

CORRESPONDENCE

9-8-15

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13	Planning Board	8-26-14 Meeting Minutes



Jacqueline Shanley

From: decas.murray.decas@verizon.net
Sent: Thursday, September 03, 2015 2:51 PM
To: Robert G. Nunes; Jacqueline Shanley; Barbara Erickson
Subject: notice of betterment recording

September 3, 2015

Allison Ferreira, Town Clerk
Middleboro Town Offices
20 Centre Street – 1st floor
Middleboro, MA 02346

RE: Notice of Betterment Agreement

Dear Allison:

I enclose original notice of betterment agreement, which was recorded as follows:

Name:	Address:	Date of Notice:	Book/Page	Recorded:
John & Sheri Rea	250 Wareham St.	June 15, 2015	45783 / 260	07/10/15

Very truly yours,

Daniel F. Murray
Town Counsel

DFM/s
97-351-2

Enclosures

cc: Robert Nunes, Town Manager (*via email*)
Board of Selectmen (*via email*)
Assessors Office (*via email*)

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Jacqueline Shanley

From: Robert G. Nunes
Sent: Wednesday, September 02, 2015 7:56 AM
To: Jacqueline Shanley
Subject: FW: Supplemental AQ Analysis for the 2016 RTP

Hi Jackie,

Please include in correspondence.

Bob

From: SRPEDD [mailto:jschmidt@srpedd.org]
Sent: Tuesday, September 01, 2015 5:23 PM
To: Robert G. Nunes
Subject: Supplemental AQ Analysis for the 2016 RTP

Having trouble viewing this email? [Click here](#)



Attention:

Greetings everyone:

As part of a supplement to the 2016 Regional Transportation Plan, MassDOT is seeking comments on the analysis results from the statewide model for future CO2 emissions and the informational analysis for future emissions of ozone precursor pollutants. The document is posted on the SRPEDD website at www.srpedd.org.

The comment period will run for 15-days (closing September 16th). Comments can be emailed to planning@dot.state.ma.us or mailed to MassDOT Office of Transportation Planning, 10 Park Plaza - Suite 4150, Boston, MA 02116.

Please forward as applicable.

Respectfully,

Paul Mission, Transportation Planning Manager
Southeastern Regional Planning and Economic Development District (SRPEDD)
88 Broadway, Taunton, MA 02780
Phone: 508-824-1367 ext. 230 | Dial 711 to use MassRelay |
Fax: 508-823-1803
pmission@srpedd.org

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.

Stay Connected:   

88 Broadway, Taunton, MA

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Forward this email

 SafeUnsubscribe

This email was sent to rnunes@middleborough.com by jschmidt@srpedd.org |
[Update Profile/Email Address](#) | [Rapid removal with SafeUnsubscribe™](#) | [About our service provider.](#)



SRPEDD | 88 Broadway | Taunton | MA | 02780

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Jacqueline Shanley

From: Robert Buker
Sent: Wednesday, September 02, 2015 8:23 AM
To: All Town Department Heads
Cc: Jacqueline Shanley; Catherine Hassett; Joan Stone; Kelly Jarabek
Subject: FW: End of Spray Season

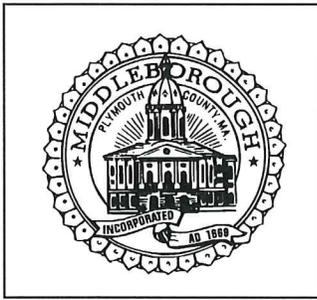
From: daniel.b.daly@gmail.com [mailto:daniel.b.daly@gmail.com] **On Behalf Of** Daniel Daly
Sent: Tuesday, September 01, 2015 1:03 PM
To: Robert Buker
Subject: End of Spray Season

Robert,

Friday, September 11, 2015 will be the last date that Plymouth County Mosquito Control will take requests from individuals to spray for adult mosquitoes. The Project will continue spraying until all requests have been met.

If virus is found, we will do wide area spraying and schools (upon request).

Dan Daly



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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

Email: apriest@middleborough.com

Posting Date August 28, 2015

JOB DESCRIPTION: VAN/BUS DRIVER

- 20 hour (minimum) position with benefits
- Possession of a Massachusetts Commercial Driver's License including an endorsement for the operation of passenger transport vehicles.
- Starting Wage of \$13.93 per hour

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 and volunteers to Senior Multi-Service Center programs and activities, medical appointments, shopping trips, recreation activities, education and training sites and other assigned trips.
- 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.

JOB DESCRIPTION, VAN/BUS DRIVER

- 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.

EDUCATION/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 any time after hiring to assure a level of health and visual acuity consistent with driving responsibilities.

QUALIFICATIONS

- Willingness to undergo random drug and alcohol screening tests, in compliance with Federal regulations.
- CPR 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: September 11, 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.

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Jacqueline Shanley

From: Reddish, Jill M <jill.m.reddish@verizon.com>
Sent: Tuesday, September 01, 2015 1:20 PM
To: Reddish, Jill M
Subject: FiOS TV Notice
Attachments: Customer Notice - Sportsman Channel.pdf

Importance: High

Dear Municipal Official,

This is to notify you of a change to FiOS® TV.

The cost of content increases substantially each year and in order to prevent those costs from being reflected in our subscribers' bills it is sometimes necessary to remove channels from our lineup. The contract for Sportsman Channel, Verizon channel 308, expired on August 31, 2015, and we have decided not to renew the contract due to its low viewership and have discontinued broadcasting it.

Affected customers will be notified of this change via email and onscreen message beginning September 1, 2015. A sample 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



Important
INFORMATION



We are committed to providing our customers with the best TV experience while keeping our prices low. Each year, the cost of content increases substantially, and in order to prevent those costs from being reflected in your bill, it is sometimes necessary to remove channels from our lineup. We have decided not to renew our contract for Sportsman Channel due to its low viewership, and have discontinued broadcasting it. We are sorry for any inconvenience this may cause.

We encourage you to explore similar content, available on the History Channel (channel 128 & 628), Destination America (channel 168 & 668), Nat Geo Wild (channel 132 & 632) and the Discovery Channel, (channel 120 & 620).

Your Verizon Team

Quick Links:

[Sign In](#)
[Forgot Password?](#)
[Customer Service](#)

Ensure Verizon emails reach your inbox by adding verizon-notifications@verizon.com to your "safe" email list. Your email or Internet provider can provide instructions on how it works.

This email has been sent from an auto-notification system that cannot accept incoming email.

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ENVIRONMENTAL CONSULTING & MANAGEMENT
ROUX ASSOCIATES INC
12 Gill Street, Suite 4700
Woburn, Massachusetts 01801 TEL 781-569-4000 FAX 781-569-4001

August 20, 2015

Mr. Robert G. Nunes
Town Manager
Town Hall Building
10 Nickerson Avenue
Middleborough, Massachusetts 02346

Re: Notice of Comment Period
Temporary Solution Statement
Rockland Industries Site
255 Plymouth Street, Middleborough, Massachusetts
MADEP Site Number 4-0111

Dear Mr. Nunes:

In accordance with the Final Public Involvement Plan (PIP) dated October 7, 1999, this letter is written to inform you that Roux Associates, Inc., on behalf of Rockland Industries, Inc., is providing notification of a public comment period for the draft Temporary Solution Statement Report (TSS Report), submitted to the Massachusetts Department of Environmental Protection (MassDEP) on August 20, 2015 for the above referenced site.

A copy of the draft TSS Report is available for review at the MassDEP Southeast Regional Office located in Lakeville, Massachusetts and two copies of the draft TSS Report are available at the Site Information Repository located at the Middleborough Public Library in Middleborough, Massachusetts. A report copy has also been submitted to Mr. Francis Whitty (Key Petitioner), Mr. Robert Buker (Middleborough Health Officer) and Patricia Cassidy (Conservation Commission Agent)

A 20-day Public Comment Period for the draft TSS Report will begin on August 24, 2015. At the end of the 20-day Public Comment Period (September 14, 2015), Rockland Industries will have 30 days to provide a written response to the public comments. Written comments regarding the TSS Report can be submitted during the 20-day Public Comment Period (by mail, email or facsimile) to:

Ms. Nancy Nevins, Project Manager
Roux Associates, Inc.
12 Gill Street, Suite 4700
Woburn, Massachusetts 01801
Fax: 781-569-4001
Email: mnevins@rouxinc.com

Mr. Robert G. Nunes
August 20, 2015
Page 2

Please contact the undersigned if you have any questions or require additional information regarding this correspondence.

Sincerely,

ROUX ASSOCIATES, INC.



Nancy Nevins, P.G.
Project Manager/Senior Hydrogeologist

Enclosure

cc: Robert Buker, Middleborough Health Department (with enclosure)
Patricia Cassady, Conservation Commission Agent (with enclosure)
Public Involvement Plan Mailing List
M. Striar, Rockland Industries, Inc.
M. Cote, MassDEP
Information Repository, Middleborough Public Library (Middleborough, Massachusetts)
(with enclosure)

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

PLYMOUTH COUNTY COMMISSIONERS

To the Selectmen and Assessors of the TOWN OF MIDDLEBOROUGH in the County of Plymouth:

WHEREAS, the County Tax for the County of Plymouth for the fiscal year Two Thousand SIXTEEN has been authorized and established at One Million, Four Hundred Sixty Three Thousand, Four Hundred Eight Dollars and Fifty Nine Cents (\$1,463,408.59), by the Commonwealth of Massachusetts, Department of Revenue, Division of Local Services. The County tax assessment constitutes a two and one-half percent increase over last year's total actual assessment.

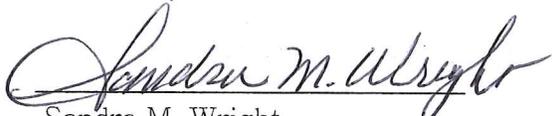
AND WHEREAS, the Plymouth County Commissioners have apportioned and assessed the sum of Forty Nine Thousand, Nine Hundred Forty Six Dollars and Forty One Cents (\$49,946.41) as the amount to be paid by the TOWN OF MIDDLEBOROUGH and have ordered their Clerk to certify the assessments to the Assessors of the City of Brockton and the various Towns, and directed that Warrants be issued requiring the Selectmen or Assessors of each Town and the City of Brockton to pay or to issue their warrants requiring the Treasurer thereof to pay, to the County Treasurer the amount assessed.

NOW THEREFORE, YOU ARE HEREBY REQUIRED AND ORDERED to assess and pay, or to issue your Warrants requiring your Treasurer to pay Forty Nine Thousand, Nine Hundred Forty Six Dollars and Forty One Cents (\$49,946.41) *unto the County Treasurer, one-half on or before the first day of November 2015 and one-half on or before the first day of May 2016.

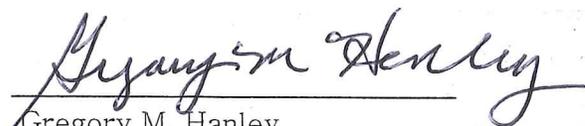
By ORDER OF THE PLYMOUTH COUNTY COMMISSIONERS



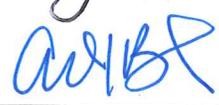
Daniel A. Fallotta, Chairman



Sandra M. Wright



Gregory M. Hanley



Assistant Clerk of Courts

* General Laws, Chapter 35, Section 24, as amended – If a time is fixed for payment of money due a County or a County Retirement System, the debtor shall, if notified by the County Treasurer seven days at least before such time, pay interest thereon, at the rate of eight percent per annum from such fixed time until payment.

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, ss.

WARRANT

Upon the

TOWN OF
MIDDLEBOROUGH

For payment of the

PLYMOUTH COUNTY TAX

for the year

2015 - 2016

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CLERICAL POSITION AVAILABLE

POSTING DATE: August 28, 2015

POSITION: Jr. Clerk in the Treasurer's Office. All interested parties should apply in writing to JUDY M. MACDONALD, TREASURER/COLLECTOR with resume included.

HOURS: 40.00 hours per week

WAGES: In accordance with current union contract

DUTIES: Perform a variety of duties including, but not limited to:
Data entry
Deposit and record daily cash receipts
Responsible enrollment of benefits
Process and reconcile benefits for new, existing employees and retirees
Billing and reconciliation of interdepartmental benefits
Processing of insufficient fund checks and verifying that they have been redeemed

QUALIFICATIONS: At least 3 years office experience necessary. Experience with benefits and payroll required. Strong knowledge of Medicare and health insurance is required. Must possess strong written communication skills and have the ability to work independently. Knowledge of computer software (word processing, data base and excel spread sheets) required. An understanding of the legalities and confidentiality concerning this position is most important.

POSTING CLOSES: September 11, 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. | Bulletin Board, Town Hall | Fire Department |
| | Police Department | Town Accountant |
| | Assessor's Office | DPW |
| | Board of Selectmen | Town Manager |
| | Town Clerk | Zoning Board |
| | Health Department | Planning Board |
| | Building Department | Treasurer & Collector |
| | Conservation | |

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JUDY M. MACDONALD
TREASURER AND COLLECTOR

Town of Middleborough
Office of the Treasurer and Collector
20 Centre Street, 3rd Floor
Middleborough, MA 02346-2270
email: jmcndl@middleborough.com

TELEPHONE
(508) 946-2420
(508) 946-2421

FAX
(508) 947-5447

September 2, 2015

Board of Selectmen
Town Hall
Middleborough, MA 02346

RE: Foreclosed Property
Leonard T. Freitag
58C-643

Dear Honorable Board,

The Town has foreclosed on the following property making it Town owned as of the respective foreclosure date. Enclosed you will find the decree.

<u>Assessed Owner</u>	<u>Map & Lot #</u>	<u>Foreclosure Date</u>
Leonard T. Freitag	58C-643 Land & Building	June 3, 2015

Very truly yours,

Judy M. MacDonald
Treasurer and Collector

cc: Robert Nunes, Town Manager

JMM/bjd

[SEAL]

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 14 TL 149457

JUDGMENT IN TAX LIEN CASE

Town of Middleborough

vs.

Leonard T. Freitag



2015 00049661

Bk: 45733 Pg: 69 Page: 1 of 1

Recorded: 06/30/2015 09:11 AM

ATTEST: John R. Buckley, Jr. Register

Plymouth County Registry of Deeds

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the Town of Middleborough in Plymouth County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	03/14/2013	42968	274		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY

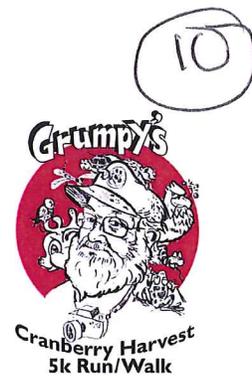
ATTEST:

Deborah S. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: June 3, 2015

↓ Coppola & Coppola
40 South St
Marblehead, MA 01945



August 11, 2015

Dear Friend of the Cranberry Industry;

On behalf of the Cranberry Educational Foundation's (CEF) Board of Directors, I am writing to invite you and/or your business to become one of CEF's primary Sponsors for our 4th annual **Grumpy's Cranberry Harvest 5K Trail Run/Walk**. This year's race will be held on Saturday, November 7, 2015 at 9:00 a.m. located at A.D. Makepeace, 158 Tihonet Rd in Wareham, MA, a **beautiful** location for this exceptional 5K!

Our (CEF) primary goal is to provide funds to support educational outreach to the area communities, neighbors and visitors in our area. One achievement we are proud of is awarding eight area college students with scholarships over the past three years. This has helped them further their studies in areas such as agriculture, the environment and community. Why "community"? The Foundation believes that a strong farm network needs a proactive and sensitive community for **all** to grow and succeed for years to come.

This past year, CEF worked closely with a team of teachers from the Wareham Middle School *STEAM (Science, Technology, Engineering, Arts & Mathematics) Academy Teaching Team* this spring. They have built a working cranberry bog to be used as a focal point for an outdoor classroom. This bog will highlight the heritage of the area and will be used as a foundation for learning math, science, business innovation and other necessary skills for the future. It is projects such as these that we hope to move forward with in our local school systems to accomplish the goals of CEF and Bob "Grumpy" Conway.

New this year will be a registration booth to pre-register for the Grumpy's 5k race at the Cranberry Harvest Celebration on October 10th & 11th, located at 158 Tihonet Road, Wareham, MA. The Harvest Celebration is hosted by the A.D. Makepeace Company & co-sponsored by the Cape Cod Cranberry Growers' Association and Ocean Spray Cranberries. For businesses who sign up to be a Sponsor before October 1, your name will be displayed on a banner hung at our booth, exposing your business to over 25,000 visitors. Volunteers are always welcome.

Cranberry Educational Foundation

One Carver Square Boulevard • P.O. Box 97 • Carver, MA 02330

Telephone: (508) 866-7878 • Facsimile: (508) 866-4220

Email: cccga@cranberries.org • Web: www.exploringcranberries.org

Sponsorships are the **anchor** for any event like the Grumpy's 5k race to be a success. The generosity of businesses and individuals like you will make a difference in our community by allowing us to carry out our mission. It has been so inspiring to receive donations from so many businesses and supporters of our industry and we thank you and assure you your contribution will be prudently invested.

Enclosed is a sponsorship flyer with several levels for you to choose from. Any level of donation and support is greatly appreciated. If you have any questions or comments, please contact me using the phone number below. Thank you very, very much for your time and consideration.

Best regards,

Peter D. Beaton

Peter D. Beaton
Chairman, CEF Board of Directors

CEF Board Members & CEF Volunteers:

Jeni Francoeur	Mary McCaffrey
Monica Mullen	Cindy Rhodes
Clark Griffith	Adrienne Mollor
Claire Smith	Patti Silvia
Susan Gilmore	
Kim Houdlette	
Dawn Gates-Allen	

The mission of the Cranberry Educational Foundation is to introduce the American cranberry, cranberry farming and its heritage to the communities, neighbors and visitors in our area. This quality educational outreach will enrich understanding and provide strong relationships throughout our community.

Please visit us on  at Grumpy's 5k race

Cranberry Educational Foundation is a 501 (c) 3 organization. Your donation is tax deductible as allowed by IRA laws.

Cranberry Educational Foundation

One Carver Square Boulevard • P.O. Box 97 • Carver, MA 02330
Telephone: (508) 866-7878 • Facsimile: (508) 866-4220
Email: cccga@cranberries.org • Web: www.exploringcranberries.org

GRUMPY'S CRANBERRY HARVEST 5K TRAIL RUN/WALK SPONSORSHIP INFORMATION

Support Cranberry Educational Foundation in its Goal to Provide Information About Cranberries and to Establish Scholarship Funds.

OSPREY LEVEL \$1000

Event T-shirt - LARGE sized logo/name on back of T-shirt. (email logo to d gatesallen@cranberries.org deadline 10/16/15)

Business Card Ad space in the Cape Cod Cranberry Growers' Association's November 2012 newsletter (Reaches a large number of growers, businesses, and other community organizations.

Banner Space - Company banner hung during Grumpy's Cranberry Harvest 5K Trail/Walk.

Booth Space - Exhibitor space during the pre/post race festivities.

Runner's Registration - Four runner registration spaces will be saved for you to utilize. Offer them to your employees, clients or friends!

Water Sponsor - Company name/logo at the water break station during Grumpy's Cranberry Harvest 5K.

HERON LEVEL \$500

Event T-shirt - MEDIUM sized logo/name on back of shirt. (email logo to d gatesallen@cranberries.org deadline 10/16/15)

Water Sponsor - Company name/logo at the water break station during Grumpy's Cranberry Harvest 5K.

Runner's Registration - Two runner registration spaces will be saved for you to utilize. Offer them to your employees, clients or friends!

BLUE BIRD LEVEL \$250

Event T-shirt - SMALL sized logo/name on back of shirt. (email logo to d gatesallen@cranberries.org deadline 10/16/15)

ALL SPONSORS RECEIVE

E-mail Marketing - Logo linked to website included in all e-mail marketing for this event

Website - Listed under "sponsors" on the tihonet.com website. Includes logo and link.

Literature Inclusion - An advertising piece of your choice (subject to approval) will be included in each runner's bag. Samples are also welcome.

FRIEND OF GRUMPY SPONSORSHIP - PERSONAL DONATIONS OF \$100

Your name/family name to be displayed at Grumpy's photo display during event.

Donations in any amount are greatly appreciated!

IN-KIND DONATION

Donation of food, product, services or supplies for the event.

Will receive appropriate level sponsor benefits as indicated above.

All food sponsors will have table signage at the post-race reception.

Cranberry Educational Foundation is a 501 (c) 3 organization. Your donation is tax deductible as allowed by IRA laws.

General Race Information: Date: November 7, 2015 (rain or shine), 9:00 a.m. start

Location: Tihonet Village, A.D. Makepeace Company, 158 Tihonet Road, Wareham, MA 02571

REGISTER AT WWW.TIHONET.COM

YES! I'd like to make a donation or volunteer!

CUT ALONG LINE

___ I wish to be a **sponsor** at the _____ level

___ I wish to make a **monetary** donation in the amount of \$ _____ In memory of: _____

___ I wish to make an **in-kind donation** of the following food, product, or services _____

___ I would like to **volunteer** on November 7, 2015 please email Claire Smith at: cls550@comcast.net

Name _____ Telephone _____ Email _____

Address _____

Make check payable to: Cranberry Educational Foundation

Include this form and mail along with your check to:

Cranberry Educational Foundation
P.O. Box 97, Carver, MA 02330

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August 24, 2015

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

Dear Chairman and Members of the Board:

As we begin our fourth year offering Internet EssentialsSM and with the back to school season upon us, we would welcome the opportunity for you to help share information to the families and students in your community who may be eligible to take advantage of Internet EssentialsSM.

Internet EssentialsSM provides families with children eligible for the National School Lunch Program (NSLP – Free and Reduced) with access to low-cost broadband service. Features of Internet Essentials include:

- \$9.95 per month + applicable taxes with no term contract or credit checks
- No activation or equipment fees
- WiFi router included
- Access to an affordable desktop or laptop computer for just \$149.99
- Free in-person and online web classes

Additional information on Internet EssentialsSM can be found at www.internetessentials.com. To get involved in spreading the word about the program, sign up on our partner portal, www.internetessentials.com/partner to download materials or order material such as flyers, brochures and posters all at no charge to you.

If you have questions or would like additional information regarding Internet EssentialsSM please feel free to contact me @ mary_okeeffe@cable.comcast.com or by telephone at 617.279.6017.

Sincerely,

Mary O'Keeffe

Mary O'Keeffe, Sr. Manager
Government & Regulatory Affairs

To qualify for Internet Essentials, households must be located where Comcast offers Internet service, have not subscribed to Comcast Internet service within the last 90 days and do not have an overdue Comcast bill or unreturned equipment in the past year.

BRING THE LIBRARY HOME

The Internet belongs in the home. Internet EssentialsSM from Comcast brings affordable high-speed Internet home. You may qualify if your child is eligible for the National School Lunch Program.

\$9.95
/month
+ tax

HIGH-SPEED HOME INTERNET

- No credit check
- No term contract
- No installation fee
- WiFi router included

Apply now at
InternetEssentials.com
or call **1-888-972-5982**



A LOW-COST
COMPUTER AVAILABLE

- Includes Microsoft Office
- 90-day warranty
- Includes NortonTM Security Suite

FREE INTERNET TRAINING

Available online, in person, and in print

**INTERNET
ESSENTIALS**

from Comcast

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Jacqueline Shanley

From: Kids Cancer Connection, Inc. <acfkids@earthlink.net>
Sent: Monday, August 24, 2015 2:39 AM
To: Jacqueline Shanley; Selectman Allin Frawley; Selectman Leilani Dalpe; Robert G. Nunes
Subject: Middleborough / Childhood Cancer Awareness Week

Dear Chairman Frawley, Board of Selectmen and staff,

I hope you are doing well. I am writing to request a proclamation recognizing September 27th - October 3rd as Childhood Cancer Awareness Week in Middleborough. Cancer is the leading cause of death by disease among children in our country today. This tragic disease is detected in nearly 15,000 of our country's young people each and every year. I am truly grateful for Plymouth County's past support.

-MA includes Governor Baker and Governor Patrick's cancer proclamations
www.flickr.com/photos/kidscancerconnection/sets/72157633025071585

I will continue to coordinate activities including our popular Courageous Kid Recognition Award program and other hospital functions at UMass Memorial Medical Center in Worcester among other facilities.

I've included sample text below for your reference. (*) May we please receive a .PDF format copy to share? Thank you for your time and consideration.

Sincerely,
Steven Firestein, M.A.
Volunteer Director

American Cancer Fund for Children, Inc.
IRS 501 (C)(3) # 13-3780954
Kids Cancer Connection, Inc.
IRS 501 (C)(3) # 56-2520924

-KCC Document/Photo Albums
www.flickr.com/photos/kidscancerconnection/sets
-U.S. Congressional Record
http://capitolwords.org/term/steven_firestein

SAMPLE: Childhood Cancer Awareness Week

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 15,000 of our country's young people each and every year.

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Boston Children's Hospital, UMass Memorial Medical Center in Worcester, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award presentations, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

-Please add your concluding statement.

www.KidsCancerConnection.org

(818) 456 6167

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MINUTES DISTRIBUTION FORM

**MIDDLEBOROUGH PLANNING DEPARTMENT
20 Centre Street
Middleborough, MA 02346**

508-946-2425

TO: Board of Selectmen
FROM: Planning Department
DATE: August 27, 2015
RE: Approved Planning Board Minutes

Attached are the approved minutes for:

August 26, ~~2014~~ 2014



Lori Rutherford

August 26, 2014



Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

On August 26, 2014, the Planning Board held a meeting at 7:30 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The meeting was called to order by Chairman Labonte at 7:30 PM. Planning Board Members present were: Adam Carbone, Peter Reynolds, Sr., William Garceau and Michael Labonte. Donald Swarce was absent. Also present was Ruth McCawley-Geoffroy, Planning Director, and Paul Fellini, Construction Administrator MCAM was recording the meeting for local community broadcast.

ADMINISTRATION:

Approval of Minutes

There were no minutes available for approval.

Payment of Bills

Chairman Labonte noted there was one bill for payment:

Vendor Name	Invoice #	Project	Amount
Massachusetts Association of Planning Directors		Annual dues	\$85.00
Nitsch Engineering	45014	Oak Point	\$3,715.00

Upon a motion made by Mr. Carbone, seconded by Mr. Reynolds, it was:

VOTED: To approve for payment the invoice as read into the record.
Unanimous vote.

Approval of Form A's

Ms. McCawley-Geoffroy said there were no Form A's for approval.

August 26, 2014

HEARING:

Campanelli Industrial Park Form C Subdivision Modification
Campanelli Industrial Park Modification of the 3rd Amended & Restated MSP

Owner/Applicant: Campanelli Middleborough Land II, LLC
Expires: September 30, 2014 – Form C Subdivision Modification
November 22, 2014 – Modification of the 3rd Amended & Restated Master Special
Permit

SEE ATTACHED HEARING MINUTES

Other:

Fernway Estates

Ms. McCawley-Geoffroy said she had drafted a letter to US Pavement that they had abandoned their work and were not in compliance with the contract. When town counsel reviewed it, he interpreted it a bit differently. Under A31 in the contract, abandonment of work, he felt in order to claim under that, we need our engineer to make this claim. We needed to replace GPI on the project, and the Board authorized her to sign a scope of work with McMahon Associates for \$3,500 to make this certification and supervise the loam and seeding. They have started the project. They will take over the role of engineer and review the work completed to date by US Pavement to certify compliance or non compliance. She reviewed the contract terms with the Board. We also have a letter from McMahon reporting their preliminary findings. They are confirming that there are a number of things built that are not in compliance. Ms. McCawley-Geoffroy said she took her letter to US Pavement and modified the wording to recite what McMahon has said.

Chairman Labonte asked if she was asking them to revise their pay certificate. Ms. McCawley-Geoffroy said when you get a pay certificate, it needs to be accurate. We are telling them that they are billing us for \$16,800 worth of work they never did. We want them to be aware that they overcharged us for incomplete work. Mr. Carbone asked if town counsel had reviewed the letter. Ms. McCawley-Geoffroy said town counsel reviewed it prior to the McMahon wording. If the Board signs it tonight, it should be with a caveat of town counsel's review. Chairman Labonte said if they take the \$16,800, minus the \$2,490 for incorrect billing, is that correct. Mr. Fellini said we have to approve it and agree that is correct. Chairman Labonte said so you are telling them it's not correct by this amount. Ms. McCawley-Geoffroy said we are telling them to correct their billing, and then we will be doing the remedial repair. Ms. McCawley-Geoffroy said the remedial work for loam and seed will be under \$10,000. We need to get three (3) estimates. Mr. Carbone said we need to stabilize the road. Ms. McCawley-Geoffroy responded when these estimates come in, we will increase the loam quantity to go higher than 8'.

August 26, 2014

Upon a motion made by Mr. Carbone and seconded by Mr. Reynolds, it was:

VOTED: To approve a work authorization form from McMahon Transportation Engineers and Planners for Fernway Estates dated August 25, 2014, with a scope of work and \$3,500 fee.
Unanimous in favor.

Upon a motion made by Mr. Reynolds and seconded by Mr. Carbone, it was:

VOTED: To approve a letter to Andrew J. Musto, Chief Operating Officer, US Pavement Services addressing Fernway Estates abandonment of work, dated August 26, 2014, pending town counsel final review.
Unanimous in favor.

Ms. McCawley-Geoffroy said regarding the loam and seed, we have cut down the non-shoulder sidewalk side to get it done this fall. We usually carry \$2 per square yard including seed, fertilizer, reseeding, etc. When Mr. Fellini sent out the request for the estimates, she told him to remove that and request hydroseeding with no watering or maintenance. The fall is the best time to plant, but the residents are going to have to water this. This is temporary and will be loamed and seeded in the spring. Chairman Labonte said this may be all ripped up next year. Mr. Carbone said we don't have a definitive report on the remediation that needs to be done. Ms. McCawley-Geoffroy said we are trying to get as much as we can done immediately, prior to October 1st. Chairman Labonte will communicate this informality to the residents.

Water Resource Protection District Z2

Ms. McCawley-Geoffroy said the Water Resource Protection District (WRPD) Z2 is another zoning correction. The Town Manager had asked that a resolution be drafted, which she has given the Board. This must be sent to the Selectmen as a proposed zoning change by Friday. It just says the intent, how it is enforced and what is required by DEP. In Zone 2, you currently cannot go over 15% impervious area, but you can go up to 25% with a special permit, as long as you recharge a certain amount of that drainage. That is how it has been enforced since it was written. It has come to our attention that the current bylaw does not exactly say that. Zone 3 is worded correctly. This is fixing Zone 2. We need to send this to the Selectmen for inclusion on the October 6th Town Meeting.

Upon a motion made by Mr. Carbone and seconded by Mr. Reynolds, it was:

VOTED: To recommend to the Board of Selectmen the proposed change to Section 8.2.7.3 of the Water Resource Protection District Z2 to state that any use that will render any lot more than 25% impervious is prohibited. Alterations resulting in more than 15% but less than 25% impervious may be allowed by a special permit.
Unanimous in favor.

Ms. McCawley-Geoffroy said the public hearing is scheduled for September 23, 2014.

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Chapter 61A – Lorraine Truelson – River Street

Chapter 61B – Dave Fisher – Purchase Street

Chapter 61B – Gid Fisher – Gid Circle

Ms. McCawley-Geoffroy said these properties are small farm lots, forest land or recreational land three (3) to four (4) acres in size. The Town has the right of first refusal, but none of these properties are on the priority list of land to be protected. Her recommendation to the Selectmen is that we are not interested in purchasing them.

Upon a motion made by Mr. Carbone, seconded by Mr. Reynolds, it was:

VOTED: To recommend to the Board of Selectmen that we do not exercise the option for 61A for the property located on River Street, Map 23 Lot 5769 owned by Lorraine Truelson.
Unanimous in favor.

Upon a motion made by Mr. Carbone, seconded by Mr. Reynolds, it was:

VOTED: To recommend to the Board of Selectmen that we do not exercise the option for 61B on the property located on Gid Circle, Assessors Map 74, Lot 375 owned by Gid Fisher.
Unanimous in favor.

Upon a motion made by Mr. Carbone, seconded by Mr. Reynolds, it was:

VOTED: To recommend to the Board of Selectmen that we do not exercise the option for 61B on the property located at 154 Purchase Street, Assessors Map 67, Lot 3281, owned by David Fisher.
Unanimous in favor.

Elk Run – Lot 8

Mr. Fellini said on Lot 8 Elk Run, they are proposing a new house and gave us a roof drain infiltration design. He has reviewed it, and it coincides with the design that the subdivision requires. They have also provided a provided driveway lantern. He recommends that the design be accepted as is. Ms. McCawley-Geoffroy requested that the vote include that this roof drain is a requirement of the approval of the subdivision and should references that it is subdivision infrastructure and that the engineer will certify that it is done in accordance with this plan. This would also be for Lot 14 Pebblebrook as well.

Upon a motion by Mr. Carbone and seconded by Mr. Reynolds, it was:

VOTED: To approve a letter to Robert Whalen, Building Commissioner, regarding Lot 8 Elk Run roof drain infiltration design recommending approval. It should state that this roof drain is a requirement of the approval of the subdivision, and should

August 26, 2014

references that it is subdivision infrastructure and that the engineer will certify that it is done in accordance with this plan.
Unanimous in favor.

Pebblebrook Estates - Lot 14

Mr. Fellini said this is the same thing as Lot 8 Elk Run. He has reviewed it and it is in accordance with the subdivision plan and has a driveway lantern. Mr. Fellini recommends approval.

Upon a motion made by Mr. Carbone and seconded by Mr. Garceau, it was:

VOTED: To approve a letter to Robert Whalen, Building Commissioner regarding Lot 14 Pebblebrook Drive roof drain infiltration design recommending approval. It should state that this roof drain is a requirement of the approval of the subdivision and should references that it is subdivision infrastructure and that the engineer will certify that it is done in accordance with this plan.
Unanimous in favor.

Dona Estates – Release of Surety

Mr. Fellini said the Planning Board has been holding a performance bond for \$7,125 for the longevity of one (1) street tree, grass on the road shoulder and easement and the eradication of an evasive species, Japanese Knotweed. Christopher Peck, DPW Superintendent, has walked the subdivision and states it was satisfactory. Based on Mr. Peck's recommendation, he recommended that the performance bond be released to the developer, Steve Ramsey.

Upon a motion made by Mr. Carbone and seconded by Mr. Reynolds, it was:

VOTED: To approve a release of the Form G performance bond secured by deposit for Dona Estates in the amount of \$7,125, as per memo issued to the Planning Board from Mr. Paul Fellini, dated August 19, 2014.
Unanimous in favor.

Oak Point:

Chairman Labonte said that Oak Point has asked for a delay in the request for a construction meeting for Phase 7, Sections C and D. They are seeking a third party to review that section of engineered drawings. He requested that the Planning Department email the Selectmen and the Conservation Agent advising them that the Planning Board will be meeting on September 23rd with Oak Point.

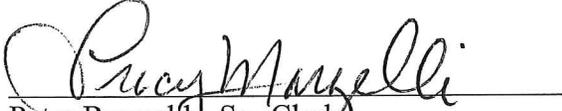
August 26, 2014

Adjournment

Upon a motion made by Mr. Garceau and seconded by Mr. Reynolds, it was:

VOTED: To adjourn the meeting at 9:18 PM.
Unanimous in favor.

Respectfully Submitted by,



~~Peter Reynolds, Sr., Clerk~~

TRACY MARZELLI, ACTING CLERK

August 26, 2014



Town of Middleborough

Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

On August 26, 2014, the Planning Board held a hearing regarding the Campanelli Industrial Park Form C Subdivision Modification and the Modification of the 3rd Amended & Restated Master Special Permit at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. This hearing is continued from August 12, 2014. Planning Board Members present were: Adam Carbone, Peter Reynolds, Sr., William Garceau and Michael Labonte. Donald Swarce was absent. Also present was Ruth McCawley-Geoffroy, Planning Director, and Paul Fellini, Construction Administrator. MCAM was recording the meeting for local community broadcast.

HEARING:

Campanelli Industrial Park Form C Subdivision Modification Campanelli Industrial Park Modification of the 3rd Amended & Restated MSP

Richard Halverson from Campanelli was present for the discussion. Chairman Labonte noted that both of these hearings were continued from August 12, 2014. He presented the certified receipts for the Master Special Permit Hearing. Ms. McCawley-Geoffroy said she gave Jeff DeMarco and Mr. Halverson a copy of her memo when they met today. Mr. Halverson said he would like to summarize the two (2) hearings. This sketch is a drawing of the existing conditions on Campanelli Drive. Gray is the paved area, the green strip with black dots is the median strip and unfinished is in green. The petition is multi-faceted, but the main thrust are three (3) things: 1. to allow for Campanelli Drive to remain in its existing physical condition, not change the right of way, and remain as is. We have presented Ms. McCawley-Geoffroy with a draft of the Modified Special Permit and would like to discuss Conditions 13, 14 and 15. Condition 13 is the requirement for Campanelli to install a traffic signal at Campanelli Drive, Leona Drive and Bedford Street. The Board has recognized and Ms. McCawley-Geoffroy has made comments that it is highly unlikely that the traffic from Campanelli Drive will be very unlikely to trigger a traffic signal at that intersection by itself. That is not to say that there are other impacts that could generate it. Campanelli is offering in exchange for Campanelli Drive to remain in its current configuration and a certificate of completion from the Planning Board, to offer the amount of money necessary to prepare 80% construction documents for a traffic signal and road improvements at that intersection. That number is \$191,000, based on a proposal that we provided to Ms. McCawley-Geoffroy from MDM Traffic Engineers for a thorough design through 80% construction documents. This would be a shovel ready project if the Town was able to take advantage of monies. Mr. Halverson said the \$250,000 bond being held for the completion of Campanelli Drive would be released back to them. The last piece is the elimination of ongoing traffic counts. Over the past years, the traffic counts, including the one Christmas Tree Shops did for their project shows that the traffic is not really changing. It is pretty stabilized at that location. We feel the requirement for the ongoing traffic counts,

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especially in consideration that the Master Special Permit required it at additional 250,000 square feet of building. There is really not much additional construction available at this point. We did meet briefly with Ms. McCawley-Geoffroy and tried to pick up all of the housekeeping issues that she had discussed with us during the Christmas Tree process, such as the recodifying of the code and dealing with the conditions that have either been met at this point or are no longer applicable. The primary changes are in conditions 13, 14 and 15, which deal with the subject he spoke about.

Chairman Labonte asked who would approve the 80% construction drawings for the signal. Mr. Halverson said it would have to be approved by DOT. Chairman Labonte asked if the drawing will be presented to DOT ahead of time. Mr. Halverson said their consultant has advised them until the warrants are met, DOT is unlikely to give much credence to review and approval of the plans. Chairman Labonte said the percentage has changed. Mr. Halverson said it would be 75% to be precise. It was our consultant's opinion that 75% is ample enough to get reasonable pricing and get DOT effective approval of the project and be a shovel ready project. Chairman Labonte asked if the bond being released for \$250,000 is paying for the \$191,000. Mr. Halverson said they would be giving a performance bond. Chairman Labonte asked how do we know it's a true 75% on the construction drawings. Ms. McCawley-Geoffroy said the Town Manager and she met with Campanelli today and that was one of the questions, what percentage did \$191,000 represent. She didn't think we are truly convinced that 75% is enough. One of the reasons they are saying 75% is until the warrants are triggered, DOT won't take the plans seriously. Their position is it would be a waste of their money to produce 100% drawings. That final 25% you would not do until it's time to do it. The Town Manager asked her why wouldn't we get 100%, do the first 75 and hold the rest in abeyance. If they aren't paying for it, then the Town is. She has sent the proposed scope of work to McMahan Associates for review. Chairman Labonte said the concept is solid, but we need more details. Mr. Carbone said we don't want a project that you spend all this money on and there isn't having a chance of acceptance. Who is the governing body to say these plans are enough to get it on to the list of shovel ready projects. Ms. McCawley-Geoffroy said the Town Manager came up with this idea. His feeling was if and when in the future we really need a signal out there, if we had plans on the shelf, basically shovel ready, we would be ready to go if there was TIP funding available. Mr. Carbone asked if we could leverage some of our resources through MPO and JTPG. Ms. McCawley-Geoffroy said probably not since this is a locally proposed project. Chairman Labonte asked what the cost would be from 75% to 100%. Ms. McCawley-Geoffroy said within the \$250,000. She will ask McMahan for their estimate.

Chairman Labonte said the concept has not changed. Mr. Carbone said when we are signing off, he didn't want to end up with something that is not worth the cost that either of us paid, then go to DOT and they say this isn't anything. Ms. McCawley-Geoffroy said they could gift the Town the money and hold it until we need it, but then it's not shovel ready. Middleborough Park at 495anelli is afraid the Town would divert it elsewhere. Mr. Carbone asked about the time frame. Ms. McCawley-Geoffroy said because Middleborough Park at 495 is here with their concerns, the next step is to meet with them and with the Town Manager to see what they would like to do with Middleborough Park at 495 how it ties into this. Middleborough Park at 495 is pretty much done with exception to potential additions. There really are not more lots out there. Mr. Carbone said Mr. Halverson mentioned that ongoing traffic studies would be triggered if there was a 250,000 square foot building, but is there room for expansion. Mr. Halverson said

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Christmas Tree has another 250,000 square feet of their own. Ms. McCawley-Geoffroy there is a vernal pool in the middle of Phase 4. Christmas Tree's focus has moved to their center in New Jersey. Hopefully they will build out their building, but they may not. Mr. Garceau noted that the vernal pool was created when the land was stripped. Chairman Labonte said IDEX has expansion. Ms. McCawley-Geoffroy said it is approximately 20,000 square feet.

Mr. Garceau said NES could drive around their whole building, that is why Middleborough Park at 495 does not have a cul-de-sac and that is why it wasn't extended. Mr. Halverson said the Fire Chief wrote a letter about emergency access, but Ms. McCawley-Geoffroy was not with way it was worded. He will request that he modify his letter. Mr. Carbone asked if there anything that could prevent them accessing NES? Mr. Halverson said the gate is locked at night, but it's just a bar gate, and they can go right through it. Ms. McCawley-Geoffroy said Middleborough Park at 495 wrote that the Town no longer desires to have Campanelli Drive connect at Clay Street, but that is really not accurate. Ms. McCawley-Geoffroy read parts of her memo dated August 20, 2014. Item 1: It was never intended that Campanelli Drive connect to Clay Street. It was intended to stop at Clay Street and connect to Commerce Boulevard to make a ring road and give Commerce Boulevard a second point of egress. She said Clay Street was always going to be dead ended when that connection was made. Now that the ring road is not needed because DOT is not considering that design for the rotary, we are basically dealing with two (2) industrial parks without a ring road running any design requirements. Item #2: It is now evident that the extension of Middleborough Park at 495 Drive would need to be realigned, horizontally and vertically, if Commerce Boulevard Extension is to tie in. This would be the responsibility of the Middleborough Park owner. There is no sense for Middleborough Park at 495 to build to Clay Street only for Middleborough Park to someday rebuild it before any actual use. She said that Middleborough Park does not agree with that statement. It's their opinion that the way we approved their subdivision plan the road had a slight jog in it, but no waivers. When we did the last go around, we realigned horizontally and vertically so that the ring road would be seamless. They feel they do not need to reconstruct Middleborough Park at 495's piece. Chairman Labonte asked that the next time this comes to the Planning Board, that there be graphics.

Ms. McCawley-Geoffroy said in Item #3, she listed the Planning Board issues A-H. In summary, Issue A asks if the existing configuration is acceptable to the Fire Department and current tenants. Issue B is that they continue to maintain Middleborough Park at 495 Drive right of way to Clay Street (they have said it will stay there). Chairman Labonte asked who owns it. Ms. McCawley-Geoffroy said Middleborough Park at 495 and its tenants. Issue C is that Middleborough Park has a right to construct the unfinished portion and access the finished portion of Middleborough Park at 495 Drive for a second point of access, as long as Middleborough Park at 495 pays any and all costs, including signal installation. She believed that the Planning Board talked about in the spring in the Phase 2 modification, to preserve that tie in for them, but not trigger the signal warrant. Middleborough Park at 495's proposed Master Special Permit Condition 11 would grant an access easement to the Town. The question is if Town Meeting would have to accept the easement; what the ramifications would be if we accepted it regarding road layout and monetary responsibility. Should this easement go to Conroy instead? Mr. Carbone said if the Town has an easement, a third party cannot use that easement to build a road. Ms. McCawley-Geoffroy said we don't want to own the road. We don't own any of our subdivision roads. The roads can be laid out in either fee or easement.

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This becomes a road layout issue where we don't want to go. Mr. Halverson said that language is part of the original Master Special Permit. At that time, it was envisioned that the Town would take those roads. Mr. Garceau agreed with Mr. Halverson. Ms. McCawley-Geoffroy said it was envisioned as part of the entire ring road. Issue D is releasing Campanelli from completion of construction and signals and in return we receive the \$250,000 surety funds for design of the signal. That allows for the Town to have a signal design on the shelf that can be put on the TIP if necessary. We now know its 75%. Chairman Labonte said instead of putting a dollar value in, we would want a percentage of the drawings. Mr. Carbone said Campanelli will not spend more than \$250,000. By only putting a percentage, it could be more than the performance bond. Chairman Labonte wants a 75% bond and who approves the plans. Ms. McCawley-Geoffroy said Issue E would be to release Campanelli from all other requirements related to traffic monitoring and mitigation and certify the subdivision complete as currently constructed. We have not looked at Campanelli Drive for at least three (3) years, so we need to go out there. She forgot that in the Subdivision Phase 2 Modification, we need to modify the design to say this is all they need to construct, then we certify Campanelli complete. Mr. Garceau said the Master Special Permits says that it what they had to build. Ms. McCawley-Geoffroy said it gave dates to go to Clay Street, which they have exceeded. It said when Campanelli built lots 5 or 6 or ten (10) years passed, they needed to go out to Clay Street. We need to modify it. Mr. Carbone asked if the modification for Master Special Permit and Special Permit have an appeal period. Ms. McCawley-Geoffroy said both of them do. Mr. Carbone asked if all of the abutters are able to appeal. Ms. McCawley-Geoffroy said yes. They also need sign offs from all of the tenants. Mr. Carbone said he is just looking ahead to potential issues if there is conflict about how this is being done. Ms. McCawley-Geoffroy said Issue F requires signature of all lot owners and mortgage banks in Phase 2. Issue G required a 4th amended and restated Master Special Permit land area plan. This is a plan of what the park looks like, who owns what, what building are there, etc. That is pretty much being prepared for Christmas Tree. Issue H is to confirm that all other proposed changed to the Master Special Permit are acceptable, including the change in annual groundwater monitoring. We never get their groundwater monitoring results. They are asking that the groundwater monitoring be changed to when the Planning Board requests that it be done. Mr. Carbone asked didn't we just go through this with Christmas Tree Shop. They weren't doing this on a regular basis. They were put into an annual contract for monitoring. Ms. McCawley-Geoffroy said the contract that they were put into is for their landscaping buffer on their property, which they have not done. Campanelli is responsible for this. When we request it, they do it. They are changing the wording. These wells are spread over various lots so the question becomes is there a park ownership entity that can actually take responsibility rather than the individual developer. We can talk about that.

Paul Feldman from Davis, Malm & D'Agostine representing Middleborough Park at 495 asked to speak to the Board. He said they are trying to engage in conversation so that there is no reason for conflict or appeals. We appreciate that Campanelli is trying to close out their subdivision. We presume that will be done. We are concerned about that the plan that several members seem to have agreed to in concept. We think you have rushed to judgment and are concerned that you are not taking into account variables. He spoke to Ms. McCawley-Geoffroy's memo. Item 1: Campanelli's Subdivision Phase 2, which takes Campanelli Drive to Clay Street, was approved prior to changes made to the Middleborough Park at 495 at the behest of the Planning Department,. In 2004 when Conroy acquired Middleborough Park at 495 and the Cirelli Special Permit was being considered, there was a desire to promote the ring road. There

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were wholesale changes made to the Master Special Permit for Middleborough Park at 495. Those changes provide that traffic from Middleborough Park at 495 must ultimately go through Campanelli Drive. We cannot go further developing Middleborough Park at 495 unless it goes through Campanelli Drive. If Campanelli Drive does not get built as on their approved subdivision plan, then Middleborough Park at 495 has to build it. The economic cost of that infrastructure renders Middleborough Park at 495 a development that will never happen. The more we burden expenses on our park, the less likely there will be development. Chairman Labonte said Middleborough Park's road has been modified, not officially, but we let them modify it. Ms. McCawley-Geoffroy said we were going to modify it when we got the \$2,000,000 grant and they would kick in \$1,000,000. It would have built this whole section and the traffic signal and tied it in. In return, we were modifying it down to just two (2) lanes of the double barrel. At the time, the ring road was still the plan. Instead of them building to the subdivision plans, they were just going to build one (1) side of the double barrel and then when the ring road came in, the rest would be built. We were modifying it through that State grant. Attorney Feldman said that modification was never approved. Chairman Labonte asked what is approved right now for Middleborough Park. Ms. McCawley-Geoffroy said the first two (2) lanes of the double barreling. Mr. Garceau said Campanelli Drive was part of the ring road and Route 44 was going into Campanelli Drive, that's why it went out to Clay Street. Middleborough Park at 495 came along, they had double barrel lanes if the ring road got built, and they could tie into it. Since the ring road will not be built and Campanelli doesn't need to extend Campanelli Drive, you are saying Middleborough Park at 495 will have to build it. Why don't we let Middleborough Park at 495 do a modification and have a cul de sac at the end of their own subdivision? They would have their own traffic signal, no crossing Clay Street and the problem is solved. Attorney Feldman said they have begun to look at that. The current capacity of Commerce Boulevard at Route 18 can handle enough traffic for another couple of 100,000 square feet of development. Why design something we may never have to use. DOT has told us that we can't get a light at Commerce Boulevard and Route 18. The other potential place is to put the light on Campanelli Drive and Middleborough Park at 495 would end up tying into Campanelli Drive. With that light, you would get approximately 150,000 square foot of additional commercial development, so it may not be economically worthwhile to do the extra development. You have to look at the decision you are being asked to make tonight in conjunction with what you want to see at Middleborough Park at 495. Right now we would have to modify our current set of approvals. With regard to Item #1, this may have been because of the ring road and now that it isn't around, everyone wants to reconsider it, but it may require that the Planning Board modify our permit for a cul de sac. Once that cul de sac goes in, that would limit the development on the Middleborough Park at 495. Mr. Carbone asked if the discussion with DOT takes into account the design consideration of the current proposed 44 exchange. Ms. McCawley-Geoffroy said no. Mr. Garceau said we cannot assume anything being built; we have to go with what is out there now. Attorney Feldman said if it turns out that the prohibition of doing a light at Commerce Boulevard is lifted because of the redesign of the rotary, you don't design a light at Campanelli Drive. Why take money to put a light design on the shelf that may never reach warrants. We aren't asking Campanelli to throw more money at this. We want to work within Campanelli's goal to close out their project. Part of the reason to not build out Campanelli Drive as shown on the subdivision is that it needs to be realigned anyway. Ms. McCawley-Geoffroy is correct, our current approved subdivision plan ties into Campanelli Drive exactly as it is shown on their plan. There is no realignment needed. We can both build our approved plans. Because there was a concept of a ring road, the idea was instead to have

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Campanelli Drive come out to Clay Street because of the slight s in the road. There is no reason in the world to re-engineer Campanelli Drive or our subdivision. Ms. McCawley-Geoffroy says it is evident that the extension would need realignment. We disagree. We said if there will be a ring road, we can realign it.

Ms. McCawley-Geoffroy said when you look at this plan you see when your engineer designed your side of the tie in, they did not put a lot of detail on the other side. She was shocked when they did the real tie in construction plans that the roads did not meet horizontally or vertically. We need the engineers to come in and show us the two (2) roads on the plan and profile. Your engineer raised this as an issue. Attorney Feldman said there are two (2) alternatives. He is asking the Planning Board, before you make decisions based on Item #2; he is saying that based on the approved subdivision plans, there does not need to be any realignment. One of the things we think may be a better use of the funds rather than the traffic light design is to actually finish Campanelli Drive. Then when we finish our road and if that triggers a warrant, we will deal with the fact that we might have to put in a light. Chairman Labonte asked who is we. Attorney Feldman said Middleborough Park at 495. We would advocate that what we should be doing is come back to the Planning Board and say build out Campanelli Drive exactly on their drawing. Let's figure out the most productive use of Campanelli's money. The last thing about the easement, the 3rd amended Master Special Permit for Campanelli since 2012 Condition 11 is quite clear that Campanelli will give the Town an easement over Campanelli Drive, and once it has an easement it can treat it as a way for public use. It doesn't mean you need to accept it. Middleborough Park at 495, under that easement, can do what it needs to do to Campanelli Drive. Attorney Feldman said his goal is to give us a chance over the next few weeks to work with Ms. McCawley-Geoffroy and the Board to see if in addition to the concept and alternative that you have, is there another alternative that has merit. Hopefully we will build a consensus so that appeals never have to happen.

Chairman Labonte said we are not in agreement that we are anywhere close to making a decision. Attorney Feldman said some of the reasons offered for the concept we think should be re-reviewed. Chairman Labonte said he didn't mind looking at Option B. He would like to hear from Campanelli and the Planning Department regarding timing. Ms. McCawley-Geoffroy said we have been delaying Campanelli because we knew the rotary was being worked on. We now pretty much know their concept, 2/3 lane round about which they believe will work, taking out Route 44 traffic. It doesn't signalize anything. There is a commitment to do this. They have told us that the design and permitting would be done over the next year to begin building in 2017/18. The ring road is not coming back. Campanelli is pretty much done. There is a small amount of additions left. Middleborough Park at 495 has a lot of development to go. At this point, we can't leave this hanging any longer. If we want to expand the tax base at Middleborough Park at 495, it would be best to have this resolved. Campanelli wants to get this settled also. Middleborough Park at 495 was connected to Campanelli Drive before she became planner in 1989. They had a circular road. When Cirelli came in, a 90 degree angle was put in. The two (2) parks have been connected in plan and concept. Chairman Labonte said there isn't any pressure to get this resolved next month. Jeff Demarco of Campanelli said having started this process in 1986 now with a mature park; we are trying to wrap this up in a way that works for everyone. This is not the first time we have talked about this concept with the board; it has been kicked around for over a year now. For various reasons, primarily the Christmas Tree expansion, it has set us back a few months. Here we are at the end of this and want to wrap this up. This is

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the first time we have heard input from Middleborough Park at 495. We have been neighborly for a long time and we won't stop now. We should get together with them. He hoped that they were not at the beginning of a six (6) month process. Chairman Labonte asked what impact would there be to Campanelli if it was six (6) months. Mr. DeMarco said there isn't much, but why should it take that long? Mr. Carbone said we don't want to have to re-continue the November timeframe. We should be able to have some sort of an idea if we can come to an amicable situation to help both parties. Those things should be clear by November. Mr. Garceau said Campanelli will not trigger a light on their own. Let them build a two (2) lane road to Clay Street to finish their project. If Middleborough Park at 495 wants to extend it, it is already done. Chairman Labonte said that is one of the concepts we have heard. Attorney Feldman said they have a stalled development right now and we need to figure out a solution. Mr. Carbone said in order to have this tied together, we have already established that Campanelli has a mature park and will not trigger the traffic warrant. If Middleborough Park at 495 needs that connection, any warrant trigger would be shifted to them. If they finished their park as it is right now, it would never be triggered. A connection to Middleborough Park at 495 might trigger it. Ms. McCawley-Geoffroy said the plan all along is that we were going to let Campanelli off these hooks. They would be foolish to let Middleborough Park at 495 tie into Campanelli Drive if they would still be responsible for building a traffic light based on the increase of traffic from Middleborough Park at 495. It's cheap money for either developer to build a two (2) lane road in this section. She thought there is more bang for their buck to have a single design done to apply for State money. The design of the signal is more significant. Attorney Feldman said we want to reach agreement on a local design for the two (2) parks connected. Mr. Carbone: the original design never called to connect to Clay Street. Clay Street goes from Route 18 to Old Centre Street. If Campanelli deleted their part, could the road from Middleborough Park at 495 be built out to Clay Street? Ms. McCawley-Geoffroy said the condition said that neither park can connect to Clay Street to protect those residents. There is a design to dead end Clay Street at the Middleborough Park property. Mr. Carbone said the original design also talked about ring roads. If we are talking about redesigning, there are two (2) parts of Clay Street. Heading towards Old Centre Street, which is more residential, versus the part that comes out by the gas station. Ms. McCawley-Geoffroy said there is still one (1) residence in that section and Clay Street is very narrow and needs to be rebuilt. The residents were very vocal about Middleborough Park at 495. Mr. Garceau said we guaranteed those residents that neither park would tie into Clay Street and the secondary roads.

Steve Souza from 75 Clay Street said for residents in his area, their biggest complaint from Campanelli's Park is the noise that comes from the park at night. It's just a chain link fence and the noise is crazy. Ms. McCawley-Geoffroy said that shouldn't be happening. You are the first person that has raised a noise issue. There is a 20' high berm with trees on the berm. We would like to figure this out. Mr. Souza said there is a 6' railroad tie wall that ends at my neighbors and then its chain link fence. He backs up to Christmas Tree. Ms. McCawley-Geoffroy said she thought it was fairly well buffered for noise and lights. She asked Mr. Souza to come in and meet with her.

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Upon a motion made by Mr. Carbone, seconded by Mr. Reynolds, it was:

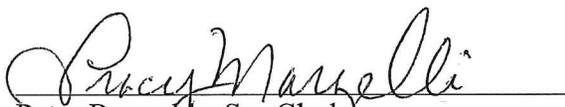
VOTED: To approve a Form P request for extension of time for the Campanelli Industrial Park Form C Subdivision Modification to November 22, 2014.
Unanimous in favor.

Discussion occurred regarding continuing both hearings. Ms. McCawley-Geoffroy said due to the State Primary Election, we cannot meet September 9th. Chairman Labonte asked to leave September 2nd as a possible meeting, but September 16th is open. Ms. McCawley-Geoffroy said she would not be here on September 23rd and will not be back until October 8th. Because we have Fernway things, we would like to have loam and seed installed by September 30th. We have asked for the proposals to come in by the 29th. What works for us is September 2nd. Discussion occurred regarding the upcoming meeting schedule. Fernway will be on September 2nd, Campanelli's hearings will be on the 16th and Oak Point will be on the 23rd.

Upon a motion made by Mr. Reynolds, seconded by Mr. Carbone, it was:

VOTED: To continue the hearing for Campanelli Industrial Park Form C Subdivision Modification and the Modification of the 3rd Amended & Restated Master Special Permit for 7:45 PM on September 16, 2014.
Unanimous in favor.

Respectfully Submitted by,


~~Peter Reynolds, Sr., Clerk~~

TRACY MARZELLI, ACTING CLERK