

**OLD BUSINESS**

**4-13-09**

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405

Fax: 508-946-0058

## Town of Middleborough Massachusetts

### BOARD OF SELECTMEN

Patrick E. Rogers  
Steven P. Spataro  
Muriel C. Duphily  
Marsha L. Brunelle

March 30, 2009

Norman Collins  
President  
Capeway Rovers M/C  
P.O. Box 2304  
Abington, MA 02351

Dear Mr. Collins:

At its meeting held on Monday, March 16, 2009, the Board of Selectmen voted to approve the **Motor Cross race dates**, as presented in your 2/25/09 letter, specifically,

<b>Saturday</b>	<b>Sunday</b>
April 4, 11, 25	April 26
May 2, 16, 30	June 28
June 20	July 12, 19
July 11, 25	August 2
August 8, 15, 22	
September 19	
October 3, 17	

Also, a **Sunday Entertainment** license was approved by the local licensing authority for the following race dates:

April 26	June 28
July 12 & 19	August 2

**\*Must also be approved and received back from the State prior to license being issued.**

The cost for the license and permit is as follows:

#### **Sunday Public Entertainment license**

\$10 per day if entertainment begins prior to 1 pm - Commonwealth of MA - 5 dates = \$50.00

\$10 per day if entertainment begins prior to 1 pm - Town of Middleborough - 5 dates = \$50.00

**Motor Cross Racing Permit**

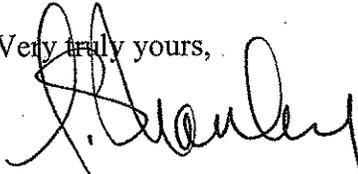
**\$400./Annual OR**

**\$20./Event - 20 Events = \$400**

**TOTAL DUE:           \$450.00 to the Town of Middleborough**  
**\$50.00 the Commonwealth of Massachusetts**

It has been concluded that the issue of "practice dates" has been pre-established by the Zoning Board of Appeals, which allows for a maximum of ten (10) practice dates, four (4) of which can be on the weekend and only six (6) of which are allowed during the week. Requests for additional practice dates must be presented to the Zoning Board of Appeals for consideration. Please refer to the attached Zoning Board of Appeals meeting minutes dated 5/9/02 and 2/13/03.

Very truly yours,



Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN

Attachment

cc:    Board of Selectmen  
      Town Manager  
      Town Clerk  
      Chief of Police  
      Fire Chief

5/9/02

Page 8

**Capeway Rovers**

Upon a motion made by Eric Priestly and seconded by Norman Diegoli, the Board

**VOTED:** that the petition of Richard Wainwright, Attorney for Norman Collins/Capeway Rovers, 1 Centre Street, Brockton, MA relative to his request to allow for safety lighting for the BMX track, change of hours of operation of the BMX, hours of operation for motorcross, 20 race dates and practice time for BMX and motorcross be approved subject to the following stipulations:

1. Twenty (20) motorcross race dates will be permissible provided that a minimum of two (2) races is for Middleborough Fundraising purposes.
2. The hours of operation for the motorcross shall be 9 a.m. to 8 p.m.
3. The hours of operation for the BMX track shall be 10 a.m. to 9 p.m.
4. The lighting, which will be for safety purposes not security purposes on the BMX, shall consist of 4 standards, each 14 feet tall with a 300-watt sodium vapor lamp. All lighting shall be extinguished when the racing is over. All lighting shall stay on this property and not shine on anyone else's.
5. The use of the motorcross track for practices and safety classes will be defined as follows:
  - There can be 4 practices over the 36-week season. Those four practice days will be from the operation hours of 9 am to 4 p.m. and not date specific. This is approved on a trial basis to be reviewed at the end of the season. The maximum amount of people for a practice can be no more than 200 riders.
  - The safety classes can use the track for a total of 8 hours a week and can be comprised of one day at 8 hours or 2 days at 4 hours. The maximum number of riders is to be ten (10) in any 4 hour given training session for the 36-week season and is not date specific.
6. The permit granted in 1996 with stipulations on it is still in effect with the exception of those that have been amended by this permit, which will be reviewed at the end of Capeway Rovers season.
7. The applicant can come back to the Zoning Board at any open public meeting with out paying a filing fee for review. The Board's secretary will notify all of the abutters as to the date a meeting will be held.

Chairman Atwood, Norman Diegoli, Eric Priestly, Liz Elgosin, and Joseph Freitas were in favor. (5-0)

Upon a motion made by Norman Diegoli and seconded by Liz Elgosin, the Board

**VOTED:** to adopt the following findings:

1. The Board finds that the erection of four light standards, each 12 feet tall with a 300 watt sodium vapor lamp at the existing BMX track; the change in hours of operation of the BMX track as stated above; the increase in motorcross race dates from 19 per year to 20 in future years; the change in hours of operation of the motorcross track as stated above, practices and safety classes for motorcross, would not be substantially more detrimental than the existing non-conforming use to the neighborhood.
2. Public water is available and on site sewerage is available.

*Norman Collins*  
February 13, 2003

2/13/03

Page 5  
03-01

- The use of the motorcross track for practices and safety classes will be defined as follows:
  - There can be a maximum of 10 practices, not 40, over the 36-week season. Four (4) of the practices can be on the weekend and six (6) will only be allowed during the week. Those ten practice dates will be from the hours of 9 am to 4 p.m. and not date specific.
  - This is the maximum amount of practice dates that will be allowed by this permit.
  - The maximum amount of people shall be no more than 200 riders.
  - The safety classes can use the track for a total of 8 hours a week and can be comprised of one day at 8 hours or 2 days at 4 hours. The maximum number of riders is to be twenty (20) in any 4 hour given training session for the 36-week season and is not date specific.

Chairman Atwood, Dorothy Pulsifer, Joseph Freitas, Norman Diegoli, and Eric Priestly were in favor. (5-0)

Upon a motion made by Norman Diegoli and seconded by Joseph Freitas, the Board

VOTED: to adopt the following findings:

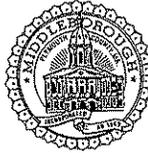
1. The proposed site is appropriate for the use with the stipulations that were put forth by the board.
2. Public water and sewerage facilities are available which will adequately service the site.
3. The use involved will not be detrimental to the established or future character of the neighborhood and Town and is subject to appropriate conditions or safeguards. The board fully understanding that the facility was there prior to the residences being established. The stipulations put on by the board indicate that there should be no future expansion of the site as far as practice dates or school dates are concerned in order to preserve the character of the neighborhood.
4. There will be no nuisance or serious hazard to vehicles or pedestrians as they provide their own police and ambulance protection.
5. Adequate and appropriate facilities have been provided to insure the proper operation of the use.

Chairman Atwood, Dorothy Pulsifer, Joseph Freitas, Norman Diegoli and Eric Priestly were in favor. (5-0)

Respectfully Submitted:

  
Bruce G. Atwood, Chairman  
Zoning Board of Appeals

CRANBERRY CAPITAL  
OF THE WORLD



Phone: 508-946-2405

Fax: 508-946-0058

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

April 6, 2009

BOARD OF SELECTMEN

Commonwealth of Massachusetts  
Department of Public Safety  
1 Ashburton Place  
Room 1301  
Boston, MA 02108-1618

Patrick E. Rogers  
Steven P. Spataro  
Muriel C. Duphily  
Marsha L. Brunelle

**ATTN: Ronnie or Cesar**

To Whom It May Concern:

At its meeting held on Monday, March 16, 2009, the Middleborough Board of Selectmen voted to approve the enclosed license for Public Entertainment on Sunday for Capeway Rovers Motor Cross racing.

Please return the enclosed applications to my attention once they have been approved by the Department of Public Safety.

Thank you.

Very truly yours,

Jackie Shanley, Confidential Secretary  
BOARD OF SELECTMEN

Enclosures

cc: Board of Selectmen  
Town Manager

March 25, 2009

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

To the Honorable Board of Selectmen:

Please consider my application for appointment to the charter study committee. I was raised on a dairy farm on Purchade Street in North Middleborough and attended Middleborough Public Schools, earning my diploma in 1984. After relocating to attend graduate school, my husband and I returned to North Middleborough in 1996 to build our home on the family farm.

Over the past fifteen years, I have worked in multiple municipalities whose government structure ranged from Town Manager/Town Council/ Representative Town Meeting, Town Administrator/Open Town Meeting, Executive Secretary/Representative Town Meeting to Mayor/Town Council. To this end, I possess a thorough understanding of the role of the chief executive officer, whether appointed or elected, as well as an understanding of the operation of each governmental structure.

Secondly, during my tenure with the Town of Weymouth, I was an integral part of the Mayor's transition team to develop the first municipal code of ordinances and establishment of thirteen municipal departments. The thirteen municipal departments were summarized with their duties and responsibilities along with the duties of each department head and description of any boards and committee under their jurisdiction. This exercise proved valuable in formulating the origin of municipal positions and distinguishing authority established by statute or by home rule charter.

In closing, I would like to offer my knowledge and experience to the Town of Middleborough to review the charter and recommend suggestions for improvements and updates where necessary.

Sincerely,



Caroline R. Sabalewski LaCroix  
74 Purchade Street  
Middleborough, MA 02346  
(508) 947-1904  
purchademeadows@yahoo.com

Caroline Rose Sabalewski LaCroix  
74 Purchade Street  
North Middleborough, Massachusetts 02346  
(508) 947 - 1904  
[purchademeadows@yahoo.com](mailto:purchademeadows@yahoo.com)

Experience: Town of Weymouth, Massachusetts

8/2001 - 1/2/2008

**Director of Administrative and Community Services**

Appointed by the Mayor as the first department head for newly created Department of Administrative and Community Services. Senior managerial position responsible for supervision of six municipal divisions; recreation, elder services, youth and family services, veterans services, emergency management/civil defense and maintenance of town buildings. Performs highly complex administrative duties including policy development, personnel management and contract negotiations, development and oversight of operating, capital and revolving budgets, procurement, facility management, and constituent services. Works with multiple volunteer boards and commissions, residents of all ages, elected officials and state agencies. Directly supervises nine employees.

Responsible for special projects as directed by the Mayor. Served on staff member park improvement committee specializing in playground and skate park acquisition and installation and update of existing field permit guidelines. Assigned to the Department of Public Works for eighteen months to assist with development and execution of reorganization of labor force, implementation of physical inventory paper tracking system, development and implementation of protocols for municipal sanitary sewer capacity, management, operations and maintenance system (CMOM) and implementation of constituent tracking system.

Responsible for coordination and implementation of two new special events; Annual Senior Picnic and Weymouth Day event. Budget for two events exceeds \$60,000 and required coordination of amusements, transportation, facility management and entertainment with emphasis on volunteer recruitment and management.

1/2000 - 8/2001

**Director of Administrative Services**

Responsible for working with municipal departments and divisions to complete special projects assigned by the Mayor. Integral part of municipal transition team to transcend government from town to city form including development of municipal code of ordinances, development of departmental program based budget and mission statement, and relocation and establishment of municipal offices. Assisted with coordination of oral and written correspondence, speech writing, analysis of human service departments and creation and supervision of human services working group with special emphasis on veterans, youth and families, recreation, elder services, human resources, emergency management and libraries.

4/1996 - 1/2000

**Assistant to the Executive Administrator**

Served as key staff member to Executive Administrator and five member Board of Selectmen. Worked closely with the Executive Administrator and all municipal departments to carry out policy directed by Board of Selectmen. Responsible for conducting analytical assignments and research on critical matters in conjunction with development of agenda packets for board meetings. Handled licensing applications, constituent services, warrant article development and publication and procurement. Attended all meetings of the Board of Selectmen and other municipal meetings when assigned.

11/1995 – 4/1996      Town of Westwood, Massachusetts

Independent Contractor  
Worked independently under the direction of the Executive Secretary of the Town of Westwood to complete municipal projects including employee handbook, transportation grant for bus service within industrial park and salary survey research.

10/1995 – 4/1996      Middleborough Downtown Partnership, Middleborough, Massachusetts

Staff Person  
Served as staff person to assist with verification of properties within downtown business district. Completed survey research and assisted with downtown merchant community meeting to organize Founder's Day event. Assisted with correspondence to local businesses and consultants and responded to telephone inquiries.

7/1/1994 – 6/30/1995      Town of Groton, Connecticut

Management Assistant, Town Manager's Office and Personnel Department  
Responsible for special projects assigned by Town Manager and Town Council; staff assistance (report writing, executive research), responding to citizen requests, preparing executive correspondence, staffing boards and commissions, preparing agenda items for Town Council agenda packets, conducting analytical assignments under the direction of the Town Manager. Assisted with budget preparation, analysis and compilation. Coordinated media relations projects including annual report, town map, employee newsletter and town-wide public photo contest.

Assisted the Personnel Director in the areas of recruitment and selection, training and development, employee relations and implementation of DOT's Drug and Alcohol Testing Program for CDL drivers. Reviewed wage schedules, reclassification requests, coordination of employee wellness committee and comprehensive salary survey of forty-five municipalities within Massachusetts, Rhode Island and Connecticut.

8/1992 – 6/1994      Management Intern, Town Manager's Office  
Special projects under the direction of the Town Manager and Town Council; citizen requests, executive correspondence, media relation projects and personnel assignments. Developed economic development marketing materials and provided staff support to the division.

Education:              M.P.A. (1993) - University of Rhode Island, Kingston, RI.  
  
B.A. (1988) - University of Massachusetts, Dartmouth, MA.  
Major in Political Science, minor in History.

Other information:      Recipient of Ten Year Service Award from the Town of Weymouth in 2007  
Recipient of the 1994 ICMA Workplace Diversity Scholarship  
Twenty-five year member of South Middleborough Grange #337 and Sippican  
Pomona Grange #31  
Twenty year member of East Middleborough 4 – H Community Committee

References:              To be furnished upon request.

March 3, 2009  
Patrick Rogers, chairman  
Board of Selectmen  
Town Hall  
Nickerson Avenue  
Middleboro, MA 02346

Dear Mr. Rogers and board members:

I am writing to express my interest in serving on the committee that you voted to establish Monday night to explore possible changes to the town charter. I think my experience in municipal government and service on various town boards and committees would be useful in this effort.

Please feel free to contact me if you need any additional information.

Sincerely,



Neil D. Rosenthal

March 23, 2009

Ms. Jackie Shanley, Secretary to Selectmen  
Town of Middleboro  
Nickerson Ave  
Middleboro, Ma 02346

I am responding to the request for residence interested in serving on the newly formed Charter Study Committee. I would be happy to provide my resume depicting and illustrating my education, background and experience upon request.

I have been living in Middleboro for the vast majority of my entire life, over 33 years. I have a Bachelor's Degree from Westfield State College and a Master's Degree from Salve Regina University. I have also served on the town's Finance Committee. Since 2001, I have served two combat tours in Afghanistan as an Army Green Beret with over 15 years of service in the military. In the interest of full disclosure I am a police officer employed by the town. Please be assured my occupation and profession provides me with no prejudices or hidden agendas. I have an open mind and have been looking for an opportunity to serve the town since leaving the Finance Committee. I enjoy spending time with my family, coaching youth hockey, skiing, running, golfing, and biking.

I ask for your consideration in this most challenging and rewarding endeavor. Thank you for your time and consideration.

Respectfully,



Angelo J Lapanna III  
137 Colby Dr.  
Middleboro, Ma  
508-441-0320  
[Ajl18e@yahoo.com](mailto:Ajl18e@yahoo.com)

March 11, 2009

Honorable Board of Selectman:

I would like submit my name for consideration for appointment to the Charter Study Committee.

I believe the structure you have set up provides an excellent framework. Town Manager Cristello's fresh and knowledgeable perspectives will be a valuable resource.

Sincerely

Lincoln D Andrews  
28 Sachem St

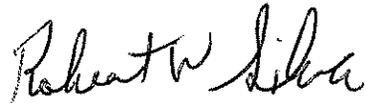
March 24, 2009

Board of Selectmen  
Town Hall  
Nickerson Ave.  
Middleborough, MA 02346

Board of Selectmen:

I would like to serve on the Charter Study Committee, which the Board of Selectmen will be appointing to review possible changes to the Town's Charter. I served on the 2000 Charter Review Commission and have a good knowledge of the Charter's contents. I would appreciate this opportunity to serve the Town of Middleborough again in this capacity.

Thank you,

A handwritten signature in cursive script that reads "Robert W. Silva".

Robert W. Silva  
41 Nestlenook Drive  
Middleborough, MA 02346

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

Dear Board Members:

Please accept this letter as my interest in being considered for appointment to the Town Charter Study Committee.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven P. Spataro".

Steven P. Spataro

24 SCHOOL ST.

March 18, 2009

Town of Middleborough

Board of Selectmen

Middleborough, MA 02359

Honorable Board:

I would like to apply for a position on the Charter Study Committee.

I believe I have an understanding as to how the town operates today as well as how my town should possibly operate in the future.

I have severed the town in many capacities as, Town Treasurer & Collector, Chairman of the Finance Committee, Chairman of the Board of Selectmen, a previous Charter Study Committee, the Landfill Study Committee and two committees searching for a Town Manager. I am presently serving as Chairman of the Zoning Board of Appeals. All of these various positions have given me a working knowledge of the town which I believe will be of important as a member of this Charter Study Committee.

Thank you for your consideration.

Very truly yours,



Bruce G. Atwood

155 Plympton Street

Middleboro, MA 02359

3-25-09

Dear Selectmen

Please accept this letter as expressed interest in becoming a member of the Middleboro Charter Commission. I would look forward to reviewing the current Town Charter, and my aspirations would be to make the necessary changes where needed to create a strong community representation. I feel voices within our community have been ignored, and have resulted in a less than transparent and open form of government.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Michael Solimini', written in a cursive style.

Michael Solimini  
3 Otis Pratt Lane  
Middleboro, MA 02346

48 Plymouth St.

18 March 2009

Middleboro MA 02346

Board of Selectman

Town Hall

Nickerson Ave.

Middleboro, MA 02346

I would be interested to serve on the Town Charter Committee.

Sincerely,



Frederick E. Eayrs

March 26, 2009

Board of Selectmen

My name is Dennis Gould and I would like to be considered to participate on the Chart Review Committee.

I have been a resident of Middleboro since 1984.

I am retired from the Brockton Fire Department, where I was a Captain. As the fire department's first Hazardous Materials Officer, I was responsible for training over 190 firefighters, as first responders to Hazardous Material incidents. Because of my position, I was also a Fire Prevention Officer, which entailed code enforcement, of fire codes, and working with other city departments, ie Building, Board of Health and DPW.

My experience working with city departments would be helpful, when reviewing Middleboro's Town Charter.

Should I be considered, I can be reached at 508-946-0664.

Sincerely,



Dennis J Gould

81 Rocky Meadow St.

To the Board of Selectman:

I am writing this letter to you to express my interest in serving on the 'Charter Review Committee'. As you know I attend most of the weekly B.O.S. meetings on Monday nights and would welcome the opportunity to review and discuss whether any changes should be made to the towns charter and if so what changes would be recommended and why.

Thank you in advance for your time and consideration,

Allin J. Frawley

35 Forest Street

Middleborough Ma, 02346

**Allison Ferreira**

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**From:** stevedmorris@comcast.net  
**Sent:** Thursday, March 26, 2009 12:02 PM  
**To:** Allison Ferreira  
**Subject:** charter review

Hi Allison,

Would you pass on to the selectmen my interest in serving on the charter review committee. If they have any questions or need to contact me you have my e-mail and Charlie has my cell phone number. Thank you.

morris

steve

edgewater In

18

middleboro

MARCH 23 2009

Honorable Members!

It is wise of the board to bring this item forth at this time. As you are probably well aware, the <sup>H</sup> Carter consists of 13 pages. The by-laws 49 pages. The Attorney General will require a report of any changes made. I am interested in serving on the Charter Study Committee.

Sincerely  
Ellen D. Grant

4 Taylor Way  
Middleborough, Ma. 02346  
March 24, 2009

RECEIVED

MAR 24 2009

BOARD OF SELECTMEN  
MIDDLEBOROUGH, MA



Board of Selectmen  
Town Hall, Nickerson Ave.,  
Middleborough, Ma. 02346

Dear Ladies and Gentlemen:

This is to apply for a seat on the Town Charter Committee which you recently established.

Having served in the 1960's elected Charter Commission and more recently on the last charter committee, I bring some experience to the process and therefore some value were I to become a member thereof.

Thank you for your consideration of my candidacy.

Very truly yours,  
James T. Thomas