

# **NEW BUSINESS**

**9-13-10**

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

NOTICE OF BETTERMENT AGREEMENT August 19, 20<sup>10</sup>.  
NOTICE OF BETTERMENT

TO THE REGISTER OF DEEDS OF PLYMOUTH COUNTY

NOTICE is hereby given that the Board of Selectmen of the Town of Middleborough acting as a Board of Health pursuant to General Laws, Chapter 111, Section 127B 1/2 entered into a Betterment Agreement

Dated April 30, 2010 with Michael Gray & Patricia Crowell  
(insert date) (insert name(s) of property owner(s))

with respect to real estate located at 31 Purchase Street  
(insert address of property)

in Middleboro, Massachusetts and described in a deed recorded in the Plymouth County

Registry of Deeds in Book 33062, Page 324  
(insert book and page)

or filed as Document Number \_\_\_\_\_ with the Plymouth  
(insert document number of deed)

District of the Land Court. The purpose of the Betterment Agreement is to authorize and enable the aforesaid property owner(s) to cause the said property to be serviced properly

by a septic system funded by financial assistance from the Town of Middleborough in the sum of up to and not exceeding

Six Thousand Dollars & .00/100 (\$ 6,000.00 ).  
(insert amount in writing) (insert amount in numbers)

The aforesaid property owner(s) shall be responsible to pay the Town of Middleborough for all funds advanced to the owner(s) pursuant to the Betterment Agreement together with interest.

The Betterment Agreement and this Notice shall be subject to the provisions of Chapter 80 of the General Laws relative to the apportionment, division, reassessment and collection of Assessment, abatement and collections of assessments and to interest. The lien for betterment under Chapter 80, the Betterment Agreement and this Notice of Betterment Agreement shall take effect by operation of law on the day immediately following the due date of such assessment or apportioned part of such assessment.

This Notice of Betterment Agreement shall be a betterment under Chapter 80.

\_\_\_\_\_  
Marsha L. Brunelle, Chairman

\_\_\_\_\_  
Alfred P. Rullo Jr., Vice Chairman

\_\_\_\_\_  
Muriel C. Duphily

\_\_\_\_\_  
Stephen J. McKinnon

\_\_\_\_\_  
Steven P. Spataro

Board of Selectmen  
Town of Middleborough

# Central Baptist Church

Dr. Roger D. Haber  
Senior Pastor  
doctoroger@cbcmiddleboro.org

August 30, 2010

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

RE: Use of Town Hall Parking Lot

We would like to request the use of the Town Hall parking lot for our fifth annual *Trunk or Treat* program. This will be on Sunday, October 31, 2010 from 5:00 p.m. to about 8:00 p.m. Children in the community will be invited to come to the parking lot where cars from our church will have their trunk open with candy to be given out in a safe and friendly environment. Previous years have proven this to be a positive and popular event.

Thank you for your consideration of this request and for your past support.

Sincerely,



Terri Perkins  
Office Manager  
Central Baptist Church



August 30, 2010

To the Board of Selectmen:

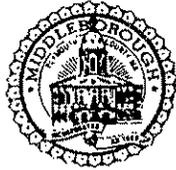
*Oct. 9* *in* The Middleboro Farmers' Market would like to hold a Fall Festival on ~~October 16th~~ from 9-2 (rain date Oct. 23). Along with our regular vendors we are planning on having pony rides on the tar, face painting, music, and a possible grill. We are submitting this plan for your approval.

Sincerely,

*Mike Nash*

Mike Nash Market Manager 508-866-2428

\* Please note we will go through the Health Dept. if food is going to be served.



*Town of Middleborough*  
*Massachusetts*

PLANNING DIRECTOR  
Ruth McCawley Geoffroy

Planning Board

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

August 24, 2010

Marsha Brunelle, Chairman  
Board of Selectmen  
10 Nickerson Ave.  
Middleborough, MA 02346

Re: Planning Department Surplus Vehicle  
1995 Chevy Corsica VIN #1G1LD5540SY209004

Dear Marsha,

The Planning Board respectfully requests that you declare the 1995 Corsica, VIN #1G1LD5540SY209004, surplus as that vehicle lost a rear spring while being driven in the Jackson Street parking lot; According to the Highway Department it is not repairable and is unable to be moved without being towed.

Thank you in advance for your attention to this matter.

Sincerely,

Michael J. Labonte, Chairman  
For the Planning Board

Cc: Finance Committee  
Capital Planning committee  
Town Manager

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

REPLY TO POST OFFICE BOX 201  
MIDDLEBORO, MA 02346-0201  
FAX (508) 947-7147

WAREHAM OFFICE:  
219-B MAIN STREET  
(508) 947-4433

August 17, 2010

Charles J. Cristello, Town Manager  
Middleboro Town Hall  
Nickerson Avenue  
Middleboro, MA 02346

RE: South Middleboro land exchange with White McGill

Dear Charlie:

I have not been able to obtain necessary information from Louise Carberry regarding the South Middleboro Protective Association trust. I spoke with White McGill's attorney. He and I agree that it seems appropriate to extend the time for performance of the agreement for sixty days to see if we can get the information. I enclose copies of a letter with extension agreement. I will send the agreement to you to obtain the Board's signature when counsel sends it to me.

Very truly yours,

  
Daniel F. Murray  
Town Counsel

DFM/s  
T-1331  
Enclosures

COPY

August 17, 2010

Robert W. Tennant, Esquire  
(via email: [tennant@tennant-ewer.com](mailto:tennant@tennant-ewer.com))

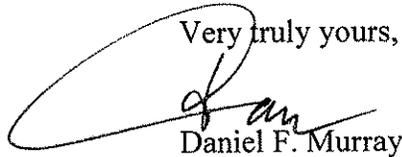
RE: Land exchange – White McGill Realty LLC /  
Town of Middleborough

Dear Bob:

I enclose an agreement to extend the time for performance of the referenced matter.

Please ask your client to sign duplicate originals of the enclosure and send them to me for execution by the Board of Selectmen. I will send you a fully executed original when the Board signs.

Very truly yours,



Daniel F. Murray

DFM/s  
T-1331  
cc: Charles J. Cristello, Town Manager

COPY

EXTENSION OF TIME FOR PERFORMANCE

The time for performance of the purchase and sale agreements (2) by and between the undersigned parties, both agreements dated May 3, 2010 and which relate to an exchange of land in Middleboro, Massachusetts between the parties is hereby extended to October 20, 2010, time still being of the essence of the agreements as extended. In all other respects the agreements are hereby ratified and confirmed.

Witness the hands and seals of the undersigned this 19<sup>th</sup> day of August, 2010.

Town of Middleborough  
By:

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

\_\_\_\_\_  
Board of Selectmen

White McGill Realty LLC  
By:

\_\_\_\_\_  
Daniel T. White, Manager

DECAS, MURRAY & DECAS

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

ATTORNEYS AT LAW

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

REPLY TO POST OFFICE BOX 201  
MIDDLEBORO, MA 02346-0201  
FAX (508) 947-7147

WAREHAM OFFICE:  
219-B MAIN STREET  
(508) 947-4433

August 23, 2010

Charles J. Cristello, Town Manager  
Middleboro Town Hall  
Nickerson Avenue  
Middleboro, MA 02346

RE: Land exchange South Middleborough/Fire Station

Dear Charlie:

I enclose an extension of performance agreement in duplicate. Please ask the Selectmen to sign both originals and return the agreements to me.

White McGill's attorney asked whether, if sufficient information regarding the trust is unavailable and/or we can't get sign-offs from all of the persons who hold the property rights formerly held by the trust, the Town would bring an action in the Land Court to quiet title as to the former trust's interest in the Fire Station property so as to eliminate it as a title concern. I told him I doubted that the Board of Selectmen would be interested in bringing a Land Court action, indicated I did not know for sure and advised that I would make inquiry if we run into a dead end in getting the holders of the trust interest to sign off.

Louise Carberry has not advised whether she can provide the needed information regarding the trust interest. I will attempt to determine whether the information is available. I will advise you of the results of my inquiry.

Very truly yours,



Daniel F. Murray  
Town Counsel

DFM/s  
T-1331

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Witness the hands and seals of the undersigned this 19<sup>th</sup> day of August, 2010.

Town of Middleborough

By:

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

Board of Selectmen

White McGill Realty LLC

By:

  
Daniel T. White, Manager

EXTENSION OF TIME FOR PERFORMANCE

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Witness the hands and seals of the undersigned this 19<sup>th</sup> day of August, 2010.

Town of Middleborough

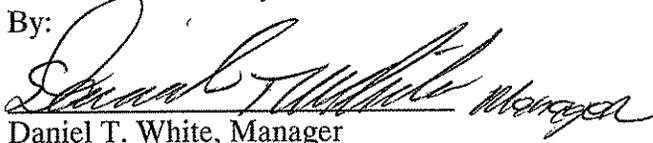
By:

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

Board of Selectmen

White McGill Realty LLC

By:

  
Daniel T. White, Manager

**Charles Cristello**

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**From:** Decas, Murray & Decas [decasmurraydecas@yahoo.com]  
**Sent:** Wednesday, September 01, 2010 11:32 AM  
**To:** Charles Cristello  
**Subject:** S. Midd. Fire Station

September 1, 2010

Charles J. Cristello, Town Manager  
(via email: ccristello@middleborough.com)

RE: Land exchange with White McGill - S. Middleboro Fire Station

Dear Charlie:

Louise Carberry advised she is unable to locate records of the trust sufficient to determine who the trust members were in 1995, the year when the trust terminated. White McGill's attorney requires this information. Therefore, it appears that the exchange can't proceed.

The attorney in anticipation that we might reach a dead end asked whether the Selectmen would authorize a quiet title action in the Land Court to eliminate the interest of the trust and its members in the right of entry (reverter) encumbrance.

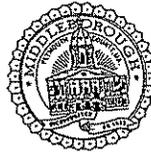
Please advise if the Board of Selectmen has any interest in bringing a quiet title action.

Very truly yours,

Daniel F. Murray  
Town Counsel

DFM/s  
T-1331

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405  
Fax: 508-946-0058

# Town of Middleborough Massachusetts

BOARD OF SELECTMEN

## APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE 8/27/2010  
NAME OF APPLICANT St. VINCENT De PAUL Society  
ADDRESS OF APPLICANT 340 CENTER ST MIDDLEBORO (508 947-1717)  
ASSESSORS MAP & LOT \_\_\_\_\_  
NAME OF BUSINESS St. VINCENT De PAUL SOCIETY / SACRED HEART PANTRY  
OWNER OF PROPERTY TO BE LICENSED SACRED HEART CHURCH  
ADDRESS OF PROPERTY TO BE LICENSED 53 OAK ST. MIDDLEBORO  
ASSESSORS MAP & LOT \_\_\_\_\_ (CHURCH HALL)

### TYPE OF LICENSE REQUESTED (Check One)

2<sup>nd</sup> Hand Furniture \_\_\_\_\_      2<sup>nd</sup> Hand Clothing \_\_\_\_\_  
Class I License \_\_\_\_\_      Class II License \_\_\_\_\_  
Class III License \_\_\_\_\_      Liquor License \_\_\_\_\_  
Common Victualler \_\_\_\_\_      Other WINE AND MALT LICENSE

Anticipated Start Date for Business OCT. 2nd 2010  
Hours requested: 5:30 - 10:00 P.M.

Has the Applicant previously held a similar license in the Town of Middleborough or elsewhere? If yes, explain:

NO

Signature Wilfred M. Pyle Pres.

DATE OF HEARING \_\_\_\_\_

APPROVED/DENIED

Do not write below line: To be Completed by Treasurer/Collector:

Please inform this department, as well as the Board of Selectmen, as to whether or not the above listed property owner/applicant/petitioner owes the Town of Middleborough any outstanding taxes and/or municipal charges that remain unpaid for more than one year.

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges?

TAX EXEMPT

**A benefit dinner for the Sacred Heart Food Pantry will be held on October 2 at the Sacred Heart Parish Hall located at 53 Oak Street in Middleboro Ma. From 5:30PM to 10:00 PM. Tickets will be available from Sept. 12<sup>th</sup> at Maria's Hallmark Shop, Egger's Furniture Store, Muckey's Liquors, the Sacred Heart Parish Office, Sts. Martha & Mary Parish Office, St, Rose of Lima parish office, and from St. Vincent de Paul Society members Bill Pye – 774-249-0002, Bill Lawrence – 508-942-0140 and Al Cronin – 508-944-0952 until September 30<sup>th</sup> . We regret that tickets will not be available at the door. Tickets are \$15.00 p/p (checks payable to Sacred Heart Food Pantry)**

**Dinner will be provided by the Olive Garden 1013 County St. Taunton Ma. From 6:30 to 8:00 pm with Entertainment by PARAMUSIA ([www.paramusia.com](http://www.paramusia.com)) until 10:00 pm. Cocktail hour is from 5:30 to 6:30. Beer and wine will be available with the bartenders compliments of Muckey's Liquors.**

**The Sacred Heart Food Pantry provides much needed food to over 325 families (over2000 children, adults and seniors) each month. This event is meant to help recoup the recent losses due to a recent theft from the pantry.**

APPLICATION AND UTILIZATION AGREEMENT  
TOWN HALL  
MIDDLEBOROUGH, MASSACHUSETTS

\*PLEASE SUBMIT PAYMENT WITH APPLICATION\*

DATE OF APPLICATION 8/4/10

ORGANIZATION/INDIVIDUAL Middleboro High School

ADDRESS 71 East Grove St

CITY, STATE, ZIP Middleboro, MA 02346 TEL # \_\_\_\_\_

CO-APPLICANT (BARTENDING SERVICE) \_\_\_\_\_

OWNER NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_ TEL # \_\_\_\_\_

DATE(S) OF EVENT 5/13/11 5/14/11 APPROXIMATE NUMBER OF PARTICIPANTS \_\_\_\_\_  
(ATTACH SEPARATE SHEET IF NECESSARY)

TIME OF DAY(S) REQUIRED \_\_\_\_\_ TO 5-10pm + 9-11am, 5-12:30

*Be sure to include any set-up or dismantling day(s)/time requirements.*

BRIEFLY DESCRIBE TYPE OF ACTIVITY Junior Prom

ASSIGNED SPACE \_\_\_\_\_ MEETING ROOM  GRAND BALLROOM \_\_\_\_\_ GROUNDS If using grounds, will building access be required for sanitary facilities? \_\_\_\_\_

\*Note - There is no air conditioning available in the Grand Ballroom

Are you requesting a one-day alcoholic beverage license? \_\_\_\_\_, Licensing fee of \$ \_\_\_\_\_ plus \$100.00 required at time of application. This will be refunded if license denied prior to event or activity.

Food will be served \_\_\_\_\_ Name of Caterer \_\_\_\_\_ Telephone # \_\_\_\_\_

\*If food is to be served, please contact the Health Department for the appropriate permits.

We expect to bring in the following additional equipment/furnishings \_\_\_\_\_

Any required insurance policy/indemnification agreement must be attached to application.

Rental Deposit (Bond) \$500.00 Check # \_\_\_\_\_ (must be tendered with application and will be returned within two-weeks if no damage to building, grounds or equipment has been reported).

Rental Cost \_\_\_\_\_ One-day alcoholic beverage license fee \_\_\_\_\_ Personnel Cost \_\_\_\_\_ Total Cost \_\_\_\_\_

Name of Designated Town Official volunteering to perform security service \_\_\_\_\_

Signature of Volunteer \_\_\_\_\_

Application Approved by Board of Selectmen (date) \_\_\_\_\_ Fees Waived \_\_\_\_\_ Fees Due \_\_\_\_\_

APPLICATION AND UTILIZATION AGREEMENT  
TOWN HALL

By signing below I/we acknowledge receipt of a copy of the rules and regulations and agree to abide by them and any other conditions established in this application.

Kathleen C. Flaherty  
Authorized Signature of Organization

Katherine C. Flaherty  
Name ---Please Print

Bu Bu  
Individual Signature

Brian Burke  
Name—Please Print

Signature of Owner – Co-Applicant (Bartending Service)

Business Name—Please Print

Original to be kept with security bond/deposit in the Selectmen's office. Two copies given to applicant (one for your records and the other given to the custodian/security personnel in charge of the event/activity.)

August 18, 2010

To: Andrew Bagas – DPW Director  
Charles Cristello – Town Manager

From: Joseph Silva – Water Superintendent

Re: Meter Reading System Upgrade

Currently the Water Department has 2 handheld computer interface units which we use to read our meters. 1 unit is broken and cannot be repaired. The other unit is on its last leg and will have to be replaced in the very near future. The current system is in dire need of an upgrade. The only unit that we have now will have to be replaced with a new unit as parts to repair the unit are not made anymore.

I have received a proposal from Tighe Sales to upgrade our meter reading system. With this upgrade it will reduce the man hours it takes to read all the meters in Town. It will also reduce the time it takes the office staff to process the utility billing.

D E P mandates that every 2 years cities and towns leak detect their water distribution systems. The cost for an outside contractor to come in and complete a leak detection survey and report to the D E P is approximately \$20,000.00. With this new meter reading upgrade we can do our own leak detection as well as D E P reporting. This would be a big cost savings to the Water Department.

Attached you will find a proposal from Tighe Sales which is the company that handles our meter reading equipment. As part of the proposal the training for this upgrade is included. Please note that this upgrade for the Town is for the current antiquated Neptune meter reading system we have, Tighe Sales is a sole source for Neptune water meters, which the Water Department requires. This would not have to be bid out.

The funding for this would come from the Water System Improvement account, Article 12, STM 9/23/02.

# Ti-SALES INC.

## WATER and WASTE WATER SUPPLIES

36 HUDSON ROAD (Route 27)  
 SUDBURY, MASS. 01776-2097  
 PHONE: (978) 443-2002  
 WATS: (800) 225-4616  
 FAX: (978) 443-7600

|        |            |
|--------|------------|
| QUOTE# | Q0030645   |
| Page   | 1          |
| Date   | 08/11/2010 |

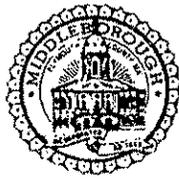
Sold To: MIDD4  
 Middleborough Water Dept  
 48 Wareham Street  
 Middleborough, MA 02346-2450

Ship To: MIDD4  
 Middleborough Water Dept  
 48 Wareham Street  
 Middleborough, MA 02346-2450

Attn: Joe Silva

| Telephone   | Delivery  | FOB         | Expires       |           |           |
|---|---|-------------|---------------|-----------|-----------|
| (508) 946-2482  | 4 weeks ARO   | Destination | 10/10/2010    |           |           |
| Fax   | Account Manager   | Location    | Terms         |           |           |
| (508) 946-2484  | Joe Coulter   |             | NET 30 DAYS   |           |           |
| Item Number   | Description   | Quantity    | Price         | Extension |           |
| CE5320B   | Neptune CE5320B Handheld Computer w/HR2650i Interface Unit (Bulverde processor) | 2           | 5500.00       | 11,000.00 |           |
| CE5000C   | DAP Ethernet Comm Cradle for CE5000 w/Power Adapter                             | 2           | 595.00        | 1,190.00  |           |
| N_SIGHT   | N_SIGHT Route Management Software   | 1           | 2500.00       | 2,500.00  |           |
| TEDIANTENNA   | TEDI Antenna for Neptune DAP Reading Equipment                                  | 2           | 75.00         | 150.00    |           |
| SOFTWARE  | Software Implementation   | 1           | 1000.00       | 1,000.00  |           |
| Quoted By: Bob Lash   |   |             |               |           |           |
| Visit our Web Site <a href="http://www.tisales.com">www.tisales.com</a> |   | Merchandise | Other Charges | Tax       | Total Due |
|   |   | 15,840.00   | 0.00          | 0.00      | 15,840.00 |

For Fast Order Entry, sign and fax back: \_\_\_\_\_ Date: \_\_\_\_\_



## WARRANT FOR SPECIAL TOWN MEETING

Middleborough, Massachusetts

To Bruce D. Gates, Police Chief or any of the  
Police Officers of the Town of Middleborough

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn all the inhabitants of said Town, qualified to vote in Town affairs, to meet in the **Auditorium of the Middleborough High School, on Monday, October 4, 2010 at 7:00 P.M.**, to act on the following articles:

ARTICLE 1. To hear the report of any committee or officer of the Town, to appoint any committee, or act anything thereon.

ARTICLE 2. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, or other available source, to supplement and/or adjust departmental budgets for Fiscal Year 2011, or act anything thereon.

ARTICLE 3. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, or other available source for unpaid bills from prior years, or act anything thereon.

ARTICLE 4. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source to fund sick leave buy-backs or act anything thereon.

ARTICLE 5. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source to fund one or more collective bargaining agreements or act anything thereon.

ARTICLE 6. To see if the Town will vote to rescind Town Meeting authorizations to borrow as follows:

| <u>Project</u>               | <u>Town Meeting Vote/<br/>Date of Authorization</u> | <u>Town<br/>Meeting<br/>Article</u> | <u>Portion of<br/>Borrowing<br/>Authorization<br/>to be rescinded</u> |
|------------------------------|---|-------------------------------------|---|
| 1. Capping existing landfill | 10/10/90  | 12                                  | \$ 85,000.00  |

|   |          |    |                |
|---|----------|----|----------------|
| 2. Oliver Mill Restoration                | 04/24/00 | 19 | \$ 125,000.00  |
| 3. Jr. High School/Early Childhood Center | 05/14/01 | 40 | \$5,446,219.00 |
| 4. Jr. High School/Early Childhood Center | 10/27/05 | 49 | \$3,017,781.00 |
| 5. Jr. High School/Early Childhood Center | 11/13/06 | 21 | \$1,000,000.00 |
| 6. Storm Water Reduction                  | 11/13/06 | 6  | \$ 131,523.00  |

, or act anything thereon.

ARTICLE 7. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, to be placed into the Trash Disposal Enterprise Fund, or act anything thereon.

ARTICLE 8. To see if the Town will vote to accept G.L. c. 64L, s. 2(a) and to impose a local sales tax upon the sale of restaurant meals originating within the Town by a vendor at the rate of 0.75 percent of the gross receipts of the vendor from the sale of restaurant meals, or act anything thereon.

ARTICLE 9. To see if the Town will authorize the Board of Selectmen to acquire by eminent domain and/or by gift an easement in Commerce Boulevard between Bedford Street (Routes 18/28) and Clay Street for use by the public as a Town way, said way as shown on (~~Note: here insert name/title of layout plan, its date and the preparer of the plan~~ a plan entitled "Definitive Subdivision Plan Middleborough Park @ 495 - Phase II Plan of Land Middleborough MA 'Commerce Blvd.'" dated 5/8/03 revised 11/28/05 by Bay Colony Group and Meridian Associates, recorded in the Plymouth County Registry of Deeds Plan Book 51 Pages 440 - 469), and any related easements, or act anything thereon.

ARTICLE 10. To see if the Town will authorize the Board of Selectmen to acquire by eminent domain and/or by gift an easement in Campanelli Drive between Bedford Street (Routes 18/28) and Clay Street for use by the public as a Town way, said way as shown on (~~Note: here insert name/title of layout plan, its date and the preparer of the plan~~ a plan entitled "'Campanelli Drive' Middleborough, Massachusetts Plan of Land" dated 3/2/10 by Kelly Engineering), and any related easements, or act anything thereon.

ARTICLE 11. To see if the Town will vote to accept Wildflower Lane as a Town way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by eminent domain, or by gift, the fee in the way as shown on the road layout plan on file with the Town Clerk entitled "Wildflower Estates Street Acceptance Plan, Wildflower Lane off Fairview Street, Middleborough, MA" prepared by G.A.F. Engineering, Inc. and dated July 27, 2010 revised through August 5, 2010, and any related easements, or act anything thereon.

ARTICLE 12. To see if the Town will vote to accept Keith Street Extension as a Town way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by eminent domain, or by gift, the fee in the way as shown on the road layout plan on file with the Town Clerk entitled "Roadway Asbuilt-Acceptance Plan, Keith Street Extension, Middleborough, MA" prepared by Outback Engineering and dated July 26, 2010, and any related easements, or act anything thereon.

ARTICLE 13. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$20,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to fund a used four wheel drive vehicle for the Planning Department, or act anything thereon.

ARTICLE 14. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$31,070 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to fund additional career incentive payments recently approved by the Commonwealth for three police officers and unused paid leave days for two police officers who have retired, or act anything thereon.

ARTICLE 15. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$58,422 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase two (2) cruisers for the Police Department, or act anything thereon.

ARTICLE 16. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$34,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase a Self-Contained Breathing Apparatus (SCBA) air cylinders for the Fire Department, or act anything thereon.

ARTICLE 17. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$415,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase and equip a Pumping Engine to replace the 1986 Engine for the Fire Department, or act anything thereon.

ARTICLE 18. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$10,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase and install a generator for the South Fire Station, or act anything thereon.

ARTICLE 19. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$12,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase individual paging devices and software to replace the obsolete and irreparable paging devices for the Fire Department, or act anything thereon.

ARTICLE 20. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$16,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase a Truck Mounted Sander for Ice/Snow for the Public Works Department, or act anything thereon.

ARTICLE 21. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$120,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to purchase a Sidewalk Plow for the Public Works Department, or act anything thereon.

ARTICLE 22. To see if the Town will vote to transfer a sum of money from the Receipts Reserved for Appropriation: School Insurance Recovery in Excess of \$20,000 for use by the School for all expenses associated with the replacement of damaged equipment, or act anything thereon?

ARTICLE 23. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$31,557 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to replace the funds to the Facility Rental account, or act anything thereon.

ARTICLE 24. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$98,500 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to buy or lease a new School Bus, or act anything thereon.

ARTICLE 25. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$34,500 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to replace the air conditioning compressors and make related repairs at the John T. Nichols, Jr. Middle School, or act anything thereon.

ARTICLE 26. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$115,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, the Water Enterprise Unreserved/Retained Earnings Account, or other available source, or by borrowing to purchase a Backhoe for the Water Department, or act anything thereon.

ARTICLE 27. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$50,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, the Wastewater Enterprise Unreserved/Retained Earnings Account, or other available source, or by borrowing to purchase a Sewer Jetter for the Wastewater Department, or act anything thereon.

ARTICLE 28. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$20,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account, the Wastewater Enterprise Unreserved/Retained Earnings Account, or other available source, or by borrowing to fund engineering services related to pre-design permitting for the upgrade to the Wastewater Treatment Facility, or act anything thereon.

ARTICLE 29. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$10,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to hire a consultant to perform an actuarial valuation to determine the town's accrued liability and total unfunded liability for post-retirement benefits required by GASB 45, or act anything thereon.

ARTICLE 30. To see if the Town will vote to raise and appropriate the sum of \$10,000.00 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source to make safe, demolish and/or remove dangerous, unsafe and/or abandoned structures, or act anything thereon.

ARTICLE 31. To see if the Town will vote to raise and appropriate and/or transfer the sum of \$11,000 from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, or by borrowing to fund energy efficiency improvements at the Town Office Buildings, or act anything thereon.

ARTICLE 32. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source, a sum of money to be placed into the Stabilization Fund, or act anything thereon.

ARTICLE 33. To see if the Town will vote to replace the Town Manager as a member of the Citizens Environmental Health Impact Committee, established by votes under Article 1 of the 2007 Annual Town Meeting and Article 26 of the November 5, 2007 Special Town Meeting, with a member-at-large to be appointed by the Town Moderator, or act anything thereon.

ARTICLE 34. To see if the Town will vote to authorize the Board of Selectmen to sign an Intermunicipal Agreement for regional cooperation in the provision of solid waste and recycling services by the South Shore Recycling Cooperative, and to see if the Town will vote to accept the provisions of the agreement titled Extension of Intermunicipal Agreement for Cooperative Recycling on the South Shore, and to accept of Section 419 of Chapter 194 of the Acts of 1998; or act on anything relative thereto.

Given, under our hands at Middleborough, 13th day of September, 2010.

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Marsha L. Brunelle, Chairman

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Alfred P. Rullo, Jr., Vice Chairman

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Muriel C. Duphily

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Stephen J. McKinnon

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Steven P. Spataro

**BOARD OF SELECTMEN**

Pursuant to the instructions contained in the above warrant, I have notified and warned all inhabitants of said Town of Middleborough, qualified to vote as expressed in said warrant, to meet at the time and place for the purpose specified by causing an attested copy of the same to be published in the Middleboro Gazette on the **16h day of September, 2010**, that date being more than fourteen days before the time specified for said meeting.

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BRUCE GATES  
Police Chief