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Town of Middleborough
Massachusetts

CHARLES J. CRISTELLO
Town Manager

508-947-0928
FAX 508-946-2320

March 18, 2013

Mr. Thomas Dexter
107 North Street
Middleborough, MA 02346

Re: Appointment to Historical Commission

Dear Mr. Dexter:

I am pleased to appoint you to the Historical Commission subject to the approval of the Board of Selectmen pursuant to Massachusetts General Laws Chapter 40, Section 8C for a three year term to expire on June 30, 2016, not July 1, 2016, to provide consistency with established terms of office for other town committees.

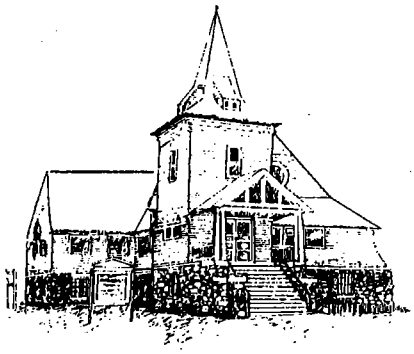
By copy of this letter, I am asking the Selectmen to approve your appointment at their meeting Monday, March 25, 2013.

In appointing you, I expect that you will make every effort to attend our Annual Town Meeting on the fourth Monday in April and our Special Town Meeting usually held in early October. Thank you for your willingness to serve the Town of Middleborough.

Very Truly Yours,

Charles J. Cristello
Town Manager

cc: Board of Selectmen
Allison Ferreira, Town Clerk



The First Unitarian Universalist Society

25 South Main Street
Middleborough, Massachusetts 02346
508-947-1935
www.uumiddleboro.org
e-mail: office@uumiddleboro.org

Sarah K. Person
Minister
minister@uumiddleboro.org

Viola Fairweather
Acting Director of Religious Education
dre@uumiddleboro.org

Susan Land Hotchkiss
Director of Music
music@uumiddleboro.org

March 7, 2013

Middleborough Board of Selectmen
Selectmen's Office
10 Nickerson Avenue
Middleborough, MA 02346

Dear Middleborough Selectmen:

The Parish Committee of The First Unitarian Universalist Society of Middleborough is requesting permission to place "Handicapped Parking" signs on spaces for two cars in front of our church at 25 South Main Street.

We see a need for these reserved spaces only on Sunday mornings and for other special church functions, but not as permanent spaces. We would create the signs and place them each time they are needed and remove them after the event. We have several members of our congregation who would benefit from having these spaces available to them. Please let us know if we can provide any additional information.

We appreciate your consideration of this request.

Sincerely yours,

Chris Korben

Chris Korben, President
Parish Committee

Jacqueline Shanley

From: Chief Bruce Gates <bruce.gates@mpdmail.com>
Sent: Friday, March 15, 2013 1:27 PM
To: Jacqueline Shanley
Subject: RE: Temporary Handicapped Parking signs

Jackie,
I have no problem with these courtesy signs.
Bruce

From: Jacqueline Shanley [mailto:jshanley@middleborough.com]
Sent: Thursday, March 14, 2013 4:03 PM
To: Chief Bruce Gates; Andy Bagas
Subject: Temporary Handicapped Parking signs

Chief & Andy,

Please review the attached request and provide this office with your comments/concerns/objections.

Thank you.

Jackie

Jackie Shanley
Confidential Secretary 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: Andy Bagas
Sent: Friday, March 15, 2013 7:10 AM
To: Jacqueline Shanley; Chief Bruce Gates
Subject: RE: Temporary Handicapped Parking signs

I find no adverse effects to granting permission for HC signs as requested. Andy

---

From: Jacqueline Shanley
Sent: Thursday, March 14, 2013 4:03 PM
To: Chief Bruce Gates; Andy Bagas
Subject: Temporary Handicapped Parking signs

Chief & Andy,

Please review the attached request and provide this office with your comments/concerns/objections.

Thank you.

Jackie

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

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

NOTICE OF BETTERMENT AGREEMENT March 13, 2013.
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 October 9,2012 with David & Jane Blanton
(insert date) (insert name(s) of property owner(s)

with respect to real estate located at 313 Old Center Street
(insert address of property)

in Middleboro, Massachusetts and described in a deed recorded in the Plymouth County Registry of Deeds in Book 13171, Page 306
(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

Fourteen Thousand Forty Three & .00/100 Dollars ($ 14,043 .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.

Alfred P. Rullo Jr., Chairman

Allin Frawley, Vice Chairman

Steven P. Spataro

Ben Quelle

Stephen J. McKinnon

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).

_____ (Seal)
Signature of Notary My commission expires:
Jacqueline M. Shanley

TO: Board of Selectmen

FROM: Jackie Shanley, Confidential Secretary

DATE: March 25, 2013

RE: Population Estimates for Seasonal Liquor licenses

Please note that submitting the attached document to the ABCC is optional. A "Seasonal" package goods Store license is one that runs from April to November (considered summer months). These are mostly found in places such as Cape Cod.

The Board has submitted the estimate to the ABCC in the past, and there is no harm in continuing to do so. I only wanted to give you a better understanding of what this is all about.

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, MA 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

TO: **Local Licensing Authorities**

FROM: **Ralph Sacramone, Executive Director**

RE: **Population Estimates for Seasonal Licenses in 2013**

DATE: **October 19, 2012**

Your attention is directed to M.G.L. Ch. 138 §17, which provides that an estimate of temporary increased resident population shall be made prior to March first, in any year. This population estimate is used to establish a quota of seasonal package goods stores licensed under M.G.L. c. 138 §15. Enclosed is a form to be used for this purpose.

Please complete and return the enclosed form to this office by March 31, 2013. You should be aware that in the absence of this estimate, no seasonal package store license may be granted.

If you have any questions regarding this information or process, please contact Patricia Krueger at ext. 718 or Ralph Sacramone at ext. 731

TOWN: Middleborough

DATE: March 25, 2013

Alcoholic Beverages Control Commission
239 Causeway Street
Boston, Massachusetts 02114

To the members of the Alcoholic Beverages Control Commission:

Acting under authority contained in M.G.L. Ch. 138, §17, as amended the undersigned local licensing authority at a meeting held on March 25, 2013, estimated that the _____.
(Date of Meeting)

Temporary increased resident population of Middleborough.
(City or Town)

As of July 10, 2013 will be 23,439
(Estimate Resident Population)

This estimate was made and voted upon by the undersigned at a meeting called for the purpose, after due notice to each of the members of the time, place, and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

THE ABOVE STATEMENTS ARE MADE UNDER THE PENALTIES OF PERJURY

Very truly yours,

Local Licensing Authorities

_____

_____

_____

_____

_____

THIS CERTIFICATION MUST BE SIGNED BY A MAJORITY OF THE MEMBERS OF THE LOCAL LICENSING AUTHORITIES.

F:\FILES\PAT\POPUL.S17

Jacqueline Shanley

From: Irene Hudson <irene.hudson@mpdmail.com>
Sent: Tuesday, March 19, 2013 4:34 PM
To: Jacqueline Shanley
Subject: Braga Memorial Question
Attachments: Braga Path.jpg

<<...>>

Hi Jackie

Would you forward the attached letter to Al Rullo please and ask that if the Board decides to name the high school access in memory of Jim Braga that they use Path rather than Road, Street or Way such as "James Braga Path". Thank you.

Irene

MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET
MIDDLEBOROUGH, MA 02346
(508) 947-1212
Fax (508) 947-1009

Bruce D. Gates
Chief of Police

March 19, 2013

Board of Selectmen
Middleborough, MA 02346

Re: James Braga Memorial

Honorable Board:

The Police Department received an inquiry about the effect on 911 services if the access into and around Middleborough High School is named in memory of James Braga.

The High School's address is 71 East Grove Street and it will remain as such in the Police Department database for all emergency and non-emergency response.
A memorial name would not alter the address nor have any effect upon 911.

Respectfully,

Irene Hudson

Irene Hudson
Admin. Assist. to the Chief

WARRANT FOR ANNUAL TOWN ELECTION
APRIL 30, 2013

To: Allison J. Ferreira, Town Clerk of the Town of Middleborough:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn all the inhabitants of said Town, qualified to vote in Town affairs, the voters of Precinct 1 to meet at the Oak Point Club House, 202 Oak Point Drive, Precincts 2, 4 and 6 at the Middleborough High School Gymnasium, 71 East Grove Street, Precinct 3 at the South Middleborough Fire Station, 566 Wareham Street, Precinct 5 at the Council on Aging, 558 Plymouth Street, of said Town, on Tuesday, April 30, 2013, from 7 A.M. to 8 P.M. to choose all necessary Town Officers, the following Officers to be voted on one ballot viz:

TWO SELECTMEN FOR THREE YEARS
TWO GAS AND ELECTRIC COMMISSIONERS FOR THREE YEARS
TWO SCHOOL COMMITTEE MEMBERS FOR THREE YEARS
ONE ASSESSOR FOR THREE YEARS
TWO FINANCE COMMITTEE MEMBERS FOR THREE YEARS
ONE PLANNING BOARD MEMBER FOR FIVE YEARS
TWO PARK COMMISSIONERS (ONE FOR THREE YEARS; ONE FOR UNEXPIRED TERM TO 2014)
TWO HOUSING AUTHORITY MEMBERS (ONE FOR FIVE YEARS; ONE FOR UNEXPIRED TERM TO 2016)

Given under our hands at Middleborough, this 25th day of March 2013.

Alfred P. Rullo, Jr.

Stephen J. McKinnon

Steven P. Spataro

Ben Quelle

Allin Frawley

BOARD OF SELECTMEN
TOWN OF MIDDLEBOROUGH

Pursuant to the instructions contained in the above Warrant, I have notified and warned all inhabitants of said Town of Middleborough, qualified to vote as expressed in said Warrant, to meet at the time and place for the purpose specified by causing an attested copy of the same to be published in the Middleborough Gazette on the 28th day of March 2013, that date being more than seven days before the time specified for said Election.

Bruce Gates, Police Chief

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR SPECIAL STATE PRIMARY
APRIL 30, 2013

PLYMOUTH, SS.

To either of the Constables of the Town of Middleborough

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Special State Primary to vote at the polling places listed below:

Precinct 1	Oak Point Club House 202 Oak Point Drive
Precincts 2, 4, 6	Middleborough High School Gymnasium 71 East Grove Street (Route 28)
Precinct 3	South Middleborough Fire Station 566 Wareham Street (Route 28)
Precinct 5	Leonard E. Simmons Senior Multi Service Center 558 Plymouth Street

on **TUESDAY, APRIL 30, 2013,** from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primary for the candidates of political parties for the following office:

SENATOR IN CONGRESS.....FOR THIS COMMONWEALTH

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this **25TH day of MARCH, 2013**.

Alfred P. Rullo, Jr.

Stephen J. McKinnon

Steven P. Spataro

Allin Frawley

Ben Quelle

Board of Selectmen
Town of Middleborough

Pursuant to the instructions contained in the above warrant, I have notified and warned all the inhabitants of said Town of Middleborough, qualified to vote as expressed in said warrant, to meet at the time and place for the purpose specified, by causing an attested copy of the same to be published in the Middleborough Gazette on the **28th day of March, 2013**, that date being more than seven days before the time specified for said Election.

Bruce Gates, Police Chief

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

MEMORANDUM

TO: **Board of Selectmen**

FROM: **Allison J. Ferreira, Town Clerk**

DATE: **March 20, 2013**

RE: ***Election Officer Appointments for 2013/Board of Registrars Appointment***

I respectfully request the Board vote to appoint the following **Election Officer appointments for 2013**:

PRECINCT 1	PRECINCT 2	PRECINCT 3
Arthur L. Turcotte	Elizabeth A. Wainwright	Patricia A. McManus
Laurette Y. Turcotte	Donna J. Stewart	Karen R. Michaelis
Linda M. Eatherton	Betty Ann Johnson	Louise M. Wright
Robert Eatherton	Ursula E. Hill	Judith A. Clark
Robert K. Burke	Florence M. Cadillic	Mary L. Ieronimo
Sarah Jigerjian	Janet Esther Walker	Susan E. Bell
Gaynel M. Bradford	Arlene R. Dickens	Anna F. Blanchard
Meredythe E. Salvucci	Donald E. Dickens	Martin P. Foley
Loretta Batchelder	Anne E. Renaux	Brenda L. Krystofolski
	Lillian J. Craig	
PRECINCT 4	**PRECINCT 5**	**PRECINCT 6**
Beverley L. Moquin	Karen E. Nice	Joan E. Ayube
Marie B. Carty	Kathleen M. Foye	Marjorie R. Bragg
Charles H. Carty	Linda Gordon	Lois A. Hawks
Ruth Ann Whitman	Wendy McCormick	Shelly R. Murphy
Sharon E. Connolly	Susan J. Beaulieu	Isabelle M. Minkle
Charlene F. Eaton	Cheryl Reimels	Georgia Iverson
Francine L. Perry	Margaret Washburn	Jeanne E. Turney
Joan Green	M. Louisa Brown	Judith L. Thompson
Sherri A. Vanston	Judith Donahue	Eileen S. Gates
Arlene Clark	Danielle Nice	

In addition, please reappoint **Richard Roth** to the **Board of Registrars** for a three year term to expire in 2016.

Should you have any questions or concerns, please do not hesitate to contact me.

Stantec

Stantec Consulting Services Inc.
5 Dartmouth Drive Suite 101
Auburn NH 03032
Tel: (603) 669-8672
Fax: (603) 669-7636

Project No. 191710005

March 15, 2013

Mr. Joseph Silva, Superintendent
Middleborough Water Department
48 Wareham Street
Middleborough, MA 02346

Dear Joe:

RE: REVISED SCOPE OF WORK AND COSTING FOR RTE 44/CROSS ST. SITE

Subject to your request on March 13, 2013, Stantec Consulting Services, Inc. (Stantec) has updated the Scope of Work and Cost Estimate for continued work at the so-called Route 44 Site for the Town of Middleborough Water Department (the Town). The proposed tasks are required in order to obtain approval of this new source from the Massachusetts Department of Environmental Protection (MaDEP).

BACKGROUND

The Rte 44 Site, located between Rte 44 and Cross Street just west of Everett Street, is a site that was investigated by Stantec (dba Jacques Whitford Company) by seismic methods, test drilling, installation of an eight-inch evaluation test well, and the completion of an extended (and subsequently approved) pumping test. In addition, detailed wetland delineation was completed. Stantec has recommended to the Town that the site may be viable for the development of a medium-sized supply source and has encouraged the Town to negotiate a reasonable cost to acquire the land.

Significant work remains under the previous agreement, which was based on the June 10, 2005 proposal to the Town. This includes resampling the test well, development of a numerical model of groundwater flow, determination of the Zone II, completion of the Source Final Report, and Massachusetts permitting requirements (e.g., NHESP, ENF, WMA).These tasks and permitting requirements will be described in more detail below.

PROPOSED SCOPE OF WORK

Re-assessment of Site Water Quality

Because it has been over five years since the completion of the Prolonged Pumping Test (April 2006), the MaDEP will require that the Town pump approximately 100,000 gallons of water from the well and collect water quality samples and submit them to a state-certified laboratory for analysis of the extensive end-of-test suite of analytes (bacteria, SEC, SOC, VOC, metals, radionuclides, perchlorate, etc.). Stantec personnel will conduct the pumping and sample

collection and deliver the samples to the laboratory. Stantec may require assistance from the Town to access the well through the welded well-cap.

Numerical Model of Groundwater Flow

Stantec will prepare a numerical model of groundwater flow using the widely-used US Geological Survey code MODFLOW® through the data preprocessor Groundwater Vistas®. Previously generated boundary conditions and aquifer characteristics will be entered into the model and manipulated within observed variability until the model simulates a steady-state condition at the site. The stress incurred by the extended pumping test will then be entered into the model and the accuracy of the response will be evaluated and input parameters adjusted until both the static and pumping flow conditions are accurately simulated.

Development of the Zone II

The calibrated model will then be used to simulate the stress of 180 days of constant pumping with no recharge to the aquifer. The resultant drawdown contours will be used to determine the zone of contribution to the well from within the aquifer. This area will be delineated as Zone II. Non-aquifer areas flowing towards the Zone II will be designated as Zone III.

Source Final Report

All of the work completed over the course of the investigations at the site will be compiled and submitted in a Source Final Report to the MaDEP, using the format prescribed in Chapter 4.6 of the MaDEP *Guidelines and Policies for Public Water Supplies*. Included in the report will be all hydraulic data in both tabular and graphic format, water quality data, the Calculated Approved Yield, and the potential impact of the well on nearby sensitive receptors.

Water Management Permit and Associated Permitting Requirements

Along with the Source Final Report, numerous additional documents are, or may be, required by the MaDEP. The Water Management Act (WMA) Permit Application, as described in *310 CMR 36.00* will be required. An Environmental Notification Form (ENF) is also required. Inherent to the ENF will be a review of Threatened and Endangered Species by the NHESP. This will also be completed for submission. Not included are an Interbasin Transfer Application (which was not required for the Mizaras Site), a MaDEP Wetlands 401 Major Product Certification, and a 404 Application to the Army Corps of Engineers, among others. If these submissions are necessary, additional time and funding may be required.

SCHEDULE

Based on email discussions with you this week, the following schedule of Stantec activities has been developed assuming an authorization to proceed upon approval by the Board of Selectmen on March 25th. It is also our understanding that the Town wishes to expedite the completion of this phase of the work so that the Town can execute their pending agreements with the Site landowners within a reasonable timeframe. To that end, Stantec has developed an aggressive schedule to complete the work as quickly as possible. However, because the

schedule is dependent, to some extent, with the response times from government agencies and laboratories, Stantec can only make its best effort to meet the projected schedule. The schedule is shown below.

Task	Estimated Completion Date
Test Well Re-Sampling	April 5, 2013
Water Quality Results (with minor exceptions)	April 19, 2013
Model Development	May 1, 2013
NHESP Request	May 1, 2013
Zone II Delineation	May 15, 2013
ENF Submittal	May 15, 2013
Source Final Report	June 12, 2013
Water Management Permit Amendment	June 12, 2013

Based on previous response times from MassDEP programs, a tentative schedule can be provided. Stantec does not anticipate significant delays in the approval of the Source Final Report. However, the response from the WMA submittal may take additional time and will likely include a separate request, an Order to Complete (OTC), which may take additional time. There may be other concerns expressed concerning wetlands impacts and endangered species but these are not anticipated based on current information.

Response from NHESP	June 12, 2013
Verbal Response to Source Final Report	July 10, 2013
Formal Response to Source Final Report	July 30, 2013
Response to WMA Permit Amendment	August 30, 2013

COST ESTIMATE

The past funding for the Rte 44 site was included under a single requisition for $200,000. The basis for this request was an estimate provided to the Town in 2005 estimating work at the Rte 44 site (through the approval of the Source Final Report and receipt of the WMA Amendment) to total $178,000. Additional funds were encumbered at that time to provide for unforeseen and contingent costs. When the project was halted in 2008, approximately $129,000 had been spent at the Rte 44 Site. This project was on-budget as laid out in 2005. According to the 2005 estimate, $49,000 would be required to complete the project as described. Due to changes in charge rates and the addition of the resampling cost, Stantec estimates that the work can be completed, as described, for $56,616.

Stantec proposes to continue to bill the project in a manner consistent with previous activities. Billings will be monthly on Time-and-Materials, Not-to- Exceed basis. The billing will be based on the Stantec Project-Specific Rate Schedule (effective January 2013) and our renewed contract dated March 1, 2012. Stantec reserves the right, via contract (see Section 1 of the revised agreement), to adjust labor rates on January 1 of each year. Stantec agrees not to adjust rates in excess of five percent per annum. We have attached a Work Authorization Form

Reference: **Revised Scope of Work and Costing for Rte 44/Cross St. Site**

(WAF), which will need to be signed by an approved representative of the Town if the work is approved by the Town, and returned to Stantec.

We hope this meets your needs. If you have any other questions or concerns, please call the undersigned.

Sincerely,

STANTEC CONSULTING SERVICES INC.

David B. Hill, P.G.
Senior Associate

Craig R. Gendron, P.G., P.E., L.S.R.P.
Principal

DBH/dbh

Attachments

Stantec

WORK ORDER AUTHORIZATION NO. 6

PROJECT NAME/NUMBER.PHASE: 191710005 **DATE:** 15 March 2013

CLIENT NAME/ADDRESS: Town of Middleborough Water Department/48 Wareham Street, Middleborough, MA, 02346

LOCATION OF SERVICES: Off Cross Street, Middleborough, MA

SCOPE OF WORK:

1) See attached Letter of 15, March 2013
2)
3)

ATTACHMENTS:

1) Stantec Letter of March 15, 2013
2)
3)

CONTRACT PRICE: $ $56,616 (in addition to pre-2010 expenditures at this site and WAF #5)

SCHEDULE: START DATE: March 25, 2013

COMPLETION DATE: December 31, 2013

SUBJECT TO THE TERMS AND CONDITIONS OF THE STANTEC AGREEMENT WITH CLIENT DATE: March 1, 2012

FOR STANTEC:

Signature

David B. Hill, Senior Associate DATE: March 15, 2013
Printed Name and Title

FOR CLIENT:

Signature

DATE:
Printed Name and Title