Incorporated 1669
344 Years of Progress

CRANBERRY CAPITAL
OF THE WORLD

Town of Middleborough
Massachusetts

CHARLES J. CRISTELLO
Town Manager

508-947-0928
FAX 508-946-2320

TOWN MANAGER'S REPORT
JUNE 10, 2013

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

Charles J. Cristello
Town Manager

Deval L. Patrick, Governor
Timothy P. Murray, Lt. Governor
Richard A. Davey, Secretary & CEO

massDOT
Massachusetts Department of Transportation

May 31, 2013

Mr. Charles Cristello, Town Manager
Town of Middleborough
10 Nickerson Avenue
Middleborough, MA 02346

Dear Mr. Cristello:

As you know, on March 13, 2013, Governor Patrick filed a transportation bond bill to authorize and fund a comprehensive ten-year plan to modernize and expand our transportation system to spur economic growth, create jobs, and improve the quality of life for residents across the Commonwealth.

Under *The Way Forward*, the Governor proposed adding additional revenues raised through our tax reform proposal to existing revenues to provide a 10-year $300 million annual (indexed for inflation) Chapter 90 program for municipalities. This plan represented a fifty percent increase over Fiscal Year 2013 in the funding that would available on a predictable, reliable basis for distribution to cities and towns to support our local transportation needs.

Unfortunately, the House and Senate have proposed a one year authorization pending the outcome of the transportation finance debate. The Administration continues to work with the legislature on transportation financing, but it is clear that we will need to make hard choices about where to devote available resources.

Given the high level of uncertainty regarding revenues for transportation investment, it is not possible to meet the Legislature's authorization of $300 million in Ch. 90 funding for fiscal year 2014 at this time. To do so would require irresponsible cuts in capital spending in other high priority budget areas such as critical safety projects, measures to cut congestion, and support for public transit.

Under current budget realities and contingent on passage of the terms bill, the Administration is releasing $150 million in Chapter 90 local transportation funding for fiscal year 2014. Cities and towns will be able to access these funds as soon as the Chapter 90 terms bill has been enacted. Depending on the final disposition of the transportation finance plan, it may be possible to release additional Chapter 90 funding later in fiscal year 2014 for either the fall or early spring construction seasons.

We recognize the critical importance of capital spending to each municipality across the Commonwealth. Local transportation infrastructure improvements deliver immediate economic benefits and ensure the long term viability of our infrastructure.

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TDD: 617-973-7306
www.mass.gov/massdot

Under Governor Patrick's leadership, cities and towns have received the highest levels of Chapter 90 investment in history. We are committed to continuing to work with cities and towns across the Commonwealth to ensure the continuing success of the Chapter 90 program and to create a world-class transportation system that strengthens our economy and improves our way of life.

Your projected allotment of $656,474 will be available upon passage of the Chapter 90 terms bill. In the meantime, please feel free to contact Matt Bamonte at (857) 368-9151 with any questions you may have regarding the Chapter 90 program.

Sincerely,

Richard A. Davey
Secretary & CEO

Charles Cristello

From: Decas, Murray & Decas <decasmurraydecas@yahoo.com>
Sent: Friday, June 07, 2013 11:46 AM
To: Charles Cristello; Jeanne Spalding; Robert Whalen
Subject: 84 River St

Via First Class Mail
& Certified Mail-Return Receipt Requested

June 7, 2013

Shawn M. Tracey
Judi-Ann Tracey
84 River Street
Middleboro, MA 02346

RE: Zoning Enforcement Case – Plymouth Superior Court

Dear Mr. & Mrs. Tracey:

You are aware that the court entered a preliminary injunction giving you until April 15, 2013 to come into compliance with respect to motor vehicle parts, vehicles and dogs at the River Street property and adjacent Auburn Street.

You did not respond to my prior letter asking for arrangements for an inspection to determine compliance with the injunction.

A view of the property and Auburn Street last month suggested that you had not come into compliance with the injunction.

Please contact me to discuss the status of compliance. If I don't hear from you on or before June 17, 2013 the Town will proceed with the filing of a contempt action against you because of non-compliance with the injunction.

Very truly yours,

Daniel F. Murray

DFM/s
12-121
cc: Robert Whalen, Building Commissioner *(via email)*
Jeanne Spalding, Health Officer *(via email)*
Charles J. Cristello, Town Manager *(via email)*

From: Charles Cristello [mailto:ccristello@middleborough.com]
Sent: Wednesday, June 05, 2013 8:42 AM
To: Kauffman, Tracey
Subject: CapeFlyer

Tracey,

Were the gates fixed in time for train service last Friday? Was the train permitted to travel 60 mph? Can we get a copy of the Risk Analysis?

Charles J. Cristello
Town Manager
Town of Middleborough

This email has been scanned by MessageLabs and contains no viruses or malware.

This email/electronic message, including any attached files, is being sent by the MBTA. It is solely intended for the recipient(s) and may contain information that is proprietary, confidential, legally privileged, and/or exempt from disclosure pursuant to state and federal law. If you have received this message in error or are not the intended recipient(s), please notify the sender immediately by reply, and delete all copies of this email/electronic message and any attached files from your computer. If you are the intended recipient(s), you may use the information contained in this email/electronic message and any attached files only as authorized by the MBTA. Any unauthorized use, dissemination, or disclosure of this email/electronic message and/or its attached files is strictly prohibited.

LEONARD E. SIMMONS
SENIOR MULTI-SERVICE CENTER

Middleborough Council On Aging
558 Plymouth Street, Middleborough, MA 02346

Andrea M. Priest
Executive Director

508-946-2490
508-946-2489 (FAX)
508-946-4446 (TDD)

Posting Date May 31, 2013

JOB DESCRIPTION: VAN/BUS DRIVER

Date Approved: _____ Status: _____

Revised: _____ Rate: In Accordance with Union Contract

GENERAL DESCRIPTION

Under direct supervision of the Dispatcher on duty (or in his/her absence, the Assistant to the Executive Director), transports elderly and disabled persons and COA volunteers on GATRA (Greater Attleboro and Taunton Regional Transit Authority) and COA vehicles, transports home delivered meals and other supplies and performs related duties such as vehicle maintenance and cleaning and recordkeeping.

DUTIES/RESPONSIBILITIES

- Provides transportation for elderly, disabled and/ or physically challenged persons to Senior Multi-Service Center programs and activities, medical and hospital appointments, shopping trips, recreation activities, education and training sites and other assigned trips.
- Provides transportation for COA volunteers.
- Under some circumstances, may transport school children and other special populations.
- Transports home delivered meals and other supplies on COA delivery vehicles, as assigned.
- Maintains a safe driving environment for COA passengers at all times.
- Assumes passenger compliance at all times with seat belt and other safety measures required by law
- Assists passengers to safely enter and leave the bus or van.
- Maintains ongoing radio contact with the COA dispatcher when on the road.
- Immediately reports any passenger complaints, accidents, injuries, damage to the vehicle and other unusual occurrences to the Dispatcher or Assistant to the Executive Director.

- Maintains interior and exterior of their assigned vehicle(s) in clean condition.
- Conducts appropriate pre-trip inspections to ensure safe operation of vehicles and presence of safety equipment.
- Checks engine oil and other fluid levels and air pressure in tires.
- In collaboration with the Dispatcher, assures that assigned vehicles receive periodic repair and maintenance checks.
- Maintains all required records and statistics.
- Assumes responsibility for enforcing the "no smoking" policy on GATRA and COA passenger vans and buses at all times.
- Observes highest possible level of confidentiality for all individuals served by the COA.
- Assumes other related duties as circumstances may require as determined by the Executive Director or, in his/her absence, by the Assistant to the Executive Director.

EUCATION/QUALIFICATIONS

High School graduation and a minimum of three years experience in transporting passengers (preferably involving work with senior citizens) or a combination of education and experience deemed equivalent to this.

Possession of a Massachusetts Commercial Drivers License including an endorsement for the operation of passenger transport vehicles .

Health status and lifting ability consistent with the need to provide assistance to elderly and disabled persons in wheelchairs who require help in entering and leaving COA buses and vans.

Willingness to undergo a vision test and examination by a licensed physician at the time of hiring and anytime after hiring to assure a level of health and visual acuity consistent with driving responsibilities.

JOB DESCRIPTION, VAN/BUS DRIVER

Willingness to undergo random drug and alcohol screening tests, in compliance with federal regulations.

CPR and first aid certification, or willingness to obtain this as a condition of hiring.

Willingness to consider and respond positively, whenever feasible, to requests to perform scheduled overtime, evening, weekend and holiday duties.

Willingness to work scheduled overtime, evening, weekend and holiday hours, if, in the judgment of the Executive Director, such assignments are needed.

CRITICAL KNOWLEDGE, ATTITUDE AND SKILLS

- Ability to relate well to elderly persons and volunteers.
- Maturity of judgment, as exemplified by an ongoing concern for the safety and general wellbeing of COA passengers.
- Strong desire to function as a member of a team with other COA staff members to assure that the transportation program functions efficiently and effectively in all its aspects.
- Good sense of humor.
- Willingness to work long and irregular hours.

- **Posting Closes:** **June 14, 2013**

- **Pursuant to Federal Regulations 51.55 (e) (k) (6), the Town of Middleborough does not discriminate on the basis of handicapped status in admission or access to or treatment in its programs and activities.**

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY
400 Worcester Road Framingham, MA 01702-5399
Tel: 508-820-2000 Fax: 508-820-2030
Website: www.mass.gov/mema

Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

Kurt N. Schwartz
Director

June 5, 2013

Elizabeth A. Zimmerman, Deputy Associate Administrator
Office of Response and Recovery
Federal Emergency Management Agency
500 C Street SW
Washington, DC 20472

Through: Paul Ford, Acting Regional Administrator
FEMA Region 1
99 High Street
Boston, MA 02110

James N. Russo, CEM
Federal Coordinating Officer
FEMA-4110-DR
15 Rye Street
Portsmouth, MA 03801

Dear Ms. Zimmerman:

I respectfully appeal the decision, dated May 7, 2013, denying the Commonwealth's request to include snow assistance for Plymouth County in the major disaster declaration (FEMA-4110-DR) of April 19, 2013.

This appeal is based upon financial data received from municipalities in Plymouth County that reveals that their costs associated with snow and ice removal for the February 2013 snowstorm are approximately $3,876,911. Additionally, the state expended approximately $1,714,535 on snow and ice removal operations in Plymouth County during this snowstorm, bringing total state and local costs expended on snow and ice removal in Plymouth County to approximately $5,591,446. These snow and ice removal costs are in addition to an estimated $11.2 million in other storm-related costs incurred in Plymouth County.

On April 19, 2013, President Obama issued a major disaster declaration (FEMA-4110-DR) as a result of a severe winter storm, snowstorm and flooding for all 14 counties of the Commonwealth under the Public Assistance Program. Emergency snow assistance was declared for the following ten counties: Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Norfolk, Suffolk and Worcester. The Commonwealth's request for snow assistance for Plymouth County was denied.

Plymouth County received within 0.6 inch of the amount of snow "generally" considered by FEMA to be a near record snowfall for the county, and experienced the similar, and in some cases more severe impacts from the storm than the other ten counties that received snow assistance.[1] The actual snowfall amount of 21.5 inches in Plymouth County brought no fewer impacts to the area than an additional 0.6 inch would have brought, nor did the lack of an additional 0.6 inches of snow allay or alleviate the burden associated with snow removal operations for such a high snowfall amount. The type of precipitation (extremely heavy, wet snow) combined with prolonged periods of very strong winds (some gusts exceeding hurricane force [74mph]) caused significant power outages throughout the county. Indeed, given these extenuating circumstances, the impacts in Plymouth County were more significant than some other counties that met or exceeded their snowfall records. The lack of power and other impacts created additional challenges to public safety and public works officials in snow removal operations. In addition, these extended power outages created the need to shelter significant numbers of individuals. Plymouth County housed nearly half of all shelter operations (15 of 32 shelters) for the Commonwealth during the incident, accounting for nearly 48 percent of the 5-day statewide shelter population.

Although snowfall totals in Plymouth County fell just short of the generally applicable snowfall threshold, the county has far exceeded the applicable cost threshold of $1,707,470. As mentioned above, local and state snow and ice removal costs in Plymouth County for the February 2013, snowstorm exceeded $5,591,446. During this one storm, the City of Brockton, the only city in Plymouth County, spent over $800,000 on snow and ice removal. Neither the state nor the municipalities in Plymouth County can absorb these staggering costs without offsetting the expenses by making substantial cuts in other areas of their budgets. A tally of the individual local and state costs expended in Plymouth County can be found in attachment A.

Based on the extraordinary snow and ice removal costs incurred in Plymouth County as a result of the February 2013 snowstorm, coupled with the fact that the snowfall totals came within 87% (rather than the 90% "FEMA generally considers" as a "near record snowfall") of

[1] The language contained in FEMA's Snow Assistance Policy suggests that FEMA has discretion in determining "near record" snowfall where, like here, the county came very close to the suggested minimum threshold and has experienced major damage and cost impacts.

the all time record snowfall, I have determined that this incident is of such magnitude that effective response is beyond the capabilities of the Commonwealth of Massachusetts, Plymouth County and the affected local governments. Therefore, I am submitting this appeal that snow assistance for Plymouth County be included in the disaster declaration that was issued by President Obama on April 19, 2013 as it is necessary for adequate recovery. Your consideration of this request is greatly appreciated.

Sincerely,

Kurt N. Schwartz, Director
Massachusetts Emergency Management Agency

Encl.

Region I
P.O. Box 116
365 East Street
Tewksbury, MA 01876
Tel: 978-328-1500 Fax: 978-851-8218

Region II
P.O. Box 54
12-1 Rear Administration Road
Bridgewater, MA 02324-0054
Tel: 508-427-0400 Fax: 508-697-8869

Region III / IV
1002 Suffield Street
Agawam, MA 01001
Tel: 413-750-1400 Fax: 413-821-1599

PLYMOUTH COUNTY		A	B	C	D	E	F	G	
	Public Assistance								
	Snow Removal Costs	Debris Removal	Emergency Protective Measures	Roads and Bridges	Water Control Facilities	Buildings and Equipment	Utilities	Parks Recreational Facilities and other Items	**Total IDA Estimate Reported (Note: Does NOT Include Snow Costs)**
Abington	$167,170	$14,545	$41,817	$0	$0	$0	$0	$0	$56,362
Bridgewater	$178,500	$0	$59,638	$0	$0	$26,476	$0	$3,000	$89,114
Brockton	$812,438	$2,100	$86,474	$0	$0	$0	$0	$0	$88,574
Carver	$158,130	$0	$94,522	$0	$0	$0	$21,200	$0	$115,722
Duxbury	$59,881	$7,133	$63,395	$0	$0	$535,000	$8,436	$862,000	$1,475,964
East Bridgewater	$112,610	$5,000	$20,072	$0	$0	$3,550	$0	$0	$28,622
Halifax	$33,528	$12,000	$15,410	$0	$0	$0	$0	$0	$27,410
Hanover	$130,000	$25,000	$50,500	$0	$0	$0	$0	$0	$75,500
Hanson	$100,000	$0	$28,700	$0	$0	$0	$0	$0	$28,700
Hingham	$271,531	$40,610	$52,698	$0	$0	$0	$95,000	$0	$188,308
Hull	$89,500	$24,700	$87,000	$0	$0	$64,500	$69,600	$13,000	$258,800
Kingston	$85,810	$0	$65,087	$0	$0	$36,065	$0	$0	$101,152
Lakeville	$53,549	$0	$4,828	$0	$0	$8,026	$0	$0	$12,854
Marion	$8,564	$8,850	$55,794	$0	$0	$0	$0	$0	$64,644
Marshfield	$205,982	$350,000	$269,157	$80,000	$2,131,325	$101,557	$0	$0	$2,932,039
Mattapoisett	$40,185	$29,764	$29,208	$0	$7,945	$3,700	$0	$0	$70,617
Middleboro	$126,465	$0	$34,151	$0	$0	$0	$590,821	$0	$624,972
Norwell	$82,173	$72,741	$57,028	$0	$0	$0	$0	$0	$129,769
Pembroke	$149,788	$0	$109,084	$0	$0	$0	$0	$0	$109,084
Plymouth	$414,498	$38,814	$141,998	$0	$25,000	$25,000	$0	$26,675	$257,487
Plympton	$46,000	$60,000	$8,200	$0	$0	$0	$0	$0	$68,200
Rochester	$60,000	$82,000	$6,500	$0	$0	$0	$0	$0	$88,500
Rockland	$242,131	$0	$18,244	$0	$0	$13,029	$880	$0	$32,153
Scituate	$58,834	$211,449	$153,181	$2,867,000	$0	$40,310	$62,500	$0	$3,334,440
West Bridgewater	$61,293	$0	$15,053	$0	$0	$0	$0	$0	$15,053
Wareham	$118,000	$45,400	$237,000	$0	$0	$128,100	$0	$0	$410,500
Whitman	$10,351	$37,167	$93,181	$0	$0	$38,256	$0	$0	$168,604
MASS DOT	$1,612,255	$250,000	$0	$0	$0	$0	$0	$0	$250,000
CMWRRDD	$45,000	$0	$0	$0	$0	$0	$0	$0	$0
DMH, Brockton Multi Service Center	$1,500	$0	$12,148	$0	$0	$0	$0	$0	$12,148
Plymouth County Sheriffs Dept	$8,378	$0	$10,677	$0	$0	$193	$0	$0	$10,870
Plymouth County Administrator	$10,054	$0	$0	$0	$0	$0	$0	$0	$0
DCR	$37,348	$19,176	$0	$0	$0	$2,000	$30,000	$3,500	$54,676
DPS	$0	$0	$2,898	$0	$0	$0	$0	$0	$2,898
DFS, Plymouth	$0	$0	$1,840	$0	$0	$0	$0	$0	$1,840
DDS	$0	$8,000	$0	$0	$0	$7,600	$0	$0	$15,600
Exec Office of Labor and Workforce Development	$0	$0	$0	$0	$0	$1,107	$0	$0	$1,107
MANG	$0	$0	$55,537	$0	$0	$0	$0	$0	$55,537
Totals	**$5,591,446**	**$1,344,449**	**$1,981,020**	**$2,947,000**	**$2,164,270**	**$1,034,469**	**$878,437**	**$908,175**	**$11,257,820**

MEMORANDUM

To: Board of Selectmen

From: Caroline R. LaCroix, Ast. to the Town Manager

Re: Sign and Hall Rental Approvals

Date: June 7, 2013

Please be advised of the following approval:

Sign Request
East Middleborough 4-H for the following:
Play, sign dates June 3 – June 24,
Lipizzan Horse Show, sign dates June 24 – July 30
4-H Fair, sign dates August 1 – September 5

Grand Hall rental
Nidhi Modi for wedding rehearsal and wedding reception, October 11 and 12, 2013.

Thank you.