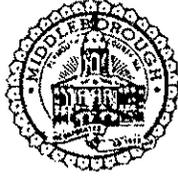


**HEARINGS, MEETINGS, LICENSES**  
**5-24-10**



A hearing will be held by the Board of Selectmen on Monday, May 24, 2010 at 7:30 PM in the Selectmen's Meeting Room at the Town Hall, located at 10 Nickerson Avenue, Middleborough, MA for the purpose of discussing application made by Stoney's Restaurant, Inc. for an Alteration of Premises All Alcoholic Beverages Restaurant Liquor license, property located at 456 West Grove Street, Middleboro, MA Assessors Map 48, Lot 3074, Middleborough, MA. Anyone desiring to be heard on this matter should appear at the time and place designated.

Marsha L. Brunelle  
Alfred P. Rullo, Jr.  
Muriel C. Duphily  
Stephen J. McKinnon  
Steven P. Spataro

Publish: May 13, 2010

Please bill the Town of Middleborough Board of Selectmen's Office

CRANBERRY CAPITAL  
OF THE WORLD

*RUE*



# Town of Middleborough Massachusetts

BOARD OF SELECTMEN

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

DATE April 12, 2010  
NAME OF APPLICANT STEVE BARNICOAT  
ADDRESS OF APPLICANT 454 W. GROVE ST MIDDLEBORO, MA  
ASSESSORS MAP & LOT 048 LOT 3074  
NAME OF BUSINESS STONE'S RESTAURANT INC.  
OWNER OF PROPERTY TO BE LICENSED BARNEY COTE RT  
ADDRESS OF PROPERTY TO BE LICENSED 456 W GROVE ST  
ASSESSORS MAP & LOT 048 LOT 3074

TYPE OF LICENSE REQUESTED (Check One)

- 2<sup>nd</sup> Hand Furniture \_\_\_\_\_
- Class I License \_\_\_\_\_
- Class III License \_\_\_\_\_
- Common Victualer \_\_\_\_\_
- 2<sup>nd</sup> Hand Clothing \_\_\_\_\_
- Class II License \_\_\_\_\_
- Liquor License  Alteration of Premises
- Other \_\_\_\_\_

Anticipated Start Date for Business BUSINESS IS ACTIVE  
Hours requested: SAME

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

THIS REQUEST IS TO EXTEND THE CURRENT LIQUOR LICENSE TO AN EXISTING PATIO AREA

Signature Steve Barnicoat

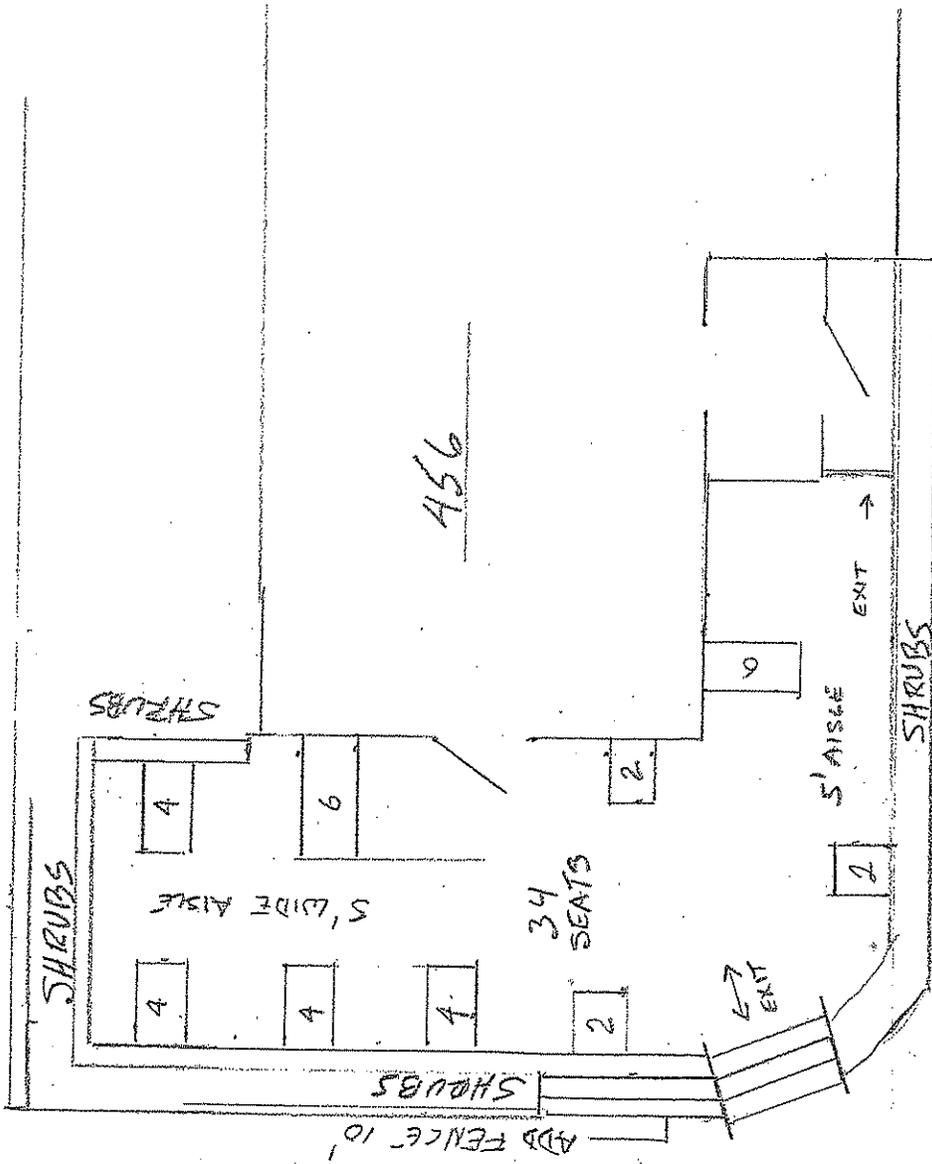
DATE OF HEARING 5/24/10 @ 7:30pm APPROVED/DENIED

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

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

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? No

*[Handwritten Signature]*

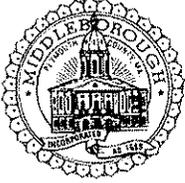


# MIDDLEBOROUGH POLICE DEPARTMENT

99 NORTH MAIN STREET  
MIDDLEBOROUGH, MA 02346

(508) 947-1212

Fax (508) 947-1009



Bruce D. Gates  
Chief of Police

MAY 4, 2010

Board of Selectmen  
Town Hall  
Middleborough, MA 02346

RE: Liquor License, Application to Alter Premises, Stoney's Restaurant

Honorable Board:

I have reviewed the application from Stoney's Restaurant, 454 W.Grove St. to alter the premises to extend the current license to an existing patio area. I am not opposed to this request.

I have viewed the premises and the diagram is accurate. I also spoke with the owner Steve Barnicoat about the plans. It can accommodate the tables as shown on the diagram.

The only concern I have is that the area on the diagram that indicates "add fence 10" .This should be completed before the request is approved or at least have a short time frame for completion. Other than the entrance steps this would complete a buffer around this area of fence and shrubs.

Respectfully Submitted,

  
Bruce Gates,  
Chief of Police

**Jacqueline Shanley**

---

**From:** Robert Whalen  
**Sent:** Monday, May 03, 2010 3:54 PM  
**To:** Jacqueline Shanley  
**Subject:** RE: Stoney pub alteration of premises

I have no issues with the patio area.

Thanks Bob Whalen

---

**From:** Jacqueline Shanley  
**Sent:** Monday, May 03, 2010 11:34 AM  
**To:** Robert Whalen; Jeanne Spalding; Chief Bruce Gates; Lance Benjamino  
**Subject:** FW: Stoney pub alteration of premises

Forgot attachment....sorry!! Thanks Chief!

---

**From:** Jacqueline Shanley  
**Sent:** Monday, May 03, 2010 11:20 AM  
**To:** Robert Whalen; Jeanne Spalding; Lance Benjamino; Chief Bruce Gates  
**Subject:** Stoney pub alteration of premises

Please see attached and advise the Selectmen's Office if you have, or do not have, any concerns or objections with the approval of this application.

Thank you.

Jackie



# MIDDLEBOROUGH FIRE DEPARTMENT



LANCE M. BENJAMINO  
Fire Chief

125 North Main Street  
Middleborough, Massachusetts 02346

Tel: 508-946-2461  
Fax: 508-946-2464

5/5/10

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

RECEIVED

MAY 10 2010  
BOARD OF SELECTMEN  
MIDDLEBOROUGH, MA

Re: 456 west Grove St.

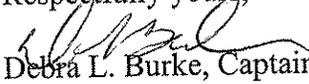
Dear Board Members:

For the purpose of discussing application made by Stoney's Restaurant Inc. for an alteration of Premises All Alcohol Beverages Club Liquor License at 456 west Grove St., Middleborough, Ma. 02346.

The Middleborough Fire Department concerns are:  
Pursuant 527 CMR 10.03 (10) - Designated fire lanes shall be maintained free of obstructions and vehicles and marked in approve manner. All Designated fire lane signs or markings shall be maintained in a clean and legible condition at all times and replaced when necessary to insure adequate visibility.

If the Board has any other questions regarding this letter, please feel free to contact me at 508-946-2461 Ext. # 1.

Respectfully yours,

  
Debra L. Burke, Captain  
Code Enforcement / Fire Prevention  
125 N. Main St.  
Middleborough, Mass 02346  
508-946-2461 Ext. #1

NO. 2224  
*George J. ...*  
Phone: 608-946-2405  
Fax: 608-946-0058

CRANBERRY CAPITAL  
OF THE WORLD



# Town of Middleborough Massachusetts

BOARD OF SELECTMEN  
Marsha L. Brunelle  
Adam M. Bond  
Patrick B. Rogers  
Wayne C. Perkins  
Steven P. Spataro

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

DATE 4/12/2010 John F. Roberson, JR  
NAME OF APPLICANT John F. GLASS JR, POST 2188  
ADDRESS OF APPLICANT 30 STATION STREET  
ASSESSORS MAP & LOT 50N LOT 5974  
NAME OF BUSINESS JOHN F. GLASS, JR, POST 2188, VETERANS OF  
OWNER OF PROPERTY TO BE LICENSED MIDDLEBORO OVERSEAS FOREIGN WARS  
ADDRESS OF PROPERTY TO BE LICENSED 30 STATION ST. VETERANS  
ASSESSORS MAP & LOT 50N LOT 5974

### TYPE OF LICENSE REQUESTED (Check One)

- 2<sup>nd</sup> Hand Furniture \_\_\_\_\_
- Class I License \_\_\_\_\_
- Class III License \_\_\_\_\_
- Common Victualer \_\_\_\_\_
- 2<sup>nd</sup> Hand Clothing \_\_\_\_\_
- Class II License \_\_\_\_\_
- Liquor License \_\_\_\_\_
- Other CLUB LIQUOR LICENSE

Anticipated Start Date for Business ON GOING  
Hours requested: \_\_\_\_\_

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

Signature *John F. Roberson Jr*

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

APPROVED/DENIED

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

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

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? No

*John Donnell*

THE COMMONWEALTH OF MASSACHUSETTS  
ALCOHOLIC BEVERAGES CONTROL COMMISSION

FORM 43

7000009  
License Number

MIDDLEBORO  
City/Town

4/12/2000  
Date

Type of Transaction (Please check all relevant transactions)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> New License                  | <input checked="" type="checkbox"/> New Officer/Director | <input type="checkbox"/> Pledge of License |
| <input type="checkbox"/> Transfer of License          | <input type="checkbox"/> Change of Location              | <input type="checkbox"/> Pledge of Stock   |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alter Premises                  | <input type="checkbox"/> Other _____       |
| <input type="checkbox"/> Transfer of Stock            |  |  |

JOHN F. GLASS JR. Post 2188  
Name of licensee

04-2050445  
FID of Licensee

\_\_\_\_\_  
D/B/A

JOSEPH H. THAYER  
Manager

30 STATION ST. MIDDLEBORO MA. 02346  
Address: Number Street Zip Code

ANNUAL ALL ALCOHOL CLUB  
Annual or Seasonal Category: All Alcohol, Wine & Malt Type: Restaurant, Club, Package Store  
Hotel, General on Premise, Etc.

Premises:

Description of Licensed Property: WOOD FRAME BUILDING, ONE STORY  
1ST FLOOR ONE ROOM WITH BAR, KITCHEN AND TWO STORAGE  
ROOMS. BASEMENT, ONE ROOM BAR-LOUNGE, ONE POOL AND  
SHUFFLEBOARD ROOM, KITCHEN, STORAGE ROOM WALK IN COOLER

Application was filed: 4/12/10 10AM Advertisised: UNDER ORIGINAL LICENSE  
Date & time Date & Publication

Abutters Notified  Yes  No

Person to Contact regarding this transaction: JOHN F ROBERSON JR. - CORP. PRES.  
JOSEPH H. THAYER SR. - CLUB MANAGER

The Local Licensing Authorities  
By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alcoholic Beverages Control Commission  
Ellen Moriarty  
Executive Director

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PETITION FOR LICENSE TRANSACTION

The Commonwealth of Massachusetts

4/12/ 2010

Change of Location

Pledge of Stock

Pledge of License

Change of Corporate Name

Change of D/B/A

Change of Manager

Change of License Type

Cordials and Liqueurs Permit

To the

Licensing Board for the

The undersigned respectfully petition for

JOSEPH H. TRAYER TO BE IDENTIFIED AS  
THE CLUB MANAGER

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

John Peterson  
Signed

PRES - MIDDLEBORO OVERSEAS  
Title VETERAN'S FNC

**Veterans of Foreign Wars  
Of The United States  
John F. Glass - Post No.2188**

To Whom It May Concern:

This will certify that on 28 June 2008, by unanimous vote of the membership the Veterans of Foreign Wars, Post 2188, Middleboro Overseas Veterans Inc., Middleboro, MA, 02346 that John F. Roberson, Jr. was elected President of the Corporation to serve until replaced by a new vote for President.

Submitted, Walter Campbell

Corporation Clerk

**Veterans of Foreign Wars  
Of the United States  
John F. Glass – Post No. 2188**

To Whom It May Concern:

This will certify that on 28 June 2008, by unanimous vote of the membership the Veterans of Foreign Wars, Post 2188, Middleboro Overseas Veterans Inc., Middleboro, MA, 02346 that Joseph H. Thayer was appointed and hired as Club Manager for the Middleboro Overseas Veterans Inc. to handle the operation of the VFW's Driftwood Lounge.

Submitted, Walter Campbell

Corporation Clerk



Town of Middleborough  
Massachusetts

BOARD OF SELECTMEN

APPLICATION FOR LICENSE  
(PLEASE TYPE OR PRINT CLEARLY)

DATE 5-13-10  
NAME OF APPLICANT Arthur H. Blain III  
ADDRESS OF APPLICANT 11 Robin Hood Avenue  
ASSESSORS MAP & LOT M 161D, 711  
NAME OF BUSINESS \_\_\_\_\_  
OWNER OF PROPERTY TO BE LICENSED \_\_\_\_\_  
ADDRESS OF PROPERTY TO BE LICENSED \_\_\_\_\_  
ASSESSORS MAP & LOT \_\_\_\_\_

TYPE OF LICENSE REQUESTED: (Check One)

- 2<sup>nd</sup> Hand Furniture \_\_\_\_\_
- Class I License \_\_\_\_\_
- Class III License \_\_\_\_\_
- Common Victualer \_\_\_\_\_
- 2<sup>nd</sup> Hand Clothing \_\_\_\_\_
- Class II License \_\_\_\_\_
- Liquor License \_\_\_\_\_
- Other Constable

Anticipated Start Date for Business \_\_\_\_\_  
Hours requested: \_\_\_\_\_

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

\_\_\_\_\_

Signature \_\_\_\_\_

DATE OF HEARING 5-24-10 APPROVED/DENIED

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

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

Does Property Owner/Applicant/Petitioner owe Taxes/Municipal Charges? no

*[Handwritten Signature]*

TOWN OF MIDDLEBOROUGH  
Selectmen's Office  
10 Nickerson Avenue  
Middleboro, MA 02346

(508) 946-2405

Application for Appointment as Constable

Name ARTHUR H. Blair III

Address: 11 Robin Hood Avenue  
Middleboro, MA 02346

Mailing Address  
if different: \_\_\_\_\_

How long have you been at this address?  
20 yrs.

Telephone # \_\_\_\_\_ home  
(508) 946-1100 Business

Occupation Steward. Union Local 22

Date of Birth 07-10-1955 (minimum age - 20 years)

Place of Birth Montour Falls N.Y.

1. My reasons for desiring such an appointment are as follows:

- I would like to get involved in Community
- Service being a resident of Middleboro for
- over 40 yrs. Also while in the Air force
- Serving Our Country during Viet Nam I was
- Security Police

M.G.L. Chapter #41, Section #91B.... Applicants must meet all the requirements of a Constable as stated in Massachusetts General law, Chapter 41, Section 91. The office of Constable shall be filled only by appointment of an applicant hereunder who is found by the appointing authority, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office.

2. Applicants must have attended a formal course of study on Constables or have worked in the field of civil process service for a period of at least three (3) years in the capacity of a constable or Deputy Sheriff, or have a background/education in law enforcement. Please attach a copy of the course certificate or list details of the required experience, including, but not limited to experience, training and education relating to law enforcement

Military  
Security Policeman

3. Give any other names by which you have been legally known (if any):

Name: \_\_\_\_\_ Date(s) when used: \_\_\_\_\_

Why used: \_\_\_\_\_

4. Do you possess a valid driver's license from the Commonwealth of Massachusetts?

Yes  No

Driver's License No.: 0110

5. Have you ever been appointed as a Constable for the Town of Middleborough? NO

If yes, when did your appointment expire?

\_\_\_\_\_

6. Did you serve as a constable last year?

Yes  No

If yes, how many services did you perform?

\_\_\_\_\_

7. To your knowledge, was there any complaint against you during your last term? If so, by whom, the reasons and disposition of the complaint.

\_\_\_\_\_

8. Do you now owe money for traffic fines, parking tickets, excise taxes, moving violations?

Yes  No

If you answered yes to any of the above, please give complete details including the amount owed and to whom it is owed.

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

**REFERENCES**

List five references (not relatives, in-laws, former or present employers, fellow employees or schoolteachers) who are reputable residents of the town in which you reside one of whom is an attorney-at-law.

We, citizens of the Town of Middleborough hereby state that the above named applicant is to our knowledge and belief of good moral character.

1. Name Susan SASS Occupation: hOMEMAKER  
Signature: [Signature]  
Address: 43 Atwood Ave. Middleboro, MA 0234  
Phone: [Number] How does this person know you?  
neighbor + friend for 8 years

How long has this person known you? 8 years

2. Name Joe Churchill Occupation: Stitcher  
Signature: [Signature]  
Address: 6 Long Beach Rd.

Phone: \_\_\_\_\_ How does this person know you?  
16 years Friend & neighbor

How long has this person known you? 16 years

3. Name Edna M. Bishop Occupation: Retired

Signature: Edna M. Bishop

Address: 9 Lake View Terrace

Phone: \_\_\_\_\_ How does this person know you?  
Neighbor and friend

How long has this person known you? 23 years

4. Name Lawrence O. Martin Occupation: Machinist

Signature: Law O. Martin

Address: 7 Lakeview Terrace

Phone: \_\_\_\_\_ How does this person know you?  
Neighbor

How long has this person known you? 12 years

5. Name Richard A. Westgate Occupation: Attorney

Signature: R. Westgate

Address: 695 Washburn Street, Middleboro

Phone: \_\_\_\_\_ How does this person know you?  
Client

How long has this person known you? 10 years

**CRIMINAL RECORD**

1. Have you ever been convicted of any offense in any court? If so, please describe the offense, the date, the court in which you were convicted and any mitigating circumstances. Include docket number

NO

2. Have you ever been issued a license to carry firearms? Yes  No   
Do you currently hold a license to carry firearms Yes  No

Issued by	Date Issued	Firearm License Number
Middleboro Police Dept.	7-25-2007	

3. Have you ever applied for and been denied a license to carry a firearm? Yes  No

If yes, please provide details, including the date of denial, person denying application and reason:

---

---

---

4. If the answer to "2" or "3" above is yes, was the license to carry or Firearms Identification Card ever revoked or suspended? Yes  No  If yes, give details.

---

---

---

I do solemnly swear that each and every answer is full, true, and correct in every respect.

Arthur H. Blair III

Signature of Applicant

5-10-2008

Date

**Town of Middleborough  
10 Nickerson Avenue  
Middleborough, MA 02346**

**Selectmen's Office 508 946-2405**

### CORI CHECK ACKNOWLEDGMENT

The Middleborough Board of Selectmen has been certified by the Criminal History Systems Board for access to conviction and pending criminal case data. As an applicant for the position of **Constable**, I understand that a criminal record check will be conducted for conviction and pending criminal case information only and that it will not necessarily disqualify me. The information below is correct to the best of my knowledge.

Signature Arthur H. Blair III

\_\_\_\_\_  
Last Name First Name Middle Name

Blair III Arthur H.

Maiden Name or Alias (if applicable)

Date of Birth: 0 Social Security Number 0

Address: 11 Robin Hood Avenue  
Middleboro, MA 02346

# MEMORANDUM

TO: Board of Selectmen  
FROM: J. Shanley, Confidential Secretary  
DATE: 5/24/10  
RE: CORI

A handwritten signature in black ink, appearing to read 'J. Shanley', is written over the 'FROM:' line of the memorandum.

Please note that a CORI background check was submitted on-line on 5/13/10, but the results have not yet been received.

CLASSIFICATION	BUDGETED	ACTUAL	ACTUAL	Variance
LOCAL RECEIPTS				
1. MOTOR VEHICLE EXCISE	2,338,490.00	3/31/2009 2,145,567.00	3/31/2010 1,884,444.00	(261,123.00)
2. OTHER EXCISE	221,797.00	163,016.00	158,249.00	(4,767.00)
BOAT EXCISE		7,485.00	6,916.00	
FARM ANIMAL		4,970.00	4,404.00	
1/2 NON RETURN PENALTY		9,350.00	11,400.00	
1/2 NON RETURN PENALTY TAX TITLE			328.00	
ALL OTHER TAXES				
HOTEL/MOTEL TAX				
ROOM OCCUPANCY TAX		141,211.00	135,201.00	
3. PENALTIES AND INTEREST	305,428.00	149,735.00	239,274.00	89,539.00
COSTS AND INTEREST		57,901.00	53,941.00	
COSTS/INTEREST RE/PP		91,834.00	185,333.00	
4. PAYMENTS IN LIEU OF TAXES	36,270.00	32,851.00	34,720.00	1,869.00
ASSESSORS IN LIEU OF TAX		32,851.00	34,720.00	
CHARGES FOR SERVICES - TRASH DISPOSAL	1,085,069.00	822,969.00	830,874.00	7,905.00
TRASH BAG STICKERS		26,695.00	26,968.00	
01.4336.00 CURBSIDE TRASH FEES*		792,488.00	791,363.00	
01.4337.00 TRASH ADDED TO REAL*				
01.4337.08 TRASH ADDED TO REAL*				
01.4337.09 RESIDENTIAL LANDFILL BULKY PERMITS*				
01.4370.17 TRASH TAX TITLE		3,786.00		
01.4338.00 TRASH POSSESSIONS				
9. OTHER CHARGES FOR SERVICES	930.00	730.00	496.00	(234.00)
SERVICE CHARGES		730.00	496.00	
10. FEES	98,651.00	64,296.00	96,431.00	32,135.00
FILING FEES		622.00	9,941.00	
CERT. OF MUN. LIENS		16,175.00	25,395.00	
ZONING & PLANNING FEES		7,900.00	15,960.00	
ASSESSORS FEES		3,342.00	2,313.00	
DOG POUND FEES		300.00	195.00	
NON-RENEWAL REGISTRY FEES		15,837.00	19,020.00	
EARTH REMOVAL INSPECTIONS		17,500.00	21,200.00	
CABLEVISION FRANCHISE FEES		2,620.00	2,407.00	
11. RENTALS	209,302.00	141,071.00	143,149.00	2,078.00
ALL OTHER RENTAL INCOME		30,090.00	32,488.00	
SCHOOL ST. PROPERTY RENTAL		2,429.00	2,385.00	
TRAILER		108,552.00	108,276.00	
TOWN HALL				
CUPOLLA RENTAL				
12. DEPARTMENTAL REVENUE - SCHOOLS	199,963.00	107,990.00	65,147.00	(42,843.00)
SCHOOL MISCELLANEOUS				
REIMBURSEMENT SCHOOL MEDICAID		107,990.00	65,147.00	

13.	DEPARTMENT REVENUE - LIBRARIES						
01.4774.00	LIBRARY MISCELLANEOUS						
16.	OTHER DEPARTMENTAL REVENUE						
01.4370.04	HIGHWAY ROAD OPENINGS	369,383.00	279,517.00	260,671.00	(18,846.00)		
	LANDFILL MISC		80.00	1,460.00			
01.4801.00	MISC TOWN CLERK RECEIPTS		18,266.00	17,329.00			
01.4802.00	POLICE ADMIN		18,672.00	9,342.00			
01.4805.00	POLICE MISCELLANEOUS		15,597.00	13,318.00			
01.4841.00	FIRE MISCELLANEOUS		26,391.00	28,993.00			
01.4370.20	LANDFILL MONITOR		44,243.00	46,943.00			
01.4370.21	LANDFILL ROYALTIES		154,728.00	143,286.00			
17.	LICENSES AND PERMITS	665,551.00	538,858.00	445,139.00	(93,719.00)		
01.4325.00	DOG LICENSES		28,763.00	28,305.00			
01.4410.00	ALCOHOLIC BEVERAGES LIC.		36,470.00	41,280.00			
01.4421.00	OTHER LICENSES/PERMITS		11,693.00	13,900.00			
01.4426.00	BUILDING PERMITS		236,270.00	161,017.00			
01.4427.00	LANDFILL PERMITS		37,950.00	39,150.00			
01.4431.00	FIRE PERMITS						
01.4450.00	PLUMBING PERMITS		27,292.00	25,785.00			
01.4451.00	GAS PERMITS		18,124.00	13,858.00			
01.4452.00	WIRING PERMITS		38,358.00	26,454.00			
01.4453.00	HEALTH DEPARTMENT PERMITS		97,928.00	87,449.00			
01.4455.00	WEIGHTS & MEASURES		6,010.00	7,941.00			
18.	SIDEWALK OBSTRUCTION PERMIT	33,575.00	30,512.00	32,282.00	1,770.00		
01.4750.00	SPECIAL ASSESSMENTS		30,512.00	32,282.00			
19.	FINES AND FORFEITS	96,009.00	67,032.00	79,036.00	12,004.00		
01.4695.00	COURT FINES						
01.4774.00	LIBRARY FINES		45,419.00	58,569.00			
01.4773.00	FINES FOR RETURNED CHECKS		15,674.00	15,893.00			
01.4777.00	DRUG RELATED FINES		2,710.00	1,975.00			
01.4847.00	PARKING TICKETS		100.00	200.00			
20.	INVESTMENT INCOME	319,876.00	3,129.00	2,399.00			
01.4820.00	EARNINGS ON INVESTMENTS		299,360.00	116,329.00	(183,031.00)		
	PREMIUM ON NOTES		299,360.00	116,329.00			
21.	MISCELLANEOUS RECURRING	66,706.00	38,910.00	60,923.00	22,013.00		
01.4804.00	MISCELLANEOUS		1,549.00	11,290.00			
	SALES OF INVENTORY						
01.4875.00	DP SAFETY REIMB		37,361.00	49,633.00			
	SMHG MEDICARE D REIMB						
	REIMBURSEMENT UCC FILINGS						
22.	NON-RECURRING MISCELLANEOUS	-	910,187.00	73,367.00	(836,820.00)		
01.4849.00	PRIOR YEAR REIMBURSEMENT						
01.4806.00	REIMBURSEMENT INSURANCE						
01.4807.00	SALE OF TOWN OWNED PROPERTY						
	NON-RECURRING MISC FIRE TRUCK						

01.4807.01	SALE OF LAND DEPOSIT			4,934.00	
01.4807.02	SURPLUS PROP/EQUIP SALES				
01.4807.03	PRECEINCT STREET PROPERTY SALE				
01.4807.04	SALE OF LAND- CHESTNUT ST				
01.4807.05	SALE OF LAND-HILLSIDE AVE				
01.4807.06	SALE OF LAND-OFF PLYMPTON ST				
01.4807.07	SALE OF LAND-OFF WALL ST				
01.4807.08	SALE OF LAND-OFF WALNUT ST				
01.4807.09	SALE OF LAND-OFF WAREHAM ST				
01.4807.10	OCC ED TRANS REIMB		-		
01.4807.11	SBA REIMB REP ROOFS		-		
01.4873.00	PRIOR YEAR REIMB		-		
	COURT JUDGEMENT - LANDFILL	910,187.00		68,433.00	
	COURT JUDGEMENT - MBTE SETTLEMENT	-			
	GAS/ELECTRIC DEPT. LEASE BUY-OUT	-			
	FEMA REIMBURSEMENT FOR SNOW	-			
01.4852.00	TOTAL	6,047,000.00	5,792,601.00	4,520,531.00	(1,272,070.00)

MINUS NON RECUR 4,882,414.00 4,452,098.00 (430,316.00)

MIDDLEBOROUGH	EXPENDITURES	MARCH 10	BUDGET	EXPENDITURES	REMAINING	%	#
			with adjusts				
	FINANCE COMMITTEE	\$ 4,843.00	\$ 3,193.18	\$ 1,649.82		68%	111
	CABLE COMMISSION	\$ -	\$ -	\$ -			
	PERSONNEL BOARD	\$ -	\$ -	\$ -			
	MODERATOR	\$ -	\$ -	\$ -			
	B&I COMMISSION	\$ -	\$ -	\$ -			
	SELECTMEN	\$ 68,003.00	\$ 42,124.63	\$ 15,878.37		73%	122
	TOWN MANAGER	\$ 187,683.00	\$ 136,982.34	\$ 51,700.66		72%	123
	TOWN MANAGER	\$ 126,956.00	\$ 91,688.11	\$ 35,267.89		72%	138
	ASSESSORS	\$ 264,678.00	\$ 200,408.77	\$ 64,271.23		76%	141
	TREASURER & COLLECTOR	\$ 462,955.00	\$ 313,007.19	\$ 149,947.81		68%	145
	LAW	\$ 142,351.00	\$ 102,970.88	\$ 39,380.12		72%	151
	INFORMATION TECHNOLOGY	\$ 305,034.00	\$ 239,040.94	\$ 65,993.06		78%	155
	TOWN CLERK	\$ 160,208.00	\$ 119,809.27	\$ 40,398.73		75%	181
	ELECTIONS & REGISTRATION	\$ 48,473.00	\$ 26,541.15	\$ 21,931.85		55%	162
	CONSERVATION COMMISSION	\$ 98,846.00	\$ 80,411.90	\$ 18,434.10		81%	171
	PLANNING BOARD	\$ 184,066.00	\$ 136,682.00	\$ 47,404.00		74%	178
	ZONING BOARD	\$ 31,364.00	\$ 23,919.48	\$ 7,434.52		76%	176
	ADMINISTRATIVE OFFICE BUILDING	\$ 154,352.00	\$ 99,531.10	\$ 54,820.90		64%	193
	POLICE DEPARTMENT	\$ 3,583,631.00	\$ 2,587,811.58	\$ 995,819.42		72%	210
	FIRE DEPARTMENT	\$ 2,634,249.00	\$ 1,860,227.31	\$ 774,021.69		71%	220
	BUILDING DEPARTMENT	\$ 340,380.00	\$ 212,920.89	\$ 127,459.11		63%	241
	SEALER WEIGHTS & MEASURES	\$ 6,198.00	\$ 4,313.97	\$ 1,884.03		70%	241
	DOG DEPARTMENT	\$ 99,623.00	\$ 73,440.67	\$ 26,182.33		74%	292
	DPW ADMINISTRATION	\$ 20,919.00	\$ 16,986.32	\$ 3,932.68		81%	421
	DPW HIGHWAY	\$ 1,097,277.00	\$ 975,122.87	\$ 122,154.13		89%	422
	DPW TREE WARDEN	\$ 11,870.00	\$ 6,541.16	\$ 5,328.85		55%	423
	DPW INSECT & PEST	\$ 965.00	\$ -	\$ 965.00		0%	429
	DPW RUBBISH REMOVAL	\$ 374,428.00	\$ 232,374.00	\$ 142,054.00		62%	433
	HEALTH	\$ 303,251.00	\$ 226,945.08	\$ 76,305.92		75%	521
	COUNCIL ON AGING	\$ 540,448.00	\$ 419,440.40	\$ 121,007.60		78%	541
	VETERAN'S SERVICES	\$ 372,276.00	\$ 325,806.25	\$ 46,469.75		88%	543
	LIBRARY	\$ 586,481.00	\$ 481,144.84	\$ 105,336.16		82%	610
	PARK DEPARTMENT	\$ 290,159.00	\$ 252,069.24	\$ 38,089.76		87%	660
	HISTORICAL COMMISSION	\$ 1,711.00	\$ 417.00	\$ 1,294.00		24%	691
	GENERAL GOVERNMENT	\$ 12,493,688.00	\$ 9,290,870.51	\$ 3,202,817.49		74%	
	DEBT SERVICES	\$ 6,181,168.00	\$ 5,045,091.63	\$ 1,136,076.37		82%	710
	EMPLOYEE FRINGE BENEFITS	\$ 15,145,646.00	\$ 12,759,620.00	\$ 2,386,026.00		84%	919
	COURT JUDGEMENTS	\$ -	\$ -	\$ -			941
	UNCLASSIFIED	\$ 2,015,149.00	\$ 1,594,048.00	\$ 421,101.00		79%	960
	SCHOOL DEPARTMENT	\$ 26,454,010.00	\$ 17,116,495.13	\$ 9,337,514.87		65%	311
	TRANSPORTATION MISC	\$ 532,149.00	\$ 394,177.00	\$ 137,972.00		74%	899
	TRANSPORTATION CONTRACTED	\$ 1,775,218.00	\$ 927,497.34	\$ 847,720.66		52%	909
	ARTICLES	\$ 598,243.00	\$ 285,914.39	\$ 312,328.61		48%	951
	INTERGOVERNMENTAL ASSESS	\$ 348,101.00	\$ 216,992.00	\$ 131,109.00			
	still in process expenses (encumbered)	\$ 6,695.00					
	TOTAL	\$ 65,195,271.00	\$ 47,761,815.00	\$ 17,426,761.00		73%	
	UNEXPENDED APPROPRIATIONS	\$ -	\$ 47,761,815.00	\$ 17,426,761.00			





ARTICLE 1 I move that the Town transfer \$35,000 from the Employee Benefits Health Insurance Account #517400 to the Law Department Special Counsel Account #530400

I further move to transfer \$1,964 from Employee Benefits Workers' Compensation Account # 517100 to the Information Technology Administrator Account #511115.

I further move to transfer \$10,000 from Elections & Registrations Elections Officers Account # 511108 to the Town Clerk Restoration of Records Account #555401

I further move to transfer \$10,000 from Employee Benefits Workers' Compensation Account # 517100 to the Conservation Commission Dams and Culverts Account #582500.

I further move to transfer \$265,662 from the following accounts to DPW Highway Snow Removal Account #15293:

DPW Highway	#511146	\$9,000
DPW Highway	#511147	\$48,000
DPW Highway	#511148	\$75,000
DPW Highway	#553200	\$10,000
Building	#511138	\$45,000
Employee Benefits	#517600	\$10,000
Transportation Cont.	#530401	\$50,000
Elections & Reg.	#511108	\$5,000
Elections & Reg.	#511109	\$5,000
Rubbish	#529000	\$8,662

I further move to transfer \$25,000 from Employee Benefits FICA Account # 517600 to the Veterans' Services Medical & Cash Aid Account #577000

I further move to transfer \$305,000 from Employee Benefits Health Insurance Account #517400 to School Department Special Education Tuition Account # 563150.9330.2999.

ARTICLE 2 I move that the Town vote to transfer the sum of \$15,000 from the Wastewater Enterprise Unreserved/Retained Earnings Account for the purpose of paying for the accrued vacation days of retired employees.

ARTICLE 3 I move that the Town vote to transfer the sum of \$300,000 from the Water Enterprise Development Account to the Water Department Interest on Debt Account #591500. I further move to reduce the following Water Department accounts by a total of \$530,000:

Regular Pay Sup.	511146	\$ 20,000
Regular Pay Labor	511148	\$ 90,000
Overtime Pay	513100	\$ 30,000
Bldg & Grounds Maint.	524100	\$ 5,000
Water Pump Station Maint.	524300	\$ 15,000
Hot Top Material	525400	\$ 5,000

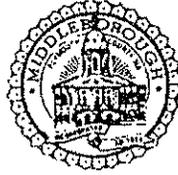
Water Exploration	538700	\$ 20,000
Building & Grounds Maint.	543000	\$ 2,000
Tires	548200	\$ 500
Sundry Vehicles	548900	\$ 500
General Materials	553200	\$ 7,000
Pipes & Fittings	544300	\$ 5,000
Ph & Chlorination Parts	585201	\$ 1,000
Distribution System Improv.	587501	\$ 29,000
Interest on Debt	591500	\$300,000

ARTICLE 4 I move to transfer \$916 from Employee Benefits Workers' Compensation Account #517600 to pay the following unpaid bills from previous years

Information Technology	#	\$866
Unclassified	#025301	\$50

ARTICLE 5 I move that the Town vote to transfer the sum of \$40,590 from Workers Compensation Account #517100 and \$25,430 from the Wastewater Enterprise Unreserved/Retained Earnings Account to fund sick leave buy-backs in the following departments:

Fire Department	#519700	\$40,590
Wastewater Department	#519700	\$25,430



## ANNUAL MEETING WARRANT

Middleborough, Massachusetts

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

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn all the inhabitants of said Town, qualified to vote in Town affairs, to meet in the **Auditorium of the Middleborough High School, on Monday, May 17, 2010, at 7:30 P.M.**, to act on the following articles:

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

ARTICLE 2. To see if the Town will vote to raise and appropriate a sum of money by taxation or from available funds in the treasury to defray expenses of the Town for the fiscal year beginning on July 1, 2010, relating to all or any of its officers, boards or departments and for purposes authorized by law, to vote to fix the salary and compensation of all elected officers, or act anything thereon.

ARTICLE 3. To see if the Town will vote to transfer from the income from the sales of gas and electricity for the purpose of fixing the tax rate a sum of money to the Assessors for the purpose of fixing the tax rate for Fiscal Year 2011, or act anything thereon.

ARTICLE 4. To see if the Town will vote to transfer \$66, 736 from the receipts reserved for the Water Pollution Abatement Trust Loan Repayment Account in order to meet the Town's obligation for payment of the Water Pollution Trust Loan, or act anything thereon.

ARTICLE 5. To see if the Town will vote pursuant to Section 53E ½ of Chapter 44 of the General Laws, as amended, to authorize and/or reauthorize establishment of one or more revolving funds for the purpose of funding certain activities and operations of certain departments and programs of the Town during Fiscal Year 2011, or act anything thereon.

<b>Municipal Fire Alarm System</b>	<b>Not to exceed \$15,000.00</b>
<b>Hazardous Materials Incident Training &amp; Materials</b>	<b>Not to exceed \$50,000.00</b>
<b>Recycling Program</b>	<b>Not to exceed \$100,000.00</b>
<b>Herring Fishery Program</b>	<b>Not to exceed \$100,000.00</b>
<b>Composting Bin Program</b>	<b>Not to exceed \$2,500.00</b>
<b>Recreation and Sports Program</b>	<b>Not to exceed \$100,000.00</b>
<b>Zoning Map, Bylaws and</b>	<b>Not to exceed \$2,500.00</b>
<b>Subdivision Rules &amp; Regulations</b>	

ARTICLE 6. To see if the Town will vote to raise and appropriate and/or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source to fund one or more collective bargaining agreements, or act anything thereon.

ARTICLE 7. To see if the Town will vote to raise and appropriate and /or transfer a sum of money from taxation, free cash, another specific available fund, the Stabilization Fund, an existing appropriation or account or other available source for the purpose of reimbursing Town employees and retired Town employees and other persons enrolled in the Town's health insurance plans for some of the increases in health insurance HMO and PPO deductibles and co-payments paid by said employees and retirees and other persons during Fiscal Year 2011 and in excess of the amounts of such deductibles and co-payments applicable during Fiscal Year 2010, and to pay any related costs, or act anything thereon.

ARTICLE 8. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to enact legislation to amend the Town Charter adopted pursuant to Chapter 592 of the Acts of 1920, as amended, by striking out in its entirety Section 9 pertaining to the Town Treasurer and Collector of Taxes and inserting in place thereof the following:

**SECTION NINE:** The Selectmen shall appoint a suitable qualified person to the office of Town Treasurer and Collector of Taxes. The existing elective office of Town Treasurer and Collector of Taxes shall be continued until the person appointed to the office of Town Treasurer and Collector of Taxes shall have qualified, at which time the elective office of Town Treasurer and Collector of Taxes shall terminate. The Selectmen shall appoint the person who is serving in the elective office of Town Treasurer and Collector of Taxes as the initial appointee as Town Treasurer and Collector of Taxes who shall receive not less than the compensation and benefits to which the elected Town Treasurer and Collector of Taxes was entitled unless modified by an employment contract which may be established. The Town Treasurer and Collector of Taxes shall have and exercise all the powers and rights and be subject to all the duties and liabilities now or hereafter conferred or imposed by law upon town treasurers and town collectors of taxes. The Selectmen by majority vote after notice and hearing may remove the Town Treasurer and Collector of Taxes from office for cause. The Selectmen shall forthwith appoint a suitable qualified person to fill any vacancy in the office of Town Treasurer and Collector of Taxes resulting from death, resignation, retirement, removal or other cause. The Selectmen shall determine the compensation of the Town Treasurer and Collector of Taxes and may establish an employment contract with the Town Treasurer and Collector of Taxes for a period of time to provide for salary, fringe benefits and other conditions of employment, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of duties of office, liability insurance, vacation and leave, or act anything thereon.

ARTICLE 9. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to enact legislation to amend the Town Charter adopted pursuant to Chapter 592 of the Acts of 1920, as amended, by amending subsections (A) and (B) to Section 17 of the Town Charter as follows

- (A) The Board of Selectmen shall annually appoint and determine the compensation of an Attorney at Law or law firm to act as Town Counsel.
- (B) The Board of Selectmen shall have the authority to prosecute, defend, and compromise all litigation to which the town is a party, and to appoint and determine the compensation of special counsel to assist the Town Counsel whenever in their judgment it may be necessary, or act anything thereon.

ARTICLE 10. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to enact legislation to amend the Town Charter adopted pursuant to Chapter 592 of the Acts of 1920, as amended, by adding the following subsections to Section 19 of the Town Charter to add specified powers and duties of the Town Manager:

(K) To prepare and submit an annual operating budget to the Selectmen. The proposed budget shall include, but not be limited to a listing of the funds requested by all boards, committees, officers, and departments of the town; shall be balanced and show both proposed expenditures and anticipated revenues. The Board of Selectmen, after reviewing the proposed budget and making changes it deems appropriate, shall submit its recommended budget to the Finance Committee on or before the twentieth day of January of each year for review and recommendation to town meeting.

(L) To prepare annually a five year financial forecast of town revenue, expenditures and general finance condition of the town. The forecast shall be submitted to the Selectmen who shall make it available to the public.

(M) To be responsible on behalf of the Selectmen for the negotiation, administration and enforcement of collective bargaining agreements and other employment agreements, exclusive of agreements made by the School Committee and the Municipal Light Board. The Town Manager in carrying out duties hereunder may engage labor counsel as he deems necessary and as approved by the Selectmen.

Notwithstanding the foregoing, the Selectmen shall retain the sole authority to approve and execute all collective bargaining agreements negotiated by the Town Manager on the Board's behalf, or act anything thereon.

ARTICLE 11. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to enact special legislation to provide that any agreement for a term of more than two (2) years made by the Town with any other governmental unit under the provisions of Section 4A of Chapter 40 of the General Laws respecting the sale by the Town of Middleborough of water or wastewater treatment services shall be subject to authorization by the Town Meeting, or act anything thereon.

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement for disposal by the Town of refuse, garbage and other solid waste on such terms and conditions as the Board may determine, or act anything thereon.

ARTICLE 13. To see if the Town will vote to transfer to the Board of Selectmen the care, custody, management and control of two parcels of land shown as Lots 1 and 2 on a plan of land dated February 10, 2002, drawn by Outback Engineering and recorded in the Plymouth County Registry of Deeds as Plan No. 250 of 2002 and also shown on the Assessors' Map described below, for the purpose of sale of the parcels, and to authorize the Board of Selectmen to sell and convey the parcels on such terms and conditions as the Board of Selectmen may determine, or act anything thereon.

	<u>Map #</u>	<u>Parcel #</u>	<u>Location</u>	<u>Land Area</u>
1.	48	3832	West Grove Street	5.62 acres
2.	48	3042	West Grove Street	28.30 acres

ARTICLE 14. To see if the Town will vote to transfer the care, custody, management and control of the Rock Village School property at 63 Miller Street shown as Lot 923 on Assessors Map 87 to the Board of Selectmen for the purpose of sale of the property, and to authorize the Board of Selectmen to sell the property on such terms and conditions as the Board determines, or act anything thereon.

ARTICLE 15. To see if the Town will vote to transfer to the Board of Selectmen the care, custody, management and control of a parcel of land on Lake Shore Drive at Navaho Lake Shores shown as Lot 5856 on Assessors Map 35, also shown as Lot 36 on a plan of Whispering Pines dated April 1952, for the purpose of sale or conveyance of the parcel, and to authorize the Board of Selectmen to sell and/or convey the parcel to Frances Stanizzi or other person(s) on such terms and conditions as the Board of Selectmen determines including conveyance for nominal consideration, or act anything thereon.

ARTICLE 16. To see if the Town will vote to authorize the Board of Selectmen to acquire easements in two parcels of land by gift, purchase or eminent domain in connection with the project to rehabilitate the Summer Street Bridge over the Taunton River, such parcels being shown on a plan entitled "Preliminary Right of Way Plans for Summer Street Bridge – Bridgewater/Middleborough" dated October 9, 2009 revised December 22, 2009 prepared by Jacobs Engineering Group as follows:

Parcel #	Property Owner	Area
E-1	Brooks	270 square feet
E-2	Pocius	498 square feet

, or act anything thereon.

ARTICLE 17. to see if the Town will vote to authorize the Board of Selectmen to acquire easements in parcels of land by gift, purchase or eminent domain in connection with the project to mitigate pollution to the Nemasket River, or act anything thereon.

ARTICLE 18. To see if the Town will transfer the management and control of a parcel of land on Wareham Street (Route 28) shown as Lot 4356 on Assessors Map 110 to the Middleborough Gas & Electric Department Light Board for purposes of the Gas & Electric Department Light Board for purposes of the Gas & Electric including without limitation leasing all or a part of the parcel to a third party, and to authorize the Light Board to lease all or part of the property to Algonquin Gas Transmission, LLC or other party on such terms and conditions which may be approved by the Light Board, or act anything thereon.

ARTICLE 19. To see if the Town will vote to include acquisition of a Supervisory Control and Data Acquisition (SCADA) system, a mixing system for the Barden Hill storage tank, a dome for the East Grove Street well, and pump station modifications, to the water system improvements project voted under Article 12 of the warrant for the September 23, 2003 Special Town Meeting, or act anything thereon.

ARTICLE 20. To see if the Town will vote to appropriate the sum of \$6,000,000 for the purpose of improving the water system; and further to authorize the Town through the Treasurer, with the approval of the Board of Selectmen, to borrow said \$6,000,000.00, or any portion thereof, and issue bonds or notes therefore under Section 8(4) of Chapter 44 of the General Laws or any other enabling authority, or Chapter 29C of the General Laws; and further to authorize the Treasurer with the approval of the Board of Selectmen, to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, or any other fund established in connection with the Safe Water Drinking Act, and in connection therewith to enter into a loan agreement and/or security agreement with the Trust, or any other such pertinent fund administrator, and otherwise to contract with the Trust and/or the Department of Environmental Protection with respect to such loan and with respect to any federal or state aid available for the project, or for the financing thereof, or for reimbursement of costs incurred in connection therewith' and further to authorize the Board of Selectmen to enter into a project

regulatory agreement with the Department of Environmental Protection, to extend all funds available for the project, and to take any other action ordered to the purposes of carrying out the project, or act anything thereon.

ARTICLE 21. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth to enact legislation to allow the Board to impose reasonable fees for the employment of outside consultants under the provisions of General Laws Chapter 44, Section 53G in connection with its review of earth removal permit applications under the Town's Earth Removal By-law, or act anything thereon.

ARTICLE 22. To see if the Town will vote to amend its Earth Removal By-law by deleting the first four sentences of the first paragraph of Section 5 and replacing them with the following:

**Section 5**

An earth removal permit may be issued for a period of up to three (3) years. If a project is not completed during the initial permit period, a permit may be extended up to one (1) year beyond the initial permit period, provided, however, that no permit may be extended unless an application therefore is filed no later than three (3) months before expiration of the initial permit period. If an earth removal project is not completed during the initial permit period and any permit extension period, a new permit to complete the project shall be required, provided, however, that a new permit to complete a project may not be issued until three (3) years have elapsed after expiration of the initial permit period and any permit extension period. Any project which is the subject of an earth removal permit or extension permit and which permit is in effect on January 1, 2010 shall not be subject to a three (3) year delay after expiration before issuance of a new permit to complete the project as set forth in the previous sentence. An applicant for a new permit to complete a project shall comply with all requirements of the by-law and regulations in effect when the application for a new permit is filed, or act anything thereon.

ARTICLE 23. To see if the Town will vote to support continued discussions regarding the potential acquisition, by the Town, of the former St. Luke's Hospital property at Center Street and Oak Street for a police station or other municipal use, or act anything thereon.

ARTICLE 24. To see if the Town will accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitting by said Act, including the acquisition, creation and preservation of open space, the acquisition and preservation of historic resources, the acquisition, creation and preservation of land for recreational use, the creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided under said Act; to levy a 1% surcharge of the annual real estate tax against real property, to accept a \$100,000 exemption from the surcharge, as well as the exemption of property owned and occupied by a person who would qualify for low income housing or low or moderate income senior housing in the town, as permitted under Section 3(e) of said Act; or to take any other action relative thereto.

By Petition

ARTICLE 25. To see if the town meeting will vote to enact the following addition to the Town Charter:

To see if the Town meeting will vote to enact the following addition to the Town Charter:

**TERM LIMITS**

Beginning with the 2011 Annual Town Election, no elected Town Official shall serve more than 2 consecutive terms of office at any one time. Additionally, any Town Official who has served 2 consecutive terms, shall not be able to run for the same Board or position until his or her successor has served at least one full term.

By Petition

ARTICLE 26. To place on the town meeting warrant and article to accept Gibbs Road as a street in Middleboro.

By Petition

Given, under our hands at Middleborough, this 21<sup>st</sup> day of April, 2010.

Marsha L. Brunelle

Manuel C. Dughey

August P. Burtley

Alan P. Gates

Steph Walker

**BOARD OF SELECTMEN**

Pursuant to the instructions contained in the above warrant, I have notified and warned all inhabitants of said Town of Middleborough, qualified to vote as expressed in said warrant, to meet at the time and place for the purpose specified by causing an attested copy of the same to be published in the Middleboro Gazette on the 29<sup>th</sup> day of April, 2010, that date being more than seven days before the time specified for said meeting.

Bruce Gates  
BRUCE GATES  
Police Chief