

HEARINGS, MEETINGS, LICENSES
6-14-10



**Town of Middleborough
Massachusetts**

BOARD OF SELECTMEN

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

DATE 5-13-10
 NAME OF APPLICANT Arthur H. Blair III
 ADDRESS OF APPLICANT 11 Robin Hood Avenue
 ASSESSORS MAP & LOT M 610, 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 nd Hand Furniture _____ | 2 nd Hand Clothing _____ |
| Class I License _____ | Class II License _____ |
| Class III License _____ | Liquor License _____ |
| Common Victualer _____ | Other <u>Constable</u> |

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 [Handwritten 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 Doa Churchill Occupation: Stitcher
Signature: [Signature]
Address: 6 Long Beach Rd.

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.



The Middleborough Board of Selectmen will hold a public hearing on Monday, June 14, 2010 at 7:30 PM in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, for the purpose of discussing an application filed by The Garage II, LLC, for a Class II Automobile Dealer's License for the premises located at 352 Wareham Street, Middleboro, MA (Assessors M072, L5421 & 4657). 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
BOARD OF SELECTMEN

Publish: May 27, 2010

Payment will be forwarded to S. Coast Media, 25 Elm St., New Bedford, MA 02740. Advertiser #300074

CRANBERRY CAPITAL
OF THE WORLD



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

Town of Middleborough Massachusetts

BOARD OF SELECTMEN
Marsha L. Brunelle

Patrick B. Rogers
Wayne C. Perkins
Steven P. Spataro

APPLICATION FOR LICENSE (PLEASE TYPE OR PRINT CLEARLY)

DATE 3/16/10
NAME OF APPLICANT THE GARAGE II LLC.
ADDRESS OF APPLICANT 10613 Main St. Brockton MA 02301
ASSESSORS MAP & LOT 02A-321 + 02A-4657
NAME OF BUSINESS THE GARAGE II
OWNER OF PROPERTY TO BE LICENSED Eric Schneider
ADDRESS OF PROPERTY TO BE LICENSED 362 Wareham St.
ASSESSORS MAP & LOT M 72, L 5421, 4657

TYPE OF LICENSE REQUESTED (Check One)

2nd Hand Furniture _____
Class I License _____
Class III License _____
Common Victualer _____
2nd Hand Clothing _____
Class II License _____
Liquor License _____
Other _____

Anticipated Start Date for Business 4/10 -
Hours requested: M-F 8:00 AM - 8:00 PM SAT + SUN 8:00 AM - 6:00 PM -

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

A used CAR license is currently held in BROCKTON MASS. UNDER THE GARAGE NAME.

Signature Eric Schneider

DATE OF HEARING 4-10 @ 7:30 PM 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]

Jacqueline Shanley

From: Robert Whalen
Sent: Thursday, June 10, 2010 2:16 PM
To: Jacqueline Shanley
Subject: RE: Class II hearing

Good Day!

The property is located in the general Use Zoning district so the use would be allowed. The applicant would have to obtain a building permit to construct the proposed office.

Thanks
Bob W.

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? THE GARAGE II

Business address of concern. No. 352 Wareham Middleboro, MA 02346 City - Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? CORPORATION

3. If an individual, state full name and residential address.

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President ERIC J. SCHNEIDER 20 SMYTH ST. STOUTSTON MA 02072

Secretary ELLIOT SCHNEIDER 10 OWL DR. SHARON MA 02067

Treasurer ELLIOT SCHNEIDER 10 OWL DR. SHARON MA 02067

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES

If so, is your principal business the sale of new motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? YES

Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

PLAN ENCLOSED

8. Are you a recognized agent of a motor vehicle manufacturer? NO (Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? YES (Yes or No)

If so, in what city — town BROCKTON MASS.

Did you receive a license? YES - For what year? 2010 + PRIOR (Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? NO (Yes or No)

Sign your name in full. Eric Shields (Duly authorized to represent the concern herein mentioned)

Residence. 20 Smyth St. Stoughton MASS.

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)



**TOWN OF MIDDLEBOROUGH
HEALTH DEPARTMENT**

**Jeanne Spalding, RS, CHO
Health Officer**

**PH: 508-946-2408
FX: 508-946-2321**

**To: Board of Selectmen/Health
From: Jeanne Spalding, Health Officer
Date: May 19, 2010
Re: Tobacco Control Sales Compliance Inspections.**

This Memo is to inform the Board of Selectmen/Health that inspections of tobacco retailers have been conducted for youth access compliance with the Board of Health Tobacco Regulations. The Health Dept. is most appreciative for the collaboration with Middleborough Youth Advocates who grant funded these inspections.

In May of 2010, tobacco sales to minors were observed by (4) retailers in Middleborough.

At this time, I am requesting a hearing date and time so I can notify the businesses once I have received the report documents.



May 24, 2010

Town of Middleborough
Massachusetts

Valon Musa
386 Boston Street
Lynn, MA 01905

BOARD OF SELECTMEN

RE: Sunoco, 157 S. Main Street
Middleborough, MA

Sent Via Certified Return-Receipt Mail
7002 2410 006 3764 7184

Dear Mr. Musa:

On 5/6/10, during a routine compliance check to enforce the town of Middleborough's Board of Health "Rules and Regulations Relative to the Sale, Vending, and Distribution of Tobacco within the town of Middleboro", an employee at the 'Sunoco' sold a tobacco product to a minor.

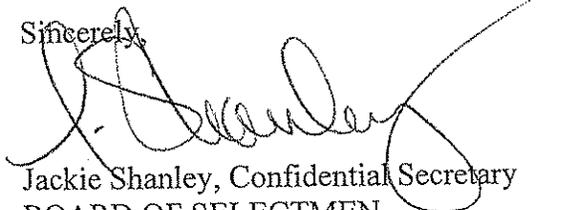
"It is prohibited for any person, firm, corporation, establishment or agency to sell or distribute any tobacco product without verifying the age of the purchaser. Each person, firm, corporation, establishment or agency shall verify by means of photographic identification containing the bearer's date of birth that no person purchasing or receiving the tobacco product is younger than eighteen (18) years of age."

"In the case of a first violation within three (3) years, the permit holder not in compliance with the provision of this regulation shall, after a hearing before the Middleboro Board of Health, have his/her Tobacco Sales and Location Permit suspended for a period not to exceed seven (7) consecutive days."

Your hearing in front of the Middleborough Board of Selectmen, acting as the Board of Health, has been scheduled for Monday, June 14, 2010 at 7:50 PM in the Selectmen's Meeting Room in the Town Hall, 10 Nickerson Avenue.

Please contact this office if you need any further information.

Sincerely,


Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

cc: Board of Selectmen
Town Manager
Health Officer

May 24, 2010



Town of Middleborough

Massachusetts

Ibrahim Badat
15376 Kuykendahl Road
Houston, TX 77090

BOARD OF SELECTMEN

RE: Stop n' Save
158 Centre Street, Middleborough, MA

Sent Via Certified Return-Receipt Mail
7002 2410 006 3764 7153

Dear Mr. Badat:

On 5/6/10, during a routine compliance check to enforce the town of Middleborough's Board of Health "Rules and Regulations Relative to the Sale, Vending, and Distribution of Tobacco within the town of Middleboro", an employee at the 'Stop n' Save' sold a tobacco product to a minor.

"It is prohibited for any person, firm, corporation, establishment or agency to sell or distribute any tobacco product without verifying the age of the purchaser. Each person, firm, corporation, establishment or agency shall verify by means of photographic identification containing the bearer's date of birth that no person purchasing or receiving the tobacco product is younger than eighteen (18) years of age."

"In the case of a first violation within three (3) years, the permit holder not in compliance with the provision of this regulation shall, after a hearing before the Middleboro Board of Health, have his/her Tobacco Sales and Location Permit suspended for a period not to exceed seven (7) consecutive days."

Your hearing in front of the Middleborough Board of Selectmen, acting as the Board of Health, has been scheduled for Monday, June 14, 2010 at 8:00 PM in the Selectmen's Meeting Room in the Town Hall, 10 Nickerson Avenue.

Please contact this office if you need any further information.

Sincerely,

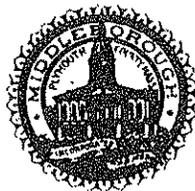
A handwritten signature in black ink, appearing to read "Jackie Shanley".

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

cc: Board of Selectmen
Town Manager
Health Officer

Mudhau Polchorel, Store Manager, 1 Reland Street, Middleborough

Sent Via Certified Return-Receipt Mail 7002 2410 0006 3764 7160



May 24, 2010

Town of Middleborough

Massachusetts

Raheel Ghafoor
Gas Depot
5 Station Street
Middleborough, MA 02346

BOARD OF SELECTMEN

RE: Gas Depot
5 Station Street, Middleborough, MA

Sent Via Certified Return-Receipt Mail
7002 2410 006 3764 7191

Dear Mr. Ghafoor:

On 5/6/10, during a routine compliance check to enforce the town of Middleborough's Board of Health "Rules and Regulations Relative to the Sale, Vending, and Distribution of Tobacco within the town of Middleboro", an employee at the 'Gas Depot' sold a tobacco product to a minor.

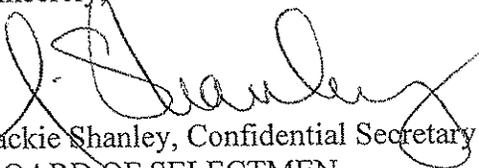
"It is prohibited for any person, firm, corporation, establishment or agency to sell or distribute any tobacco product without verifying the age of the purchaser. Each person, firm, corporation, establishment or agency shall verify by means of photographic identification containing the bearer's date of birth that no person purchasing or receiving the tobacco product is younger than eighteen (18) years of age."

"In the case of a first violation within three (3) years, the permit holder not in compliance with the provision of this regulation shall, after a hearing before the Middleboro Board of Health, have his/her Tobacco Sales and Location Permit suspended for a period not to exceed seven (7) consecutive days."

Your hearing in front of the Middleborough Board of Selectmen, acting as the Board of Health, has been scheduled for Monday, June 14, 2010 at 8:10 PM in the Selectmen's Meeting Room in the Town Hall, 10 Nickerson Avenue.

Please contact this office if you need any further information.

Sincerely,



Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

cc: Board of Selectmen
Town Manager
Health Officer



Town of Middleborough

Massachusetts

May 24, 2010

Mufla Bgazia
Super Petroleum
297 Quincy Ave.
Braintree, MA 02184

BOARD OF SELECTMEN

RE: 381 West Grove Street, Middleborough, MA

Sent Via Certified Return-Receipt Mail
7002 2410 006 3764 7146

To Whom It May Concern:

On 5/6/10, during a routine compliance check to enforce the town of Middleborough's Board of Health "Rules and Regulations Relative to the Sale, Vending, and Distribution of Tobacco within the town of Middleboro", an employee at the 'Super Petroleum' sold a tobacco product to a minor.

"It is prohibited for any person, firm, corporation, establishment or agency to sell or distribute any tobacco product without verifying the age of the purchaser. Each person, firm, corporation, establishment or agency shall verify by means of photographic identification containing the bearer's date of birth that no person purchasing or receiving the tobacco product is younger than eighteen (18) years of age."

"In the case of a first violation within three (3) years, the permit holder not in compliance with the provision of this regulation shall, after a hearing before the Middleboro Board of Health, have his/her Tobacco Sales and Location Permit suspended for a period not to exceed seven (7) consecutive days."

Your hearing in front of the Middleborough Board of Selectmen, acting as the Board of Health, has been scheduled for Monday, June 14, 2010 at 7:40 PM in the Selectmen's Meeting Room in the Town Hall, 10 Nickerson Avenue.

Please contact this office if you need any further information.

Sincerely,

Jackie Shanley, Confidential Secretary
BOARD OF SELECTMEN

cc: Board of Selectmen
Town Manager
Health Officer

Super Petroleum, Inc.

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

June 10, 2010

Dear Ms. Shanley:

Thanks for speaking with me today. As we discussed, we have a hearing on Monday, June 14 regarding a tobacco violation. We would really like to have someone from management at our company attend the hearing but we have a scheduling conflict. If there is any way we could make the hearing a little later in the evening on the 14th (8:30 or later) or re-schedule it for another night, we would really appreciate it.

You can reach me at 781-356-1960 or aaron@superpetroleum.com. Thank you for your consideration.

Sincerely,



Aaron Cutler
General Manager
Super Petroleum, Inc.

◆◆◆ LAW OFFICE OF CRAIG MEDEIROS ◆◆◆

Ace Tax Service
Tax Preparation and Consulting

Attorney-At-Law
Real Estate, Estate Planning and Tax Law

Ace Real Estate
Real Estate Sales and Development

May 26, 2010

Town of Middleboro Board of Selectmen
Attn: Jackie Shanley, Secretary
10 Nickerson Ave.
Middleboro, MA 02346

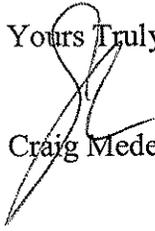
RE: Fuel Storage Permit
154 Thomas Street, Middleboro, MA 02346

Dear Jackie,

I had written to you about this matter just under a year ago. My client, Lawrence Pink d/b/a Woods Pond Cranberry Co., operates cranberry bogs which he owns which are located at 154 Thomas Street, Middleboro, MA. I am writing concerning the status of the fuel storage permit for such location. Since approximately 1934, the Woods Pond Cranberry Co. has operated a cranberry bog operation with the use of a fuel storage permit issued under M.G.L. Chapter 148 §13. My client purchased such cranberry bog operation in 1976, and since then has filed an annual certificate of registration and paid an annual filing fee to keep the fuel storage permit in good standing. However, a recent change in the state regulations regarding fuel storage require that the fuel storage license be displayed at the permitted premises. Unfortunately, my client does not have the permit from 1934, and neither the Town Clerk nor the Town of Middleboro Fire Department can locate such permit in their records. The Town Clerk has requested that my client appear in front of the Selectmen for the re-issuance of such permit which permit would allow the storage of 2,000 gallons of gasoline and 1,000 gallons of diesel at the subject premises. Could you please schedule me to appear before the Selectmen at their next available hearing for the re-issuance of such permit.

Thank you for your assistance in advance and please feel free to contact me with any questions or concerns regarding the same.

Yours Truly,


Craig Medeiros, Esquire



Town of Middleborough
Office of the Town Clerk
Savings Bank Building 20 Centre Street
Middleborough, Massachusetts 02346-2250
508-946-2415

REMINDER NOTICE

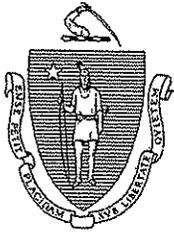
- ✓ Enclosed is the Certificate of Registration for the "Keeping, Storage, Manufacture or Sale of Flammables" which needs to be completed, signed, and returned with the proper fee.
- ✓ Also enclosed is the form for the Worker's Compensation information, required by the State to be on file with the town before the certificate can be issued.

Beginning December of 2008, state regulations now require that in addition to the Certificate of Registration (the license allowing storage at that location is also to be displayed at the location.) Therefore, proof of license will be required **before** the Certificate of Registration is issued.

If you cannot produce the license, please contact the Town Clerk's Office, as there may be a copy on file. (If no license can be produced, it will be necessary to go before the Board of Selectmen for one to be granted.)

If you have any questions regarding this matter, please call the Town Clerk's Office at (508) 946-2415.

Thank you for your prompt attention to this matter.



FP - 5
(Rev. 12-2008)

The Commonwealth of Massachusetts
City/Town of MIDDLEBOROUGH

Certificate of Registration

Massachusetts General Law, Chapter 148 §13

In accordance with the provisions of Massachusetts General Law, Chapter 148 § 13, the undersigned hereby certifies that:

Person, partnership, corporation or other entity: Woods Pond Cranberry Co.
Name of License Holder
c/o Lawrence Pink 154 Thomas St Middleboro Mass 02346
Business Address of License Holder

Is the holder of a license granted on 1934, and subsequently amended on _____

For the lawful use of buildings and structures located or to be located at: 154 Thomas St.
Number, Street, and Assessor's Map and Parcel ID

As relates to the keeping, storage, manufacture, or sale of flammables, combustibles, or explosives.
Lawrence Pink 4/6/09 LAWRENCE PINK
Signature of License Holder or Agent Date Printed Name

All materials must be stored in accordance with the provisions of Massachusetts General Law, Chapter 148, the Massachusetts Fire Code (527 CMR), and all other applicable laws and regulations, including the terms and conditions of the subject license. Quantities stored may not exceed the maximum quantity specified by the license.

REGISTRATION

This is to certify that the within named license holder has in accordance with the provisions of Massachusetts General Law, Chapter 148 §13 filed with me, a certificate of registration setting forth that the above named entity is the holder of license as relates to the keeping, storage, manufacture, or sale of flammables, combustibles, or explosives at the above described location.

Signature of Official _____ Title _____ Date _____

THIS REGISTRATION AND THE LICENSE MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.