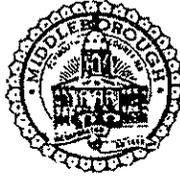


**HEARINGS, MEETINGS, LICENSES**  
**5-21-12**



The Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, May 7, 2012 at 7:30 PM, for the purpose of discussing an application filed by Outback Engineering, Inc. on behalf of Fuller Street Development LLC for a Special Permit under the Water Resource Protection District By-law, to allow for the construction of a used car dealership consisting of an office/sales building and a paved vehicle display area allowing 15.6% of the total lot area to be impervious in the Water Resource Protection District Z3 at 352 Wareham Street. This project is located as Map 72 Lot 4657. Anyone wishing to be heard on this matter should appear at the time and place designated.

Alfred P. Rullo, Jr.  
Allin Frawley  
Steven P. Spataro  
Ben Quelle  
Stephen J. McKinnon

BOARD OF SELECTMEN

Publish: April 19, 2012 and April 26, 2012

Payment is forthcoming. Advertiser #300074

**Outback  
Engineering**  
Incorporated

165 East Grove Street  
Middleborough, MA 02346

Tel # 508-946-9231

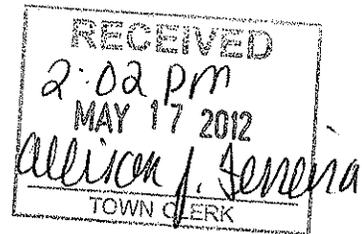
Fax # 508-947-8873

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Civil Engineers + Land Surveyors + Wetland Scientists + Soils Laboratory

May 16, 2012

Board of Selectmen  
Town of Middleboro  
10 Nickerson Avenue  
Middleborough, MA 02346



*Re: 354 Wareham Street Site Plan Revisions*

Dear Board Members,

On behalf of Fuller Street Development LLC, we have updated the Site Plan for 354 Wareham Street in response to a review letter from Atlantic Design Engineers dated April 26, 2012. The following revisions have been made:

1. There are no wetlands on the property. The offsite wetlands have been added to the plans along with the 100' buffer line which extends into the property. No work is proposed within the buffer zone.
2. This area is not to be used for vehicle storage or for any other purpose. It is currently a disturbed area that was previously excavated with numerous piles of dirt and stones. The applicant intends to remove this debris to clean up the site and the area will be loamed and seeded when finished. A note has been added to the plan.
3. The typical cross section no longer applies to this project and has been removed.
4. Three additional test pits were performed in the area of the rear basin and 1 at the front basin. Test pits were witnessed by the Board of Health and the soil logs have been added to the plans.
5. The location of the nearest public wells and the boundaries of the Water Resource Protection District have been added to the Locus Plan on Sheet 1.
6. There will be no repair garage or repair area. With no oil or fluid changes, no storage of hazardous waste is contemplated or necessary. Any oil, transmission fluid, antifreeze and cleaning items will be stored in their original containers. Car washing will be done by others, at local car washes, if any car washing will be done on premises only bio degradable material will be used. Repair work will be subbed out to Middleboro garages, and local

businesses. A copy of this letter will be posted on the site and be given to all employees.

7. The grading for the parking lot has been revised and adequate cover over the pipes has been provided.
8. The small subsurface infiltration structures used at the front of the site are utilized to capture a portion of the runoff from the entrance drive only. It is a minimal amount of runoff and could not be piped to the rear basin due to elevation constraints. An open basin was not designed along Wareham Street at the front of the property for safety reasons of vehicles traveling along Wareham Street, and also for aesthetics. This area will be better utilized as a landscaped area to enhance the Site and Route 28.
9. A water quality tank has been added to the treatment of runoff entering the rear basin and deep sump hooded catch basins will treat runoff from the entrance. Calculations have been added to the revised drainage report to adequately size these structures.
10. TSS removal of 44% has been provided prior to the rear infiltration basin and calculations have been added in the drainage report. Deep sump, hooded catch basins have been provided for the treatment process of the small basins at the front of the site which captures only a small portion of runoff from the entrance drive. Runoff from the entrance drive is not a source of higher pollutant load, does not have a rapid infiltration rate, and does not discharge to a critical area and does not require the 44% TSS removal.
11. A water quality tank has been added to the treatment train of runoff entering the rear basin which collects all runoff from the parking lot. Deep sump hooded catch basins are proposed at the front of the site. Calculations have been added to the revised drainage report to adequately size the structures.
12. The snow stockpile areas have been relocated so that no snow melt goes directly into the infiltration basin.

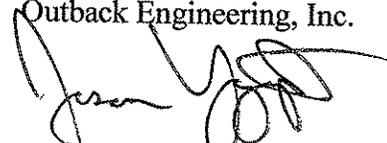
In addition to the comments from Atlantic Design the following revisions have been made in response to a Memorandum from the Middleborough Planning Department:

1. All vehicles that were previously stored on the property have been removed until all approvals have been obtained and construction completed.
2. Drainage calculations have been provided to the Board of Selectmen and can be forwarded to the Planning office as well.
3. Additional test pits have been performed in the location of the proposed infiltration structures. All test pits were witnessed by the Middleborough Board of Health and the soil logs have been added to the plans. Soils were found to be suitable for an infiltration basin and there is a note at the basin detail that any unsuitable material shall be removed and replaced.
4. All ten Stormwater Management Standards as set forth in the Department of Environmental Protection's Stormwater Management Regulations have been met.

5. The location of the nearest public wells and the boundaries of the Water Resource Protection District have been added to the Locus Plan on Sheet 1.
6. A Landscaping Plan has been added to the plans set.

Copies of the revised plans and calculations have been attached. If you have any further questions or comments please feel free to contact me at (508) 946-9231 ext. 207.

Sincerely,  
Outback Engineering, Inc.



Jason Youngquist, P.E.

Cc: Elliot Schneider

BOARD OF SELECTMEN

MIDDLEBOROUGH, MASSACHUSETTS

PETITION

FOR PUBLIC HEARING

This Petition, when completed and signed, must be filed with the Town Clerk, Town Hall, Middleborough, Massachusetts.

Middleborough, MA March 29, ~~20~~ 2012

To the Board of Selectmen  
Middleborough, Massachusetts

I/We hereby petition your Board for a public hearing for a Special Permit which is subject to Board of Selectmen approval under the Water Resource Protection Districts By-law.

A. (Give location of property in question.)

To allow the construction of a used car dealership consisting of a office/sales building and a paved vehicle display area (15.6% impervious) in the WRPD Zone 3 at 352 Wareham Street, Assessors Map 72 Lt 4657.

As shown on the attached plan.

B. State full names and addresses of last known abutting property owners, and the owners of land within 350 feet of the land which is the subject of this petition. Also state the owners of the land immediately across the street from the subject property. Please attach a certified list of these property owners to this petition.

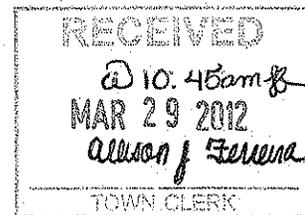
C. Respectfully submitted,

Signature: Elliot Schneider

Printed Name: Elliot Schneider

Address: 10 Owl Drive  
Sharon, MA

Telephone Number: 508 889 1218



**TOWN OF MIDDLEBOROUGH  
WATER RESOURCE PROTECTION DISTRICT  
PETITION SUBMITTAL CHECKOFF SHEET**

Applicant must initial each item or the application/petition will not be accepted.

No.	Description	Initial	N/A
1.	The plan has a cover page showing the location of the water supply Zone 2 and 3, with the proposed project site identified.	<u>✓</u>	___
2.	The plan has street location(s), number, buildings and driveway and shows the acreage of the lot in square feet.	<u>✓</u>	___
3.	The plan shows existing waterways adjacent, on or near the property.	<u>✓</u>	___
4.	The plan is stamped by BOTH a registered Land Surveyor and a Civil Professional Engineer.		
	Note: If the site has no approval required other than a home lot then a Land Surveyor stamp will be accepted.	<u>✓</u>	___
5.	The plan contains topography, wetland delineations, local storm water discharge points, on site drainage systems and septic systems.	<u>✓</u>	___
6.	The plan provides details for work done or proposed for any component outlined in No. 5 (above).	<u>✓</u>	___
7.	The submittal contains the abutters list.	<u>✓</u>	___
8.	The submittal contains calculations for any proposed on site stormwater retainage, storage tanks and spill containment, on site drainage and recharge.	<u>✓</u>	___
9.	The submittal contains a statement that the project has been designed to minimize large scale lot disturbances and has implemented methods to encourage infiltration of site runoff and preservation of groundcover.	<u>✓</u>	___
10.	The submittal contains a statement that there will be no removal of soil closer than four (4) feet to the groundwater table, as determined through Title 5 Soil Evaluation methods.	<u>✓</u>	___

No.	Description	Initial	N/A
11.	The submittal contains a statement that if there is to be storage of hazardous wastes, sludges, deicing chemicals, fertilizers or oil, that appropriate methods have been provided to contain any spillage.	<u>✓</u>	_____
12.	The submittal contains a statement that outside stored material will have no impact to the groundwater.	<u>✓</u>	_____



DESIGN ENGINEERS, INC.

ENGINEERS & ENVIRONMENTAL SCIENTISTS



April 26, 2012

Board of Selectmen  
c/o Mr. Charles J. Christello, Town Manager  
Town Hall Building  
10 Nickerson Avenue  
Middleborough, MA 02346

RE: *Initial Engineering Review*  
*WRPD Application*  
*Used Car Dealership – 352 Wareham Street*  
*ADE Project #2518.18*

Dear Board Members:

Atlantic Design Engineers, Inc. has completed our initial review of the site plans and calculations for the above referenced project relative to a Special Permit request under the Water Resource Protection District (WRPD) bylaw. The Site Plans and Drainage Report are dated March 27, 2012 and both are prepared by Outback Engineering, Inc. for Fuller Street Development, LLC of Sharon, MA.

We have the following comments:

1. The locus map shows wetlands to the rear of the property. Have these wetlands been investigated or flagged to determine that none of the proposed work, such as the drainage outflow culvert, is within the 100 foot Conservation Commission jurisdiction or within the 25 foot WRPD no-work zone?
2. What is the purpose of the large flat area north of the gravel drive? If this is to be used for parking or vehicle storage, the WRPD bylaw requires it to be paved/impervious.
3. The Typical Section on Sheet 3 indicates it is for a Gravel Parking Area which is not allowed in the WRPD.
4. Soil evaluated test pits are required in the area of the infiltration basin to confirm the minimum of four (4) foot separation to high groundwater.
5. The location of the nearest public wells need to be provided on the plan or in the application package or drainage report.
6. The O&M Schedule on the plans and the Long Term Pollution Prevention Plan provided in the drainage report does not address the Source Control/Pollution Prevention requirements relative to hazardous materials storage and use, such as gasoline, oil, car cleaning products, solvents, fertilizers, etc., that would likely be present on a used automobile dealership.

P.O. Box 1051  
Sandwich, MA 02563  
(508) 888-9282 • FAX 888-5859  
email: [ade@atlanticcompanies.com](mailto:ade@atlanticcompanies.com)  
[www.atlanticcompanies.com](http://www.atlanticcompanies.com)



Board of Selectmen  
c/o Mr. Charles J. Christello, Town Manager  
Initial Engineering Review - WRPD Application  
Used Car Dealership - 352 Wareham Street  
April 26, 2012 - Page 2

7. The three drainage pipes from CB's 1, 2, & 3 have no cover and the top of pipes are equal to the catch basins rims.
8. Per the WRPD bylaw, dry wells/leaching structures shall only be used where other methods are infeasible. Why are open vegetated basins infeasible at the entrance of Wareham Street?
9. The WRPD bylaw requires oil, grease and sediment traps prior to any infiltration structures. The water quality calculations used to size these devices cannot utilize any volume in the infiltration structures.
10. TSS removal of 44% is required prior to the infiltration structures.
11. A properly sized BMP to remove oil and grease such as an oil grit separator is required in the treatment train for fleet storage areas.
12. The snow stockpile area south of the gravel driveway should be relocated so that snow melt does not go directly into the infiltration basin.

If you have any questions, please do not hesitate to call me at (508) 888-9282.

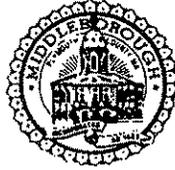
Sincerely,

**ATLANTIC DESIGN ENGINEERS, INC.**

A handwritten signature in black ink, appearing to read 'Richard J. Tabaczynski', written over a faint background.

Richard J. Tabaczynski, P.E.  
Vice President

RJT/sal



*Town of Middleborough*  
*Massachusetts*

PLANNING DIRECTOR  
Ruth McCawley Geoffroy

Planning Board

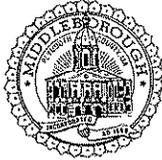
Telephone (508) 946-2425  
Fax (508) 946-1991

**MEMORANDUM**

To: Board of Selectmen  
Cc: Conservation Commission  
Health Officer  
Building Commissioner  
From: Ruth McCawley Geoffroy, Planning Director  
Date: April 25, 2012  
Re: **WRPD Application 352 Wareham Street Assessors Map 72 Lot 4657**

This memo is in response to your request dated 4/10/12, to review and comment upon the above referenced WRPD Application for the construction of a Used Car Lot on Wareham Street.

1. It appears that this used car lot has been operating for the past 2 years in violation of the WRPD Bylaw, in that the vehicles are parked on a gravel rather than impervious parking lot. It is good to see that this plan corrects this problem.
2. Drainage calculations were not submitted for departmental review. Have calculations been received in compliance with Section I.4.b and will they be reviewed by the Town's review engineer to insure compliance with the WRPD Bylaw?
3. The detention basin and infiltration pits that are proposed on the property drain into the ground. Have soil tests been performed in the locations of these drainage structures that were witnessed by a Town representative, to confirm depth to ground water and infiltration rate of the soils? Has this soil data been submitted in compliance with Section I.4.d, the soil logs shown on the plan are for the location of the proposed septic system? A note specifying removal and replacement of fill should be added to the plan, specifically in the area of the infiltration pits at the entrance, since the soil logs provided show fill in the top 3.5' of soil.
4. Has a Stormwater Management Plan in compliance with Section I.4.f been submitted? The forebays should be constructed with impervious material to comply with MADEP Stormwater Standards.
5. The plan should indicate the location of the closest public water supply well and its distance from the locus property in accordance with Section I.4.c of the Bylaw.
6. Landscaping in the 25' front yard setback area and the cleared areas of the 15' side yard setback areas should be shown in compliance with Section XIII.C.4 of the Zoning by-law.



**Town of Middleborough**  
20 Centre Street, Second Floor  
Middleborough, Massachusetts 02346

**Robert J. Whalen**  
**Building Commissioner**  
Tel. 508-946-2426  
Fax 508-946-2305

April 23, 2012

Middleborough Board of Selectmen  
Middleborough Town Offices  
10 Nickerson Ave  
Middleborough, MA 02346

Subject: Application for W.R.P.D. Special Permit for 354 Wareham Street, Assessors' Map: 072  
Lot: 4657 Zoned GU/W.R.P.D. Z3.

Honorable Board,

I have reviewed the application filed by Outback Engineering Incorporated, drawn by Jason A. Youngquist, Registered Professional Engineer, dated: March 27, 2012 for a special permit under the Water Resource Protection District By-Law to allow 15.6% of the total lot area to be impervious in the Water Resource Protection District Z3 (WRPD Z3). The project site is located on the southerly side of Wareham Street on the corner of Ashley Lane in the General Use Zoning District. The property in question is legally 354 Wareham Street as per E-911 coordinator of the Middleborough Police Department, not 352 Wareham Street as presented to. This project has a 20' x 24' commercial office building with one bathroom beginning to be built and has proposed associated parking area on the property. This project has not had any inspections in over eleven (11) months and would need to reapply to this Building Department to continue this project as issued.

The property has also been in violation for over two years of the Water Resource Protection District By-Law, Section XII, G. 3. j. \* The owner has been storing unregistered cars on the gravel parking lot.

I would not support this request until all issues with this department have been resolved.

Respectfully submitted,

Robert J. Whalen  
Building Commissioner  
Zoning Enforcement Officer  
RJW/d

33CFR 328.3 and 40 CFR 230.3, the regulations promulgated under Section 404 of the Federal Clean Water Act, as of the effective date of this By-law except that necessary for:

- i. limited projects as defined by 310 CMR 10.53 (3);
- ii. creation of wetland replacement or flood storage mitigation;
- iii. installation of drainage outfalls or outlet swales where no alternative is feasible due to elevation or hydraulic connection but not including primary drainage structures such as detention/retention basins, berms, water quality swales, etc.;
- iv. maintenance and construction of trails, creation of public parks or resource improvement projects such as the cleaning of streams may be permitted upon issuance of a Special Permit by the SPGA which shall consider the report and recommendations of the Board of Health, Planning Board and Conservation Commission. Such Special Permit may be conditional upon safeguards and requirements to protect water resources, health, safety and welfare, and shall be in compliance with the provisions of Section I. below. The SPGA shall determine to its satisfaction that any land disturbing activity or activities shall be in compliance with this provision and to that end may reasonably require any of the following:
  - v. determination of Applicability by the Conservation Commission;
  - vi. a plan certified by a Registered Land Surveyor which shows the location of all wetlands as set forth above and the area which is within twenty-five (25) feet of the wetland.
- j. Any use that will render more than 40 % of any lot impervious. Special Permits may be issued for alterations resulting in less than 40% impervious area provided that pre-development runoff rates from a lot shall not exceed post-development runoff rates for storms up to and including the 100-year storm. Except for single or two (2) family residential uses, all parking areas shall be impervious and be equipped with oil, grease, and sediment traps to facilitate removal of contamination and these devices shall precede any infiltration structure or drainage outfalls. Stormwater from parking areas, if recharged, shall be via infiltration basins or similar systems covered with natural vegetation and dry wells/leaching structures shall be used only where other methods are infeasible. The owner shall permanently maintain any and all recharge areas in full working order. Not less than 50% of any lot area shall be maintained as a Natural Vegetation Area. This provision does not apply to lots within the Downtown Business District.

#### H. WRPD Z4 USE REGULATIONS

- 1. WRPD Z4 – Permitted Uses: Except as specified in H.2 and H.3 below, those principal and accessory uses authorized in the underlying district are permitted in WRPD Z4.

5/14/01 Town Meeting

## Jacqueline Shanley

---

**From:** Amy Hughes <agsdevelopment@gmail.com>  
**Sent:** Wednesday, April 25, 2012 11:10 AM  
**To:** Jacqueline Shanley; BuildingWeb; Jason Youngquist; Adam Bond; Jeanne Spalding  
**Subject:** 354 Wareham Street  
**Attachments:** Building dept letter 42512.pdf

Attached is a letter in response to the Building Departments Concerns for 354 Wareham Street

# FULLER STREET DEVELOPMENT, LLC

10 OWL DRIVE, SHARON, MA 02067

781-784-6248 FAX 781-784-8736

---

April 25, 2012

Town of Middleboro  
Building Department  
20 Centre Street  
Middleboro, MA 02346

RE:

Dear Mr. Whalen,

In response to your concerns of our application at 354 Wareham Street, Middleboro, MA. We were unaware that it was improper to keep unregistered motor vehicles at this location, and it was a violation of town bylaws. We will no longer store cars at this location until licensed to do so. All unregistered vehicles will be removed as of this date as this is the first time we have been given notice of this violation.

The reason the building department has not done any inspections on this site for 11 months is we have decided to redesign the site, and no further work under the permit was done. I've asked Marty, our foreman to arrange a meeting with you so that you can inspect the site as to its present condition. We further realize that before any more work is contemplated, a new or reissued permit is necessary.

Sincerely,

Elliot Schneider

CC:

Jacqueline Shanley, Board of Selectmen  
Jason Youngquist, Outback Engineering  
Adam Bond, Law offices of Adam Bond  
Jeanne Spalding, Health Department

## MEMORANDUM

TO: Board of Selectmen

CC: Ruth Geoffroy, Town Planner  
Jeanne Spalding, Health Officer  
Robert Whalen, Building Commissioner

FROM: Patricia Cassady, Conservation Agent

DATE: April 18, 2012

RE: W.R.P.D. Application: 352 Wareham Street (Map 72, Lot 4657)

---

The above-mentioned site within the W.R.P.D Zone 3 is *not* within a wetland resource area or buffer zone under the Massachusetts Wetland Protection Act (M.G.L. Ch. 131, Section 40 and regulations 310 CMR 10.00). Therefore this site is not under local Conservation Commission jurisdiction.

The applicant should also keep in mind that the Clean Water Act under the Federal Environmental Protection Agency regulates construction impacting an acre or more and they *may* need to file under the Phase I National Pollutant Discharge Elimination System (NPDES) permit.

If you have any questions regarding this application, don't hesitate to contact the Conservation Department at 508-946-2406.

pjc

## Jacqueline Shanley

---

**From:** Amy Hughes <agsdevelopment@gmail.com>  
**Sent:** Wednesday, April 25, 2012 10:46 AM  
**To:** Jacqueline Shanley; BuildingWeb; Jeanne Spalding; Jason Youngquist; Adam Bond  
**Subject:** 354 Wareham Street  
**Attachments:** BOH Letter 42512.pdf

Attached is a letter in response to the Health departments questions.

# FULLER STREET DEVELOPMENT, LLC

10 OWL DRIVE, SHARON, MA 02067

781-784-6248 FAX 781-784-8736

---

April 25, 2012

Town of Middleboro  
Health Department  
20 Centre Street  
Middleboro, MA 02346

RE: Operation and maintenance plan proposed for car lot, 354 Wareham Street, Middleboro, MA

Dear Jean,

The proposed car lot will have an office and paved parking lot. There will be no repair garage or repair area, therefore with no oil or fluid changes. No storage of hazardous waste is contemplated or necessary. Any oil, transmission fluid, antifreeze and cleaning items will be stored in their original containers, e.g. Quart containers. Gasoline if necessary will be stored in 2 gallon approved containers.

Car washing mostly will be done by others, at local car washes, if any car washing will be done on premises only bio degradable material will be used. In almost all cases repair work will be subbed out to Middleboro garages and local business. A copy of this letter will be posted on site and given to all employees.

Sincerely,

Elliot Schneider

CC:

Jacqueline Shanley, Board of Selectmen  
Jason Youngquist, Outback Engineering  
Adam Bond, Law offices of Adam Bond  
Robert Whalen, Building Commissioner



## Town of Middleborough

Massachusetts

Board of Selectmen

### MEMORANDUM

TO: Ruth Geoffroy, Town Planner  
Patricia Cassady, Conservation Commission Agent  
Jeanne Spalding, Health Officer  
Robert Whalen, Building Commissioner

FROM: Jackie Shanley  
Confidential Secretary to the Board of Selectmen

DATE: April 10, 2012

SUBJECT: W.R.P.D. Application

---

Attached is a W.R.P.D. application filed by Outback Engineering, Inc. on behalf of Fuller Street Development LLC for a Special Permit under the Water Resource Protection District By-law.

The Selectmen will conduct a hearing on this application on **Monday, May 7, 2012, at 7:30 PM.**

Further information and a copy of the plan are attached.

All remarks or concerns regarding the request must be returned to the Selectmen's Office no later than **Wednesday, May 2nd by 12 Noon.**

*Even if you have no comments to make regarding the plan, please send a note stating that you have reviewed the plans.*

Please contact the Selectmen's Office if you have any further questions.

Attachments

xc: Board of Selectmen  
Town Manager

**Outback**  
**E**ngineering  
Incorporated

165 East Grove Street  
Middleborough, MA 02346

Tel # 508-946-9231

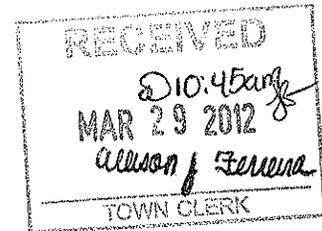
Fax # 508-947-8873

[www.outback-eng.com](http://www.outback-eng.com)

Civil Engineers + Land Surveyors + Wetland Scientists + Soils Laboratory

March 27, 2012

Board of Selectmen  
Town of Middleboro  
10 Nickerson Avenue  
Middleborough, MA 02346



*Re: Special Permit for Site Plan in WRPD Z3 at 352 Wareham Street*

Dear Board Members,

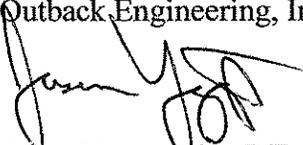
On behalf of Fuller Street Development LLC, we are requesting a Special Permit per Section XII.G.3.j of the Middleborough Zoning By-Laws to allow 15.6% of the total lot area to be impervious in the Water Resource Protection District Z3 (WRPD Z3). The project site is located on the southerly side of Wareham Street (Route 28) on the corner of Ashley Lane in the General Use (GU) zoning district. The lot is partially wooded with an existing home and contains an area of 2.89 acres of all uplands. The topography of the site slopes towards Wareham Street and towards the rear of the property. Soil conditions taken from the soil map of Plymouth County indicate an Essex soil type (EtB) that is well drained.

The project involves the construction of a 480 s.f. used car sales office with a 28 space vehicle display area along with a small utility shed to be located at the rear of the property. The site will be accessed from Wareham Street by a single 24' wide paved entrance driveway to the paved parking area. Each parking space will be 9' wide by 20' long. The existing house is to remain and the natural vegetation will be maintained along Ashley Lane. All areas not used for parking will be loamed and seeded.

Runoff from the parking area will be directed along gutter lines to deep sump hooded catch basins which will remove suspended solids and sediment and have oil hoods to remove any floatables such as gas or oil. Runoff will be conveyed from the catch basins to a sediment forebay where the treated runoff will then be discharged to an infiltration basin to recharge runoff to the groundwater. There will be no increase in runoff flow rate offsite to either Wareham Street or abutting property. Drainage calculations are in conformance with the Department of Environmental Protection's Stormwater Management Policy and detailed drainage methodology and calculations have been submitted.

The proposed use for the site is allowed in the GU District, and a Special Permit is required to allow 15.6% of the total lot area to be impervious (i.e. pavement and buildings). The applicant does not propose any uses of the property that are prohibited in the WRPD Z3 zone. In fact, the proposed project has been designed in full compliance with the town's zoning by-laws for the GU and WRPD Z3 districts. The project design is in harmony with the purpose and intent of the WRPD By-Law and all reasonable attempts to eliminate the potential for groundwater and soil pollution have been taken into consideration in the site design. Therefore, the proposed use for the site should not have any adverse environmental impacts on the groundwater, aquifer or recharge areas. We look forward to meeting with the Board to discuss this project. Please notify me of the hearing date and time so I may attend to answer any questions the Board may have. If you have any questions or comments in the meantime, feel free to contact me at (508) 946-9231 ext. 207.

Sincerely,  
Outback Engineering, Inc.



Jason Youngquist, P.E.

Cc: Elliot Schneider



**WASTE MANAGEMENT**

26 Patriot Place  
Foxboro, MA 02035

May 16, 2012

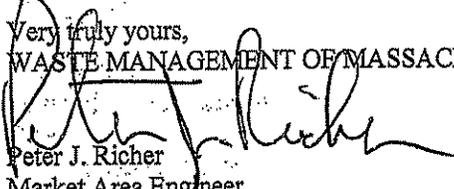
Board of Selectman  
Town of Middleborough  
Town Hall  
10 Nickerson Avenue  
Middleborough, MA 02346

RE: Permit Transfer Request  
Earth Removal Permit #06-5  
Edward Vieira - Plympton Street  
Assessors Map 026 and Lot 4385

Dear Board Members:

On December 31, 2011, Waste Management of Massachusetts, Inc. (WMMA) purchased property contiguous to the Middleborough Sanitary Landfill as a result of the sale of the Estate of Edward G. Vieira located at 195 Plympton Street (Map 26, Lots 4361, 4385 and 5116). This property maintains the above referenced Earth Removal Permit issued by the Board of Selectman on October 16, 2006, which is scheduled to expire on August 10, 2012. Attached is a file copy of the Earth Removal Permit. As a result, WMMA respectfully requests the Board of Selectman to approve the transfer of this Earth Removal Permit to WMMA in order that we may subsequently request an extension and amend the permit.

We look forward to discussing this subject at the next Board of Selectman meeting. If you have any questions regarding this information, please do not hesitate to contact me.

Very truly yours,  
WASTE MANAGEMENT OF MASSACHUSETTS, INC.  
  
Peter J. Richer  
Market Area Engineer

Cc: Aaron Smith, WMMA (w/ Enclosure)  
Charlie Cristello, Town Manager (w/ Enclosure)  
Andrew Bagas, Middleborough DPW Director (w/ Enclosure)

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405

Fax: 508-946-0058

**Town of Middleborough**  
**Massachusetts**

**BOARD OF SELECTMEN**

Wayne C. Perkins  
Lincoln D. Andrews  
Adam M. Bond  
Marsha L. Brunelle  
Steven P. Spataro

October 17, 2006

Edward Veira  
P.O. Box 101  
Middleboro, MA 02346

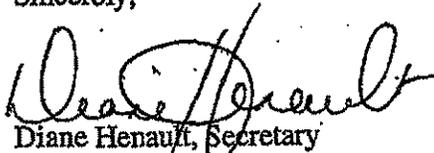
RE: Earth Removal Conditions  
Permit #06-5

Dear Mr. Veira,

Enclosed herewith is an original set of Earth Removal Conditions for the project in the name of Edward Veira, located on Plympton Street, Middleborough, MA.

Please be sure to file the Conditions at the Plymouth County Registry of Deeds, and provide the Selectmen with proof of same.

Sincerely,

  
Diane Henault, Secretary  
BOARD OF SELECTMEN

encl

cc: Board of Selectmen  
Conservation Commission  
Assessors Office

**Conditions for Earth Removal**

**EDWARD VEIRA**  
**Plympton Street**  
**Middleborough, Massachusetts**  
**Assessors Map 026 and Lot 4385**  
**103,750 +/- cubic yards**

1. This permit is valid for 18 months and may be renewed for up to one (1) year thereafter at the discretion of the Board of Selectmen.
2. Hours of operation are limited from 7:30 A.M. to 4:30 P.M. Operation is only allowed on Monday through Friday. Motors of earth removal equipment, including trucks hauling material to and from the site, are not to be started or run before 7:30 A.M. Trucks are not to line up before the start time or sit idling. There will be no jake braking.
3. No operation is allowed on Saturday, Sunday or Town Hall observed holidays:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents Day	Veteran's Day
Patriots Day	Thanksgiving Day
Memorial Day	Christmas Day
July 4 <sup>th</sup>	
4. All excavated areas not part of the bogs will be topsoiled and planted per the specifications on the plan or at the direction of the Board. All top and subsoil shall be stripped from the operation area and stockpiled for use in restoring the area after the removal operation has ceased. A minimum of four inches of topsoil must be put back in place.
5. Excessive erosion is to be controlled as determined by the Board of Selectmen or its agent.
6. An initial review to confirm compliance with permit conditions and restrictions must be performed by the Board's Agent before the commencement of any earth removal activities. The fee for this review is \$ 400.00, due and payable at the time the permit holder notifies the Board's Agent that all requirements of the permit which must be done prior to commencement of work have been accomplished, and the permit holder is ready for the Agent to perform the initial review.

7. Quarterly reviews must be performed by the Board's Agent every three months following commencement of earth removal work. These reviews will include a field review and plan review to determine on-going compliance with the permit. The fee for each such review is \$ 400.00, due and payable to the Town three months after the commencement of earth removal on the lot and every three months thereafter for the duration of the permittal project.
8. The plans, entitled, "Plan of Land in Middleboro, Mass. - Prepared for Edward Viera", dated July 10, 2006 is incorporated herein by reference and is part of this permit, and must be adhered to strictly. Failure to do so constitutes a violation of this condition of the Permit. This permit is limited to Phase I only. A copy of the Plan and Order of Conditions must be kept on the lot at all times when the lot is being worked, pursuant to this permit.
9. A bond, or acceptable alternative surety, in the amount of \$ 50,000 will be required to indemnify the Town for damage to private or Town property and for use by the Town for site closure in the event of abandonment of the project.
10. Standard highway signs warning of heavy trucks entering the highway shall be erected as directed by the Board of Selectmen or their Agent and be in place prior to commencement of removal operations.
11. The Selectmen, Conservation Commission, Town Manger or their Agents shall be free to inspect the premises at any time during normal working hours with or without prior notice to the permit holder.
12. The permit holder is advised that no work may commence until he has filed a Notice of Intent under Chapter 131, Section 40, and received an Order of Conditions from the conservation Commission. A violation of the Order of Conditions issued by the Conservation Commission shall be a violation of this permit.
13. The permit holder shall adhere to all State laws pertaining to covering loads and weight loads.
14. Any spillage on public ways or private property shall be cleaned up by the permit holder or its agent.
15. All access to and from the permitted property will be Plympton Street to Route 44 or Route 58 in Plympton.
16. The Board of Selectmen may, following a public hearing, revoke the permit, modify or revise the conditions of the permit and/or impose a fine if they find that the permittee, or any agent of the permittee, violates any condition of this permit.

17. No refining or screening of material is allowed on the permitted property except the screening of sand and loam to be used for on-site cranberry bogs, gravel for on-site roadways and loam for final on-site grading and seeding.
18. The Town Manager is authorized to act as the Selectmen's Agent in the administration and enforcement of this permit.
19. All loaded vehicles must be covered to prevent dust and contents from spilling or blowing from the property.
20. The haul road and loading area must be watered regularly to keep dust from blowing from the property. Gravel may be required to be added to the haul road by the Board's Agent to assist in dust control.
21. This permit is not transferable, except by vote of the Board of Selectmen. Notice of a pending sale or transfer must be provided to the board. The Board may, in its discretion, hold a public hearing to consider the transfer of this permit to the prospective buyer of the property.
22. During operations, where the excavation working face will have a depth of more than 15 feet with a slope in excess of 1:1, a fence at least three (3) feet high shall be erected to limit access to that excavation.
23. No area shall be excavated so as to cause accumulation of freestanding water, except in conjunction with a storage pond for cranberry bogs as shown on the record plans. Permanent drainage shall be provided as needed in accordance with good conservation practices. Drainage shall not lead directly into or from streams or ponds, except as shown in the plan.
24. No excavation shall be closer than 200 feet to an existing public way unless specifically permitted by the Selectmen. Natural vegetation shall be left and maintained on the undisturbed land for screening and noise reduction purposes.
25. Bog pumps will be powered electrically, or in the alternative, mufflers will be installed on pumps to reduce noise.
26. Gates will be installed on the haul road to prevent unauthorized access to the property.
27. Two by Three foot signs will be erected every 500' along the property line. The signs will display the permit number, the name and phone number of the permit holder's agent and the name and phone number of the Board of Selectmen's Agent, together with the words "NO TRESPASSING-EARTH REMOVAL IN PROGRESS".

- 28. All trucks hauling from the site must display a sign on the rear of the truck in an area that will be unobstructed and clearly in view displaying the words "TOWN OF MIDDLEBOROUGH PERMIT # 06-5."
- 29. A copy of this Earth Removal Order of Conditions shall be filed with the Registry of Deeds by the Permit holder as a notice to all that these conditions restrict work on the lot under the permit.
- 30. A Certificate of Compliance will be issued by the Board of Selectmen when the project is completed. The Certificate of Compliance will operate to release the lot from the conditions of the permit and terminate the permit. The Certificate of Compliance must also be filed with the Registry of Deeds by the permit holder.

Wayne C. Perkins, Chairman  
BOARD OF SELECTMEN

10-16-06

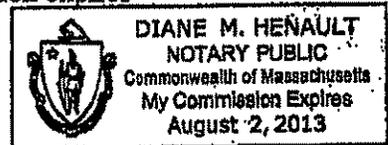
Date

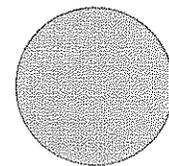
Commonwealth of Massachusetts  
County of Plymouth

On this 16<sup>th</sup> day of October, 2006, before me the undersigned Notary Public, personally appeared Wayne C. Perkins, proved to me through satisfactory evidence of identification which was ~~was~~ personal knowledge, 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





# MCCAM 2011 | Annual Report

**MCCAM**

10 Nickerson Avenue Middleborough, MA 02346 | 774.766.6350 | [www.MCCAM02346.com](http://www.MCCAM02346.com) | [info@MCCAM02346.com](mailto:info@MCCAM02346.com)

# background

On May 1, 2011 the Town of Middleborough took responsibility through the Permanent Cable Committee (hereafter referred to as PCC) of producing the local Government & Public Access channel, which is Channel 9 from Comcast; Channel 34 from Verizon. During the negotiation with Comcast, which started in July 2008, Comcast informed the PCC that it was not going to be providing Public, Education, Government (hereafter referred to as PEG) Access programming and the Town or its designee would need to take over Channel 9 broadcasting otherwise the channel would go black and revert back to Comcast.

Channel 9 now shows a broader selection of Town committees, commissions and department public meetings; such as the Selectmen, MG&E, Finance Committee, Planning Board, Conservation Commission, Board of Assessors and Zoning Board of Appeals. The Town still utilizes Channel 9 for public service announcements and other Public Access programming. Channel 9 is cablecast to Middleborough residents who have Comcast or Verizon cable service.

The Franchise Fee negotiated by the PCC has increased from 1% to 2.5% in order to support PEG Access Programming operations. The Franchise Fee costs are allowed under Federal Communication Commission (hereafter referred to as FCC) regulations up to a maximum of 5% off adjusted gross revenue to be passed thru to the subscriber. The PCC adjusted the rate to 2.5% to cover only needed operation cost. The PCC negotiated with Comcast a capital payment plan to be used for the purchase or replacement of PEG Access equipment and related cost to the Town. This is not an additional pass thru cost. The Board of Selectmen signed the license in September 27, 2010 and designated the PCC to oversee the Public access operations. The new channel will be called Middleborough Cable Committee Access Media (hereafter referred to as MCCAM). The two other Middleborough PEG access channels will continue to be controlled by the Middleborough Public School program. For more information about Middleborough Educational Television can be found at their website: [www.MiddleboroughTV.com](http://www.MiddleboroughTV.com). MCCAM is run by the PCC of the Town of Middleborough under the authority of the Issuing Authority. This committee was formed in 1985. The PCC consists of nine regular members appointed by the Board of Selectmen and one non-voting member (the current Cable Access Transition Coordinator).

In January 2009 the Town of Middleborough contracted with LCN for an upgrade of new network architecture within the Town Hall facility and remote municipal sites that would replace their existing network switches. This new network hardware and software provides the town with enhanced services and management. The purpose of the network upgrade was to provide increased network speeds and management throughout the connected sites that will accommodate the increased demands on the network backbone to service Voice/Data/Video network traffic. Phase I of the VOIP project had a cost of \$125,764.42. Karen Foye has been hired as the Cable Access Transition Coordinator for the Town of Middleborough. The MCCAM office is located in the Middleborough Town Hall. New Access equipment has been installed. Karen is working with current volunteers, producers and show sponsors in the community to make a seamless transition from Comcast to the new Town run channel. New technologies have eliminated the need for an expensive on location studio with a set like the former Comcast studio. New portable equipment is available to residents of Middleborough to do on-location shoots. A website has been created with information, programming schedule, downloadable forms, public bulletin board procedures and information on how to become a MCCAM volunteer. The website is [www.MCCAM02346.com](http://www.MCCAM02346.com).

If you have any questions on how to volunteer, post a bulletin board message or submit programming to be seen on MCCAM, contact Karen Foye by calling 774-766-6350 or email [KFoye@MCCAM02346.com](mailto:KFoye@MCCAM02346.com)

Middleborough Permanent Cable Committee

The process to get MCCAM up and operational has been a year-long journey.

# 2011 timeline

## January

The PCC discussed equipment needed for the PEG facility implementation as well as creating a job description for the person who would be hired to run the studio. Two residents were recommended to the Board of Selectmen to fill vacancies on the PCC. PCC met with Lakeville Cable Committee to discuss the possibility of combining PEG access delivery in the two towns. Lakeville decided to take control of their PEG channels.

## February

The PCC had conversations with the Town Manager and Labor Council about a solution for a temporary position that would be hired through a Temp Agency to oversee the transition to a Town run PEG Access facility. The PCC voted to use a Temp Agency to employ an Access Transition Coordinator at a rate of \$20-\$25 per hour. HB Communications was awarded the contract in the amount of \$251,634.00 for purchasing equipment, installation and training. Labor Ready engaged as the Temp Agency to retain the Access Transition Coordinator.

## March

Labor Ready submits 3 candidates for interviews for the Access Transition Coordinator position. After conducting interviews, position was offered to Karen Foye. Equipment is starting to be pre-configured and set up for testing at HB Communications. Plan on track to start install in early April. Karen Foye met with PCC on planning for the installation and preparation for taking over the distribution of the town cable channel on May 1. Onsite installation planned for April 19th. The PCC voted to have Karen start working on developing a website for the new facility.

## April

Installation commences of equipment at the Middleborough Town Hall. Discussions started on purchasing playback system for the Educational channels similar to the one purchased for the new Access facility. The PCC voted to name the access channel MCCAM (Middleborough Cable Committee Access Media). Wiring completed and equipment installed (except for a few components). Testing of BPix system on April 27th. New phone number established for MCCAM 774-766-6350. Comcast informed the Chairman that the cutover of distribution signal from Comcast would not be ready on May 1. The MCCAM website is activated. All Permanent Cable Committee minutes as well as the weekly program schedule are now posted on the MCCAM website. The PCC voted to pay a \$50 stipend to properly trained volunteers for coverage of events requested by the PCC. VOIP phase I project ¾ complete.

## May

MCCAM goes live on schedule May 2. Board of Selectmen meeting broadcast LIVE using our new equipment. Transition from Comcast PEG Access provider to MCCAM for Government & Public Access is done without interruption, a smooth transition. HB Communication training Karen Foye on new equipment continues. DVDs of meetings now available and archive of all meetings and events has commenced. Security gate purchased and installed for dividing the Server Room in the IT Department. All outdated cable access equipment located in the former Town Hall control room used prior to new equipment install deemed as surplus except for a few items that can still be used like monitors and microphones. The PCC authorized payment to HB

Communications for the sum of \$208,858.00 upon delivery and approval of equipment (75% of their invoice) and notified them that the difference would be paid after the punch list has been resolved. MCCAM link was added to the Town of Middleborough website. Sign created for MCCAM location. Rate of \$25 /per hour for DVD duplication of media requests adopted.

## **June**

Additional portable field equipment purchased for MCCAM. The PCC continues to work on policies and procedures for MCCAM. Volunteers begin to be trained on new equipment. HB Communications continues to install remaining components and train Karen on equipment. Final payment for the VOIP project phase I paid to LCN in the amount of \$33,744.00

## **July**

Policies and Procedures continue to be reviewed; many forms are approved for office use by Karen Foye. Community outreach mailers sent out to former volunteers, producers and show sponsors in an effort to introduce them to MCCAM in hopes that they continue to participate in local community access television. HB Communications continues to work on punch list items.

## **August**

A media drop box ordered and installed for MCCAM in the parking lot at Town Hall. The PCC discusses the possibility of realignment for channels for PEG after questions arise as to why the schools have two channels and MCCAM has one channel for both Public Access and Government Access. Education channel playback system needs discussed.

## **September**

Policies and Procedures continue to be reviewed; content regarding Political programming is adopted. Outstanding items continue to be reviewed and worked on by HB Communications.

## **October**

Chairman is voted to be alternate signature in order to have a second committee member available to sign payments. HB Communications contacted to get final invoice and notified final payment won't be made until As Built plans have been reviewed and approved.

## **November**

The PCC voted to pay HB Communications another portion of their invoice \$79,071.91 for work completed. \$25,523.99 withheld for final items; As Built plans and final quality control check of all installed equipment. Discussions on need for insurance policy for MCCAM results in decision from attorney Robert Treano that MCCAM does not require insurance because it does not produce programming.

## **December**

Continue to train new volunteers on control room equipment and portable field equipment as well as the portable edit suites. To date, MCCAM has 10 active volunteers. Karen Foye makes all Boards and Committees aware of the availability of the new projector system in the Board of Selectmen's room. Training on the use of the projector and proper use of the microphones also continues with the board and committee members. Surplus property donated to the Town of Ludlow. Education access channel new equipment discussed and moving forward.

## **January 2012**

Programming goes into full coverage mode and the following Government meetings are now covered on a regular basis; Board of Selectmen, Finance Committee, Planning Board, MG&E, Zoning Board of Appeals, Board of Assessors and Conservation

Commission. Plans are underway for the 2012 Rotary Cable Auction in March. Rotary has inquired about getting the signal out to Lakeville subscribers in addition to Middleborough. The PCC votes to make one DVD copy of each municipal meeting available to the respective Boards & Committees. Karen Foye makes all Boards and Committees aware of the availability of the new projector system in the Board of Selectmen's room.

## **February**

Verizon contacted regarding getting the Verizon residential drops put in at the Town locations (21 locations agreed upon in the license) with a priority being MCCAM office for monitoring. Education access channel new equipment discussed and moving forward with RFP. Need for volume level control equipment for our PEG system discussed. New volunteers continue to be trained on MCCAM BPix system as well as portable field equipment. Preparations and testing started for LIVE Rotary Cable Auction in March. Change order payment of the VOIP project phase I paid in the amount of \$12, 175.53. Met with Mike Lieb from LCN to discuss VOIP project phase II.



ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
	04/19/11	STAPLES, INC.	D	04/19/2011	175 220324		024130		146.20		
	04/19/11	TREANO, P.C./ROBERT G.	D	04/19/2011	175 220327		024129		630.00		
	04/19/11	VERIZON	D	04/19/2011	175 220329		024128		402.78		
	04/19/11	VERIZON	D	04/19/2011	175 220329		024128		534.43		
	04/19/11	LABOR READY NORTHEAST, IN	D	04/19/2011	175 220303		024127		670.00		
	04/30/11		R	04/30/2011	283 000038					10,000.00	527,839.95CR
	05/10/11	MASON CO./W.B.	D	05/10/2011	256 220899		024631		95.00		
	05/10/11	MASON CO./W.B.	D	05/10/2011	256 220899		024631		1,693.00		
	05/10/11	SILVA/ROBERT	D	05/10/2011	256 220918		024632		111.94		
	05/10/11	LABOR READY NORTHEAST, IN	D	05/10/2011	256 220897		024633		1,708.50		
	05/10/11	CDW GOVERNMENT, INC.	D	05/10/2011	256 220878		024680		2,957.87		
	05/10/11	CDW GOVERNMENT, INC.	D	05/10/2011	256 220878		024680		1,026.65		
FINANCIAL SYSTEM											530,246.99CR
4/09/2012	11:42:46										TOWN OF MIDDLEBOROUGH
											GL529R-V07.20 PAGE 2
											General Ledger Analysis
											OPEN
	05/24/11	FOYE/KAREN	D	05/24/2011	301 221215		024929		345.48		
	05/24/11	VERIZON	D	05/24/2011	301 221266		024930		523.39		
	05/24/11	VERIZON	D	05/24/2011	301 221266		024930		402.78		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		448.00		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		650.00		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		1,350.00		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		1,450.00		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		448.00		
	05/24/11	SOFTWARE SERVICES GROUP,	D	05/24/2011	301 221256		024931		1,550.00		
	05/24/11	STAPLES CREDIT PLAN	D	05/24/2011	301 221259		024932		119.97		
	05/24/11	LABOR READY NORTHEAST, IN	D	05/24/2011	301 221231		024934		1,273.00		
	05/24/11	CDW GOVERNMENT, INC.	D	05/24/2011	301 221200		024933		383.57		
	05/24/11	LABOR READY NORTHEAST, IN	D	05/24/2011	301 221231		024936		1,390.25		
	05/24/11	LABOR READY NORTHEAST, IN	D	05/24/2011	301 221231		024935		1,340.00		
	05/31/11	DELL MARKETING L.P.	D	05/31/2011	322 221301		025128		493.63		
	05/31/11	FRAZIER/KEVIN	D	05/31/2011	322 221306		025129		900.00		
	05/31/11	BRUNELLE/ROGER	D	05/31/2011	322 221293		025130		130.15		
	05/31/11		R	05/31/2011	421 000035					13,125.99	530,174.76CR
	06/14/11	GRANITE CITY ELECTRIC SU	D	06/14/2011	389 221660		025442		288.00		
	06/14/11	SOFTWARE SERVICES GROUP,	D	06/14/2011	389 221717		025443		1,800.00		

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
FINANCIAL SYSTEM 4/09/2012 11:42:46	06/14/11	BRUNELLE/ROGER	D	06/14/2011	389	221631	025444		56.50		
	06/14/11	DELL MARKETING L.P.	D	06/14/2011	389	221644	025445		85.72		
	06/14/11	STAPLES CREDIT PLAN	D	06/14/2011	389	221721	025446		38.27		
	06/14/11	PROVANTAGE	D	06/14/2011	389	221707	025447		499.92		
	06/14/11	LABOR READY NORTHEAST, IN	D	06/14/2011	389	221673	025441		2,043.50		
	06/14/11	LABOR READY NORTHEAST, IN	D	06/14/2011	389	221673	025448		938.00		
	06/14/11	GLOBAL EQUIPMENT COMPANY	D	06/14/2011	389	221658	025449		966.75		
	06/14/11	HB COMMUNICATIONS INC.	D	06/14/2011	389	221662	025450		150,644.00		
	FINANCIAL SYSTEM										
	General Ledger Analysis										
TOWN OF MIDDLEBOROUGH											
GL529R-V07.20 PAGE 3											

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
FINANCIAL SYSTEM 4/09/2012 11:42:46	06/28/11	A.M. CONTRACTING	D	06/28/2011	440	222019	025702		370.85		
	06/28/11	LCN, INC.	D	06/28/2011	440	222082	025703		190.00		
	06/28/11	HEMLETT-PACKARD COMPANY	D	06/28/2011	440	222071	025849		604.20		
	06/28/11	LABOR READY NORTHEAST, IN	D	06/28/2011	440	222081	025851		804.00		
	06/28/11	COSGROVE/JAMES	D	06/28/2011	440	222048	025850		50.00		
	06/28/11	COSGROVE/JAMES	D	06/28/2011	440	222048	025850		50.00		
	06/28/11	BRUNELLE/ROGER	D	06/28/2011	462	222033	025880		232.50		
	06/28/11	A.M. CONTRACTING	D	06/28/2011	462	222019	025884		136.00		
	06/28/11	LCN, INC.	D	06/28/2011	462	222082	025881		1,179.00		
	06/28/11	LCN, INC.	D	06/28/2011	462	222082	025881		3,737.00		
06/28/11	LABOR READY NORTHEAST, IN	D	06/28/2011	462	222081	025881		3,388.00			
06/28/11	FOYE/KAREN	D	06/28/2011	462	222063	025882		1,943.00			
06/30/11	RECLASSIFY JUNE RECPT	J	06/30/2011	649	GJ-133				78.97		
TOTAL EDUC./MUNICIPAL CABLE ACCESS											
TOTAL (MEDIAL) PAY FOR SCHOOL DEPT											
TOTAL TOWN SPECIAL REVENUE FUND											
General Ledger Analysis											
TOWN OF MIDDLEBOROUGH											
GL529R-V07.20 PAGE 4											

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
FINANCIAL SYSTEM 4/09/2012 11:42:46	06/14/11	BRUNELLE/ROGER	D	06/14/2011	389	221631	025444		56.50		
	06/14/11	DELL MARKETING L.P.	D	06/14/2011	389	221644	025445		85.72		
	06/14/11	STAPLES CREDIT PLAN	D	06/14/2011	389	221721	025446		38.27		
	06/14/11	PROVANTAGE	D	06/14/2011	389	221707	025447		499.92		
	06/14/11	LABOR READY NORTHEAST, IN	D	06/14/2011	389	221673	025441		2,043.50		
	06/14/11	LABOR READY NORTHEAST, IN	D	06/14/2011	389	221673	025448		938.00		
	06/14/11	GLOBAL EQUIPMENT COMPANY	D	06/14/2011	389	221658	025449		966.75		
	06/14/11	HB COMMUNICATIONS INC.	D	06/14/2011	389	221662	025450		150,644.00		
	FINANCIAL SYSTEM										
	General Ledger Analysis										
TOWN OF MIDDLEBOROUGH											
GL529R-V07.20 PAGE 4											

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GRAND TOTAL

0.00

216,269.29

587,815.51

371,546.22CR  
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Report Selection:  
 Inclusions Ranges: Begin Fund & Account... 29.3309.00 (thru) End 29.3309.00

Approval Plan..... thru  
 Fiscal Start Year..... 07 01 2011  
 Start Date..... 07 01 2011  
 Start Detail Date..... 07 01 2011  
 End Date..... 02 29 2012  
 Level to Page Break..... 1.0  
 Suppress Summary?..... Y  
 Detail Description?..... N

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FINANCIAL SYSTEM 2/28/2012 11:26:23  
 General Ledger Analysis  
 TOWN OF MIDDLEBOROUGH  
 GL529R-V07.20 PAGE 1

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
29		TOWN SPECIAL REVENUE FUND									
29.3309		(MEDIAL) PAY FOR SCHOOL DEPT									
29.3309.00		EDUC./MUNICIPAL CABLE ACCESS									
	07/01/11	--- Beginning Balance									
	08/02/11	VERIZON	D						026647		1,052.06
	08/02/11	VERIZON	D						805.56		805.56
	08/02/11	LABOR READY NORTHEAST, IN	D						904.50		904.50
	08/02/11	LABOR READY NORTHEAST, IN	D						837.50		837.50
	08/02/11	LABOR READY NORTHEAST, IN	D						50.00		50.00
	08/02/11	LABOR READY NORTHEAST, IN	D						1,641.50		1,641.50
	08/09/11	HEMILETT-PACKARD COMPANY	D						598.20		598.20
	08/09/11	NEW PENN MOTOR EXPRESS I	D						70.61		70.61
	08/09/11	FOYE/KAREN	D						14.50		14.50
	08/09/11	FOYE/KAREN	D						71.50		71.50
	08/09/11	BRONNELLIE/ROGER	D						39.00		39.00
	08/09/11	PROVANTAGE	D						153.26		153.26
	08/16/11	LABOR READY NORTHEAST, IN	D						804.00		804.00
	08/18/11	D & S ELECTRICAL SYSTEMS	D						1,925.00		1,925.00
	08/23/11	A.M. CONTRACTING	D						218.60		218.60
	08/23/11	B & H PHOTO-VIDEO-INC	D						1,816.71		1,816.71
	08/23/11	LABOR READY NORTHEAST, IN	D						770.50		770.50
									371,546.22		371,546.22CR

08/23/11 FOYE/KAREN D 08/23/2011 713 223564 027241 35.75  
 08/23/11 ASSOCIATED KEY & LOCK D 08/23/2011 713 223539 027242 219.00  
 08/23/11 ASSOCIATED KEY & LOCK D 08/23/2011 713 223539 027242 185.00  
 08/23/11 TRRANO, P.C./ROBERT G. D 08/23/2011 713 223599 027243 45.00  
 08/23/11 PROAVANTAGE D 08/23/2011 713 223589 027244 306.51  
 FINANCIAL SYSTEM TOWN OF MIDDLEBOROUGH  
 2/28/2012 11:26:23 GL529R-V07.20 PAGE 2  
 General Ledger Analysis

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
	08/23/11	COSGROVE/JAMES	D	08/23/2011	713	223554	027245		50.00	23,956.36	358,094.46CR
	08/31/11		R	08/31/2011	863	000131				19,985.60	402,036.42CR
	08/31/11		R	08/31/2011	863	000140					
	09/06/11	CRITCHFIELD SIGNS	D	09/06/2011	780	223974			125.00		
	09/06/11	FOYE/KAREN	D	09/06/2011	780	223979			25.16		
	09/06/11	LABOR READY NORTHEAST, IN	D	09/06/2011	780	223984			770.50		
	09/06/11	COSGROVE/JAMES	D	09/06/2011	780	223973			50.00		
	09/06/11	BRUNELLE/ROGER	D	09/06/2011	780	223972			114.72		
	09/06/11	B & H PHOTO-VIDEO-INC	D	09/06/2011	780	223966			51.74		400,837.35CR
	09/06/11	BENNY'S OF MASS., INC.	D	09/06/2011	780	223969			61.95		400,680.88CR
	09/20/11	MCMASTER-CARR SUPPLY CO.	D	09/20/2011	839	224238			156.47		400,862.62CR
	09/30/11		R	09/30/2011	003	000036				181.74	
	10/04/11	COSGROVE/JAMES	D	10/04/2011	891	224685			50.00		
	10/04/11	COSGROVE/JAMES	D	10/04/2011	891	224685			50.00		
	10/04/11	LCM, INC.	D	10/04/2011	891	224720			190.00		
	10/04/11	LCM, INC.	D	10/04/2011	891	224720			285.00		
	10/04/11	LABOR READY NORTHEAST, IN	D	10/04/2011	891	224720			804.00		
	10/04/11	LABOR READY NORTHEAST, IN	D	10/04/2011	891	224719			028122		
	10/04/11	LABOR READY NORTHEAST, IN	D	10/04/2011	891	224719			1,675.00		
	10/04/11	LABOR READY NORTHEAST, IN	D	10/04/2011	891	224719			837.50		
	10/04/11	LABOR READY NORTHEAST, IN	D	10/04/2011	891	224719			50.00		
	10/04/11	LITTLE/BERRY	D	10/04/2011	891	224721			50.00		
	10/04/11	LITTLE/BERRY	D	10/04/2011	891	224721			50.00		
	10/04/11	STAPLES CREDIT PLAN	D	10/04/2011	891	224769			24.99		
	10/04/11	STAPLES CREDIT PLAN	D	10/04/2011	891	224769			119.97		396,726.16CR
	10/11/11	LABOR READY NORTHEAST, IN	D	10/11/2011	924	224879			1,005.00		
	10/11/11	LABOR READY NORTHEAST, IN	D	10/11/2011	924	224879			1,052.06		
	10/11/11	VERIZON	D	10/11/2011	924	224887			805.56		393,863.54CR
	10/18/11	LABOR READY NORTHEAST, IN	D	10/18/2011	953	224945			871.00		392,992.54CR
	10/25/11	LABOR READY NORTHEAST, IN	D	10/25/2011	974	225244			1,608.00		
	2/28/2012	11:26:23									TOWN OF MIDDLEBOROUGH
											GL529R-V07.20 PAGE 3
ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
	10/25/11	VERIZON	D	10/25/2011	974	225288	028762		523.39		

General Ledger Analysis

OPEN

ACCOUNT	DATE	VENDOR/CUST/EXPLANATION	SRC	JE-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
	10/25/11	VERIZON	D	10/25/2011	974 225288				402.78		390,458.37CR
	10/31/11		R	10/31/2011	086 000049					10,000.00	400,458.37CR
	11/08/11	FOYE/KAREN	D	11/08/2011	020 225600				30.00		
	11/08/11	COSGROVE/JAMES	D	11/08/2011	020 225591				150.00		
	11/08/11	MASON CO./W.B.	D	11/08/2011	020 225619				43.96		400,234.41CR
	11/15/11	HILINKA/RONALD	D	11/15/2011	043 225775				100.00		
	11/15/11	LABOR READY NORTHEAST, IN	D	11/15/2011	043 225779				670.00		
	11/15/11	LABOR READY NORTHEAST, IN	D	11/15/2011	043 225779				1,005.00		
	11/15/11	LABOR READY NORTHEAST, IN	D	11/15/2011	043 225779				371.75		
	11/15/11	LABOR READY NORTHEAST, IN	D	11/15/2011	043 225786				523.39		396,546.66CR
	11/15/11	MCMASTER-CARR SUPPLY CO.	D	11/15/2011	084 226138				402.78		
	11/29/11	VERIZON	D	11/29/2011	084 226138				50.00		
	11/29/11	VERIZON	D	11/29/2011	084 226053				50.00		
	11/29/11	COSGROVE/JAMES	D	11/29/2011	084 226053				50.00		
	11/29/11	COSGROVE/JAMES	D	11/29/2011	084 226053				50.00		
	11/29/11	LABOR READY NORTHEAST, IN	D	11/29/2011	084 226080				904.50		
	11/29/11	LABOR READY NORTHEAST, IN	D	11/29/2011	084 226075				79,071.91		
	11/29/11	LCN, INC.	D	11/29/2011	084 226082				33,790.42		281,554.56CR
	11/29/11	B & H PHOTO-VIDEO-INC	D	11/29/2011	084 226028				149.10		
	11/30/11		R	11/30/2011	218 000040					23,640.23	305,194.79CR
	12/20/11	TREBANO, P.C./ROBERT G.	D	12/20/2011	147 226615				630.00		
	12/20/11	INVENCIO/JOSE	D	12/20/2011	147 226581				50.00		
	12/20/11	COSGROVE/JAMES	D	12/20/2011	147 226566				50.00		
	12/20/11	HILINKA/RONALD	D	12/20/2011	147 226579				50.00		
	12/20/11	LABOR READY NORTHEAST, IN	D	12/20/2011	147 226586				770.50		
	12/20/11	VERIZON	D	12/20/2011	147 226619				402.78		
	12/20/11	VERIZON	D	12/20/2011	147 226619				523.39		
	2/28/2012	11:26:23									

General Ledger Analysis

OPEN

TOWN OF MIDDLEBOROUGH  
 GL5298-V07.20 PAGE 4

DATE	VENDOR/CUST/EXPLANATION	SRC	JR-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
01/24/12	VERIZON	D	01/24/2012	276	227361			523.39		
01/24/12	VERIZON	D	01/24/2012	276	227361			402.78		
01/24/12	LITTLE/BERRY	D	01/24/2012	276	227331			50.00		
01/24/12	MITCHELL/GARY	D	01/24/2012	276	227338			50.00		
01/24/12	FOYE/KAREN	D	01/24/2012	276	227316			67.87		
01/31/12	BRUNELLE/ROGER	D	01/31/2012	288	227432			140.83		
01/31/12	MCMASTER-CARR SUPPLY CO.	D	01/31/2012	288	227468			42.66		
01/31/12	INVENCIO/JOSE	D	01/31/2012	288	227457			50.00		
01/31/12	FOYE/AMANDA	D	01/31/2012	288	227452			50.00		
02/07/12	MITCHELL/GARY	D	02/07/2012	321	227727			50.00		
02/07/12	LABOR READY NORTHEAST, IN	D	02/07/2012	321	227715			1,294.66		
02/14/12	LABOR READY NORTHEAST, IN	D	02/14/2012	344	227943			1,226.52		
02/14/12	FOYE/AMANDA	D	02/14/2012	344	227932			50.00		
TOTAL EDUC./MUNICIPAL CABLE ACCESS										
							0.00	155,610.49	478,982.59	323,372.10CR

FINANCIAL SYSTEM  
 2/28/2012 11:26:23  
 General Ledger Analysis  
 TOWN OF MIDDLEBOROUGH  
 GL529R-V07.20 PAGE 5

DATE	VENDOR/CUST/EXPLANATION	SRC	JR-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
TOTAL (MEDIAL) PAY FOR SCHOOL DEPT										
							0.00	155,610.49	478,982.59	323,372.10CR
TOTAL TOWN SPECIAL REVENUE FUND										
							0.00	155,610.49	478,982.59	323,372.10CR

FINANCIAL SYSTEM  
 2/28/2012 11:26:23  
 General Ledger Analysis  
 TOWN OF MIDDLEBOROUGH  
 GL529R-V07.20 PAGE 6

DATE	VENDOR/CUST/EXPLANATION	SRC	JR-ID	REF	PO	CLAIM	ENCUMBRANCE	DEBIT	CREDIT	BALANCE
GRAND TOTAL										
							0.00	155,610.49	478,982.59	323,372.10CR

ROBERT G. TREANO

ROBERT G. TREANO, P.C.  
ATTORNEY AT LAW  
CROCKER BUILDING  
4 COURT STREET  
P. O. BOX 468  
TAUNTON, MASSACHUSETTS 02780



TELEPHONE  
(508) 823-7181  
FAX  
(508) 823-3039

May 7, 2012

Robert W. Silva, Chairman  
Middleboro Permanent Cable Committee  
Town of Middleborough  
10 Nickerson Avenue  
Middleborough, MA 02346

RE: Town of Middleborough Cable TV

Dear Sir:

I have reviewed the policies and operating procedures. I approve of the same as to substantive issues and as to form.

The thirty-one (31) pages embody the issues that PEG Access Programming will entail and the rights of the Cable Committee and ultimate users and viewers of the system.

Very truly yours,  
ROBERT G. TREANO, P.C.,

A handwritten signature in cursive script that reads "Robert G. Treano".

Robert G. Treano, Esquire

RGT/ml

# MCCAM

## *Middleborough Community Cable Access Media*

PEG ACCESS PROGRAMMING (channel 9 Comcast & channel 34 Verizon)

### POLICIES & OPERATING PROCEDURES

Introduction.....	page 2
Definition of Terms.....	page 3-5
Municipal & Public Access Programming.....	page 6-7
Program Scheduling & Cablecasting Procedures.....	page 7-9
Technical Standards.....	page 10
Credits/Disclaimers/Labeling of Sensitive Material.....	page 10
Grants, Underwriting and Sponsorship.....	page 10-11
Personal Profit/Commercial Use.....	page 11
Bicycled Programs.....	page 11
Use of Facilities and Equipment.....	page 11-12
Volunteer Standards of Conduct.....	page 13
General Rules for Equipment Use.....	page 14
Portable/Field equipment.....	page 14-15
Editing and Post Production.....	page 15
Program Planning Proposal.....	page 15
Use of MCCAM During Emergencies.....	page 15
Program Content.....	page 16
Prohibitions.....	page 16
MCCAM Program Rights.....	page 17
Political & Issue-Oriented Programs.....	page 17-18
Grievances/Public Record.....	page 18-19
Bulletin Board Announcements.....	page 19

#### **FORMS**

Access User Agreement.....	page 20
Producer/Endorser Information.....	page 21
Organizational Access User Agreement.....	page 22
Volunteer Information.....	page 23
Bulletin Board Request.....	page 24
DVD Request (non-Public Record).....	page 25
DVD Request (Boards & Committees for Municipal Meetings).....	page 26
Portable Equipment Request.....	page 27
Program Proposal.....	page 28
Coverage Commitment/Reimbursement.....	page 29
Media Submission for Meetings.....	page 30
Talent Release for Minors.....	page 31

## **I. INTRODUCTION**

MCCAM (Middleborough Community Cable Access Media) is the town's government and public access television station and is overseen by the PCC (Permanent Cable Committee) as authorized by the BOS (Board of Selectmen). It can be found on channel 9 (Comcast) and Channel 34 (Verizon). The PCC was formed in 1985 and authorized to establish and oversee MCCAM in 2011.

We do not select nor do we censor local programs or editorial content. Our Policies and Procedures are designed to ensure that our resources are used only for their intended purposes and that all who wish to participate will have an equal opportunity.

## **Mission Statement**

MCCAM was established to provide quality local programming for the residents of Middleborough including municipal meeting coverage, community events and other non-commercial programs of local interest or importance.

**MCCAM reserves the right to review all definitions and policies contained in this Access User Policy Manual and has the discretion to make changes as it deems necessary.**

## **II. DEFINITION OF TERMS**

**Access Channels** -- Channels set aside by the cable operator for use by the public, educational institutions, municipal government, or for lease on a nondiscriminatory basis.

**Access User** -- Any qualified Middleborough resident or employee of a non-profit organization that serves Middleborough. To be able to produce programming for broadcast, the user must qualify by successfully completing training and sign the Access User Manual indicating agreement to the terms and conditions contained in it. The user can then schedule equipment and facilities through the Program Director.

**Advertising** -- Announcements broadcast to promote a commercial product or service. MCCAM does not accept commercial or paid political advertising on access channels.

**Bicycled Program** -- A program that has not been produced at the MCCAM facility but is produced elsewhere and is delivered to MCCAM for possible broadcast. (as determined by the Program Director)

**Candidate, legally qualified for office** -- Any person who has publicly announced candidacy by formal declaration and meets the legal qualifications for office.

No cable television system is required to permit the use of its facilities by any legally qualified candidate for public office, but if any system shall permit any such candidate to use its facilities, it shall afford equal opportunities to all other candidates for that office to use such facilities. Such system shall have no power of censorship over the material broadcast by any such candidate. Appearance by a legally qualified candidate on any:

- (1) Bona fide newscast;
- (2) Bona fide news interview;
- (3) Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary); or
- (4) On-the-spot coverage of bona fide news events (including, but not limited to political conventions and activities incidental thereto) shall not be deemed to be use of a system. (section 315(a) of the Communications Act.)

**CG or Character Generator** -- A device which electronically displays letters and numbers on the television screen.

**Copyright** -- Is a form of intellectual property law, which protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies or songs.

**Crew** -- Volunteers working with the Producer to assist in the production of programming. At times it may not be possible to find enough Middleborough residents to act as crew for a Producer, so the resident requirements may be waived on a case-by-case basis. However, only a resident of Middleborough may be a Producer.

**Educational Access** -- Channel time and resources reserved for non-commercial educational access programming.

**Federal Communications Commission (FCC)** -- The governmental agency which regulates electronic communication in the US.

**Franchise** -- The contractual agreement between a cable operator and a government entity which defines the right and responsibilities of each in the construction and operation of a cable system within a specific community or geographical area.

**Government Cablecasting** -- Access for federal, state and local officials to disseminate information to their constituents via cable television. This can be accomplished by submitting the appropriate electronic media for broadcast or text data for inclusion on an alphanumeric bulletin board or by participating in an interview program on the access channel.

**Hardware** -- Equipment involved in the production, storage, distribution or reception of electronic signals. Examples are, but are not limited to, television production equipment like cameras and microphones.

**Interconnect** -- Connection of two or more cable systems by contemporary technical means, so that programming may be exchanged, shared or simultaneously viewed.

**Issuing Authority** -- The governmental body responsible for specifying the terms of a proposed cable television franchise and to eventually grant an operating license to a cable operator.

**Leased Access** -- Any cable television channels which can be leased from a cable operator for a fee.

**Local Origination Programming** -- Cable programming entirely planned, produced or obtained by MCCAM for broadcast on the local cable system

**MCCAM** -- Middleborough Community Cable Access Media

**Obscene Material** -- The FCC has defined broadcast indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities." Indecent programming contains patently offensive sexual or excretory material that does not rise to the level of obscenity.

The FCC uses a three-pronged definition for obscenity:

- An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and

The material, taken as a whole, must lack serious literary, artistic, political or scientific value.

**Obscene Material** -- According to a Supreme Court decision, material is obscene, and hence not protected by the free-speech provision of the First Amendment if it has three elements: It must have prurient appeal, as decided by the average person applying the standards of the community; it must portray sexual conduct in an offensive way; and it must be lacking in serious artistic, literary, scientific, or political value.

**PEG** -- Refers to the Public, Educational and Governmental access channels.

**Producer/Endorser** -- The access or organizational user that is responsible for the production of a specific program to be aired on a PEG channel. The producer/sponsor must be a resident of Middleborough. The producer/sponsor must agree to be personally and financially responsible, and hold the Town of Middleborough or MCCAM harmless from any and all liabilities arising from the production of the specific program. In the case of a minor acting as a producer/sponsor, his or her guardian agrees to assume the responsibility outlined above.

**Program Director** -- This term refers to the MCCAM employee who trains volunteers and provides supervision and coordination of the programming on the Government/Public Access Channel.

**Public Access Programming** -- The channel time available on a first-come, first served nondiscriminatory basis specifically for noncommercial access programming by Middleborough residents or non-profit organizations serving Middleborough.

**Regular Access User** --An Access User that has used the equipment or facilities and has broadcast a program on a channel for two or more occasions in a four-week period. A Regular Access User will have the first opportunity, with the approval of the Program Director, to “reserve” a specific time to broadcast a program.

**Training** -- Is the successful completion of exercises and a thorough knowledge of the techniques to produce a professional quality television program for broadcast as defined by the Program Director.

**Volunteer** – Access Users who volunteer their services for assisting in the production of programming. Under the discretion of the Program Director, a trained Access User may be eligible for a stipend for the recording of a specific event or meeting for eventual broadcast.

### III. MUNICIPAL & PUBLIC ACCESS PROGRAMMING

MCCAM municipal & public access objectives:

1. LIVE and recorded coverage of municipal meetings in order to increase community awareness.
2. Coverage of special events in the community.
3. Supply residents and organizations of Middleborough with the forum for non-commercial ideas and information.
4. Supplement public safety and disaster preparedness activities/information pertaining to the Town of Middleborough and surrounding communities.
4. Document and archive Town meetings and events.

#### A. MUNICIPAL PROGRAMMING FORMATS

Municipal programming shall be established to provide direct, non-editorialized information to the citizens of Middleborough. Programming formats will consist of the following:

1. Board of Selectmen coverage - All public meetings of the Middleborough Board of Selectmen may be broadcast LIVE on MCCAM according to the following editorial guidelines:
  - Coverage of the Board of Selectmen shall be gavel-to-gavel excluding executive session items.
  - Public meeting coverage shall not be edited or subject to editorial comment. Editing of technical difficulties is permitted.
  - A title graphic may indicate the name of the speaker and their title.
  - Public meetings taped for broadcast are to be re-broadcast at least once.
  - Digital media to be presented at any Board of Selectmen's meeting must be submitted to MCCAM no later than 2 business days prior to the scheduled meeting in order to be available for audience viewing at the time of the meeting.
    - a. The following media formats are acceptable for presentation:  
PDF, Quicktime, JPEG, MPEG2, Word Documents, Excel Documents and Power Point presentations.
2. Other Public Meetings & Hearings of Middleborough Boards and Committees - Meetings of Town Boards & Committees, special or ad-hoc committees, task forces, other events scheduled by Town elected officials, Town Manager and Town Boards may be covered and broadcast on MCCAM according to the following guidelines:
  - Coverage will generally conform to all of the provisions Middleborough Board of Selectmen's meetings except they may or may not be aired LIVE.
  - Meetings not held in the Middleborough Board of Selectmen's Room, the Small Conference Room at Town Hall or the Town Hall Ballroom may require special equipment and staffing/volunteers and will be limited to staffing capabilities at hand. Requests for video coverage of Town Boards & Committees, special or ad-hoc committees, task forces, other events scheduled by Town elected

require a prior written request for coverage to MCCAM at least 14 days in advance. Acceptance of coverage will be subject to the approval of MCCAM.

- Video coverage of Town Boards & Committees, special or ad-hoc committees, task forces, other events scheduled by Town elected officials may not conflict with the broadcasting of the Middleborough Selectmen's meetings.
3. Public Meetings of Other Government Jurisdictions - Public meetings held in the Selectmen's Room, the Small Conference Room or Town Hall Ballroom by other governmental jurisdictions such as State or Federal government may be covered LIVE, or videotaped and aired if approved by MCCAM.
  4. Informational Programs - Any Town department or agency may produce, suggest or assist in the production of programming for MCCAM. Town agencies may submit program proposals or requests for production or broadcast of programs which are appropriate. All programming is subject to approval by MCCAM.
  5. Outside Programming - Outside municipal programming may be broadcast on the municipal channel. Outside programming must be acquired or sponsored by a Town department or committee. All outside programming is subject to approval by MCCAM. Outside programming must be in a format acceptable to MCCAM and meet the minimal technical specifications identified in these policies and procedures. Outside programming shall adhere to the copyright requirements contained in these policies.
    - Any programming prepared or provided by a Town department, board or committee may be modified or edited as appropriate for broadcast.
  6. Programming For Elected Officials - In the interest of fairness, it shall be the policy of MCCAM to not provide production services for an elected official to host their own series programming. Elected officials may produce and provide their own individually hosted programming to be broadcast on MCCAM upon approval by MCCAM

#### **B. PUBLIC ACCESS PROGRAMMING FORMATS**

MCCAM's staff will provide training, technical assistance, production equipment and channel time, free of charge to residents and organizations of Middleborough who wish to produce local non-commercial programming. MCCAM's staff will not be available to serve as production or post production crew but may provide contact information of trained, certified volunteers to assist local producers.

### **IV. PROGRAM SCHEDULING & CABLECASTING**

Channel and facility times are provided on a first-come, first-served, nondiscriminatory basis to any resident Access User filing a request, in accordance with the operating rules. It should be understood, however, that since this is a shared resource, specific channel time and equipment use requests cannot always be guaranteed.

## A. Scheduling Channel Time

1. Requests for channel time shall be processed on a fair and equitable, nondiscriminatory basis, subject to the availability of cablecasting equipment and channel time.
2. Channel time scheduling requests must be submitted at least eight (8) weeks prior to the desired cablecast date. At the discretion of staff, and if the desired time slot is available, the eight-week submission rule may be waived to allow the timely cablecasting of newsworthy events.
3. Access Users must sign an Access User agreement on a yearly basis and channel request form before any program is cablecast. Approval by the Program Director is required.
4. If scheduling and equipment allows, a program may be repeated any time during any weekly period. First-run programs have priority over reruns in slot scheduling.
5. MCCAM reserves the right to use designated access channels for other purposes, where time on the designated channels has not been scheduled for designated access purposes in accordance with MCCAM's PEG access programming operating procedures.
6. Requests for consistent time slots: Program series will be allocated at the discretion of MCCAM's Program Director, provided ample time remains available for other programming requests and if the following conditions are met:
  - a. PEG Access User(s) produce the material.
  - b. Titles and descriptions of programs are submitted to the Program Director at least six (6) weeks in advance of the scheduled time.
  - c. Access User has new material on a consistent basis.
  - d. A crew has been trained and certified.
  - e. If a series access user regularly fails to have the program ready for scheduled cablecast, the staff may, at its discretion, assign the time slot to other Access Users.
  - f. A series will receive priority scheduling over programs airing one time.
  - g. A series time slot will be allocated for new series only if:
    1. Access User has completed two programs prior to application.
7. Except for live and series programming, channel time will generally not be scheduled until a program is complete and all the information pertaining to the program is supplied to the staff for scheduling.

## **B. Scheduling Conflicts**

1. Facility use for media dubbing, training or any other personal purposes shall have the lowest priority and may be bumped from a requested time slot if facilities are needed for programming or recording.
2. If none of the above applies MCCAM Program Director may resolve the conflict at its discretion.

## **C. Cablecasting Procedures**

1. Access Users must obtain in writing, and produce upon request, all the necessary approvals, clearances, licenses, etc. in order to cablecast any program material that includes, but is not limited to, broadcast stations, networks, music licensing organizations, performer's representatives, and any and all other persons as may be necessary for authorization to cablecast the program material. Failure to provide proof of the necessary clearances, rights, licenses, etc. will result in the suspension of the particular program, series, or episode in question until such proof is produced.
2. Labels – Before cablecast, all media must be clearly labeled with the following information:
  - a. Title of program
  - b. Cablecast date
  - c. Producer's name
  - d. Length of Program
  - e. Pre-roll length
3. Leader and Trailer -- The beginning of all cablecast programs must include the following, in this order:
  - a. Minimum of 5 seconds of black pre-roll
  - b. Title graphics
4. The end of a cablecast program must include the following, in this order:
  - a. Appropriate production credits
  - b. MCCAM credit – (i.e., “Produced at MCCAM”) if applicable
  - c. Minimum of 30 seconds of standard black
5. Media owned by the Access User must be picked up within ten days of the last cablecast. After sixty (60) days, MCCAM assumes no responsibility.
6. Programs scheduled for cablecasting must be brought to the staff at least (3) three business days prior to the scheduled cablecast, unless otherwise arranged with the MCCAM Program Director.

#### D. Technical Standards

1. Programming must meet minimum quality standards for cablecast. MCCAM reserves the right to pre-screen programs. If programming does not meet minimum technical standards and/or does not comply with MCCAM Policies & Procedures, MCCAM will refuse the request for playback.
2. All media supplied for cablecast must be submitted in one of the following formats: MPG2, MPG4, H.264, or .mov, unless other arrangements have been made.
3. Media must be of such quality that a processing amplifier used by the channel will accept the signal. If the amplifier will not accept the signal and the resulting picture is unstable, the media may be rejected.
4. Audio quality of all media will be constant and of sufficient level to permit adequate reproduction on MCCAM transmission equipment.
5. If staff notices an abnormal number of production problems with submitted media (i.e. poor audio or video), an Access User may be asked to re-train.

#### E. Credits/Disclaimers/Labeling of Sensitive Material

1. MCCAM reserves the right to include the following notice before and/or after a program: **“The views expressed on the following [or “preceding”] program are those of the individual producer and do not necessarily reflect those of MCCAM. MCCAM is not responsible for the production or quality of the tape being cablecast.”**
2. If requested by MCCAM the following credit shall be added: **“The preceding program was made possible by MCCAM.”**
3. If MCCAM makes a good-faith determination that the subject material in a program may offend some viewers and/or may not be appropriate for children, MCCAM may require that the following announcement be added to the beginning of the program: **“The following program may contain sensitive material. Viewer discretion is advised.”** MCCAM reserves the right to run potentially offensive programming at later time periods. Failure to notify MCCAM of potentially offensive material prior to a program or episode airing may result in loss of privileges.

#### F. Grants, Underwriting and Sponsorship

1. Underwriting for programs must be for goods and services or in-kind contributions that aid in developing and improving the program. Credit for underwriting will be similar to the following: **“Goods and services used in the production of this program were contributed by [company name].”** Credits will be shown before and after the program and can be displayed at periodic intervals during the program. Such programs must still include MCCAM’s credit (See above).
2. MCCAM must be notified that a program will be underwritten at the time the program proposal is submitted.

3. Any individual or group submitting a proposal for grant funding for a project which involves the use of MCCAM's equipment must have obtained prior written approval from MCCAM's Program Director.

### **G. Personal Profit/Commercial Use**

Individuals, non-profit organizations, or any other Access Users may not use all or any part of the program for personal profit. Access Users found to be using the facilities or equipment for personal profit will be subject to loss of privileges.

### **H. Bicycled Programs**

Video media that is not produced in the town, rather, it is pre-produced and prerecorded material that is shipped or brought to operators for PEG Access use. Bicycled media must be strictly non-commercial in nature and technical and production quality must be high. Locally produced programs will receive priority scheduling.

1. A resident must sponsor the bicycled program by signing the producer/sponsor form and providing proof of residency.
2. Any public, non-profit organization or state agency can bicycle media with only one representative as the sponsor. The non-profit organization does not have to be based in the town but the representative must be able to furnish proof of its non-profit status and that it does serve that town, i.e. one representative must be a resident of the town who will sign an Access User Agreement.

## **V. USE OF FACILITIES AND EQUIPMENT**

MCCAM's channel and facilities are a medium for expression and free speech. No individual will be denied the use of the facilities on the basis of race, sex, age, physical disability, religion, or political belief. It is hoped that PEG Access residents, non-profit organizations, and institutions will utilize this resource as a means to produce a wide variety of programs.

### **A. Eligibility to Use Production Equipment and Facilities**

1. Availability -- Equipment and facilities are available to residents of the town and representatives or employees of non-profit organizations and agencies that serve the town on a first-come, first-served, and nondiscriminatory basis.
2. Access Users must make an appointment with MCCAM staff to schedule equipment pick up and equipment returns. Appointments are necessary for all training sessions.
3. Minors -- Eligible persons who are minors must have written permission from their parent or guardian to use MCCAM facilities and equipment. The parent or guardian must sign the Access User Agreement, accepting responsibility for scheduled production equipment and/or program material if the minor is the producer of a program. A responsible adult shall execute the necessary assurances that authorization has been obtained concerning the use of any equipment by a

minor and/or appearance of any minors on a cablecast program. Such adults shall be responsible for liability resulting from the use of equipment or an appearance by a minor. It is our policy that any minor must be accompanied by at least one non-student adult, in addition to the Program Director. Similarly there will be no field trips or other excursions with minors outside the MCCAM facility at 10 Nickerson Avenue in Middleborough.

4. Access User must have successfully completed the applicable MCCAM workshop or demonstrate, on a standardized equipment use test, the basic operation of the requested video equipment. If the Access User has not used the equipment or facilities for more than one year, re-certification may be required.
5. Access Users must sign an Access User Agreement before using the facilities. This document certifies that the Access User has read, understands, and will abide by the operating rules, and agrees to be solely responsible for the content of any programs produced or scheduled for cablecast if they are the producer of record.

**B. General Facility Policies** -- MCCAM is pleased to provide facilities, equipment, and channel time for television productions. In return, we ask that Access Users obey all of the franchise requirements and MCCAM's PEG access programming operating procedures regarding channel and facility use.

1. No smoking, food, or beverages are allowed in the control room or near portable equipment, at any time.
2. Anyone found to be under the influence of alcohol or drugs will be removed from the premises. This will result in the loss of privileges.
3. Abide by safety guidelines. See Section C below.
4. There will be no use of phones or other office equipment, unless granted permission by MCCAM Program Director.
5. Access Users are responsible for loss or damage to facilities and equipment due to negligence or abuse.
6. Access Users of MCCAM equipment and post-production facilities, will not change wiring, patch bays, or components. No attempt should be made to work on or repair equipment. Any damage caused in this manner will be charged to the Access User. A loss of privileges will result from such equipment abuse. Access Users of MCCAM equipment should report any defects or problems to the staff.
7. Access Users that are found to be misusing or abusing the equipment may be asked to repeat training, testing and/or be subject to loss of privileges.
8. MCCAM Program Director may waive certain equipment and facility rules at their discretion.

9. All Access Users will be put on an active list of volunteers to be distributed when local event coverage is requested.
10. When MCCAM requests coverage of a particular event, the Access User who is assigned to cover the event will receive a stipend of \$50 for the full coverage of that event. MCCAM requested events will be determined and assigned by the Program Director. The Access User must sign the Coverage Commitment/Reimbursement form prior to coverage in order to be paid.

**C. Volunteer Standards of Conduct for Non-MCCAM Employees**

1. Safety First. Keep yourself safe, keep others safe, and keep company property and equipment safe at all times. Endangering the safety of oneself, others, or company property will not be tolerated.
2. Appropriate, professional, and respectful behavior is expected at all times. Violent behavior will not be tolerated. This includes threatening or intimidating language, any form of physical assault such as striking or manhandling another person, or fighting. Weapons, or any objects resembling weapons, are prohibited while at MCCAM facilities.
3. Respect. Behavior that could be construed as threatening or harassing (including sexual harassment) toward fellow volunteers, customers, vendors, or employees will not be tolerated.
4. Honesty and accuracy. Dishonesty with employees or falsifying records or any other access-related documents will not be tolerated.
5. Be courteous and polite to others, including employees, other volunteers, and guests of the facility.
6. Drug-free environment. Carrying and/or being under the influence of drugs or alcohol at any time while on MCCAM property, or while using MCCAM Access equipment, is prohibited.
7. Smoking is not permitted near any MCCAM equipment (including in the field and at home).
8. MCCAM facilities are accessible only with proper authorization. This includes, but is not limited to, company e-mail, production and editing equipment.
9. Respect for, and appropriate use of, MCCAM property and equipment is required.
10. Privileges may be lost for engaging in any other conduct that MCCAM deems unacceptable.

## **D. General Rules for Equipment Use**

Public, educational, government access programming is created by volunteers and depends on the participation of many active, trained volunteers who use video communication tools in order to independently reflect their ideas. MCCAM staff will assist residents in assembling production crews from among trained and qualified volunteers. Non-profit organizations and municipal agencies planning to do programs on a regular basis are encouraged to form a television production committee, which MCCAM will then train. Training for the production of programming will be provided on a first-come, first-served, nondiscriminatory basis in accordance with the MCCAM's PEG access programming operating procedures.

1. Access Users must be properly certified and have completed all required planning and equipment forms approved by the staff before the equipment, or facilities will be scheduled.
2. Access Users should only identify themselves as Access Users, not as employees or staff of MCCAM.
3. Reservations for equipment or facility use may be made up to one month in advance and should be made at least two (2) week in advance. Confirmation of facility and equipment reservations, forty-eight (48) hours in advance, is strongly recommended. Reservations can be made with MCCAM Program Director in person, by phone or by email. Access user must obtain a confirmation if reservation is made by email.
4. Additional materials for productions, beyond those supplied by MCCAM (i.e. graphics, media, other materials, etc.), must be supplied by the Access User and must be removed from facility when not in use.
5. The Access User will be loaned the media storage for program coverage which must be returned with equipment when done shooting.
6. All media supplied by Access Users, Sponsors and/or Producers will be permanently removed from the MCCAM facility after sixty (60) working days unless arrangements have been made with the Program Director.
7. Cancellation of equipment or facility reservations should be made at least twenty-four (24) hours in advance, except in the case of emergencies. Repeated last minute cancellations may result in loss of privileges.

## **E. Portable/Field Equipment**

1. Access Users holding equipment reservations must follow these check-out and check-in procedures:

### **Check-out:**

- a. Sign all required forms and equipment checklists.
- b. Determine if equipment is in working order.

**Check-in:**

- a. Equipment must be returned on time.
  - b. Any problems with equipment or damage must be noted on the equipment checklist and brought to staff attention.
2. Equipment must be picked up and returned by making an appointment with the Program Director.
  3. Failure to return MCCAM equipment when due may result in suspension of Access User privileges.
  4. Equipment may be borrowed for a maximum of forty-eight (48) hours (2 days) during the week and seventy-two (72) hours over the weekend. Longer loan periods must be requested at the time the reservation is made and will be honored at the discretion of staff.
  5. Access Users with portable equipment already checked out will not be allowed to check out additional equipment, unless special arrangements are made with staff.
  6. Only in special cases, and with staff permission, can Access Users take equipment outside of the towns being served by MCCAM.

**F. Editing and Post Production**

Requests to use the editing equipment for titles, special effects, etc. shall be made at least twenty-four (24) hours in advance and will be subject to the discretion of staff.

**G. Program Planning Proposal**

A planning proposal describes the program idea, lists the target audience, outlines production needs, and selects the appropriate production format, facilities and equipment needed to complete a program. A Program Planning Proposal also determines the production responsibilities and copyright ownership. These and other forms are available for planning productions, including a Crew Sign-up Sheet, Pre-Production Planning Form and Post-Production Planning Form. These optional forms are recommended for additional guidance.

**H. Use of MCCAM During Emergencies**

Government use of MCCAM during emergencies and disasters declared by the Emergency Management Director or Middleborough Selectmen has absolute priority over other programming. During such emergencies or disasters, MCCAM shall be permitted to accept live, taped, character-generated and audio information from other governmental or non-governmental entities when such announcements are deemed by Emergency Management Director or Middleborough Selectmen to provide important public information pertaining to the emergency or disaster or other conditions requiring protection of the public health, safety and welfare.

## **VI. PROGRAM CONTENT**

A. Access Users of television channels and program producers are fully responsible for the content of all program material and have the following **program rights and privileges**:

1. Ownership of rights to all original material.
2. To request that program media held by MCCAM be discontinued from cablecast or erased in the event that program information becomes outdated or obsolete.
3. To play or distribute the media, for nonprofit purposes only, provided MCCAM is given graphic credit within the videotape at each cablecast date or play.
4. DVDs for making duplicates (dubs) must be provided by the individual or group making the dub.
5. Duplication services may be purchased from MCCAM. Access Users are permitted one free DVD of their completed, ready-for-telecast program provided they furnish a DVD. This policy does not apply to raw, unedited or work print footage. Access Users may also create up to 5 DVD dubs at no charge (but they must provide the DVDs) for the purpose of using their program as a bicycled program.

**B. The following material is prohibited:**

1. Obscene material is not permitted on MCCAM. (see legal definition on page 4)
2. Material which constitutes libel, slander, invasion of privacy, or which might violate any other local, state or federal law.
3. Programs containing material that violates copyright or trademarks. Use of such material generally requires obtaining appropriate rights from music licensing organizations, publishers, representatives, copyright holders, broadcast stations, networks and any other persons as may be necessary for cablecast. Access Users may be asked to furnish written authorization for use of such materials.
4. Program material that creates the immediate danger of damage to property or injury to persons; the substantial obstruction of law enforcement or functions or services; the deprivation of any person by threat, threat of force or physical action through the exercise of a legal right, or the disturbance of any person in the enjoyment of a legal right; or the creation of a public nuisance.
5. The direct or indirect presentation of lotteries or lottery information, including raffles & drawings.

6. By law, MCCAM may not exercise any editorial control over Public, Educational, or Governmental uses of access channels with the exception that the cable operator may refuse to transmit a public access program, or a portion of the program, which the cable operator reasonably believes contains obscenity.

### **C. MCCAM Program Rights**

As MCCAM has provided materials, facilities, and staff support for the production of programs, MCCAM has the following rights:

1. To retain the edited master of the program for its digital archive.
2. To make duplications of the program for noncommercial distribution, except where permission has expressly been denied in advance. Producers will always be given graphic credit in the videotape for such use.
3. To cablecast the program as often as is deemed appropriate.
4. To exercise the option of erasing an obsolete or unusable program after it has been cablecast.
5. MCCAM should be notified of any subsequent use of any program produced and cablecast at MCCAM facilities or with MCCAM equipment if the producer received any profit or remuneration.
6. MCCAM will own programs produced by MCCAM's staff. When MCCAM staff produces a program, with the assistance of volunteer or staff crew, it is considered to be Local Origination Programming and copyright ownership is held entirely by MCCAM.

### **D. Political Programming**

MCCAM supports the airing of programs from individuals running for public office and spokespersons from political parties or ballot/warrant issues. Since FCC regulations concerning equal time do not apply to public access programming, MCCAM places no restrictions on the use of the Public Access channel and facility by political candidates or spokespersons from political parties or ballot/warrant issues, other than those applying to normal and equitable use of the Public Access equipment, facility, and channel scheduling as outlined in these rules and regulations. In that vein,

1. Regarding political programs, the following material is ENCOURAGED:

- a. Political presentations which are informative in nature, such that they state who a candidate or ballot/warrant issue is and what it represents in terms of specific ideas, issues, and policies.
- b. Candidate and ballot/warrant issue forums and debates.
- c. Presentations which describe a person's or organizations' point of view on a given issue.

2. Regarding political programs, the following material is PROHIBITED:

- Any advertising by, or on behalf of, candidates for public office, political parties or ballot issues; or advertising promoting (or opposing) candidates or ballot issues by supporting groups or lobbying organizations. Announcements of political fund raisers will not be allowed on the Community Bulletin Board.

3. All political programming will be aired on MCCAM up to 24 hours before the opening of polls in Middleborough. For example, if polls open Tuesday at 10am, political programming will cease effective 10am Monday. The scheduling of political programs fall under the same guidelines as other Public Access programs as outlined in these rules and regulations.

4. Candidates for office and those involved in political parties and ballot/warrant issues will follow these guidelines effective the day a candidate officially declares his or her candidacy or the day a ballot/warrant issue meets the requirements for being placed on the ballot. These guidelines also include any individual who is declared a write-in candidate whose name may not appear on the official Middleborough election ballot.

5. For more information regarding political programs please refer to MCCAM's Program Director.

## **VII. GRIEVANCES/PUBLIC RECORD**

A. **Grievances** -- Any grievance regarding the assignment of workshop space, channel time allocation, equipment and studio use, or any other matter regarding MCCAM facilities should first be discussed with the Program Director. If that does not provide an acceptable solution, a grievance may be filed in writing with the Middleborough Permanent Cable Committee.

B. **Public Record** -- MCCAM maintains a complete public record of all persons, groups, or organizations requesting use of the political, EEO, and children's files. The file shall be made available to the public for inspection during staff hours. All records will be kept a minimum of two years. Copies of all public file documents are available for copying upon request. However, the requesting party must pay the copying costs and the copying may be done at the location specified by MCCAM within seven (7) days of the request. Persons requesting inspection of the public file shall identify themselves by name and address, in writing. Persons inspecting the public file may not remove any records from the premises. Although all documents pertaining to use must be kept on file, Access User identity can be kept anonymous upon written request.

1. **Political Files** -- MCCAM keeps a political file containing a record of:
  - a. All requests for cablecast time by candidates for public office.
  - b. The disposition of the request.

2. **Individual Sponsorship File**  
FCC rules require sponsorship identification of cablecast material paid or bartered for by any business enterprise. The rule is waived for individual "want ads" or classified ads. Whenever this exemption is used, a list of the names, addresses, and telephone numbers of sponsors of want ads or classified advertising must be retained.

3. **Children's Programming File**

Cable operators should obtain quarterly certifications of compliance of the Children's Television Act from cable networks. Cable operators will not be responsible for compliance on either the broadcast signals they passively carry or on PEG Access channels; however, cable operators engaged in the local origination of children's programs must follow the requirements applicable to broadcasters. Records verifying compliance will be retained for a period of one year.

## **VIII. BULLETIN BOARD ANNOUNCEMENTS**

### **A. Eligibility**

A text information service is available, free of charge, to non-profit organizations providing public service announcements and/or event information to the town. No commercial announcements, political fund raisers, advertising, direct appeals for funds, or personal messages will be accepted. However, fund raising events may be announced. Messages announcing fund raisers should not contain ticket or admission prices. A "call for more info" phone number is permitted.

### **B. Procedures**

1. To place a message on the on air bulletin board. (note: on air bulletin board or CBB runs on Comcast channel 9/Verizon channel 34 when programming is not scheduled to air):
  - a. fill out CBB form or clearly present only important information on a single page document
  - b. return by mail, or
  - c. email, or
  - d. bring in person (drop box available in town hall parking lot, 10 Nickerson Ave. Middleborough, MA 02346)
1. Message request should be submitted two (2) weeks prior to the desired start date.
2. General messages that do not pertain to a specific event will be shown, as long as possible, for up to one (1) year. In order for the message to be renewed, a request must be re-filed every year.
4. All other rules regarding limitations on content for programming apply to bulletin board announcements.
5. Images can be submitted to be used on your bulletin board announcement either as the background or as an image on the announcement itself. Only jpeg files are accepted and must be a minimum of 420x680 pixels.

**Violation of any one of these standards can result in loss of privileges to MCCAM facilities. MCCAM has full authority and discretion to deny access privileges as and when it deems appropriate.**

# MCCAM | Access User Agreement

1. I have read and am thoroughly familiar with the contents of the MCCAM operating rules.
2. If the program producer, I will be responsible for the content of program material to be recorded and/or cablecast by me and agree that such program material will not include:
  - a. any obscene or profane material;
  - b. any lottery or lottery information;
  - c. any advertising
  - d. any direct or indirect solicitation of money, except where exempted under these rules;
  - e. any material which constitutes libel, slander, invasion of privacy or publicity rights, violation of trademark or copyright, or which might violate any local, state or federal law.
3. I acknowledge that the producer is responsible for obtaining all approvals, clearances, licenses, etc. for the use of those program materials; including, but not limited to, approvals by broadcast stations, networks, sponsors, music licensing organizations, copyright owners, performer's representatives, persons appearing in the program material and any other approvals that might be necessary in order to cablecast the program on MCCAM.
4. I indemnify and hold MCCAM harmless against any claims arising out of any use of the program material that I cablecast or any breach of this Access User Agreement; including, but not limited to, any claims in the nature of libel, slander, invasion of privacy or publicity rights, noncompliance with applicable laws and unauthorized use of copyrighted material.
5. I agree that I shall not represent myself or any other person involved in programming as an employee, representative, or agent of MCCAM, unless specifically authorized by MCCAM to do so.
6. I understand that I may be liable for the costs of any repair or replacement of equipment or materials resulting from damage beyond reasonable wear and tear through normal use, misuse, or theft while such equipment or materials are in my possession or control. I understand the penalties that apply if equipment or materials are not returned on time. I also indemnify MCCAM against any damage or liability incurred while using the equipment.
7. I shall not use MCCAM equipment, or facilities for any financial gain or other commercial purposes. I understand that programming produced with MCCAM's equipment or facilities shall be for the benefit of the community.
8. I understand that violation of the terms of this statement is grounds for forfeiture of the right to use MCCAM equipment, facilities or channel time.
9. I have been instructed on how the access equipment I am borrowing is to be safely handled, including the storage and lifting of it in and out of my vehicle and/or dwelling.

<b>Access User</b> (Please print, sign and return with proof of address)		
<b>Print Full Name:</b>		
Full Address: Street, Town & Zip:		
Proof of Address Provided:		Circle One ... ID / Driver's License / Utility Bill / Other: _____
Email:		
Home Phone:		
Work Phone:		
Cell Phone/other:		
<b>SIGNED</b> (if under 18, must be signed by a parent or legal guardian)		<b>Date:</b>
<b>Staff Use Only</b>		
Circle One to verify ... Access User's address verified by ID / DL / Utility Bill / Other: _____		
<b>Approved by:</b>		<b>Date:</b>

# MCCAM | Producer/Endorser Information

<b>Producer/Sponsor</b> (Please print, sign and return with proof of address)		
<b>Program Title:</b>		
<b>Program Description:</b>		
<b>Program Length:</b>		
<b>Circle One:</b>	Special    Weekly Series    Biweekly    Monthly	
<b>Producer Print Full Name:</b>		
<b>Organization: (if non-profit):</b>		
<b>Non-Profit Tax ID (501c3) #:</b>		
<b>Full Address: Street, Town &amp; Zip:</b>		
<b>Email:</b>		
<b>Home Phone:</b>		
<b>Work Phone:</b>		
<b>Cell Phone/Other:</b>		
<b>SIGNED</b> (if under 18, must be signed by a parent or legal guardian)		<b>Date:</b>
<b>Sponsor (if not Producer) Print Full Name:</b>		
<b>Full Address: Street, Town &amp; Zip:</b>		
<b>Email:</b>		
<b>Home Phone:</b>		
<b>Work Phone:</b>		
<b>Cell Phone/Other:</b>		
<b>SIGNED</b> (if under 18, must be signed by a parent or legal guardian)		<b>Date:</b>
<b>Staff Use Only</b>		
Circle One to verify ... Access User's address verified by    ID / Driver's License / Utility Bill / Other: _____		
<b>Approved by:</b>		<b>Date:</b>

# MCCAM | Organizational Access User Agreement

1. I have read and am thoroughly familiar with the contents of the MCCAM operating rules.
2. If the program producer, I will be responsible for the content of program material to be recorded and/or cablecast by me and agree that such program material will not include:
  - a. any obscene or profane material;
  - b. any lottery or lottery information;
  - c. any advertising
  - d. any direct or indirect solicitation of money, except where exempted under these rules;
  - e. any material which constitutes libel, slander, invasion of privacy or publicity rights, violation of trademark or copyright, or which might violate any local, state or federal law.
3. I acknowledge that the producer is responsible for obtaining all approvals, clearances, licenses, etc. for the use of those program materials; including, but not limited to, approvals by broadcast stations, networks, sponsors, music licensing organizations, copyright owners, performer's representatives, persons appearing in the program material and any other approvals that might be necessary in order to cablecast the program on MCCAM.
4. I indemnify and hold MCCAM harmless against any claims arising out of any use of the program material that I cablecast or any breach of this Access User Agreement; including, but not limited to, any claims in the nature of libel, slander, invasion of privacy or publicity rights, noncompliance with applicable laws and unauthorized use of copyrighted material.
5. I agree that I shall not represent myself or any other person involved in programming as an employee, representative, or agent of MCCAM, unless specifically authorized by MCCAM to do so.
6. I understand that I may be liable for the costs of any repair or replacement of equipment or materials resulting from damage beyond reasonable wear and tear through normal use, misuse, or theft while such equipment or materials are in my possession or control. I understand the penalties that apply if equipment or materials are not returned on time. I also indemnify MCCAM against any damage or liability incurred while using the equipment.
7. I shall not use MCCAM equipment, or facilities for any financial gain or other commercial purposes. I understand that programming produced with MCCAM's equipment or facilities shall be for the benefit of the community.
8. I understand that violation of the terms of this statement is grounds for forfeiture of the right to use MCCAM equipment, facilities or channel time.
9. I have been instructed on how the access equipment I am borrowing is to be safely handled, including the storage and lifting of it in and out of my vehicle and/or dwelling.

<b>Access User</b> (Please print, sign and return with proof of address)	
<b>Organization Contact Person, Full Name</b>	
Name of Organization	
501 (c) 3 number	
Organization Address: Street, Town & Zip:	
Contact Person Address: Street, Town & Zip:	
Proof of Address Provided:	Circle One ... ID / Driver's License / Utility Bill / Other: _____
Email:	
Home Phone:	
Work Phone:	
Cell Phone/other:	
<b>SIGNED</b> (if under 18, must be signed by a parent or legal guardian)	<b>Date:</b>

<b>Staff Use Only</b>	
Circle One to verify ... Access User's address verified by ID / Driver's License / Utility Bill / Other: _____	
<b>Approved by:</b>	<b>Date:</b>

# MCCAM | Volunteer Information

All users of MCCAM equipment & facilities must fill out this form completely.  
Training is mandatory in order to use equipment & facilities.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Over 16 years of age? Y N

Emergency Contact: Name \_\_\_\_\_

Phone \_\_\_\_\_

Days Available: M T W TH F S Su mornings afternoons evenings

Type of volunteer work desired:

Field Production Municipal Meeting Coverage Event Coverage Editing

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_

(if under 18 Parent/Guardian must also sign)

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\* OFFICE USE ONLY (below) \*\*\*\*\*

Training Completed: \_\_\_\_\_ Field equipment (camera, lighting, mics)

\_\_\_\_\_ Portable edit suite (Apple laptop, edit software, card reader, extnl.HD)

\_\_\_\_\_ Broadcast Pix Control Room \_\_\_\_\_ Tightrope System (Cablecast & Carousel)

\_\_\_\_\_ Municipal Meeting Coverage (using BPIx) \_\_\_\_\_ MG&E (special set up)

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Assigned ID# \_\_\_\_\_

# MCCAM | Bulletin Board Request

The Community Bulletin Board is a free service provided by MCCAM for non-profit organizations and Town Departments to post upcoming events. Please complete this form and either MAIL or DELIVER to:

MCCAM  
Community Bulletin Board  
10 Nickerson Avenue  
Middleborough, MA 02346

Or email INFORMATION to [bulletinboard@MCCAM02346.com](mailto:bulletinboard@MCCAM02346.com)

1. Messages must be received at least two working days prior to desired start date.
2. Messages may be displayed up to 60 days prior to the event.
3. Include the basics in your message: what, when and where. Provide a contact phone number, email or website in the message, if applicable.
4. Messages may not be longer than one page unless arrangements are made with the Program Director.
5. Anonymous messages will not be shown. All messages must be accompanied by the requester's name; this name does not have to appear in the message itself.
6. Messages are cablecast on a first-come, first-serve basis.

Today's Date: \_\_\_\_\_

Name / Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone #: \_\_\_\_\_

This announcement should run from: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ to \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

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# MCCAM | DVD Request

Date of Request: \_\_\_\_\_

**Requestor Information:**

Name: \_\_\_\_\_

Name of Organization (if applicable): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Mailing Address:**

Attention (name): \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Street Address: \_\_\_\_\_ Apt/Ste #: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Fee is **\$25.00** per hour (1 hour minimum) to create DVD dubs.

NOTE: programs prior to May 1, 2011 may need to be converted in real time from VHS to DVD.

VHS copies of events prior to May 1, 2011 is limited

Program requested: \_\_\_\_\_

Date/location of program: \_\_\_\_\_

Payments (**Non-Refundable**) must be by check or money order and payable at the time of the request to:

MCCAM  
10 Nickerson Avenue  
Middleborough, MA 02346

Pick up at MCCAM office  
(additional charge for shipping and handling if not picked up at the MCCAM office)

Duplication Time \_\_\_\_\_ hrs + Conversion Time (VHS to DVD) \_\_\_\_\_ hrs x # of copies \_\_\_\_ x \$25/hr  
= Amount Due: \_\_\_\_\_

You will be notified when your DVD is ready.  
MCCAM is not responsible for DVDs left over 30 days.  
Public Record requests need to be submitted through the Middleborough Town Clerks office.

<b>"This Box for Staff Use Only"</b>					
Request No. _____	Date Rec'd _____	Date Processed _____	Initials _____	Check No. _____	Amount: _____

# MCCAM | Municipal DVD Request

*This form must be completed by requestor prior to DVD being created.*

MCCAM will make available one DVD copy (per meeting) of each respective municipal meeting that has been recorded by MCCAM to the Chairperson of the Town Board and/or Committee for said meeting. Additionally, Department Heads and Chairpersons of a Town Board and/or Committee are also eligible to request one DVD copy (per meeting) of municipal meetings, recorded by MCCAM. Requests must be submitted by the respective Chairperson or Department Head, any additional copies will be charged the public rate.

**Date of Request:** \_\_\_\_\_

**Requestor Information:**

Name: \_\_\_\_\_

Department, Board or Committee: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Meeting requested: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

You will be notified when your DVD is ready to be picked up at the MCCAM office (Town Hall basement).  
Please allow a minimum of 3 business days for service.

Request Completed by: \_\_\_\_\_ date: \_\_\_\_\_

Request Received by: \_\_\_\_\_ date: \_\_\_\_\_

MCCAM | 10 Nickerson Ave. Middleborough, MA | 774.766.6350 | info@MCCAM02346.com

# MCCAM | Portable Equipment Request

SUBMITTED AT LEAST Five (5) DAYS PRIOR TO PICK-UP DATE

Today's Date \_\_\_\_\_

Name \_\_\_\_\_

Project/Loc. \_\_\_\_\_

Home Phone \_\_\_\_\_

Work Phone \_\_\_\_\_

Pick-up Date/Time \_\_\_\_\_

Return Date/Time \_\_\_\_\_

Staff Approval \_\_\_\_\_

Staff Return-Check \_\_\_\_\_

## THE EQUIPMENT CHECK OUT LIST

PLEASE NOTE, SUBSTITUTIONS MAYBE MADE AT THE STAFF'S DISCRETION UP UNTIL PICK UP

### Camera Packages

Camera/Portapack type \_\_\_\_\_ Sony Ref# \_\_\_\_\_ JVC Ref# \_\_\_\_\_

**SONY PMW-EX1R USERS :** indicate the receipt of the camera's AC Unit/Battery charger, DC Input Cable, USB cable, AV connecting cable, Component video cable, Remote Control, lens hood w/lens cap (attached to camera), and that you accept full financial responsibility for the equipment, if lost or stolen, by initialing here \_\_\_\_\_

**JVC GY-HM100U USERS:** indicate the receipt of the camera's AC/Battery charger Unit, Component cable, AV Cable, Power cord, USB cable, Remote Control, audio unit (attached to camera), microphone (attached to camera), and that you accept full financial responsibility for the equipment, if lost or stolen, by initialing here \_\_\_\_\_

Monitor \_\_\_\_\_ Ref# \_\_\_\_\_ Batteries \_\_\_\_\_ Ref# \_\_\_\_\_  
 Tripod \_\_\_\_\_ Ref# \_\_\_\_\_ Media disk(s) \_\_\_\_\_ QTY \_\_\_\_\_

### Lighting

Light Kit \_\_\_\_\_ Ref# \_\_\_\_\_ Other \_\_\_\_\_ Ref# \_\_\_\_\_

### Microphones

Wireless \_\_\_\_\_ Ref# \_\_\_\_\_ Hand-Held \_\_\_\_\_ Ref# \_\_\_\_\_  
 Boundary \_\_\_\_\_ Ref# \_\_\_\_\_ Mic stand \_\_\_\_\_ Ref# \_\_\_\_\_

### Other Audio

Mixer \_\_\_\_\_ Ref# \_\_\_\_\_ Headset \_\_\_\_\_ Ref# \_\_\_\_\_

### Miscellaneous:

DVD's \_\_\_\_\_ QTY \_\_\_\_\_ Extension \_\_\_\_\_ Ref# \_\_\_\_\_

### Cables:

XLR to XLR \_\_\_\_\_ XLR to Mini \_\_\_\_\_ RCA to RCA \_\_\_\_\_  
 XLR to 1/4" \_\_\_\_\_ BNC to BNC \_\_\_\_\_ Other \_\_\_\_\_

### Adapters:

XLR to 1/4" \_\_\_\_\_ XLR to Mini \_\_\_\_\_ XLR to RCA \_\_\_\_\_  
 BNC to RCA \_\_\_\_\_ Other \_\_\_\_\_ Other \_\_\_\_\_

### Portable Edit Suite

Apple MacPro Kit \_\_\_\_\_ Ref# \_\_\_\_\_

**Apple MacPro edit kit USERS :** indicate the receipt of 15" Apple MacPro laptop computer # \_\_\_\_\_, USB Mouse, Apple power cord, 2TB portable hard drive # \_\_\_\_\_, hard drive power cord, SXS card reader & power cord, case for equipment (case # \_\_\_\_\_) and that you accept full financial responsibility for the equipment, if lost or stolen, by initialing here \_\_\_\_\_

*The undersigned has checked the equipment and agrees that it is in working order. The undersigned assumes full responsibility for any damage to the equipment while in his/her possession. The undersigned also agrees to reimburse the Access Studio for loss of or damage to such equipment by paying for the full market value replacement cost. Negligent handling of the equipment will result in the forfeiture of future studio rights.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# MCCAM | Program Proposal

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Home Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Organization: \_\_\_\_\_

Production will be shot:

Live \_\_\_\_\_ or Taped \_\_\_\_\_

Single Program \_\_\_\_\_ or Series \_\_\_\_\_ weekly/monthly/other

Program format:

News Discussion \_\_\_\_\_ Public Service Announcement \_\_\_\_\_

Educational \_\_\_\_\_ Special Event \_\_\_\_\_

Entertainment \_\_\_\_\_ Personality Profile \_\_\_\_\_

Other (please specify) \_\_\_\_\_

Program Title: \_\_\_\_\_

Program Objectives: \_\_\_\_\_

Intended Audience: \_\_\_\_\_ Program Length: \_\_\_\_\_

Please detail production assistance required:

Have you been certified on this facility's equipment?

Yes \_\_\_\_\_ No \_\_\_\_\_ When \_\_\_\_\_

Please detail other related experience: \_\_\_\_\_

Have you received any funding for this project? If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_

MCCAM | 10 Nickerson Ave. Middleborough, MA | 774.766.6350 | info@MCCAM02346.com

# MCCAM | Coverage Commitment/Reimbursement

Please submit one form per event prior to coverage.

Submission Date: \_\_\_\_\_ ID# \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Date of event coverage: \_\_\_\_\_

Production will be shot:

BPix \_\_\_\_ LIVE Y or N                      Field \_\_\_\_

Event Details: \_\_\_\_\_ Final Record Time: \_\_\_\_\_

Municipal meeting : \_\_\_\_\_

Other: \_\_\_\_\_

I understand that I will be reimbursed a \$50 stipend for the coverage of this entire event regardless of length of time required to record said event.

Signed by: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized by: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

# MCCAM | Media Submission for Meetings

This form must be filled out and submitted to MCCAM with the required media in the proper format at least 2-business days prior to meeting.

Submission Date: \_\_\_\_\_ Meeting Date/Time: \_\_\_\_\_

For use at what board or committee meeting?

\_\_\_\_\_

Name &  
Business/Group: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Media (circle one) : CD/DVD THUMBDRIVE YOUR OWN LAPTOP

(accepted file formats: JPEG, PDF, Quicktime, Microsoft Office 2010 files)

Name of file(s) to be uploaded for presentation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Submitted DVD and/or thumbdrive can be picked up after the meeting by contacting Karen Foye at MCCAM after the meeting 774-766-6350 or [kfoye@MCCAM02346.com](mailto:kfoye@MCCAM02346.com)

# MCCAM | Talent Release for Minors

I hereby assign to \_\_\_\_\_, the producer of \_\_\_\_\_, and to MCCAM the right to use my child's likeness, voice, name, and the titles of works performed by me during my appearance on the program \_\_\_\_\_. I hereby authorize the editing, reproduction, copyright, exhibition, broadcast, distribution, and promotion of said program by MCCAM without limitation.

I understand that neither I nor my child will receive payment for my participation in this production, and I hereby release the above-named producer and MCCAM from any claims for remuneration for any subsequent use of this program.

I indemnify and hold harmless the above-named producer and MCCAM against any and all claims arising out of any actions or statements my child makes or program material that I provide for the media, including, but not limited to, any claims in the nature of libel, slander, copyright infringement, invasion of privacy or publicity right, and errors of omission. I expressly release the producer and MCCAM from any privacy, defamation, or other claims I may have arising out of broadcast, exhibition, publication, or promotion of this program.

**Name of minor (please print):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature of parent or guardian:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

I further agree that the representations and agreements contained in this release are extended to my child's ongoing participation in this program.

**Signature:** \_\_\_\_\_