

NEW BUSINESS

12-22-14

AMENDMENT TO AGREEMENT

Agreement made this 11th day of December, 2014 by and between Robert J. Whalen, Building Commissioner of the Town of Middleborough, the Board of Selectmen of the Town of Middleborough, the Planning Board of the Town of Middleborough, the Health Department of the Town of Middleborough acting by its Health Agent, and the Town of Middleborough (hereafter collectively the "Town") and Edgeway Homeowners' Association, Inc. (hereafter "Edgeway Homeowners' Association" or "EHA") a Massachusetts nonprofit corporation with a regular place of business in Middleborough, Massachusetts.

Whereas the Town and EHA entered into an agreement dated May 28, 2014 (the "agreement") which related to Edgeway Mobile Home Park (the "Park"); and

Whereas the agreement provided that EHA would carry out certain actions, construct certain improvements, and cause certain events to happen (collectively the "events"), all with respect to the Park, in the times set forth in the agreement, and Report and Plan incorporated in the agreement (collectively "time requirements"); and

Whereas EHA has not complied with the time requirements with respect to the events; and

Whereas extension of the time requirements is needed so that EHA may complete the events.

Now Therefore the parties covenant and agree as follows:

1. The agreement is hereby amended to provide for extension of time requirements to complete events by amending Section 3.0 (Phasing, Construction, Sequence and Projected Schedule) of the Report in accordance with the Edgeway Estates Proposed Schedule dated 12/8/2014 attached hereto and incorporated herein by reference as part of the agreement, Report and Plan.

2. The agreement, as hereby amended, is ratified and confirmed.

Witness the hands and seals of the undersigned on the date first written above.

Edgeway Homeowners' Association, Inc.

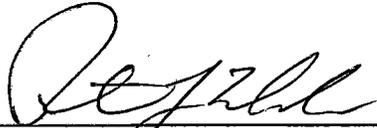
By

President

Treasurer

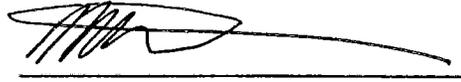


Middleborough Health Department



Robert J. Whalen, Middleborough
Building Commissioner

Middleborough Board of Selectmen



Middleborough Planning Board

12-8-2014

Edgeway Estates Proposed Schedule

First Quarter of 2015

- Order of Conditions for Drainage Improvements issued by Conservation Commission
- Sewage disposal plan approved by Board of Health

Second Quarter of 2015

Third Quarter of 2015

- Design and permitting of water main extension
- Award construction bid for water system
- Revision to Special Permit by Planning Board

Fourth Quarter of 2015

- Water system installed
- Install sewage disposal system

First Quarter of 2016

Second Quarter of 2016

Reconstruct bank
Plant buffer with trees
Loam and seed all disturbed areas prior to June 1

Third Quarter of 2016

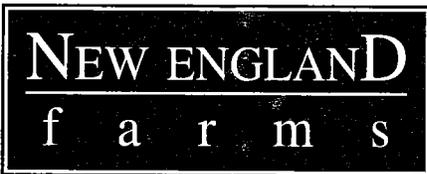
- Construct drainage swales, detention basin improvements, etc

Fourth Quarter of 2016

- Repair road base and binder course, adjust drainage structures

Second Quarter of 2017

- Pave finish course of roadway
6-30-2017 All work to be completed



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

November 26, 2014

At a meeting of the Board of Directors of New England Farms, Inc. held at 68 South Main Street Assonet, MA, it was duly voted that the Corporation apply to the Board of Selectmen for the Town(s) of Carver, South Middleboro, Freetown, Berkley and Bridgewater, all locations in which we currently hold a Retail Package Store Wine & Malt Beverages License, to request a change of our Sunday operating hours from the current 12:00 – 11:00PM to 10:00AM -11:00PM.

The Directors:

“Voted: to request the change of operating hours in our Licenses in the towns of Carver, South Middleboro, Freetown, Berkley and Bridgewater to 10:00AM on Sundays from the current 12:00 Noon, as now currently allowed by M.G.L.c.138,15.”

This Corporation has NOT been dissolved.

A true copy attest,

A handwritten signature in black ink, appearing to read "Thomas Pratt", is written over a horizontal line.

Thomas Pratt, Treasure

South Shore Race Management, LLC

December 8, 2014

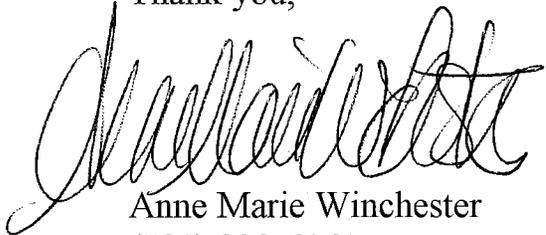
Board of Selectmen
10 Nickerson Avenue
Middleboro, MA 02346

Dear Board of Selectmen,

I am requesting the use of public roads to hold the Tim's Homerun 5K Walk/Run event at 9:00 am on Sunday, April 26, 2015. The event would begin and end at Henry B. Burkland Elementary School located at 41 Mayflower Avenue. Request for school use will be submitted per school use request guidelines. All participants are expected to be off the roads in less than an hour. The proposed course map is attached.

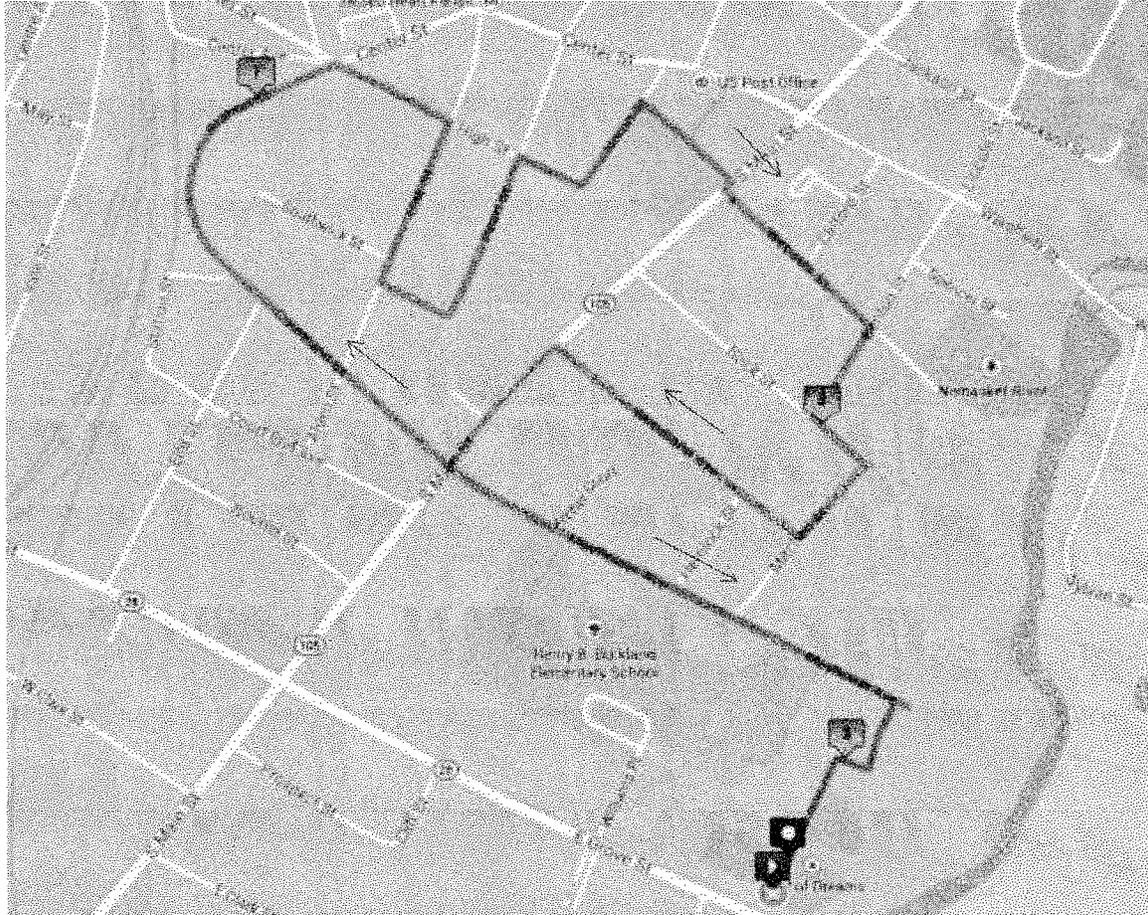
The event is being held in memory of Tim Hartnett

Thank you,



Anne Marie Winchester
(781) 820-6161

Tim's Homerun 5K Walk/Run



Start at baseball field at Henry Burkland Elementary School

Left on Mayflower Avenue

Cross over South Main Street to Courtland

Courtland becomes Station

Take a right on High Street

Right on Oak Street

Left on Pearl Street

Right on High Street

Left on Union Street

Right on Nickerson

Cross over South Main to Webster Street

Right on Benton

Left on Rock

Right on Mitchell

Right on Woodland

Left on South Main

Left on Mayflower back to baseball fields to finish

Jacqueline Shanley

From: Lance Benjamino
Sent: Tuesday, December 16, 2014 4:14 PM
To: Jacqueline Shanley
Subject: RE: S. Shore Race Mgmt-Tim's Homerun 5K

Jackie,

The usual comments: Any barriers used shall be readily moveable for emergency vehicle access and they should have an EMS plan

Lance Benjamino
Chief of Department
Middleborough Fire Department
125 North Main Street
Middleborough, MA 02346
firechief@middleborough.com

From: Jacqueline Shanley
Sent: Tuesday, December 16, 2014 11:10 AM
To: Lance Benjamino; Police Chief Joseph Perkins; Christopher Peck
Subject: S. Shore Race Mgmt-Tim's Homerun 5K

Good Morning,

Please see attached and reply to this office with comments/concerns/objections/requirements. The Board will vote on this next Monday, 12/22.

Thank you.

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

Jacqueline Shanley

From: Joseph Perkins <jperkins@mpdmail.com>
Sent: Tuesday, December 16, 2014 2:11 PM
To: Jacqueline Shanley
Subject: RE: S. Shore Race Mgmt-Tim's Homerun 5K

Jackie,

No issues here.

Thanks,
Joe

From: Jacqueline Shanley [<mailto:jshanley@middleborough.com>]
Sent: Tuesday, December 16, 2014 11:10 AM
To: Lance Benjamino; Police Chief Joseph Perkins; Christopher Peck
Subject: S. Shore Race Mgmt-Tim's Homerun 5K

Good Morning,

Please see attached and reply to this office with comments/concerns/objections/requirements. The Board will vote on this next Monday, 12/22.

Thank you.

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

November 21, 2014

Ms. Caroline LaCroix
Assistant to the Town Manager
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

**RE: Owner's Project Management Services
Middleborough Water Pollution Control Facility Upgrade
Comprehensive Wastewater Management Plan (CWMP)
Invoice WP #96723 and 96727: October 2014**

Dear Ms. Lacroix:

As requested, Environmental Partners Group Inc. has reviewed the invoice submitted by Wright Pierce (WP) for services provided in October 2014 for services related to the Comprehensive Wastewater Management Plan (CWMP).

Environmental Partners has reviewed WP's invoice #96727 dated November 20 2014 and the progress on the project during this period. It is our understanding that WP finished working on Phase III of their scope, finalized the draft report, with tables, figures and cost estimates, and submitted the draft CWMP document to the Massachusetts Department of Environmental Protection. WP reports that they are now 100 % complete, which appears reasonable given the work completed to date.

Environmental Partners also reviewed WP's invoice #96723 for services related to the Environmental Notification Form (ENF). The ENF was submitted and WP responded to comments from MEPA. WP reports that work on this task is now 100% complete, which appears reasonable.

Environmental Partners recommends that invoice #96727 be paid in full in the amount of \$7,025.00 and that invoice #96723 be paid in full in the amount of \$4,850.00.

If you have any questions or require additional information, please do not hesitate to contact me at pcm@envpartners.com or (617) 657 0276.

ENVIRONMENTAL PARTNERS GROUP, INC.



Paul C. Millett, P.E.
Project Manager

Attachments:

WP invoices, October 2014. #96723 and #96727.



Water
Wastewater
Infrastructure

November 20, 2014
W-P Project No. 12760 Phase H

11-21-14 EPG

Mr. Robert G. Nunes
Town of Middleborough - Town Manager
10 Nickerson Avenue
Middleborough, MA 02346

Subject: Middleborough, Ma- Comprehensive Wastewater Management Plan (CWMP)
Wright-Pierce October 2014 Invoices

Dear Mr. Nunes:

Please find the attached invoice for engineering services completed through October 2014 related to the Middleborough Comprehensive Wastewater Management Plan (CWMP) and Environmental Notification Form (ENF). A brief summary of the work completed for the CWMP and ENF is summarized below:

Middleborough CWMP Phase III – Wright Pierce Project #12760 Phase H

- Finalized 20 year present worth cost for both study areas.
- Finalized figures, tables, are appendixes for Phase 3 CWMP
- Submitted draft Phase 3 CWMP to DEP

Middleborough Environmental Notification Form (ENF) – Wright Pierce Project #12760 Phase I

- Submitted ENF and CWMP to MEPA for review
- Received comments from MEPA review process and developed responses

We appreciate the opportunity to work with the Town on this important project. Please feel free to contact me on my direct line if you have any questions at (978) 416-8030.

Very truly yours,

WRIGHT-PIERCE

Jon W. Hume, P.E.
Project Manager

Offices Throughout New England | www.wright-pierce.com

40 Shattuck Road, Suite 305
Andover, MA 01810 USA
Phone 978.416.8000 | Fax

978.470.3558

EPG 11/21/14



Water
Wastewater
Infrastructure

Town of Middleborough
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

Invoice #: 96727
Project: 12760
Phase: H
Project Name: Middleborough MA - WPCF Upgrade
Invoice Date: Nov-20-2014

Attention: Charles Cristello, Town Mgr.

For Professional Services Rendered for the Period Sep-27-2014 To Oct-31-2014

RELATED TO: CWMP
REFERENCE: Contract dated May 13, 2013.

Total Project Fee Authorized	140,500.00
Percent Complete as of 10/31/2014	<u>100.00</u>
Fee Earned To Date	140,500.00
Less Previous Billings	133,475.00
Amount Due this Invoice	<u><u>7,025.00</u></u>

BILLING RECAP

Previous Billings	133,475.00
Current Billing Amount	7,025.00
Fee Earned To Date	<u>140,500.00</u>
Amount Received	118,775.00
Balance Due	<u><u>21,725.00</u></u>

Invoices are due upon receipt. If not paid by Dec-20-2014, interest will be computed at the rate stated in the agreement.

CC: Jon W. Hume

11/21/14 OG



Water
Wastewater
Infrastructure

Town of Middleborough
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

Invoice #: 96723
Project: 12760
Phase: I
Project Name: Middleborough MA - WPCF Upgrade
Invoice Date: Nov-19-2014

Attention: Charles Cristello, Town Mgr.

For Professional Services Rendered for the Period Sep-27-2014 To Oct-31-2014

RELATED TO: CWMP - ENF

REFERENCE: Contract dated May 13, 2013.

Total Project Fee Authorized	9,700.00
Percent Complete as of 10/31/2014	<u>100.00</u>
Fee Earned To Date	9,700.00
Less Previous Billings	4,850.00
Amount Due this Invoice	<u><u>4,850.00</u></u>

BILLING RECAP

Previous Billings	4,850.00
Current Billing Amount	4,850.00
Fee Earned To Date	<u>9,700.00</u>
Amount Received	4,850.00
Balance Due	<u><u>4,850.00</u></u>

Invoices are due upon receipt. If not paid by Dec-19-2014, interest will be computed at the rate stated in the agreement.

CC: Jon W. Hume

November 6, 2014

Ms. Caroline Lacroix
Assistant to the Town Manager
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

**RE: Owner's Project Management Services
Middleborough Water Pollution Control Facility Upgrade
Design Development Invoice #10 – Final Design
(WP #96174): September 2014**

Dear Ms. Lacroix:

As requested, Environmental Partners Group Inc. has reviewed the invoice submitted by Wright Pierce (WP) for services provided in September 2014 for services related to Design Development (Final Design) - Phase C, Task 3.A.1 through 3.A.7.

Environmental Partners has reviewed WP's invoice and the work progress stated in the cover letter. WP is currently completing the final design documents, including calculations for process equipment, final construction drawings, and final specifications. The final design submittal was submitted in mid-October to the Massachusetts Department of Environmental Protection.

In our opinion, the invoice is commensurate with progress on the specific tasks shown in the invoice breakdown and equal to approximately 95% complete for the overall Final Design scope.

Environmental Partners recommends that the invoice be paid in full in the amount of \$198,422.25 for this billing period. If you have any questions or require additional information, please do not hesitate to contact me at pcm@envpartners.com or (617) 657-0276.

ENVIRONMENTAL PARTNERS GROUP, INC.



Paul C. Millett, P.E.
Project Manager

Attachments:

WP invoice September 2014. #96174

October 17, 2014
W-P Project No. 12760

Mr. Paul C. Millett
Environmental Partner's Group, Inc.
Town of Middleborough - Owner's Project Manager
1900 Crown Colony Drive
Suite 402
Quincy, MA 02169

Subject: Middleborough, Ma- Water Pollution Control Facility (WPCF) Upgrade
Wright-Pierce August 2014 Invoices

Dear Paul:

Sept. Please find the attached summary of progress completion and accompanying invoices for engineering services completed through July 2014 related to the Middleborough WPCF Upgrade. A brief summary of the work completed for each of the phases is summarized below:

Middleborough WPCF Upgrade - Wright Pierce Project #12760 Phase C - Final Design

- Task 3.A.1. - Preparation of Final Calculations
 - Updated hydraulic calculations throughout the WPCF.
 - Finalized design calculations and layout requirements for the new grit removal system.
 - Finalized design calculations and layout for new screens.
 - Finalized design calculations requirements for the RAS pumps.
 - Developed structural calculations.
 - Developed electrical sizing and loads.
 - Developed instrumentation panel sizing.
- Task 3.A.2. - Preparation of Final Construction Drawings
 - Further developed civil site and yard piping plans.
 - Developed details for new process structures.
 - Finalized layouts of aeration tanks.
 - Finalized layout for the Control Building and Control Building Addition.
 - Finalized mechanical and electrical layout of the new dewatering presses in the Sludge Dewatering Building.
 - Developed layout for the new screw conveyors.
 - Finalized layout of new Tertiary Treatment Building.

Oct 17



- Task 3.A.3. – Preparation of Final Technical Specifications in CSI format
 - Developed specification sections for new tertiary filters.
 - Developed specification sections for new WAS pumps.
 - Developed specifications for the new chemical feed systems.
 - Further developed Architectural Specifications.
 - Further developed Structural Specifications.
 - Further developed Mechanical Specifications.
 - Further developed Instrumentation Specifications.
 - Further developed Electrical Specifications.
 - Finalized Div 1 and Div 2 Specifications.

We appreciate the opportunity to work with the Town and EPG on this important project. Please feel free to contact me on my direct line if you have any questions at (978) 416-8030.

Very truly yours,

WRIGHT-PIERCE

A handwritten signature in black ink, appearing to read "Jon W. Hume".

Jon W. Hume, P.E.
Project Manager

11-6-14 PG



Water
Wastewater
Infrastructure

Town of Middleborough
Middleborough Town Hall
10 Nickerson Avenue
Middleborough, MA 02346

Invoice #: 96174
Project: 12760
Phase: C
Project Name: Middleborough MA - WPCF Upgrade
Invoice Date: Oct-14-2014

Attention: Charles Cristello, Town Mgr.

For Professional Services Rendered for the Period Aug-30-2014 To Sep-26-2014

RELATED TO: Final Design
REFERENCE: Contract dated May 13, 2013.

Total Project Fee Authorized	793,689.00
Percent Complete as of 9/26/2014	<u>95.00</u>
Fee Earned To Date	754,004.55
Less Previous Billings	555,582.30
Amount Due this Invoice	<u><u>198,422.25</u></u>

BILLING RECAP

Previous Billings	555,582.30
Current Billing Amount	198,422.25
Fee Earned To Date	<u>754,004.55</u>
Amount Received	0.00
Balance Due	<u><u>754,004.55</u></u>

Invoices are due upon receipt. If not paid by Nov-14-2014, interest will be computed at the rate stated in the agreement.

CC: Jon W. Hume

Middleborough - Water Pollution Control Facility (WPCF) Upgrade
Wastewater Engineering Services - Wright-Pierce Project # 12760 Phase C - Final Design Phase
Work Progress by Task
Period: August 30, 2014 Through September 26, 2014

Task No	Task Description	Total Fee	% Complete This period	Fee Earned This Period	Overall % Complete	Overall Fee Earned	Comments on Work Performed
3.0 DESIGN DEVELOPMENT PHASE		793,689	25%	198,422	95%	754,004	
3.A.1	Preparation of final calculations.		25%	-	95%	-	
3.A.2	Preparation of final construction drawings.		25%	-	95%	-	
3.A.3	Preparation of final technical specifications in Construction Specifications Institute (CSI) format (Div 0-1-2, 16).		30%	-	90%	-	
3.A.4	Preparation of an estimate of probable construction costs at 90% design completion.		65%	-	95%	-	
3.A.5	Submit progress submittals at 90% design completion milestones to the Client and OPM for review.		95%	-	95%	-	
3.A.6	Coordination and attendance of two (2) one-day workshops to review the work products with the Client and OPM. Workshops to be scheduled at approximately 90% design completion.		80%	-	80%	-	
3.A.7	Incorporate workshop review comments into the final plans and specifications.		50%	-	50%	-	
Total:		793,689	25%	198,422	95%	754,004	<i>Wright-Pierce 26-Sep-2014</i>

Budget	Remain	Remaining Fee	Schedule
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
#REF!	#REF!	39,685	

Incorporated 1669
344 Years of Progress



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

ROBERT G. NUNES
Town Manager

508-947-0928
FAX 508-946-2320

LICENSE AGREEMENT

I, Marjorie H. Thomas, Trustee of the Marjorie Thomas Investment Trust, of Middleboro, Plymouth County, Massachusetts, hereafter "Owner", hereby grants to the Town of Middleborough acting through its Board of Selectmen, hereafter "Licensee", a license to use my property hereafter described (the "property") on the following terms and conditions:

1. The property is located off Wareham Street on Don Boucher's Way in Middleborough, Massachusetts, contains a building and 8.60 acres of land more or less and is shown on Middleborough Assessors Map 58H as Lot 3226.
2. Licensee shall have the right to use the property for storage of vehicles, equipment and other personal property in connection with the operation of the Licensee's Department of Public Works.
3. This license is effective for the period from January 1, 2015 through June 30, 2015. The license may be terminated at any time by Owner or Licensee by written notice given to the other party at least ten (10) days prior to the effective date of termination of the license. The license is personal to Licensee and may not be assigned. This license is not a lease or other tenancy agreement.
4. Licensee shall indemnify and hold Owner harmless for any claims for damages arising out of or in connection with Licensee's use of the property hereunder.
5. Licensee shall pay to Owner the sum of One Thousand Forty Dollars (\$1,040.00) for each month that this license is in effect as a fee for the license. Licensee shall pay or reimburse Owner for the electric bill for all electric

service to the property incurred while the license is in effect, and Licensee shall make such payment or reimbursement within (3) weeks after Owner gives an electric bill to Licensee.

6. Licensee shall be responsible for and hold Owner harmless from and against any and all costs, losses, injury or damage, including without limitation, personal injury damage and damage to personal property, arising during or after the Term of the License Agreement as a result of the placement or storage of hazardous or toxic materials in or about the Licensed Premises by Licensee, its agents, servants or employees during the term of the License Agreement.

WITNESS the hands and seals of the undersigned this ____ day of December, 2014.

Owner:

LICENSEE:

By

COMMONWEALTH OF MASSACHUSETTS

Plymouth, SS:

On this ____ day of December, 2014, before me, the undersigned notary public, personally appeared Marjorie H. Thomas, a Trustee as aforesaid, provide to me through satisfactory evidence of identification which was a Commonwealth of Massachusetts Driver's License, to be the person whose name is signed on the attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires:

**DESIGNATION AND CLASSIFICATION AS
SPECIAL MUNICIPAL EMPLOYEE**

The Town of Middleborough is a member of the Southeastern Regional Services Group (SERSG), a consortium of nineteen cities and towns in Southeastern Massachusetts formed pursuant to an intermunicipal agreement conforming to Chapter 40, Section 4A of the General Laws. The SERSG municipalities have determined that an important benefit of intermunicipal cooperation can be obtained through joint procurement of certain commonly needed municipal supplies and services. SERSG, acting through its Regional Administrator, organizes such procurements and administers certain portions of them. Final awarding authority is retained by each municipality as is post-award contract administration.

By a separate writing, the Chief Procurement Officer of this municipality is delegating to the Regional Administrator in accordance with Chapter 30B, Section 19 of the General Laws, certain of his/her procurement powers to facilitate the joint SERSG procurements. Section 30B contemplates delegation of procurement power to "an employee."

Accordingly, in accordance with Chapter 268A of the General Laws we hereby designate and classify the SERSG Regional Administrator from time-to-time as a special municipal employee of this municipality to the extent necessary to receive and act upon the delegation of procurement power described above.

The designation and classification made herein shall continue in full force and effect until revoked or modified by further action of the Board.

Given this ___ day of ____ 2014 at Middleborough, Massachusetts.

Middleborough Board of Selectmen

