid has been accepted for a total amount of \$ 748,000.00.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR's Performance Bond, Payment Bond and certificates of insurance within five (5) days, excluding Saturdays, Sundays and legal holidays from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said Bonds within the five (5) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER's acceptance of your Bid as abandoned and as a forfeiture of your Bid Security. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the OWNER.

Dated this _____ day of _____, 2010.

Board of Selectmen
Middleborough, Massachusetts
(OWNER)

(Chair)

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged

by. Annese Electrical Services, Inc.

this the _____ day of _____, 2010.

By _____

Title _____

END OF SECTION



Dec. 6, 2010

Marsha Brunelle, chairman
Board of Selectmen
Town Hall
Nickerson Avenue
Middleboro, MA 02346

Dear Ms. Brunelle and board members:

The Soule Homestead Education Center has submitted an application for the use of the grand ballroom on Feb. 12, 2011 for a fund-raising event. Proceeds from this event will be used to maintain programs and facilities at the Soule Farm, which as you know is a town-owned property leased by the education center.

On behalf of the Homestead, I would like to ask that fees in connection with this fund-raiser be waived in light of the fact that the proceeds from this fund-raiser will be used in part to make improvements to town property. Also, as a town official (Historical Commission) I am willing to take responsibility for security so that custodial services will, with your approval, not be necessary.

Thank you for your consideration.

Sincerely,

Jane Lopes

Soule Homestead Board of Directors member

46 Soule Street, Middleborough, Massachusetts 02346

Phone: 508-947-6744

Fax: 508-946-8559

E-mail: soule@tmlp.com

Grand Ballroom (second floor)	\$100.00 per 8 hour period.	\$350.00 per 8 hour period.
Non-Profit Organizations	\$150.00	\$200.00
Security/Cleaning Deposit	\$500.00	\$500.00

Theatrical productions:

Rehearsals & Performance (Grand Ballroom)	\$150.00 (Tech week & performance)
Additional rehearsal schedules	\$25.00 per 8 hour period.

No rental fee will be charged for outside activities. However, if building access is requested for the use of the sanitary facilities, custodial/security personnel and associated fees will be required. If a designated volunteer has been approved the custodial/security fees may be waived if requested. However, cleaning of the bathrooms will be the responsibility of the renter organization/individual and a voluntary donation by the organization or individual would be appreciated to defray the cost of bathroom supplies. If additional custodial service is required even after your cleaning you will be billed.

CUSTODIAL/SECURITY FEE SCHEDULE

Personnel Costs	One and one-half the current hourly rate of pay of the head custodian <u>plus</u> 10% for administrative costs. (Minimum 3 hours)
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OTHER FEE REQUIREMENTS

One-day "All Alcoholic" beverage license	\$50.00 to be paid @ Town Clerk's Office upon picking up approved license. (cannot be waived)
One-day "Beer & Wine" beverage license	\$30.00
Offset additional insurance cost for serving of alcohol	\$100.00 must be submitted with application (cannot be waived)
Security deposit (bond)	\$500.00 must be submitted with application and will be refunded in accordance with the rules and regulations and application.

***Permits are required if a catering service is being used. Please check with the Health Department, 20 Centre Street, 2nd Floor.**

APPLICATION AND UTILIZATION AGREEMENT
TOWN HALL
MIDDLEBOROUGH, MASSACHUSETTS

PLEASE SUBMIT PAYMENT WITH APPLICATION

DATE OF APPLICATION DEC. 2010
ORGANIZATION/INDIVIDUAL SOULE HOMESTEAD EDUCATION CENTER
ADDRESS 46 SOULE ST. MIDDLEBORO, MA 02346

CITY, STATE, ZIP MIDDLEBORO, MA 02346 TEL 508 947 6744

CO-APPLICANT (BARTENDING SERVICE) BARTENDING SERVICE OF N. E.
OWNER NAME BILL FULLER
ADDRESS PO BOX 425
CITY, STATE, ZIP MIDDLEBORO, MA 02346 TEL 508 947 9520

DATE(S) OF EVENT FEB 12, 2011 APPROXIMATE NUMBER OF PARTICIPANTS 300
(ATTACH SEPARATE SHEET IF NECESSARY)
TIME OF DAY(S) REQUIRED 5 AM TO 11:30 PM

Be sure to include any set-up or dismantling day(s)/time requirements.

BRIEFLY DESCRIBE TYPE OF ACTIVITY VALENTINE'S DANCE

ASSIGNED SPACE _____ MEETING ROOM GRAND BALLROOM _____ GROUNDS If using grounds, will building access be required for sanitary facilities? _____

*Note -- There is no air conditioning available in the Grand Ballroom

Are you requesting a one-day alcoholic beverage license? YES. Licensing fee of \$ _____ plus \$100.00 required at time of application. This will be refunded if license denied prior to event or activity.

Food will be served SNACKS ONLY Name of Caterer _____ Telephone # _____

*If food is to be served, please contact the Health Department for the appropriate permits.

We expect to bring in the following additional equipment/furnishings _____

Any required insurance policy/indemnification agreement must be attached to application.

Rental Deposit (Bond) \$500.00 Check # _____ (must be tendered with application and will be returned within two-weeks if no damage to building, grounds or equipment has been reported).

Rental Cost _____ One-day alcoholic beverage license fee _____ Personnel Cost _____ Total Cost _____

Name of Designated Town Official volunteering to perform security service JANE LOPES

Signature of Volunteer Jane Lopes

Application Approved by Board of Selectmen (date) _____ Fees Waived _____ Fees Due _____

I/we _____ hereby acknowledge return of our \$500.00 bond payment.

APPLICATION AND UTILIZATION AGREEMENT
TOWN HALL

In connection with my/our planned use of the Town Hall and/or grounds, I/we hereby agree to the following:

I/we agree to abide by all conditions as set forth in this application and the rules and regulations as established by the Board of Selectmen.

I/we agree that no activities unrelated to this purpose will be conducted on the premises.

I/we agree to hold harmless and indemnify and defend the Town of Middleborough, its agents, servants, employees and volunteers from and against any and all claims for injury to any person and/or damage to or loss of any personnel property of any nature arising out of my/our contracted use of the property or facilities of the Town for this function and that which may occur outside of the Town Hall premises or arise from activities which occur on or about the Town Hall premises.

I/we agree to assume total responsibility for assuring that:

- a. the participants at the meeting/event will conduct themselves in a safe and orderly fashion;
- b. no dangerous or unlawful activities will take place on the premises or grounds;
- c. no Town or other property will be removed from the building or grounds;
- d. participants will confine themselves to the specified areas of the building and grounds designated for the event;
- e. participants will leave the building and grounds in a clean and orderly condition;
- f. the participants will promptly leave the premises at the time scheduled for their departure.
- g. participants will abide by all rules and regulations as established by the Board of Selectmen

I/we agree to refrain from placing signs or decorations anywhere on the premises except as specified below. And if allowed will not place or cause to be placed in contradiction to the rules and regulations.

I/we understand that Town employees and/or designated volunteers in attendance at the scheduled event/meeting, except as specified below, are there for the sole purpose of providing participants with access to the portion of the building and grounds that have been set aside for their use. If payment for custodial services has been made, please note here.

I/we agree to abide by all requests of Town employees and designated volunteers who are present at the event pertaining to the use of the building and grounds.

I/we hereby certify that no alcoholic beverages of any type will be consumed at the event/activity, unless authorized and appropriate licensing has been obtained in advance and as established by the rules and regulations.

I/we agree to provide a security deposit in the amount of \$500.00 refundable to me/us within two weeks after the event if, in the sole judgement of the Board of Selectmen, I/we have fully complied with the terms of this Agreement and the Rules and Regulations.

I/we require/request use of the following

Chair set up _____ PA system/Podium set up _____ Piano _____

I/we agree to the following additional conditions:

The governing body of the renting organization named below met on DEC 2 2010 and, a quorum being present, authorized the individual named below to sign this agreement. The minutes of that meeting, or a letter of authorization from the President of the renting organization, are attached to this agreement.

APPLICATION AND UTILIZATION AGREEMENT
TOWN HALL

By signing below I/we acknowledge receipt of a copy of the rules and regulations and agree to abide by them and any other conditions established in this application.

Jane Lopes
Authorized Signature of Organization

JANE LOPES
Name ---Please Print

Individual Signature

Name—Please Print

Signature of Owner – Co-Applicant (Bartending Service)

Business Name—Please Print

Original to be kept with security bond/deposit in the Selectmen's office. Two copies given to applicant (one for your records and the other given to the custodian/security personnel in charge of the event/activity.)

**TOWN OF MIDDLEBORO
INSURANCE REQUIREMENTS
FOR
USE OF TOWN OWNED FACILITIES**

Name of Organization: SOULE HOMESTEAD EDUCATION CENTER

Address: 46 SOULE ST

City, State, Zip: MIDDLEBORO MA 02346

Description of Function: VALENTINE'S DANCE

Location of Town Facility: TOWN HALL / GRAND BALLROOM

Date and Time of Use: FEB. 12, 2010 5 - 11:30 PM

A. *Workers Compensation Insurance*

Insurance Company: FARM FAMILY CASUALTY INS. CO.

Policy #: 2012W6278

Policy Term: 9/28/10 → 9/28/11

Coverage A Statutory, Commonwealth of Massachusetts
Coverage B \$500,000 per insuring agreement

B. *Commercial General Liability Insurance*

Insurance Company: FARM FAMILY CASUALTY INS. CO.

Policy #: 2012G1825

Policy Term: 9/1/10 → 9/1/11

Each Occurrence \$1 Million
Fire Damage (any one fire) Policy Minimum
Medical Expense Policy Minimum
Personal Injury & Advertising Injury \$1 Million
General Aggregate \$1 Million **
Products/Completed Operations Aggregate \$1 Million

**applies solely to Town of Middleboro activities

C. *Commercial Automobile Liability:*

Insurance Company: FARM FAMILY CASUALTY INS. CO.

Policy #: 12C42103A

Policy Term: 12/30/10 → 12/30/11

Combined Single Limit, Bodily Injury
& Property Damage \$1 Million

Applicable to: "owned, non-owned & hired automobiles"

D. *Other Insurance Requirements:*

Type of Insurance (i.e. liquor liability, etc) _____

Insurance Company: _____

Policy #: _____

Policy Term: _____

Limits of Liability \$

Additional Conditions:

- a. Except for the Workers' Compensation coverage, the Town of Middleboro is included on all policies as an additional insured.

**2011 LIQUOR
LICENSE RENEWAL**

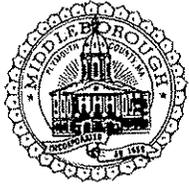
ISSUED TO	Map/Lot	ADDRESS	TYPE OF LICENSE	OWES TAXES/MUNICIPAL FEES
Little John's Restaurant	M072, L5571	360 Wareham Street	Restaurant - All Alcohol	NO
d.b.a. Shooter's Steakhouse & Sports Bar				
John Hoban, Manager				

MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET
MIDDLEBOROUGH, MA 02346

(508) 947-1212

Fax (508) 947-1009



Bruce D. Gates
Chief of Police

December 2, 2010

Board of Selectmen
Town Hall
Town of Middleborough

RE: Rocky Gutter St.

Honorable Board,

The Police Department's Safety Officer Sgt. Verhaegen has made the attached recommendation concerning the complaints about Rocky Gutter Street intersections. I concur with his recommendations.

Respectfully Submitted,

A handwritten signature in black ink that reads "Bruce D. Gates". The signature is written in a cursive style.

Bruce D. Gates,
Chief of Police

c/c
Town Manager
D.P.W. Superintendant

TO: CHIEF BRUCE GATES

NOV. 17, 2010

FROM: SGT. STEPHEN VERHAEGEN

RE: ASSESSMENT FOR "STOP SIGNS" AT BOTH THE INTERSECTION OF ROCKYGUTTER ST. AND PURCHASE STS., AND ALSO AT ROCKYGUTTER ST. AND MILLER STS.

ON NOV. 5TH, THIS SERGEANT AND SAFETY OFFICER WAS REQUESTED TO DO AN ASSESSMENT OF TWO INTERSECTIONS RELATIVE TO NUMEROUS COMPLAINTS OUR DEPARTMENT HAS RECEIVED FOR THE CONSIDERATION FOR THE PLACEMENTS OF TWO NEW "STOP SIGNS", DUE TO AN ISSUE OF PUBLIC SAFETY.

THIS SERGEANT DID OBSERVE BOTH INTERSECTIONS AT THE ABOVE LOCATIONS. CURRENTLY AT THE INTERSECTION OF PURCHASE AND ROCKYGUTTER STS., THERE IS ONLY A "25 mph SIGN" LOCATED ON PURCHASE ST., PRIOR TO THE INTERSECTION. AT THE INTERSECTION OF ROCKYGUTTER AND MILLER STS., THERE IS BOTH A "YEILD SIGN" ON ROCKYGUTTER ST. AND ALSO ON MILLER ST.

TO MAKE BOTH INTERSECTIONS MORE SAFE I WOULD RECOMMEND THAT A "STOP SIGN" BE PLACED ON PURCHASE ST., AT ROCKYGUTTER ST., FACING NORTH. AT THE INTERSECTION OF ROCKYGUTTER ST. AND MILLER ST. THE "YEILD SIGN" SHOULD BE REMOVED AND A "STOP SIGN" TAKE ITS PLACE WHICH WOULD BE

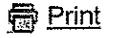
COPY

FACING SOUTH. THE SECOND "YEILD SIGN" LOCATED ON ROCKYGUTTER ST., WHICH CURRENTLY FACES RT.28/WAREHAM ST., SHOULD BE REMOVED.

PLEASE SEE AND REFER TO THE ATTACHED GOOGLE MAP FOR THE ABOVE EXACT LOCATIONS FOR THE RECOMMENDED NEW SIGN PLACEMENTS AND THE REMOVAL THEREOF.

RESPECTFULLY SUBMITTED;

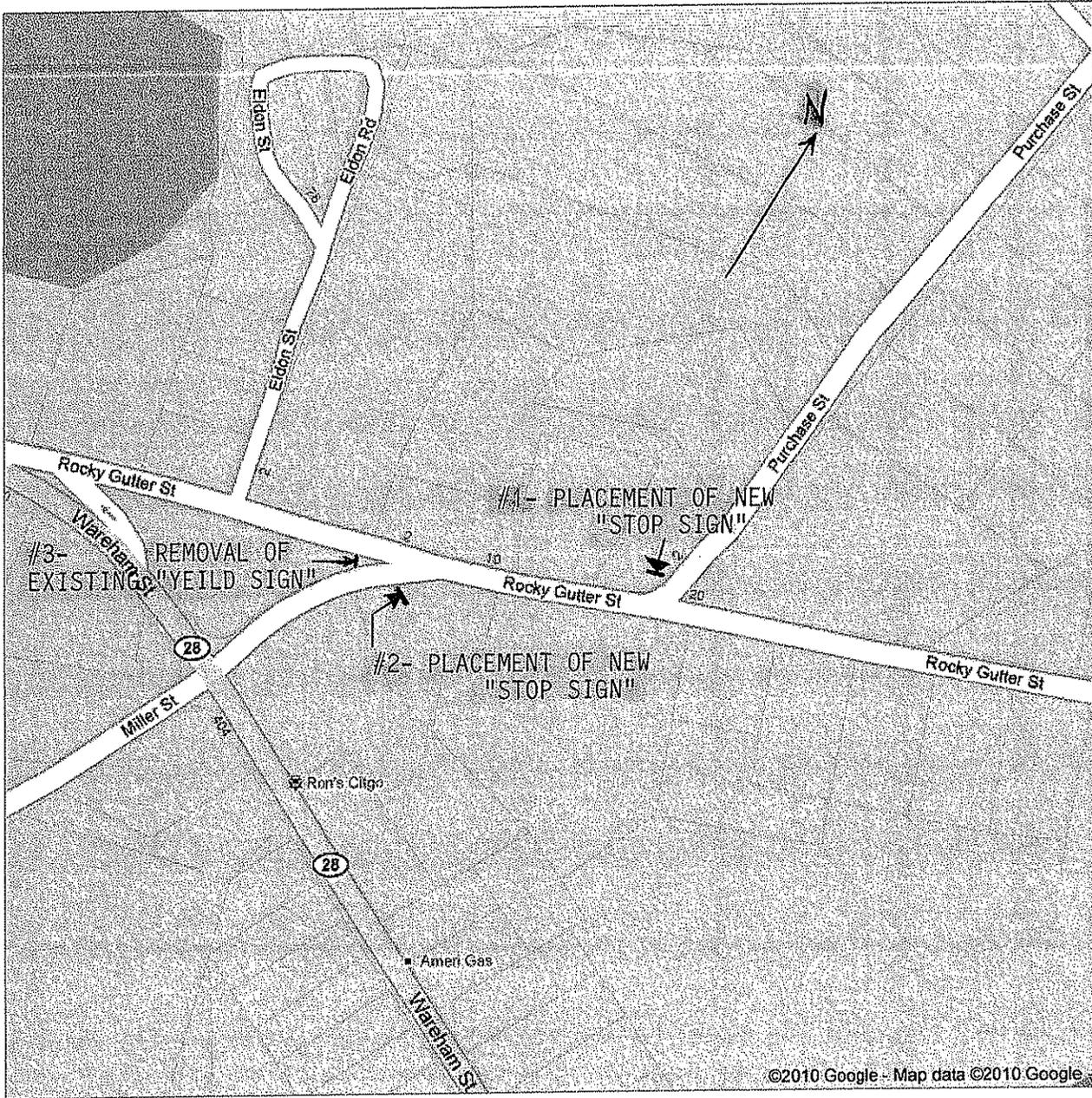
Sgt. Stephen Verhaegen #49
SGT. STEPHEN VERHAEGEN
SAFETY OFFICER
MIDDLEBORO POLICE DEPT.

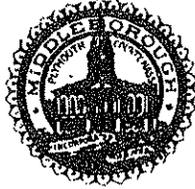


Google maps

Address Purchase St
Middleboro, MA 02346

- Notes #1- "Stop sign" to be placed on Purchase St., facing north.
- #2- "Stop sign to be placed on Miller St., facing south.
- #3- "Yeild sign" to be removed from Rockygutter and Miller Sts.





Town of Middleborough

Massachusetts

BOARD OF SELECTMEN

ORDER OF TAKING

The BOARD OF SELECTMEN of the TOWN OF MIDDLEBOROUGH in the name of and on behalf of the TOWN OF MIDDLEBOROUGH, a municipal corporation situated in the County of Plymouth and Commonwealth of Massachusetts, pursuant to a vote taken under **Article 11** of the warrant for the **October 4, 2010 Special Town Meeting**, pursuant to Massachusetts General Laws, Chapter 79, as amended, and pursuant to every other power hereto enabling, do hereby take by eminent domain the fee and all rights and easements in and to the way known as **Wildflower Lane** in the Town of Middleborough, and also do hereby take by eminent domain two (2) ten foot wide tree, utility, slope and grading easements, one easement being over Lot 1 and the second being over Lots 4, 5, 6 and 7, a twenty-five foot wide tree, utility, slope and grading easement over Lots 2 and 3, and nine (9) drainage easements, affecting Lot 1, Lot 2, Lot 3, Lot 5, Lot 6, Lot 7 (2 easements), Parcel A and Parcel C. Taken hereby in connection with the ten foot and twenty-five wide tree, utility, slope and grading easements is the right to plant trees and to maintain and replace trees in the easements areas, to construct, maintain, repair and replace slopes and grades in the easement areas, and to install, maintain, repair and replace water mains and appurtenances and to install, maintain, repair and replace structures and facilities for the transmission of electricity, telephone communications and cable signals and other electronic signals and/or communications.

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

The way hereby taken is known as **Wildflower Lane**, said way being situated in Middleborough, Plymouth County, Massachusetts and shown on a plan entitled "Wildflower Estates Street Acceptance Plan, Wildflower Lane off Fairview Street, Middleborough, MA" prepared by G.A.F. Engineering, Inc., and dated July 27, 2010 revised through August 5, 2010, to be recorded herewith. **The easements hereby taken are as shown on said plan.**

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

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

<u>MAP/LOT</u>	<u>SUPPOSED PROPERTY OWNER(S) AND OTHER PARTIES</u>	<u>DAMAGES</u>
1. 59/1	Vincent P. Logan, Jr. 5 Wildflower Lane, Middleboro, MA 02346	None
2. 59/1	Ellen C. Logan 5 Wildflower Lane, Middleboro, MA 02346	None
3. 59/2	Joseph M. Tawa, III 11 Wildflower Lane, Middleboro, MA 02346	None
4. 59/2	Valerie R. Tawa 11 Wildflower Lane, Middleboro, MA 02346	None
5. 59/3	David Pincus 17 Wildflower Lane, Middleboro, MA 02346	None
6. 59/3	Jessica Pincus 17 Wildflower Lane, Middleboro, MA 02346	None
7. 59/4	Kyle P. Armstrong 19 Wildflower Lane, Middleboro, MA 02346	None
8. 59/4	Alicia Mason 19 Wildflower Lane, Middleboro, MA 02346	None
9. 59/5	Leon Jones 25 Wildflower Lane, Middleboro, MA 02346	None
10. 59/5	Robin Jones 25 Wildflower Lane, Middleboro, MA 02346	None
11. 59/6	Adam Schmid 31 Wildflower Lane, Middleboro, MA 02346	None
12. 59/6	Maryregina T. Schmid 31 Wildflower Lane, Middleboro, MA 02346	None
13. 59/7	Scanlon Realty Trust, II - John Scanlon, Trustee 37 Fernway, Middleboro, MA 02346	None

- | | | | |
|-----|------------|---|------|
| 14. | 59/7 | Scanlon Realty Trust, II - Katherine Scanlon, Trustee
37 Fernway, Middleboro, MA 02346 | None |
| 15. | 59/B, C, D | DBC Investment Trust - John Scanlon, Trustee
37 Fernway, Middleboro, MA 02346 | None |
| 16. | 59/A | Parcel A Investment Trust - John Scanlon, Trustee
37 Fernway, Middleboro, MA 02346 | None |
| 17. | 59/E | Wildflower Homeowners Trust - John Scanlon, Trustee
37 Fernway, Middleboro, MA 02346 | None |
| 18. | | Owners Unknown: | None |

This order was adopted and is dated this _____ day of _____ 2010.

TOWN OF MIDDLEBOROUGH
BY:

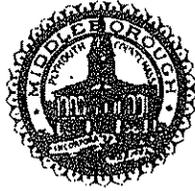
BOARD OF SELECTMEN

Commonwealth of Massachusetts
County of Plymouth

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

Signature of Notary

(Seal)
My commission expires _____



Town of Middleborough

Massachusetts

BOARD OF SELECTMEN

ORDER OF TAKING

The BOARD OF SELECTMEN of the TOWN OF MIDDLEBOROUGH in the name of and on behalf of the TOWN OF MIDDLEBOROUGH, a municipal corporation situated in the County of Plymouth and Commonwealth of Massachusetts, pursuant to a vote taken under **Article 12** of the warrant for the **October 4, 2010 Special Town Meeting**, pursuant to Massachusetts General Laws, Chapter 79, as amended, and pursuant to every other power hereto enabling, do hereby take by eminent domain the fee and all rights and easements in and to the way known as **Keith Street Extension** in the Town of Middleborough, and also do hereby take by eminent domain a drain easement C, drainage easement A, drainage easement B, a 30 foot wide utility easement abutting the westerly side of Keith Street Extension and a landscape easement 8.5 foot wide around the perimeter of Keith Street Extension. Taken hereby in connection with the drain easement and drainage easements is the right to flow road drainage in, under, over and through the easement areas, to maintain and store water in the easement areas and to enter, construct, maintain, repair and replace drainage ditches, pipes, culverts and other drainage facilities in the easement areas. Taken hereby in connection with the 30 foot wide utility easement is the right to flow road drainage in, under, over and through the easement area, to maintain and store water in the easement area, to enter, construct, maintain, repair and replace drainage ditches, pipes, culverts and other drainage facilities in the easement area and to place, maintain, repair and replace structures and facilities for the transmission of electricity, telephone communication, cable signals and other electronic signals and/or communications. Taken hereby in connection with the 8.5 foot wide landscape easement shall be the right to plant trees and to maintain and replace trees in the easement area.

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

The way hereby taken is known as **Keith Street Extension**, said way being situated in Middleborough, Plymouth County, Massachusetts and shown on a plan entitled "Roadway As Built - Acceptance Plan, Keith Street Extension in Middleborough, MA prepared by Outback Engineering Incorporated dated July 26, 2010 to be recorded herewith. **The easements hereby taken are as shown on said plan.**

The structures and trees in or within the way hereby taken and in or within the easements hereby taken are included in this Order of Taking, excepting however from this Order of

Taking electric, telephone and cable transmission structures and facilities and any existing easements for electric, telephone and cable transmission structures and facilities.

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

<u>MAP/LOT</u>	<u>SUPPOSED PROPERTY OWNER(S) AND OTHER PARTIES</u>	<u>DAMAGES</u>
1. 50/961	James A. Pavlik, Manager Keith Street Development, LLC 165 East Grove Street Middleboro, MA 02346	None
2. 50/992	James A. Pavlik, Trustee Keith Place Condominium Trust 165 East Grove Street Middleboro, MA 02346	None
3.	Owners Unknown:	None

This order was adopted and is dated this _____ day of _____ 2010.

TOWN OF MIDDLEBOROUGH
BY:

BOARD OF SELECTMEN

Commonwealth of Massachusetts
County of Plymouth

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

(Seal)

My commission expires _____

Signature of Notary

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

NOTICE OF BETTERMENT AGREEMENT December 13 , 2010 .
NOTICE OF BETTERMENT

TO THE REGISTER OF DEEDS OF PLYMOUTH COUNTY

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

Dated July 16, 2010 with Pamela Jo Leslie
(insert date) (insert name(s) of property owner(s))

with respect to real estate located at 209 Everett Street
(insert address of property)

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

Registry of Deeds in Book 28232 , Page 126
(insert book and page)

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

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

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

Eleven Thousand Four Hundred Fifty & .00/100 Dollars (\$ 11,450.00).
(insert amount in writing) (insert amount in numbers)

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

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

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

Marsha L. Brunelle, Chairman

Alfred P. Rullo Jr., Vice Chairman

Muriel C. Duphily

Stephen J. McKinnon

Steven P. Spataro

Board of Selectmen
Town of Middleborough

**Commonwealth of Massachusetts
County of Plymouth**

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

Signature of Notary
Jacqueline M. Shanley

(Seal)
My commission expires:

12-17-10

BOARD OF SELECTMEN:

Please note that Lorna Brunelle wishes to cancel the requested item #9 under New Business as there appears to have been a lack of communication.

In speaking with the Town Clerk, I learned that the Burt Wood School's "2010" Entertainment license had already been pro-rated by Eileen because the school had just received it a short time ago. Lorna was unaware of this until today.

Jackie

Jacqueline Shanley

From: burtwoodschoo@aol.com
Sent: Thursday, December 16, 2010 2:44 PM
To: Jacqueline Shanley
Subject: Re:

Dear Board of Selectmen:

On November 8th, I was approved for an Entertainment License for The Burt Wood School of Performing Arts. This week, I received a letter stating that I had to renew or repay the fees as the year end is near.

When I applied, I was told that the license was good through Nov 11, 2011. Is there a way to waive the fees in lieu of the short time that has passed since I was approved?

Thank you for your consideration.

Lorna J. Brunelle

Sent on the Sprint® Now Network from my BlackBerry®

From: "Jacqueline Shanley" <jshanley@middleborough.com>
Date: Thu, 16 Dec 2010 14:26:17 -0500
To: <burtwoodschoo@aol.com>
Subject:

Hi Lorna,

Here is my email address.

Jackie