

CORRESPONDENCE

6-15-15

1	Plymouth County Commissioner	Advisory Board Annual Meeting 6/25/15
2	Library Board of Trustees	5/11 & 5/18/15 Meeting Minutes
3	Decas, Murray & Decas	FY15 Law Department Budget Status
4	Planning Board	Job Posting: Senior Clerk
5	Verizon	FiOS TV Notice
6	MSBA	J. T. Nichols & M. K. Goode Schools
7	DEP	Cert of Compliance: High Rock Harding Rd
8	DEP	Determination of Applicability: Mass DOT
9	DEP	Enforcement Order: ABC Commercial Properties, 7 Depot St., E. Wareham
10	Trader & Drums	Sobriety Pow Wow 6/20 & 21 @ Pratt Farm

Jacqueline Shanley

From: Nancy O'Rourke <norourke@plymouthcounty-ma.org>
Sent: Friday, June 12, 2015 9:49 AM
To: 'Alan Slavin'; 'Alex Bezanson'; 'Allan Chiocca'; 'Ann Holmberg'; 'Ann Lee'; 'Anthony Vegnani'; 'Arthur Boyle'; 'Bobbi Clark'; 'Brian Bezanson'; 'Catherine Salisbury'; 'Charlie Seelig'; 'Daniel Salvucci'; 'David Delaney'; 'David Sheedy'; 'Dennis Gallagher'; 'Don Howard'; 'Dori Jamieson'; 'Elaine Fiore'; 'Ellen Allen'; 'Helen Hapgood'; 'Helen Marrone'; 'John Powderly'; 'John Reilly'; 'Jonathan Henry'; 'Jordan Collyer'; 'Kate Boland'; 'League of Women Voters'; 'Linda Benezra'; 'Lisa'; 'Lorraine Devin'; 'Mallory Cole'; 'Mark Russo'; 'Mary Power'; 'Matthew McDonough'; 'Matthew McDonough'; 'Mayor Carpenter'; 'Melissa Arrighi and Kenneth Tavares'; 'Melody Pacheco'; 'Meredith Marini'; 'Michael J. Schleiff'; 'Michael Johnson'; 'Nancy Maloney'; 'Patricia Vinchesi'; 'Patrick Tropeano'; 'Peter Colombotos'; 'Richard LaFond'; 'Richard Nunes'; 'Robert Sullivan'; 'Sabrina Chilcott'; 'Sarah Hewins'; 'Selectman Stephen J. McKinnon'; 'Jacqueline Shanley'; 'Susan Munford'; 'Susan Setterland'; 'Ted Alexiades'; 'Theodore J. Flynn'; 'Tracie Craig'; 'Wareham Selectmen'
Cc: 'Daniel Pallotta'; 'sandra'; 'greg hanley'; 'John Buckley'; 'Tim White'; tobrien@plymouthcounty-ma.org; 'Jeff Welch'; markgildea@cbglawfirm.com; 'Marilyn Marvill'; 'Molly Vollmer'; 'Doug allen'
Subject: Agenda-Plymouth County Advisory Board Annual Meeting-Thursday, June 25, 2015
Attachments: Agenda-PCAB 6-25-15.pdf
Importance: High

Attached please find the agenda for the Plymouth County Advisory Board Annual Meeting to be held **Thursday, June 25, 2015**.

The meeting will be held in the Plymouth County Commissioner's Hearing Room, 44 Obery St. Plymouth, MA

Executive Board-6:00 p.m.

Sign-in-6:30 p.m.

Meeting-7:00 p.m.

If you have not already notified me of your attendance, please let me know as soon as possible if you or an alternate will be attending.

Thank you,
Nancy

Nancy O'Rourke, Executive Assistant
Plymouth County Commissioners Office
44 Obery Street
Plymouth, MA 02360
(508) 830-9103

PLYMOUTH COUNTY ADVISORY BOARD

ANNUAL MEETING

June 25, 2015

AGENDA

- Call the meeting to order
- Pledge of Allegiance
- Reorganization of the Plymouth County Advisory Board–Chapter 35, Section 28B as amended.
- Overview of Plymouth County–Advisory Board Chairman Ellen Allen
- Presentation by Lily Reposa–Plymouth County 4–H
- Update on County initiatives
- FY 2016 Budget review and vote
- Vote–Chapter 64D, Deeds Excise Funds–County 60%
- Vote–Chapter 64D, Deeds Excise Funds–Registry of Deeds 40%

Ellen Allen, Chairman
Plymouth County Advisory Board

The Trustees of the Middleborough Public Library met on May 11, 2015. In attendance were James Okolita, Eleanor Osborne, Edward Pratt, Stephen Conway, George Davey, Sherri Hartlen-Neely, Keith McDonald, Library Director Danielle Bowker, and Friends of the Middleborough Public Library guest, Veronica Haywood.

Chairman James Okolita called the meeting to order at 6:00pm.

The minutes of the April 13th meeting were accepted as presented.

The Treasurer's Report was accepted as presented.

Under Unanticipated, Danielle Bowker reminded everyone that they need to complete the State ethics training. She will email a link to the course. All Trustees need to take course and give Danielle the printed certificate of completion.

The Search Committee reported that they have chosen three Library Director Finalists who need to be interviewed by the full Board of Trustees. They are:

- Eden Fergusson
- Jason Bloom
- Deb Rich

All present Trustees received copies of each candidates' resume' for review. Trustees will submit the questions they want asked of the candidates to the Board Chairman. The Search Committee Chairman will contact the finalists and schedule one-hour interviews with them for May 18, 2015 (starting at 4:30pm). The Library Director will email the Search Committee interview questions to all Trustees.

During the Director's report:

- A motion was made and seconded to approve and accept the terms of the MacKenzie Trust settlement. The motion was passed unanimously.
- Danielle Bowker announced that she had signed her retirement papers. Her last day with the library is August 28, 2015.

Upcoming Trustee meetings:

- May 18, 2015 @ 4:30pm: Library Director Candidate Interviews
- June 8, 2015 @ 6:00pm: Regular Board of Trustees meeting

The Trustees voted to go into Executive Session for the purpose of discussing personnel issues, and not to return to Open Session. The meeting adjourned at 7:16pm.

<p>Handouts:</p> <ul style="list-style-type: none"> • Agenda • Minutes of April 13, 2015 • Treasurer's Report (Balances 4/30/2015) • Director's Report • Expenditures as of May 1, 2015 • Circulation Statistics • Library Director Candidate Resumes 	<p>Respectfully submitted,</p> <p>Sherri Hartlen-Neely</p>
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The Board of Trustees of the Middleborough Public Library held a special meeting on May 18, 2015 for the purpose of interviewing candidates for the position of Library Director. In attendance were Edward Pratt, James Okolita, George Davey, Stephen Conway, Nancy Ockers, Sherri Hartlen-Neely, Eleanor Osborne, Keith Macdonald, Maryanna Abren, and Library Director Danielle Bowker. Veronica Haywood and Judy Gibbs represented the Friends. Library staff members Kaye Duquette, Libby Fox, Karen Wry, and Lori Salatto also attended. Candidates Deborah Rich, Eden Fergusson, and Jason Bloom were present as well.

Chairman Jim Okolita called the meeting to order at 6:01 p.m.

Chairman Okolita welcomed each candidate, and explained the procedure that the Board would follow for the interview.

- Each interview would last for approximately one hour
- Previously submitted questions would be asked of each candidate
- Possible follow-up questions might come from Board members

The following candidates were interviewed for the position of Library Director:

Deborah M. Rich

Eden Fergusson

Jason Bloom.

At 7:25 p.m., upon completion of the interviews, the Board went into Executive Session for the purpose of discussing personnel issues.

A motion was made to return to Open Session at 7:58 p.m.

A motion was made to offer the position of Library Director to Jason Bloom at an annual salary of \$75,000. This offer was made contingent on a check of his educational and professional references, as well as a CORI/SORI check. This offer was made with a 3 month probationary period. The probationary period was amended to 6 months. The Board voted unanimously in favor of the amended motion.

The meeting adjourned at 8:12 p.m.

Respectfully submitted,



Maryanna B. Abren

DECAS, MURRAY & DECAS

ATTORNEYS AT LAW

132 NORTH MAIN STREET • MIDDLEBORO • MASSACHUSETTS 02346 • (508) 947-4433

GEORGE C. DECAS (RETIRED)
DANIEL F. MURRAY, ESQUIRE
WILLIAM C. DECAS, ESQUIRE

PHONE: (508) 947-4433
FAX: (508) 947-7147

REPLY TO POST OFFICE BOX 201
MIDDLEBORO, MA 02346-0201
DECASMURRAYDECAS@YAHOO.COM

June 1, 2015

Board of Selectmen
Middleboro Town Hall
Nickerson Avenue
Middleboro, MA 02346

RE: Law Department Fiscal 2015 Budget – Status

To The Members:

You asked for a monthly report of charges. I enclose copies of monthly time sheets for **MAY**, 2015. Total time expended was 23.25 hours, including appearances. This is for information only and is not an invoice.

Services for **MAY** were **\$5,000.00**.

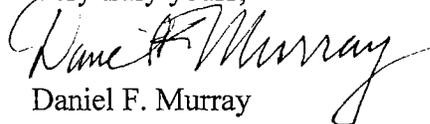
Costs incurred for **MAY** were **\$ -0-**.

Services and costs for outside and special counsel for the month were **\$3,925.00**.

Total legal expenses (services and costs) incurred during the **2015** fiscal year through and including **MAY**, 2015 are as follows:

Town Counsel (regular pay)	=	\$ 55,000.00	(7/1/14 – 5/31/15)
Town Counsel (costs)	=	\$ 2,982.09	(7/1/14 – 5/31/15)
Outside Counsel	=	\$ 65,154.46	(7/1/14 – 5/31/15)
TOTAL	=	<u>\$123,136.55</u>	

Very truly yours,


Daniel F. Murray

DFM/s
82-117

cc: Town Accountant
Town Manager (via email)

Jacqueline Shanley

From: decas.murray.decas@verizon.net
Sent: Tuesday, June 09, 2015 1:14 PM
To: Robert G. Nunes; Jacqueline Shanley
Subject: outside counsel billing

June 9, 2015

Town Accountant
Middleboro Town Offices
20 Centre Street
Middleboro, MA 02346

RE: Law Department Budget – Fiscal Year 2015

To The Accountant:

Enclosed please find invoice from Collins, Loughran & Peloquin, P.C. dated 6/5/15 in the amount of \$2,450.00 for service rendered through May 31, 2015.

Please process for payment directly to Collins, Loughran & Peloquin, P.C. Payment to be made from “Special Counsel” part of the Law Department Budget.

Very truly yours,

Daniel F. Murray
Town Counsel

DFM/s
82-117
Enclosure
cc: Robert G. Nunes, Town Manager (*via email*)
Board of Selectmen (*via email*)



4

Town of Middleborough Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

Posting Date: June 11, 2015

Position: Senior Clerk in the Planning Department. All interested parties should apply in writing to RUTH MCCAWLEY GEOFFROY, PLANNING DIRECTOR, including resume.

Hours: Hours dependent on Clerical Contract rate of pay. (Monday through Friday)

Wages: \$43,540.37 annually

Accountable to: Planning Director and Construction Administrator

Qualifications: Ten years office experience. Perform a variety of diversified clerical duties under the direction of the Planning Director and Construction Administrator. Ability to greet public effectively and determine appropriate direction of inquiry. Must be able to operate computer, fax machine, copiers and other standard office equipment. Ability to type; proficiency in the use of MS Word and Excel. Ability to file, copy, collate, etc. Basic ability to read site plans. Must be willing to learn planning/construction vocabulary and statutory requirements of the MA Subdivision Control Law, Zoning Act and local Zoning By-laws.

Duties: Greet public cordially and direct all inquiries; answer telephone for all office staff; receive and process mail; file all office paperwork and maintain files; type as directed; prepare weekly agenda; copy and collate Board's weekly packet; prepare handouts for public; process all permit applications including receipt of payment; determination of completeness, time dating, preparation of all project folders; posts all meetings & hearings; drafts and publishes legal ads and mailing of abutter notifications; maintains statutory timelines for all permits; prepare draft permits, record Planning Board decisions, distribute recorded plans; prepare notices for pre-construction meetings; notify abutting Towns for zoning changes, prepare legal ads, provide required information for attorney general submission; maintain familiarity with all ongoing Planning Department projects and problems in order to provide simple information to the public or direct inquiries. An understanding of the legalities and confidentiality concerning this position is mandatory.

Perform a variety of accounting and clerical duties related to the Planning Department's financial accounts. Maintain account spreadsheets, process payments and issue bills. Receive invoices from consultants and process same. Manage and monitor all surety posted for developments. Oversee all internal Planning Department accounts. Interface with developers and vendors regarding financial matters.

Performs any other task as directed by the Planning Director and Construction Administrator necessary for performance of the Planning Department's duties.

Posting Closes: June 24, 2015

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.

CC: Board of Selectmen
Town Manager
DPW
Veterans Office
Treasurer & Collector
Building Dept.

Fire Dept.
Police Dept.
Zoning Board
Conservation Office
Town Bulletin Board
Library

Town Clerk
Town Accountant
Health Dept
Planning Dept
Assessors Office
Council on Aging

5

Jacqueline Shanley

From: Robert G. Nunes
Sent: Friday, June 05, 2015 11:29 AM
To: Jacqueline Shanley
Subject: FW: FiOS TV Notice
Attachments: Customer Notice - HERE TV, Live Well (MA).pdf

From: Reddish, Jill M [<mailto:jill.m.reddish@verizon.com>]
Sent: Friday, June 05, 2015 10:32 AM
To: Reddish, Jill M
Subject: FiOS TV Notice

Dear Municipal Official,

This is to notify you of certain changes to FiOS® TV programming.

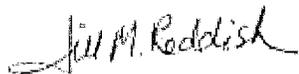
- On May 28, 2015, without providing Verizon with advance notice, the content provider replaced WBIN Live Well programming on channel 466 in the Boston area with WBIN Classics, featuring classic television programs. Verizon will notify subscribers through the FiOS® TV Message Center beginning on or around June 5, 2015 and by bill message beginning on or around July 15, 2015.
- On or after September 18, 2015, HERE TV will move from channel 445 to channel 955. Verizon will notify subscribers by bill message beginning on or around July 15, 2015.

A sample customer notice is attached.

Access to the FiOS® TV channel lineup is available 24/7 online at verizon.com/fiostvchannels.

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,



Jill Reddish
FiOS TV- Sr. Staff Consultant
Franchise Management - NE
617 342 0558



FiOS® TV Channel and Programming Changes

On or after September 18, 2015, HERE TV will move from channel 445 to channel 955.

Attention Customers in the Boston viewing area

On May 28, 2015, the content provider replaced WBIN Live Well programming on channel 466 with WBIN Classics, featuring classic television programs.

6



Massachusetts School Building Authority

Deborah B. Goldberg
Chairman, State Treasurer

John K. McCarthy
Executive Director

June 3, 2015

Mr. Allin Frawley, Chair
Middleborough Board of Selectmen
10 Nickerson Avenue
Middleborough, MA 02346

Re: Town of Middleborough, John T. Nichols, Jr. Middle School and Mary K. Goode Elementary School

Dear Mr. Frawley:

The Massachusetts School Building Authority (the "MSBA") would like to thank the Town of Middleborough (the "District") for expressing an interest in the MSBA's Fiscal Year 2015 Accelerated Repair Program ("ARP").

Overall, the MSBA received 61 Statements of Interest ("SOI") for potential project consideration in Fiscal Year 2015 ARP. As noted in the SOI opening letter that was sent to Districts on January 9, 2015, and explained in detail on the MSBA website, the ARP is for the repair and/or replacement of windows, roofs, and/or boilers. In reviewing SOIs, the MSBA identifies the potential projects that would best fit the ARP.

Invitation into this program is based upon several items including need and urgency for the replacement of the roof, windows, and boiler systems at a particular facility, review of the entire cohort of SOIs, initial conversations and outreach with a District, due diligence of the MSBA staff, and the ability of a District to adhere to the overall terms and conditions of the ARP. Issues relayed in the SOI that may preclude a District from invitation into the 2015 ARP may include:

- Site Visit History = Repair Team understands District circumstances from previous reviews that were not identified in its current SOI
- Building Usage = District identified spaces in the building used for non-educational purposes
- Overcrowding = District self-identified overcrowding
- Outside Scope = District included scope beyond roof, windows, and/or boilers (e.g. HVAC, electrical, plumbing, etc.)
- Roof Age = System is less than 20 years of age
- Window Age = System is less than 20 years of age
- Boiler Age = System is less than 20 years of age

Page 2

June 3, 2015

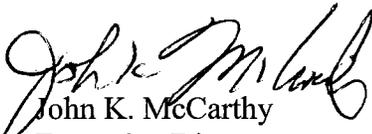
Middleborough ARP 2015 SOI Status Letter

After careful consideration and due diligence conducted by MSBA staff with all of the SOIs that were submitted for consideration, it has been determined that the John T. Nichols, Jr. Middle School and Mary K. Goode Elementary School will not be invited into the 2015 Accelerated Repair Program based upon the facility's boiler age at the John T. Nicholas Middle School and overcrowding at the Mary K. Goode Elementary School, as stated in the SOI.

The MSBA is proud to be collaborating with the District in funding the Town of Middleborough's project at the Middleborough High School. The MSBA remains committed to continuing to partner with the District, and understanding its future facility needs.

Please feel free to contact me or Diane Sullivan, Director of Program Management, at (617) 720-4466 should you have any questions.

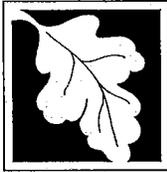
Sincerely,



John K. McCarthy
Executive Director

Cc: Legislative Delegation
Richard J. Young, Chair, Middleborough School Committee
Michael Malone, Superintendent, Middleborough Public Schools

BOS (7)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
SE220-1209
Provided by DEP

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. This Certificate of Compliance is issued to:

High Rock Harding Street, LLC (a/k/a High Rock Harding Road, LLC)

Name

275 Grove Street, Suite 2-400

Mailing Address

Newton

City/Town

MA

State

02466

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

David Sweetser of High Rock Harding Street, LLC

Name

June 9, 2014 (Amended 3/23/2015)

Dated

SE220-1209

DEP File Number

3. The project site is located at:

800' west of Poquoy Brook to 700' east of Poquoy Brook along Harding Street (Rte 44)

R.O.W. Map 47

Assessors Map/Plat Number

Middleborough

City/Town

Parcel/Lot Number

the final Order of Condition was recorded at the Registry of Deeds for:

Same

Property Owner (if different)

Plymouth

County

45003

Book

240

Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

Not applicable

Date



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

BE220-1209
 Provided by DEP

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:

Invalid Order of Conditions: It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.

Ongoing Conditions: The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

C. Authorization

Issued by:

Middleborough
 Conservation Commission

5/21/2015
 Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

Signatures:

D. Jeffrey Erickson [Signature]

Janet Miller [Signature]

~~Deborah Kirsch~~

Diane C. Stewart

~~Charles Kowalko~~

Steven Ventresca [Signature]

John Medeiros [Signature]



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

SE220-1209
Provided by DEP

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Conservation Commission.

To:

Middleborough
Conservation Commission

Please be advised that the Certificate of Compliance for the project at:

800' west to 700' east of Poquoy Brook on Rte SE220-1209
44 _____ DEP File Number

Has been recorded at the Registry of Deeds of:

County

for:

Property Owner

and has been noted in the chain of title of the affected property on:

Date Book Page

If recorded land, the instrument number which identifies this transaction is:

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:
-
-

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
-
-

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 2 – Determination of Applicability
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Determination (cont.)

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Name

Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

6/10/15

Date

This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>) and the property owner (if different from the applicant).

Signatures:

D. Jeffrey Erickson

Jacqueline Schmidt

John J. Medeiros

Diane C. Stewart

Janet Miller

Steven Ventresca

John Neely

June 10, 2015

Date



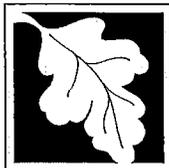
Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Appeals

The applicant, owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate Department of Environmental Protection Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>) to issue a Superseding Determination of Applicability. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form (see Request for Departmental Action Fee Transmittal Form) as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant if he/she is not the appellant. The request shall state clearly and concisely the objections to the Determination which is being appealed. To the extent that the Determination is based on a municipal ordinance or bylaw and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

BOS (9)
 DEP File Number: _____

A. Violation Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Enforcement Order is issued by:

Middleborough
 Conservation Commission (Issuing Authority)

May 21, 2015
 Date

To:

Bharat Patel of ABC Commercial Properties, Inc.

Name of Violator
7 Depot Street, East Wareham, MA 02538
Address

1. Location of Violation:

Same

Property Owner (if different)

44 Bedford Street

Street Address

Middleborough

City/Town

Map 39

Assessors Map/Plat Number

02346

Zip Code

Lot 5767

Parcel/Lot Number

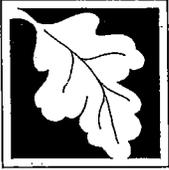
2. Extent and Type of Activity (if more space is required, please attach a separate sheet):

Cutting of trees and other vegetation within a bordering vegetated wetland and 100-foot buffer zone without an Order of Conditions.

B. Findings

The Issuing Authority has determined that the activity described above is in a resource area and/or buffer zone and is in violation of the Wetlands Protection Act (M.G.L. c. 131, § 40) and its Regulations (310 CMR 10.00), because:

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone without approval from the issuing authority (i.e., a valid Order of Conditions or Negative Determination).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 9 – Enforcement Order
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number: _____

B. Findings (cont.)

the activity has been/is being conducted in an area subject to protection under c. 131, § 40 or the buffer zone in violation of an issuing authority approval (i.e., valid Order of Conditions or Negative Determination of Applicability) issued to:

Name _____ Dated _____

File Number _____ Condition number(s) _____

The Order of Conditions expired on (date): _____ Date _____

The activity violates provisions of the Certificate of Compliance.

The activity is outside the areas subject to protection under MGL c.131 s.40 and the buffer zone, but has altered an area subject to MGL c.131 s.40.

Other (specify):

C. Order

The issuing authority hereby orders the following (check all that apply):

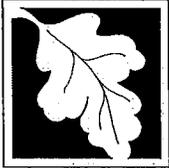
- The property owner, his agents, permittees, and all others shall immediately cease and desist from any activity affecting the Buffer Zone and/or resource areas.
- Resource area alterations resulting from said activity shall be corrected and the resource areas returned to their original condition.

A restoration plan shall be filed with the issuing authority on or before June 18, 2015
 Date

for the following:

File a Notice of Intent and mitigation plan for the bordering vegetated wetland and 100-foot buffer zone. Per J.C. Engineering from Wareham on 6/2/2015 a Notice of Intent is going to be submitted.

The restoration shall be completed in accordance with the conditions and timetable established by the issuing authority.



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C. Order (cont.)

- Complete the attached Notice of Intent (NOI). The NOI shall be filed with the Issuing Authority on or before:

_____ Date

for the following:

No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work.

- The property owner shall take the following action (e.g., erosion/sedimentation controls) to prevent further violations of the Act:

Haybales and silt fence have been installed. They shall remain installed till the Commission advises their removal.

Failure to comply with this Order may constitute grounds for additional legal action. Massachusetts General Laws Chapter 131, Section 40 provides: "Whoever violates any provision of this section (a) shall be punished by a fine of not more than twenty-five thousand dollars or by imprisonment for not more than two years, or both, such fine and imprisonment; or (b) shall be subject to a civil penalty not to exceed twenty-five thousand dollars for each violation". Each day or portion thereof of continuing violation shall constitute a separate offense.

D. Appeals/Signatures

An Enforcement Order issued by a Conservation Commission cannot be appealed to the Department of Environmental Protection, but may be filed in Superior Court.

Questions regarding this Enforcement Order should be directed to:

Patricia J. Cassidy, Conservation Agent

_____ Name

508-946-2406

_____ Phone Number

M, W, F (9:30AM - 5:00PM) T, TH (8:30AM - 5:00PM)

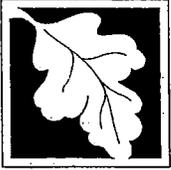
_____ Hours/Days Available

Issued by:

Middleborough

_____ Conservation Commission

Conservation Commission signatures required on following page.



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D. Appeals/Signatures (cont.)

In a situation regarding immediate action, an Enforcement Order may be signed by a single member or agent of the Commission and ratified by majority of the members at the next scheduled meeting of the Commission.

Signatures:

*Per a unanimous vote to issue at the 5/21/2015
Conservation Commission meeting.*

Antonia J. Cassidy, Conservation Agent

7013 1710 0000 6698 4764
Signature of delivery person or certified mail number

Native American Indians in Recovery



Recovery Meeting
Sat 7pm
Guest Speakers

-Intertribal Dancing-
Traders-
Food-
Native Drum-
3pm State
Ceremony-

13th Annual Original Sobriety Pow Wow

Join us in celebrating the Gift of Sobriety & Recovery

Has Moved Pratt Farm

110 E. Main St., Middleboro, MA

Directions - <http://www.nemba.org/trails/massachusetts/pratt-farm>

June 20 & 21 10am to 5pm

Grand Entry 12:30pm * Rain or Shine

Free Admission * All Welcome

More Info (508) 880-6887 Traders & Drums By Invitation Only
No Drugs, No Alcohol, No Open Fires, No Politics