

**TOWN OF NORTHBRIDGE  
BOARD OF SELECTMEN'S MEETING  
NORTHBRIDGE TOWN HALL  
7 MAIN STREET - WHITINSVILLE, MA 01588  
June 26, 2014 AT 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**I. APPROVAL OF MINUTES**

- A. 1) May 19, 2014      2) June 9, 2014 [Executive Session]

**II. PUBLIC HEARINGS**

**III. APPOINTMENTS**

**RESIGNATIONS:**

- B. 1) Council on Aging:    a) Susan Bateman            b) Constance Duquette  
2) Conservation Commission:      Terrance Bradley

**APPOINTMENTS:**

**By the Town Manager:**

- C. 1) 2014 Annual Reappointments/Vote to affirm [listing enclosed in agenda packet]

**By the Board of Selectmen:**

- 2) 2014 Annual Reappointments/Vote to approve [listing enclosed in agenda packet]  
3) Council on Aging [3 vacancies]: Neil Newton

**IV. CITIZENS' COMMENTS/INPUT**

- D. Mr. & Mrs. William & Catherine Stark

**V. DECISIONS**

- E. Fall Annual Town Meeting [October 28, 2014]/Vote to close warrant on Friday, August 29, 2014 at Noon  
F. Wastewater Treatment Plant Sludge Upgrade/Vote to sign and approve notes  
G. Whittin Community Center [Kevin Fusco]/Request an Entertainment license for their "Cars in the Park" event on Saturday, August 23, 2014 from 9:00 A.M. to 4:00 P.M.  
H. Police Contract  
I. Blackstone Valley Regional Recycling Center License/Vote to sign  
J. End of Year transfers/Vote to approve

**VI. DISCUSSIONS**

- K. FY 2013 Audit/Present: Tim Harrison, Borgatti Harrison & Co.  
L. Appointment of Town Election Officers [Democrat, Republican, Unenrolled] /Present: Doreen Cedrone, Town Clerk  
M. Revised Right of Way Program, Roads Program and Mechanic Position/Present: James Shuris  
N. Fox 25 News Zip Trip to Northbridge  
O. Capital Exclusion

**VII. TOWN MANAGER'S REPORT**

- P. 1) Update on Bridge Work  
2) Invitation to join Coalition on Chapter 70,71,74 Requirements  
3) Mass Works Grant Application  
4) Department Head Meeting  
5) CMRPC Energy Resource Program for Citizens

**VIII. SELECTMEN'S CONCERNS**

**IX. ITEMS FOR FUTURE AGENDA**

THIS AGENDA IS SUBJECT TO CHANGE

**X. CORRESPONDENCE**

**XI. EXECUTIVE SESSION - Under M.G.L. Chapter 30A, S21 #3 – To discuss strategy with respect to collective bargaining [DPW]**

A 1.

**Board of Selectmen's Meeting  
May 19, 2014**

A meeting of the Board of Selectmen was called to order by Chairman Nolan at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Messrs. Athanas, Ampagoomian and Melia. **Also Present:** Theodore D. Kozak, Town Manager. **Absent:** Selectman James Marzec.

The Pledge of Allegiance was recited by those present.

**Approval of Minutes. April 7, 2014.** A motion/Mr. Ampagoomian, seconded/Mr. Athanas to approve the April 7, 2014 minutes as presented with the readings omitted. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan. **April 28, 2014.** A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the April 28, 2014 minutes as presented with the readings omitted. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan. **May 5, 2014 [Executive Session]**—A motion/Mr. Athanas, seconded/Mr. Ampagoomian to approve but not release the May 5, 2014 minutes as presented with the readings omitted. Vote yes/Messrs. Ampagoomian, Athanas and Nolan. Abstain/Mr. Melia. **May 6, 2014 [Spring Annual Town Meeting].** A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve the May 6, 2014 Spring Annual Town Meeting minutes as presented with the readings omitted. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

**Public Hearings. 7:05 PM: VE Properties IX, LLC [Keith DelleChiaie]/Application for Underground Storage Tank License for three (3) 1,000 gal. underground storage tanks to be located on property located at 100 Commerce Way, Northbridge, MA. Present: Gary Nestor, Fire Chief and Keith DelleChiaie.** Chairman Nolan read the public hearing notice aloud. A motion/Mr. Melia, seconded/Mr. Ampagoomian to open the public hearing. Roll Call Vote: Mr. Athanas/Yes, Mr. Melia/Yes, Mr. Ampagoomian/Yes, and Mr. Nolan/Yes. Mr. DelleChiaie mentioned that the building is currently being constructed and the storage for the propane will be used to heat the building. Selectman Ampagoomian asked if there are any monitoring systems to detect leaks in the underground storage tanks and Mr. DelleChiaie responded that there are tests that are permitted by the piping inspector. Selectman Athanas asked Chief Nestor if he has any issues or problems with VE Properties IX, LLC application for an underground storage tank license and he responded no. Chief Nestor then advised the Board of Selectmen that currently he has the authority to grant the permit for an Underground Storage Tank but only up to 2,000 gallons and anything over that has to be a license signed by the Board of Selectmen. He then noted that he signed off on the application but the Board has to approve and sign the license. Chairman Nolan asked if there were any abutters present with questions. No abutters were present. There being no further questions/comments, a motion/Mr. Ampagoomian, seconded/Mr. Melia to close the public hearing. Roll Call Vote: Mr. Athanas/Yes, Mr. Melia/Yes, Mr. Ampagoomian/Yes, and Mr. Nolan/Yes. A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve VE Properties IX, LLC application for an Underground Storage Tank License for three (3) 1,000 gal. underground storage tanks to be located on property located at 100 Commerce Way, Northbridge, MA. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

**Appointments. By the Board of Selectmen. Cable Advisory Committee (two vacancies). Benjamin Corman and Thomas Norris. Present: Chairman of the Cable Advisory Committee Harry Berkowitz. Thomas Norris, 170 Morgan Road, Whitinsville, mentioned that he has lived in town for 12 years and has worked for National Grid for over 21 years. He stated that he is very familiar with cable, Verizon and Comcast. Benjamin Corman, 51 Brookway Drive, Northbridge, mentioned that he has only lived in Northbridge for a few years and is currently working for DCU in facilities operation and management for over 10 years. A motion/Mr. Athanas, seconded/Mr. Ampagoomian to appoint Thomas Norris and Benjamin Corman to the Cable Advisory Committee. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.**

**Citizens' Comments.** None.

**Safety Committee Minutes [March 19, 2014 & May 7, 2014]/Vote to accept recommendations.** After some brief questions and answers, the Board of Selectmen accepted the minutes. A motion/Mr. Melia, seconded/Mr. Ampagoomian to accept the recommendations of the Safety Committee as outlined in the minutes of March 19, 2014 & May 7, 2014. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

**Northbridge Fire Department/Request permission to hang a banner over Church Street from June 22, 2014 to July 06, 2014 to advertise their annual Fourth of July Fireworks Event schedule for Thursday, July 03, 2014.** A motion/Mr. Melia, seconded/Mr. Athanas to grant permission to the Northbridge Fire Department to hang a banner over Church Street from June 22, 2014 to July 06, 2014 to advertise their annual Fourth of July Fireworks Event scheduled for Thursday, July 03, 2014, on the Northbridge Middle School grounds. Vote yes/Messrs. Ampagoomian, Athanas, Nolan and Melia.

**Blackstone Valley Chamber of Commerce [Jeannie Hebert]/Application for a one-day Beer & Wine License for their Business After Hours event to be held Wednesday, June 18, 2014 from 5:30 PM to 7:30 PM @ Alternative Unlimited, Inc., 1 Main Street, Whitinsville. Present: Leslie Ruchala, Program & Event Coordinator for the Blackstone Valley Chamber of Commerce.** A motion/Mr. Melia, seconded/Mr. Ampagoomian to grant the Blackstone Valley Chamber of Commerce a one-day Beer & Wine license for their Business After Hours event to be held Wednesday, June 18, 2014 from 5:30 PM to 7:30 PM at Alternative Unlimited, Inc., 1 Main Street, Whitinsville. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

Town Manager Kozak mentioned that Ms. Hebert will be contacting the former Lieutenant Governor Timothy Murray who is now in the Worcester Chamber of Commerce to invite him in to discuss business development in the Blackstone Valley. Ms. Hebert noted that she has been working closely with Mr. Murray to put together some programs such as the Manufactures Roundtable and Healthcare Roundtable to help develop business in the Blackstone Valley.

**2014 Community Innovation Challenge Grant [Stormwater Management].** Vote to sign the agreement. Town Manager Kozak explained that this is the second year that the Town has taken part in this grant program and asked the Board of Selectmen to sign the agreement. A motion/Mr. Melia, seconded/Mr. Ampagoomian to sign the 2014 Community Innovation Challenge Grant [Stormwater Management] agreement. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

**Dog Warrant/Vote to approve and authorize Chairman to sign.** Town Manager Kozak respectfully requested that the Board of Selectmen approve and authorize Chairman Nolan to sign the dog warrant thereby giving the Animal Control Officer statutory powers for the upcoming year. A motion/Mr. Melia, seconded/Mr. Athanas to authorize Chairman Nolan to sign the dog warrant as requested by Town Manager Kozak. Vote yes/Messrs. Melia, Ampagoomian, Athanas and Nolan.

**Town Election Ballot Question.** Town Manager Kozak asked the Chairman of the Board to skip to the next discussion item since the Chairman of the Finance Committee was not present for the discussion item.

**Comprehensive Fiscal Management Goals. Present: Neil Vaidya, Town Accountant.** Mr. Vaidya explained that the Comprehensive Fiscal Management Goals is a tool designed to help the Town carry out some of the more complex functions of running the Town. It is a blueprint for how the Town should plan and manage the Town's resources. This plan encompasses many of the aspects of how the Town handles its cash management, how it should balance the budget with available resources, debt practices, and the

long-term needs of the Town's capital endeavors. Mr. Vaidya mentioned that this has been in place for several years and that the auditors recommended they be reviewed and updated.

**Town Manager Evaluation.** Chairman Nolan discussed the Town Manager's evaluation. Chairman Nolan mentioned that the Board of Selectmen each filled out a performance evaluation form on the Town Manager in which there were 8 criteria they had to rate the Town Manager on. They used the following scale: 1) Unsatisfactory – Is not meeting the minimum standards of the position of Town Manager; 2) Needs Improvement – Is meeting the requirements of the Manager's role, but improvement is needed to move an issue forward; 3) Satisfactory – Is meeting the requirements of the Manager's role; 4) Above Satisfactory – Understands the issues and is addressing the same; 5) Outstanding – Clearly exceeds what is required and expected by the Board. After a brief discussion regarding the evaluation structure of the Town Manager, Chairman Nolan announced the Selectmen gave the Town Manager an overall rating of 3.5g. Chairman Nolan announced the Town Manager's Goals and Objectives will be discussed at a future meeting. Town Manager Kozak thanked the Board of Selectmen for a fair review.

**Town Election Ballot Question. Present: Sal D'Amato, Chairman of the Finance Committee.** Mr. D'Amato provided a PowerPoint presentation to clarify some questions regarding the first Town Meeting. He mentioned there were several people in the community that were confused regarding the tax rate, etc. He explained that every town has a tax levy and it is based upon the amount of taxes raised from a property and commercial standpoint. The 2015 tax levy for Northbridge is \$18,790,152.00 and the estimated receipts are \$2,650,000 [will come from other sources] and other available funds is \$1,519,125.00 [ambulance receipts, etc]. He further explained how much monies the Town would receive in State Aid for FY 15: Chapter 70 - \$15,214,200.00, Unrestricted Local Aid - \$1.8 million and Other State Revenue - \$236,000.00. That being said, Total State Revenue \$17,278,661.00, less School Choice \$585,492.00 and Municipal Charges \$192,141.00. He noted this number can change should the override not pass and our school choice increases as it did several years ago. The cost of a student leaving Northbridge is about \$5,000.00 and there are about 118 students that are currently enrolled in other school districts. If another 100 students leave Northbridge than that's another \$500,000 dollars out of the \$17 million in state aid. Mr. D'amato then mentioned that the Net State Aid Available for the Town and School would be around \$16,500,728.00. Mr. D'Amato feels that it is the Finance Committee's job and responsibility to make sure the right information about the override is being presented to the residents in town. He explained that an override is a permanent increase to our tax base, this won't go away. He hopes the community makes the right decision.

**Town Manager's Report.** 1) **Mass. Historical Commission Preservation Award:** Attended a ceremony at the Mass. Historical Commission in Boston for the Town Hall Preservation Award. 2) **Ross Rajotte Bridge/Update:** Senator Moore's Office has informed us that work will begin shortly on the Ross Rajotte Bridge with funding from transportation bond bill. Work will be completed in approximately one month. 3) **Central Mass. Regional Planning Commission Meeting:** The Board of Selectmen are invited to attend the Central Mass. Regional Planning Commission Annual Meeting on June 12, 2014, from 5:30 P.M. to 8:30 P.M., at the Westborough Country Club. The Board of Selectmen are invited to attend. 4) **Pine Grove Cemetery/Update:** Currently working on computerization of all burial records and digital maps will soon be completed by the Central Mass. Regional Planning Commission. 5) **American Legion Invitation to Memorial Day Service:** The Rockdale Memorial Day Exercises will be held on Monday, May 26, 2014, at 11:30 A.M., at the American Legion. 6) **Officer Conrad Chickinski:** Received a commendation from Walter Warchol, Chief of Police, on Officer Chickinski's quick action in extinguishing a fire on Providence Road. On May 11, 2014, while on patrol, Officer Chickinski observed flames on a multi-family home and was able to extinguish those flames and assist residents. His prompt action prevented substantial loss to the property. 7) **Congressman James McGovern:** Congressman McGovern visited Northbridge last week to observe work being done by Kenneth Warchol on the local bee population. Over the years, there has been substantial bee die-off and

Mr. Warchol and other scholars from the area are researching the cause. Congressman McGovern will try to help obtain federal funds to study this issue.

**Selectmen's Concerns.** **Selectman Ampagoomian/1)** Asked if there are any grants to renovate the Great Hall and Town Manager Kozak replied that he had a conversation with the architect and Director at the Central Mass. Regional Planning Commission Annual Meeting who informed him that there are some available grants. Town Manager Kozak mentioned that he will be looking into this further. **Selectman Athanas 1)** Asked when the polls open tomorrow and Town Manager Kozak mentioned that the polls open at 7 AM and close at 8 PM. **2)** Asked when the voting results be certified and how can they find out the results. Town Manager mentioned that after the poll closes, the Town Clerk comes back to Town Hall and puts the results online. **Selectman Melia 1)** Received a phone call regarding fill being taken from the Sutton Street project and dumped at the Klocek property on Providence Road. He asked Town Manager Kozak to look into this and see if the fill is free? **2)** Reminded everyone that tomorrow is Election Day and expect to see a large turnout. **Selectman Ampagoomian 1)** Asked Town Manager Kozak if a replacement for the Highway Superintendent position has begun and how many applicants were there. Town Manager Kozak replied that the interviews are this week and there are about 7 or 8 applicants. **2)** Mentioned that the "VOTE NO" on the override signs were stolen. **3)** He apologized to all the seniors and residents who are on fixed incomes for not being an advocate on their behalf during the entire discussion of the override.

**Items for Future Agenda.** Selectman Ampagoomian suggested placing a new fire station site and DPW Facility.

**Executive Session.** A motion/Mr. Ampagoomian, seconded/Mr. Melia to go into Executive Session under M.G.L. Chapter 30A, S. 21 #3 - To discuss strategy with respect to contract negotiations and to reconvene in open session. Chairman Nolan then declared that an open meeting may have a detrimental effect on the bargaining position of the body. Roll Call Vote: Mr. Ampagoomian/Yes, Mr. Melia/Yes, Mr. Athanas/Yes and Mr. Nolan/Yes.

**Open Session Adjourned: 8:19 P.M.**

**Executive Session Convened: 8:30 P.M.**

**Executive Session Adjourned: 8:39 P.M.**

**Open Session Reconvened: 8:40 P.M.**

A motion/Mr. Ampagoomian, seconded/Mr. Melia to approve Town Manager Kozak's 1-year contract extension to June 30, 2016. Vote yes/Messrs. Ampagoomian, Melia, Athanas and Nolan.

A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve a 1.5% salary increase retroactive to January 1, 2014. Vote yes/Messrs. Athanas, Melia, Ampagoomian and Nolan.

**Open Session Adjourned: 8:48 P.M.**

**Respectfully submitted,**

**James Athanas, Clerk**

**/dmg**

## **LIST OF DOCUMENTATION**

### **BOARD OF SELECTMEN'S MEETING – OPEN SESSION**

**May 19, 2014**

#### **I. APPROVAL OF MINUTES**

**A.** 1) Copy of April 7, 2014 minutes. 2) Copy of April 28, 2014 minutes. 3) Copy of May 5, 2014 Executive Session minutes. [Removed from backup documentation as they have not been released by Board of Selectmen]. 4) Copy of May 6, 2014 Spring Annual Town Meeting Minutes.

#### **II. PUBLIC HEARING**

**B.** 1) Copy of VE Properties IX, LLC [Keith DelleChiaie] Legal Ad for Public Hearing Notice. 2) Copy of license. 3) Copy of application. 4) Copy of map.

#### **III. APPOINTMENTS/By the Board of Selectmen**

**C.** 1) Copy of Benjamin Corman's Talent Bank Application. 2) Copy of Thomas Norris's Talent Bank Application.

#### **IV. CITIZENS' COMMENTS/INPUT**

#### **V. DECISIONS**

**D.** Copy of Safety Committee Minutes for March 19, 2014 and May 7, 2014.

**E.** Copy of Firefighter Thomas Valdivia's letter requesting permission to hang a banner over Church Street to advertise their annual Fourth of July Fireworks Event on July 3, 2014.

**F.** 1) Copy of Blackstone Valley's Chamber of Commerce's request for a one-day Beer & Wine License. 2) Copy of license. 3) Copy of License Routing Slip from Department Head's.

**G.** Copy of agreement for 2014 Community Innovation Challenge Grant [Stormwater Mgmt.]

**H.** Copy of Dog Warrant.

#### **VI. DISCUSSIONS**

**I.** Copy of PowerPoint presentation.

**J.** Copy of Comprehensive Fiscal Management Goals.

**K.** Copy of Town Manager's Evaluation.

#### **VII. TOWN MANAGER'S REPORT**

**L.** 1) Mass. Historical Commission Preservation Award – **No documentation.**

2) Ross Rajotte Bridge Update – **Copy of Senator Richard Moore's Email.**

3) Central Mass. Regional Planning Commission Meeting – **Copy of invitation.**

4) Pine Grove Cemetery/Update – **No documentation.**

5) American Legion Invitation to Memorial Day Service – **Copy of email.**

6) Officer Conrad Chickinski – **Copy of letter from Walter Warchol, Chief of Police.**

7) Congressman James McGovern – **No documentation.**

#### **VIII. SELECTMEN'S CONCERNS - No documentation.**

#### **IX. ITEMS FOR FUTURE AGENDA- No documentation.**

#### **X. CORRESPONDENCE- No documentation.**

#### **XI. EXECUTIVE SESSION – No documentation.**

B1a.

May 5, 2014

Ted Haringa, Chairman and Kelly Bol, Director

Dear Ted and Kelly,

After much consideration and deep regret, I believe it is in the best interest of the Council that I resign from my position as a board member effective June 1, 2014.

I have enjoyed my time on the Council and hopefully will be able to reapply in the future, but for now I am anxiously looking for to another adventure.

Thank you for the great experience; I have learned so much about what is available to Seniors, which is important since I now am one, and have met so many wonderful people it is difficult to go. I also want to thank both of you for the tremendous job you've done. The long hours and dedication have not gone unnoticed.

Sincerely,

*Sue*

Susan Bateman

B1b

Council on Aging  
20 Highland Street  
Whitinsville, MA 01588  
Attn: Ms. Kelly Bol

May 19, 2004

It is with regret that I must offer my resignation as a Board Member on the Council on Aging.

I have enjoyed working with my fellow board members and participating in the activities of the Council, however, health issues now prevent me from continuing to offer the time that is required to perform the necessary duties.

It is my plan to continue to volunteer my services to the activities programs of the COA.

Sincerely,

A handwritten signature in cursive script that reads "Constance Duquette". The signature is written in dark ink and is positioned above the printed name.

Constance Duquette

**Barbara Kinney**

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**From:** Terry Bradley <TBradley@ds.uri.edu>  
**Sent:** Tuesday, June 17, 2014 12:00 PM  
**To:** bkinney@northbridgemass.org  
**Cc:** Andrew Chagnon; Brown John  
**Subject:** Re: Conservation Member

Hi Barbara,

It is unfortunate that I have been unable to attend many meetings due to business. I will be tuna fishing for most of July and then returning to NZ for all of August into September. Additionally, I will be in Mexico in October working with tuna in Baja. Given my schedule it is unlikely I would be able to attend meetings in the next three months and as such tender my resignation from the NCC. If my schedule does change markedly in the future I would like to be considered for membership if a vacancy is available at that time.

Cheers,  
Terry

6/18/14  
Town Manager  
Town Clerk

B2.



2014 Annual Reappointments

A	B	C	D	E	F	G	H	I	J
1	NAME	Address 1	City, ST Zip	Committee	Term	Due to Expire	Expiration	Apptd. By	Salutation
2	REPLY	SELECTIONS' APPTS. (PLEASE VOTE TO APPROVE)							
3		101 Arch Street, 12th Fl.	Boston, MA 02110	Town Counsel	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Leonard:
4		88 Linwood Avenue	Whitinsville, MA 01588	Board of Assessors	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Latour:
5		500 Benson Road	Northbridge, MA 01534	Board of Health	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. McKeon:
6		74 Kennedy Circle	Northbridge, MA 01534	Board of Health	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Thompson:
7		25 June Street	Northbridge, MA 01534	Building, Planning & Construction Comm.	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Bedigian:
8		284 Benson Road	Northbridge, MA 01534	Cable Advisory Committee	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Berkowitz:
9		41 Henry Street	Whitinsville, MA 01588	Cable Advisory Committee	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Ampegomian:
10		170 Morgan Road	Whitinsville, MA 01588	Cable Advisory Committee	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Norris:
11		3A Street	Whitinsville, MA 01588	Conservation Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. DeOrsey:
12		170 Main Street	Whitinsville, MA 01588	Conservation Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Arbuttle:
13		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Chief Warchol:
14		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Lt. Labrie:
15		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Sgt. Heney:
16		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Off. Chickinski:
17		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Off. Westbury:
18		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Sgt. Oullette:
19		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Sgt. Zolli:
20		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Off. Roy:
21		1 Hope Street	Whitinsville, MA 01588	Constable	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Sgt. Patrilli:
22		8 Sprague Street	Northbridge, MA 01534	Council on Aging	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. DiPalma:
23		30 Walker Street	Whitinsville, MA 01588	Council on Aging	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Duquette:
24		583 Mendon Road	Northbridge, MA 01534	Council on Aging	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Guerlin:
25		145 Carpenter Road	Whitinsville, MA 01588	Cultural Council	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Phooos:
26		29 Brook Street	Whitinsville, MA 01588	Cultural Council	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Tucker:
27		1035 Hill Street	Whitinsville, MA 01588	Cultural Council	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Barlow:
28		167 Shannon Drive	Whitinsville, MA 01588	Disability Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Carpenter:
29		32 Highland Street	Whitinsville, MA 01588	Disability Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Smith:
30		7 Main Street	Whitinsville, MA 01588	Emergency Management Agency	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Chief Nestor:
31		132 Swift Road	Whitinsville, MA 01588	Emergency Management Agency	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. West:
32		7 Main Street	Whitinsville, MA 01588	Green Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Shuris:
33		271 Marston Road	Whitinsville, MA 01588	Green Committee [School Comm. Rep.]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Ms. Zanca:
34		7 Main Street	Whitinsville, MA 01588	Green Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Marzec:
35		372 Cooper Road	Northbridge, MA 01534	Historical Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Smith:
36		1035 Hill Street	Whitinsville, MA 01588	Historical Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Barlow:
37		111 Clubhouse Lane	Northbridge, MA 01534	Planning Board/Associate Member	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Ms. Key:
38		62 Freedom Way	Northbridge, MA 01588	Playground & Recreation Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Proto:
39		76 Arthur Drive	Whitinsville, MA 01588	Playground & Recreation Commission	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Modica:
40		20 Noler Street	Linwood, MA 01588	Safety Committee	3-yr. Term	June 30, 2014	6/30/2017	Board of Selectmen	Dear Mr. Parker:
41		c/o 87 Linwood Avenue	Whitinsville, MA 01588	Safety Committee/ School Dept. Rep.	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Chief Warchol:
42		25 Kempton Rd.	Uxbridge, MA 01569	Safety Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Ms. Zanca:
43		7 Main Street	Whitinsville, MA 01588	Safety Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Bedigian:
44		7 Main Street	Whitinsville, MA 01588	Safety Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Shuris:
45		7 Main Street	Whitinsville, MA 01588	Safety Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Chief Nestor:
46		7 Main Street	Whitinsville, MA 01588	Safety Committee	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Beechholdt:
47		43 Spruce Street	Whitinsville, MA 01588	Safety Committee/Alternate	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Sheehan:
48		41 Henry Street	Northbridge, MA 01534	Safety Committee/Member at Large	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Murray:
49		150 Sprague Street	Whitinsville, MA 01534	Zoning Board of Appeals	5-yr. Term	June 30, 2014	6/30/2019	Board of Selectmen	Dear Ms. Ampegomian:
50		c/o 87 Linwood Avenue	Whitinsville, MA 01588	Zoning Board/Assoc. Member	2-yr. Term	June 30, 2014	6/30/2016	Board of Selectmen	Dear Mr. Kibbe:
51		7 Main Street	Whitinsville, MA 01588	Ad Hoc Fields Committee [School Dept.]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Richards:
52		7 Main Street	Whitinsville, MA 01588	Ad Hoc Fields Committee [BOS]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Marzec:
53		7 Main Street	Whitinsville, MA 01588	Ad Hoc Fields Committee [DPW Dir.]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Stevens:
54		c/o 87 Linwood Avenue	Whitinsville, MA 01588	Ad Hoc Fields Committee [H.S. Student]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Stevens:
55		24 Willow Street	Whitinsville, MA 01588	Ad Hoc Fields Committee [At Large]	1-yr. Term	June 30, 2014	6/30/2015	Board of Selectmen	Dear Mr. Doldorian:
56									
57									
58									
59									
60									
61									

C.d

TALENT BANK APPLICATION

please return to:

BOARD OF SELECTMEN  
Northbridge Town Hall  
7 Main Street  
Whitinsville, MA 01588

4/28/14 } C: CoA

C.3

Pursuant to Town bylaw §4-209 (Eligibility for service),  
you must be a registered voter in order to serve.

Date: APRIL 5, 2014

Name NEIL NEWTON

P. O. Box \_\_\_\_\_

Home Address 21 SPRUCE STREET

Email Address SPRUCE2175@GMAIL.COM

Telephone 508 266 0637 Cell 508 277 5121

Business N/A

Address \_\_\_\_\_ Tel. \_\_\_\_\_

Current Occupation/Title RETIRED

Education BACHELOR of Science - Psych - Franklin Pierce University  
Rindge NH

Governmental, Civic & Community Activities 9 YR BOARD of Selectmen - Sutton  
6 YEAR Sutton School Committee FINANCE Committee 6 YEAR Recreation

Charitable & Educational Activities N/A See Above

Town Committees or Offices See Above

I am interested in the following Committees: Personnel; Council on Aging.

Please indicate whether the applicant and/or any family members are employed by the Town of Northbridge. NO

NAME:

PRECINCT#

TOWN OF NORTHBRIDGE

COMMITTEE INTEREST (Indicate Committee preference)

- |                     |                 |
|---------------------|-----------------|
| 1. Council of Aging | 4.              |
| 2. Personnel        | 5.              |
| 3. Varied           | 6. recreational |

Present Interest or business affiliation (dates, places)

Interest in serving community as needed - Have had a variety of activities over site with town services in roll of selectmen and school committee.

Recreation Committee was organizing summer activities, Experience: Volunteer, social service, business (dates, places)  
Bus transportation for youth and usage of town fields.

Interest in Personnel and Council of Aging results as one works with town officials and a need to make sure our seniors are benefitting from and with the community.

Special skills and education (be specific)

For 30 years + worked as District Mgr for manufacturers of pre-engineered steel managing a net-work of contractors with regard to the sale of construction projects.

How experience relates to particular committee interest

ADDITIONAL COMMENTS:

Mail completed form to:

Northbridge Town Hall  
Office of the Town Manager  
7 Main Street  
Whitinsville, MA 01588

**Donna Gosselin**

**From:** Ted Kozak <tkozak@northbridgemass.org>  
**Sent:** Wednesday, May 28, 2014 11:18 AM  
**To:** 'Katie Stark'  
**Cc:** dgosselin@northbridgemass.org  
**Subject:** RE: Consideration of repairs badly needed on Douglas Road

△,

Mr. and Mrs. Stark

Thank you for the letter the town will continue to do its best in addressing the condition of the local roads, we will see you on the 23rd  
 Ted

Theodore D. Kozak  
 Town Manager  
 P: 508-234-2095  
 F: 508-234-7640  
 tkozak@northbridgemass.org

---

**From:** Katie Stark [mailto:ktstark@charter.net]  
**Sent:** Wednesday, May 28, 2014 7:13 AM  
**To:** tkozak@northbridgemass.org; ampagoom@verizon.net; dan@dannolan.net; carriewebb@yahoo.com; jmarzec@charter.net; tjmelia@charter.net  
**Cc:** 'Stark William'  
**Subject:** Consideration of repairs badly needed on Douglas Road

May 28, 2014

We respectfully request that the Board of Selectmen for the Town of Northbridge seriously considers the condition and state of disrepair of Douglas Road from the point of origin from the Town of Sutton to its ending at the site of the current extensive bridgework where it joins Church Street.

We have resided in Whitinsville since 1999, and since we have lived here no definitive repairs have been made despite its cracks, potholes and eroding edges.

Douglas Road serves as one of the primary commercial arterial access points to service the Town of Northbridge and beyond. It is a primary route used by surface traffic from neighboring communities to access Route 495 in Hopkinton. One need only observe the number of tractor-trailer trucks using the road on a daily basis to confirm this. Douglas Road serves many private homes on both sides as well as a number of commercial factories, businesses, and the Berkowitz Trucking and Recycling Center that accounts for a great deal of the large vehicle traffic.

As frequent travelers on Douglas Road, our cars have suffered numerous bruises and abrasions from potholes hidden from view due to poor lighting or being filled with water that disguises their presence. Not only does this run-down condition reflect poorly on the Town of Northbridge, but also one must seriously consider the safety issue. I can guarantee that with cars driving between 40-50 miles per hour, it is only a matter of time before a serious collision takes place that will surely result in high property damage and inevitably serious

injury. We seek the guidance of the Board of Selectmen to help us take whatever steps are necessary to gain support for repairing Douglas Road before tragedy strikes.

Respectfully submitted,

William and Catherine Stark  
490 Douglas Road  
Whitinsville, MA 01588  
(508) 266-1016

E.

## **V. DECISIONS**

**E.** Fall Annual Town Meeting [October 28, 2014]/Vote to close the warrant on Friday, August 29, 2014 at Noon

A motion/Mr. \_\_\_\_\_, seconded/Mr. \_\_\_\_\_ to close the Fall Annual Town Meeting warrant on Friday, August 29, 2014 at Noon.

**Donna Gosselin**

---

6/23/14  
Agenda

**From:** Neil Vaidya <n vaidya@northbridgemass.org>  
**Sent:** Friday, June 13, 2014 5:06 PM  
**To:** dgosselin@northbridgemass.org  
**Subject:** Agenda item for BOS Meeting

F.

Good afternoon Donna,

Please put on the BOS agenda for Monday, June 23<sup>rd</sup> the following:

Under Decisions, WWTP Additional Note to sign; 2014 project costs.

Thank you.

Neil

Neil A. Vaidya  
Town Accountant  
Town of Northbridge

=

Notes will be  
here on Monday.

G.

Phone: (508) 234-8184

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF NORTHBRIDGE

APPLICATION FOR ENTERTAINMENT LICENSE

TO THE LICENSING AUTHORITIES:

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto  
(FULL NAME OF PERSON, FIRM OR CORPORATION MAKING APPLICATION):

George Marston Whitin Memorial Community Assoc. Inc

STATE CLEARLY PURPOSE FOR WHICH LICENSE IS REQUESTED:

ENTERTAINMENT LICENSE\*

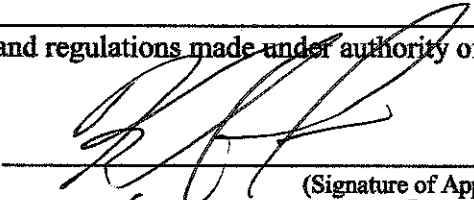
TO: Obtain an Entertainment License for: Alex Broom DJ for 9AM to 4PM  
Cars in the Park event 08/23/2014  
INDOOR ☒ OUTDOOR BOTH

a, c, & d below

GIVE LOCATION BY STREET AND NUMBER:

AT: 60 Main Street  
Whitinsville MA 01588

in said Town of Northbridge in accordance with the rules and regulations made under authority of said Statutes.

  
(Signature of Applicant)

Print Name: Kevin A. Fox

Address: 60 Main St.

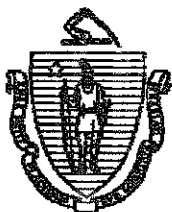
City: Whitinsville

State, Zip: MA, 01588

Received: 6/13/14 @ 11AM.  
(Date) (Time)

Date License Granted

\*The application for such license shall be in writing and shall state the type of concert, dance, exhibition, cabaret or public show sought to be licensed and shall state whether such public show will include: (a) dancing by patrons, (b) dancing by entertainers or performers, (c) recorded or live music, (d) the use of an amplification system, ~~or~~ a theatrical exhibition, play, or moving picture show, (f) a floor show of any description, (g) a light show of any description, or (h) any other dynamic audio or visual show, whether live or recorded.



The Commonwealth of Massachusetts  
Department of Industrial Accidents  
Office of Investigations  
600 Washington Street  
Boston, MA 02111  
www.mass.gov/dia

FORM MUST BE FILLED  
OUT COMPLETELY

Workers' Compensation Insurance Affidavit: General Businesses

**Applicant Information**

Please Print Legibly

Business/Organization Name: George Marston Whittin Memorial Community Assoc. Inc.

Address: 60 Main Street

City/State/Zip: Whitinsville, MA 01588 Phone #: (508) 234-8184

Are you an employer? Check the appropriate box:

1. ☒ I am an employer with 113 employees (full and/or part-time).\*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☒ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Am Trust North America - Technology Insurance Co.

Insurer's Address: 800 Superior Avenue E

City/State/Zip: Cleveland OH 44114

Policy # or Self-ins. Lic. # TWC 3389773 Expiration Date: 01/01/2015

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: \_\_\_\_\_

Date: 6/10/2014

Phone #: 508 234 8184

06/11/2014

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: Northbridge

Permit/License # \_\_\_\_\_

Issuing Authority (circle one):

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
6. Other \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone #: 508-234-2095

I.

## LICENSE AGREEMENT

This LICENSE AGREEMENT (hereinafter "License") is made as of the 23<sup>rd</sup> day of June, 2014 by and between the TOWN OF NORTHBRIDGE, acting by and through its Board of Selectmen (hereinafter referred to as the "LICENSOR"), with an address of 7 Main Street, Whitinsville, Massachusetts 01588, and BLACKSTONE VALLEY REGIONAL RECYCLING CENTER, acting by and through the Board of Selectmen of the Town of Blackstone (hereinafter referred to as the "LICENSEE"), with an address of 15 St. Paul Street, Blackstone, Massachusetts 01504.

The LICENSOR is the owner of record of a certain parcel of land located in the Town of Northbridge known as 193 Main Street, shown on Northbridge Assessors' Map 2 as parcel 44 and described in a deed recorded at Book 6252, Page 31 in the Worcester District Registry of Deeds (hereinafter "Premises").

The LICENSOR hereby grants to the LICENSEE a right of entry and license to use that portion of the Premises shown on the sketch plan attached hereto as Exhibit A, being the area located to the rear of the Northbridge Fire Station, subject to the following terms and conditions:

### 1. USE, PURPOSE, TERM

Entry and use are limited to the area shown on Exhibit A (the "License Area"), a copy of which is on file with the Town Clerk of Northbridge.

Entry and use are specifically granted to the LICENSEE, its contractors, agents, representatives, employees, invitees, and licensees for the purpose of maintaining and operating a regional solid waste recycling collection center in connection with LICENSEE'S operation of a regional solid waste recycling program in accordance with the provisions of G.L. c. 40, §8H and any other enabling authority. This license is entered into pursuant to that certain intermunicipal agreement between the Town of Northbridge and the Town of Blackstone, dated June, 2008, for the operation of a regional recycling program, a copy of which is on file with the Town Clerk of Northbridge.

The term of this License ("Term") shall be three months to commence on July 1, 2014 and shall continue until September 30, 2014.

### 2. CONDITION OF PREMISES

The LICENSEE shall take the License Area "as is," in the condition in which it is at the start of the Term. The LICENSOR shall have no obligation to prepare or construct facilities on the License Area for the LICENSEE'S use thereof.

### **3. CONSIDERATION**

The consideration for this License shall be a fee of one dollar (\$1.00), payable on the first day of July throughout the Term.

### **4. INSURANCE**

The LICENSEE shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, including fire and extended coverage, in an amount acceptable to the LICENSOR, during the Term and any extension thereof.

### **5. MAINTENANCE OF LICENSE AREA**

The LICENSOR shall provide snow removal and such other general maintenance for the License Area as it deems necessary for the operation of LICENSEE'S collection center. The LICENSOR shall not be under any obligation to provide a specific form or level of maintenance service.

### **6. ALTERATIONS**

The LICENSEE shall not make any alterations to the License Area without the written consent of the LICENSOR, which shall not be unreasonably withheld.

### **7. LICENSEE'S CONDUCT, NON-INTERFERENCE**

In the exercise of the rights hereby granted, the LICENSEE shall at all times conduct itself so as not to unreasonably interfere with the operations of the LICENSOR, and shall observe and obey all applicable laws and regulations, including the bylaws and regulations of LICENSOR. The LICENSEE acknowledges that the License Area is located adjacent to a municipal fire station. The LICENSEE shall not place within the License Area any container, storage bin or equipment so as to impede access to or egress from the fire station. The LICENSEE shall not handle or process any material or substance in such a manner as to create a risk of fire or explosion in or adjacent to the License Area or the fire station.

### **8. DAMAGE OR THEFT OF PERSONAL PROPERTY**

LICENSEE agrees that all personal property brought onto the License Area shall be at the risk of LICENSEE only, and that the LICENSOR shall not be liable for the loss thereof or any damage thereto.

### **9. TERMINATION AND REVOCATION**

Upon the termination of the License, the LICENSEE shall cease all use and occupancy of the License Area, and shall remove therefrom all its equipment, supplies and material. The LICENSEE shall restore the License Area as near as possible to its original condition at the commencement of the License Term, normal wear and tear, loss by fire or other casualty not

caused by LICENSEE, LICENSEE'S employees, agents, contractors or invitees, and condemnation excepted.

This License shall be revocable by the LICENSOR upon written notice of revocation given no later than the April 1 prior to the next succeeding July 1 anniversary date of the Term. Upon such notice, the License shall expire as of the next succeeding June 30. The LICENSOR shall also have the right to revoke this License, upon thirty (30) days written notice, a) for LICENSEE'S violation of any of the terms and conditions hereof, or b) in the event that the said intermunicipal agreement is terminated.

In the event that this License is revoked, the LICENSEE shall, at its own expense, remove all of its equipment, supplies and material from the License Area and restore the License Area as near as possible to its original condition at the commencement of the License Term.

#### **10. MODIFICATIONS and AMENDMENTS**

Any modifications or amendments to this License shall be in writing and duly executed by both parties hereto in order to be effective.

#### **11. NOTICE**

For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof if written notices are mailed to the following addresses:

Licensor:                      Board of Selectmen  
                                    Town Hall  
                                    7 Main Street  
                                    Whitinsville, MA 01588

Licensee:                      Board of Selectmen  
                                    Municipal Center  
                                    15 St. Paul Street  
                                    Blackstone, MA 01504

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

#### **12. NO ESTATE CREATED**

This License shall not be construed as creating or vesting in the LICENSEE any estate in the License Area, but only the limited right of possession and use as hereinabove stated.

### 13. FORCE MAJEURE

Each party shall be excused from performing an obligation or undertaking provided for in this License, other than the obligation of the LICENSEE to pay the consideration due hereunder, so long as such performance or undertaking is prevented or delayed by a strike, lockout, labor dispute, civil commotion, act of God, or other cause beyond such party's reasonable control.

### 14. EXHIBITS and ATTACHMENTS

Any and all exhibits and attachments referenced herein or attached hereto are duly incorporated within this License.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

TOWN OF NORTHBRIDGE  
By its Board of Selectmen

BLACKSTONE VALLEY REGIONAL  
RECYCLING CENTER  
By Town of Blackstone Board of  
Selectmen

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TOWN OF NORTHBRIDGE  
TOWN ACCOUNTANT  
NORTHBRIDGE TOWN HALL  
7 MAIN STREET  
WHITINSVILLE, MA 01588  
PHONE (508) 234 - 2263

FAX (508) 234 - 9605

J.

### End of Year Transfers\*

NOTE: First line represents an increase to the budget, Second is the corresponding decrease.

#### POLICE DEPARTMENT

01002100-524008	R & M Office Equipment	\$10,000	
01002100-511000	Salaries & Wages		\$10,000

Vote of Selectmen: \_\_\_\_\_

Vote of Finance Committee: 5-0 to approve 6/18/14

#### FIRE DEPARTMENT

01002200-514000	Call Firefighter Salaries	\$9,000	
-----------------	---------------------------	---------	--

#### EDUCATION: TRADE SCHOOLS/BVRVTHS

01001350-532100	Trade Schools		\$9,000
-----------------	---------------	--	---------

Vote of Selectmen: \_\_\_\_\_

Vote of Finance Committee: 5-0 to approve 6/18/14

#### FIRE DEPARTMENT

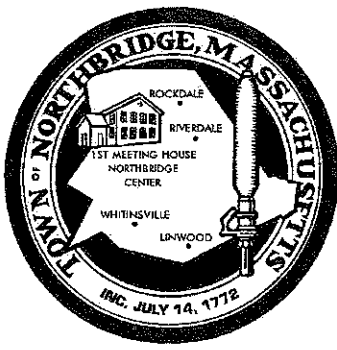
01002200-542000	Supplies	\$10,000	
-----------------	----------	----------	--

#### LONG TERM DEBT

01007100-592510	Interest - Short Term Debt		\$10,000
-----------------	----------------------------	--	----------

Vote of Selectmen: \_\_\_\_\_

Vote of Finance Committee: 5-0 to approve 6/18/14



TOWN OF NORTHBRIDGE  
TOWN ACCOUNTANT  
NORTHBRIDGE TOWN HALL  
7 MAIN STREET  
WHITINSVILLE, MA 01588  
PHONE (508) 234 - 2263

FAX (508) 234 - 9605

### EMPLOYEE BENEFITS


01009100-517001	Medicare	\$33,900
01009100-517000	Employee Insurance Benefits	\$28,500
01009100-519100	Retirement	\$5,400

Vote of Selectmen: \_\_\_\_\_

Vote of Finance Committee: 5-0 to approve 6/18/14

Total Transfers: \$62,900

\* Per M.G.L Ch. 44, §33B, Chapter 77 of the Acts of 2006



THE 188<sup>TH</sup> GENERAL COURT OF  
THE COMMONWEALTH OF MASSACHUSETTS

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## General Laws

### PART I ADMINISTRATION OF THE GOVERNMENT

### TITLE VIII ELECTIONS

### CHAPTER 54 ELECTIONS

### Section 12 Election officers in towns; procedure; eligibility; examinations

[Print Page](#)

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[PREV](#) [NEXT](#)

[PREV](#) [NEXT](#)

[PREV](#) [NEXT](#)

Section 12. The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct, except as provided in section twenty-four, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters in the commonwealth, except as otherwise provided in this section. They may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such number of tellers as may be necessary to count the ballots cast. Said tellers shall be appointed for the counting of said ballots at the close of the polls. In the event that the selectmen fail to appoint such election officers on or before August fifteenth, the board of registrars of voters shall forthwith appoint said officers.

The chairman of the town committee of each political party may, not later than June first in each year, file with the registrars a list of enrolled members of such party who desire appointment as election officers. The selectmen shall, not later than April fifteenth of each year, make written notification to the chairman of record of the town committee of each political party that said list must be submitted no later than June first of the same year. Upon the filing of such lists the registrars shall forthwith proceed to the consideration thereof, and shall, on or before June thirtieth submit to the selectmen the names of persons whose names appear on the lists who in their opinion are qualified to act as election officers. The lists submitted by town committees shall contain not more than eight names for each office to be filled. Supplemental lists may be filed with the selectmen and registrars by the said chairman at any time before the appointments are made, for the purpose of filling vacancies which may occur in the original lists. No person shall be appointed as an election officer until he is found qualified to act as such as herein provided. Appointments shall be made from the original list before any names are taken from any supplemental list. All persons listed on the original list who have not been appointed as election officers shall be notified by certified mail of the appointment of a person listed on the supplemental list at least five days prior to such appointment.

If, upon the expiration of fifteen days after notice given in writing prior to June fifteenth in any year by the selectmen to the chairman of any political committee who has not filed original or supplemental lists, and to the chairman of the state committee of such political party, neither the state nor town chairman shall have filed such lists, the selectmen may appoint as election officers registered voters in the commonwealth, except as otherwise provided in this section and recommended by the town clerk, who in the opinion of the selectmen, are qualified to act as such.

Not more than 2 such election officers may be appointed who: (1) are 16 or 17 years of age; (2) are residents of the commonwealth; (3) are United States citizens when appointed; (4) are able to speak, read and write the English language; (5) have provided a letter from a parent or guardian giving permission for them to serve as election officers; (6) have provided a letter from their school principal giving permission for them to be absent from school to serve as election officers if the election or a training will take place when school is in session or, if home schooled, have provided a copy of the document indicating approval to be home schooled; and (7) agree to attend required training sessions. If an election officer under this paragraph attends a school that encourages or requires community service, serving as an election officer may be considered a community service activity. In no case shall a person 16 or 17 years of age serve as an election officer on the day of an election for more than the number of hours permitted for such a person to work pursuant to section 66 of chapter 149.

The registrars may, if they deem it necessary, conduct examinations of persons whose names appear on the lists filed hereunder. Five days' notice shall be given of any such examination. The chairman of each town committee may appear and be heard either in person or by counsel, during the conduct of such examinations.

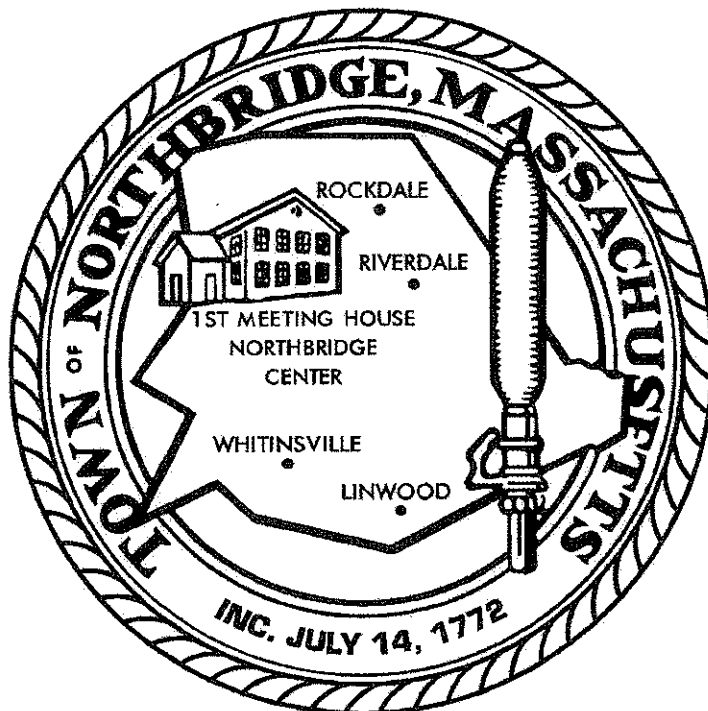
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M

# **Town of Northbridge Board of Selectmen**



## **Road Opening Permit Rules & Regulations**

Adopted by vote of the Northbridge Board of Selectmen on April 12, 2004.

Amended January 12, 2009 to incorporate requirements of Massachusetts General Laws Chapter 82A and 520 CMR 14.00: EXCAVATION AND TRENCH SAFETY

All provisions of these amended rules and regulations are in effect as of March 1, 2009.

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**I. PERMITTING AUTHORITY AND IMPLEMENTATION**

- A. Authority
- B. Implementation
- C. Permitting Authority

**II. REQUIREMENT FOR CONTRACTOR'S LICENSE**

- A. Categories of Work
- B. License Requirements
- C. Term of License and Fees
- D. Suspension of License

**III. ROAD OPENING PERMIT APPLICATION AND FEES**

- A. General Construction
- B. Service Connections
- C. Utility Main Construction
- D. Fees
- E. Dig Safe Clearance
- F. Posting of Permit

**IV. GENERAL CONDITIONS**

- A. Plan/Profile Requirements
- B. General Requirements and Restrictions
- C. Maintenance of Traffic
- D. Detours
- E. Cleanup and Property Restoration
- F. Miscellaneous

**V. SPECIFICATIONS**

- A. Construction Methods and Materials
- B. Excavation and Backfilling
- C. Bituminous Concrete Paving
- D. Infrared Treatment
- E. Materials

**VI. EXCAVATION AND TRENCH SAFETY**

- A. General
- B. Trenches on Public Ways

**VII. UNSAFE CONDITIONS – IMMEDIATE SHUTDOWN**

**VII. FAILURE TO IMPLEMENT OR EFFECTIVELY USE ADEQUATE PROTECTIONS FOR THE GENERAL PUBLIC**

**IMPORTANT PHONE NUMBERS**

**APPLICATION FOR UTILITY CONTRACTOR'S LICENSE**

**ROAD OPENING AND TRENCH PERMIT APPLICATION**

**520 CMR 14.00: EXCAVATION AND TRENCH SAFETY**

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## **I. PERMITTING AUTHORITY AND IMPLEMENTATION**

In order to protect the integrity of all public rights-of-way, assure protection of all structures and utilities within and adjacent to these rights-of-way, and provide optimum safety and convenience for the public; permission in accordance with the rules and regulations herein described must be obtained from the Northbridge Department of Public Works hereinafter referred to as the "Department", before excavating or in any way disturbing public rights-of-way, or extending/connecting to a Town owned utility. These rules and regulations apply when work is to be performed within the layout of a public way.

These rules and regulations require compliance with all provisions of 520 CMR 14.00 EXCAVATION AND TRENCH SAFETY to protect the general public from the hazards associated with trench excavation. A full copy of this regulation is included herein and excavators are required to comply with all provisions.

### **A. Authority**

The authority for this requirement is found in the Code of the Town of Northbridge as follows:

#### *§ 6-101. Permit required to obstruct streets.*

*No person shall place or cause to be placed or permit in any of the streets any tree, post, fence, curbstone, dirt, rubbish, wood, timber, snow, ice or material of any kind tending to obstruct or create a hazardous condition on a street or sidewalk without first obtaining a written permit from the Director of Public Works.*

#### *§ 6-102. Permit required to excavate streets.*

*No person shall break or dig up the ground in any street or sidewalk or set up any post, fence, tree or curbstone or other obstruction in any street or sidewalk without first obtaining a written permit from the Director of Public Works.*

#### *§ 6-110. Authority to require indemnification.*

*The board or officer issuing permits for the use of streets or sidewalks may, in its discretion, demand a suitable cash deposit, surety bond or insurance indemnity policy, to save the town harmless from all liability of any nature whatsoever caused directly, or indirectly by such use of the streets or sidewalks.*

#### *§ 5-107. Fees and charges by municipal agencies.*

*A. Any municipal agency which is otherwise authorized to issue a license, certificate or permit, or to render a service or to perform work for a person or class of persons, may from time to time fix a reasonable fee for the license, certificate, permit or for rendering the service or for performing the work in the manner provided in MGL C. 40, § 22F.*

Additional authority for these rules and regulations is found in:

*Massachusetts General Law Chapter 82A §§1-5 Excavation and Trench Safety*

*520 CMR 14.00 Excavation and Trench Safety (a copy of which is attached herewith)  
Compliance with the requirements of this state regulation is implicit in the issuance of a  
permit under this regulations.*

## **B. Implementation**

All provisions of these amended rules and regulations shall be in effect beginning March 1, 2009.

## **C. Permitting Authority**

The Department of Public Works is hereby designated the Permitting Authority for the Town of Northbridge under this regulation. The Permitting Authority is located at 11 Fletcher Street with normal office hours of Monday thru Friday, 7:00 AM to 3:00 PM.

## **II. REQUIREMENT FOR CONTRACTOR'S LICENSE**

Permits to perform work within public rights-of-way can be obtained only by licensed contractors. Licenses will be issued to those contractors who, in the opinion of the Department, are deemed qualified through experience and have demonstrated by past performance the ability to undertake the scope of work covered by the license.

### **A. Categories of Work**

Three (3) categories of work are covered by the Contractor's Licenses, as follows:

1. *General Construction* – driveway, sidewalk, curbing construction, landscaping, etc.
2. *Service Connections* – connection of a property or structure to a public or private utility (water, sanitary sewer, storm drainage) main or lateral.
3. *Utility Main Construction* – extension of a public or private utility system within the right-of-way (ROW).

### **B. License Requirements**

Prior to obtaining a contractor's license, the following information must be provided:

1. A listing of available equipment, previous projects of similar size and scope to the work being contemplated, completed within the last three (3) years with references that may be contacted about these projects.
2. A street opening bond in the amount of ten thousand dollars (\$10,000) shall be obtained from a surety company licensed to do business in the Commonwealth of Massachusetts and approved by the Town. The bond shall be valid and in full effect for the term of the license and shall bind the contractor to the faithful performance and completion of the work in accordance with all applicable specifications of the Department.

3. A certificate of insurance showing that the contractor has the following minimum insurance coverages. The Town of Northbridge shall be named as "Additional Insured":

Commercial General Liability

Per occurrence/aggregate - \$1,000,000/\$2,000/000

Automobile Liability - Bodily Injury and Property Damage

Minimum of \$1,000,000 on a combined single limit for bodily injury and property damage

Employer's Liability Insurance - Worker's Compensation

Limits as required under the laws of the Commonwealth of Massachusetts

Umbrella or Excess Liability Insurance

Not less than \$2,000,000 over and above primary limits

### **C. Term of License and Fees**

Licenses shall be issued for a term of one calendar year or portion of a calendar, if issued in mid-year, and shall be renewable during the month of December of each year for the following calendar year. Licenses issued during the calendar during which these rules and regulations are adopted shall expire at the end of December of the following calendar year. License renewals must be accompanied by bond and insurance certificates described above which shall remain in force for the duration of the renewal period. At its discretion, the Department may waive the requirement to submit references for license renewals.

The annual license fee shall be one hundred and twenty-five dollars (\$125.00) paid by check made payable to the Town of Northbridge.

### **D. Suspension of License**

The Department reserves the right to suspend or revoke a contractor's license. One (1) documented incident of poor quality work or unwillingness to comply with these regulations shall result in a written warning and six months of probation during which time the contractor's performance shall be monitored. Once on probation, one (1) documented incident of poor performance shall result in suspension of license for one (1) year followed by one (1) additional year on probation to be served after reinstatement of the license.

Additionally, the Department may suspend, revoke or refuse to issue a license if, in the opinion of the Department, the contractor is not adequately skilled or competent to undertake the work contemplated under the license.

Contractors may appeal any suspension, revocation or refusal to issue a license, in writing, to the Board of Selectmen within thirty (30) calendar days of written notification by the Department. The Board will make a determination based upon information

submitted by the contractor and the Department and may request that the contractor appear before the Board to provide additional information regarding the appeal.

Probationary periods may not be appealed.

### **III. ROAD OPENING PERMIT APPLICATION AND FEES**

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Permits and their associated fees are herein established for General Construction, Service Connections and Utility Main Construction. These requirements apply to any work being performed within the right-of-way (ROW) of a public street or roadway. In almost all instances the ROW for a public street is significantly wider than the width of the pavement. The ROW on many older streets is at least thirty-three (33) feet. Forty (40) to fifty (50) feet is most common in newer subdivision with sixty-six (66) foot rights-of-way on some streets. It is the contractor's responsibility to ascertain the width of the ROW in the proposed work location. Information of ROW widths in most locations can be obtained from the Northbridge Department of Public Works.

#### **A. General Construction**

These projects are defined as follows:

1. Any excavation, of any depth, within the ROW of the road whether located in the pavement area or not. Installations of post mounted mailboxes within the ROW where the depth of excavation is less than two (2) feet are exempt from these permit requirements. Those installing mailboxes within the ROW must obtain a Dig Safe clearance before digging. Additionally, mailboxes installed within the ROW are subject to damage from snowplows and other roadway maintenance activities. The Town does not assume liability for damages to mailboxes that are installed within the ROW.
2. Placement of any equipment, fence, structure, container or other item, whether temporary or permanent, within the ROW of a public street, including obstruction of a public sidewalk, not requiring excavation. Examples include placement of equipment, materials and containers at construction sites.
3. Curb cuts, driveway paving and widening and walkway construction when all or a portion of the work is within the ROW.

#### **B. Service Connections**

These projects include excavation and installation, repair or replacement of any utility service line from any structure or property to any utility located within the ROW, whether or not the utility is located within the pavement. When connecting to a town utility, the contractor must present an approved connection permit indicating that all applicable connection fees have been paid.

#### **C. Utility Main Construction**

These projects include the construction, repair, replacement or extension of any new utility main including water, sanitary sewer or storm drainage system located within the

ROW, whether or not the utility is located within the pavement. Extension of the sanitary sewer system requires that the project proponent shall obtain a "Sewer Extension Permit" from the Massachusetts Department of Environmental Protection. No road opening permit will be issued for extension of a sanitary sewer system until a Sewer Extension Permit has been approved.

All extensions of or connections to the storm drainage system shall comply with the Massachusetts Department of Environmental Protection's stormwater management policies. Storm drains, culverts and related installation, including catch basins, manholes, and curbing shall be installed as necessary to provide adequate collection of surface water from all streets and impervious surfaces within the project area. Any project that increases the impervious area shall have a stormwater management system designed to mitigate any increase in the rate and volume of stormwater runoff. The system shall be designed so as to not increase the peak rate of runoff or volume of stormwater runoff in the 2, 10, 25 and 100-year storm events.

#### **D. Fees**

The fee for obtaining a road opening permit shall be based upon the location of the work and the total area to be disturbed by the work as follows:

1. Work performed in the right-of-way with no excavation in paved areas, including roads, streets and sidewalks: Twenty-five (\$25.00) dollars.
2. Work performed in the right-of-way with removal of paved area, including roads, streets and sidewalks, of fifty square feet or less: Fifty (\$50.00) dollars.
3. Work performed in the right-of-way with removal of paved area, including roads, streets and sidewalks, greater than fifty square feet: One (\$1) dollar per square foot of disturbed pavement not to exceed Two-hundred (\$200.00) dollars.

Fee shall be paid at the time of application by check made payable to "The Town of Northbridge". When work is to be performed by any department of the Town of Northbridge or their agent or contractor, the permit fee shall be waived. Additionally, the permit fee shall be waived for any public utility company governed by the rules of the Massachusetts Department of Telecommunications and Energy when the work is intended to extend, repair, replace or maintain the system of the public utility company. However, all other provisions of these rules and regulations shall apply.

#### **E. Dig Safe Clearance**

Contractors applying for a road opening permit must first obtain a Dig Safe clearance for the proposed work area and must include the Dig Safe number on the permit application along with the date and time that the Dig Safe clearance will become effective. The number for contacting Dig Safe is 1-888-344-7233.

#### **F. Posting of Permit**

All Permits issued pursuant to this regulation shall be posted in plain view on the worksite. All permits shall be made available to the permitting authority, any investigator

from the Division of Occupational Safety, any inspector of the Department of Public Safety, or any other lawfully authorized authority.

#### **IV. GENERAL CONDITIONS**

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##### **A. Plan/Profile Requirements**

Before any permit is issued, the Department may require that a complete plan and profile be submitted with the application. Plan and profile shall show the following:

1. Location of the proposed construction.
2. Exact location of all existing utilities within the proposed construction area that would be crossed or exposed during the construction.
3. Elevations of existing underground facilities crossed, exposed or connected to by proposed installations.
4. Elevations of proposed construction at all crossing points.
5. Inverts of all proposed manholes or cleanouts as well as inverts of existing facilities connected to by the proposed construction.
6. Plan shall be at a horizontal scale of 1 inch = 40 feet (1" = 40') or greater.
7. Profile shall be at a vertical scale of 1 inch = 4 feet (1" = 4') or greater.

##### **B. General Requirements and Restrictions**

1. Permits will be issued only to contractors licensed by the Town of Northbridge.
2. The contractor shall notify the Department a minimum of twenty-four (24) prior to the start of any road opening work to allow for inspection of the work site.
3. No street opening permits shall be issued between November 15 and April 1, except in cases of emergency as determined by the Department.
4. No permits shall be issued on newly constructed, paved or accepted roads for a period of five (5) years following the paving or acceptance. If a roadway is opened due to an emergency, at a minimum, the following will be required:
  - a. The pavement shall be saw cut a minimum of one (1) foot beyond the width of the trench required for the repairs.
  - b. The trench shall be backfilled using controlled Density Fill (CDF). The CDF must be batched at a concrete plant and delivered in transit mixers, must be flowable, require no vibrating, and the finished product must be excavatable without the use of power tools.
  - c. After the trench has been properly backfilled as required above, the contractor shall restore the paved area to as good repair as when opened as determined by the Department. Pavement restoration methods required by the Department may include grind and inlay, infrared treatment or a complete curb-to-curb pavement overlay of the disturbed area(s).

5. If the proposed street opening for underground work affects more than fifty- (50) feet of roadway measured longitudinally, the Department has the option of requiring grind and inlay, infrared treatment or a complete curb-to-curb pavement overlay of the disturbed area(s).
6. Except in emergencies, work shall be limited to the hours of 7:00 AM to 4:00 PM. On primary streets, work shall be limited to the hours of 9:00AM to 3:00 PM unless approved by the Department. Primary streets include: Church St, Main St, Hill St, Sutton St, Linwood Av, Quaker St, School St and Providence Rd.
7. Except in emergencies, no work shall be permitted on Saturdays, Sundays and legal holidays. In addition, no new work shall commence on Fridays except as approved by the Department.
8. No public shade trees, located within the ROW, shall be removed without the prior written permission of the Tree Warden. Cutting or removal of public shade trees is governed under the provisions of Massachusetts General Law Chapter 87.
9. No opening or excavation in any street shall extend beyond the centerline of the street before being backfilled and the surface of the street temporarily restored.
10. No more than one hundred (100) feet measured longitudinally shall be opened in any street at any time, except as specifically approved by the Department.
11. If a roadway patch begins to fail, the contractor must respond and repair the pavement on primary streets within four (4) hours of notification. On all other streets, the contractor must respond within twenty-four (24) hours of notification, unless a safety hazard exists. If a safety hazard exists, the contractor must respond within four (4) hours of notification. If the contractor fails to respond within the required time, the Department may respond to make temporary repairs. The total cost for labor, material and equipment incurred by the Department shall be billed to the contractor. Failure to make full payment within thirty (30) days of receipt of the bill will constitute grounds for suspension of the contractor's license.
12. Should it be determined that an emergency requires immediate repairs to preclude a public safety hazard, the Department will make repairs and the contractor shall be billed for the total cost for labor, material and equipment incurred by the Department.
13. Unless granted permission by the Department, all work must be completed within fourteen (14) calendar days of commencing the work. Once the work is completed, the pavement shall be temporarily patched and the permanent patch shall be installed the following construction season, allowing approximately one year for settlement. The contractor shall be responsible for maintenance of the temporary during the settlement period.
14. All existing drainage facilities including brooks, streams, canals, rivers, culverts, catch basins and piping shall be adequately protected so as not to impede drainage or to cause siltation of downstream areas. Contractor shall comply with all requirements of Orders of Conditions issued by the Northbridge Conservation Commission and shall install all siltation controls prior to commencing work.
15. No work, other than of an emergency nature, shall be performed during snow and ice storms and during snow and ice control operations, or when weather conditions are determined by the Department to be inappropriate for the proper prosecution of the work.

16. Access to private driveways and fire hydrants must be maintained at all times during construction operations.

17. The contractor shall be responsible for obtaining all additional permits required for his equipment, work force, or particular operations (such as blasting) in the performance of the work.

18. In granting any permit, the Department may attach such other conditions thereto as may be reasonably necessary to prevent damage to public or private property or to prevent operations from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. Such conditions may include but shall not be limited to:

- a. limitations on the time of year in which the work may be performed;
- b. restrictions on the size and type of equipment to be used within the Right-of-way;
- c. routes upon which materials and equipment may be transported;
- d. requirements for dust control, street cleaning, noise control and prevention, or other activities that may be considered a nuisance; and
- e. regulations as to the use of streets during the progress of the work.

### **C. Maintenance of Traffic**

1. Two-way traffic must be maintained at all times. If work is not completed at the end of the work day, the travel lane must be reopened to traffic for overnight use either by placement of a temporary patch or by means of road plates of sufficient size to completely cover the street opening. Road plates shall be of sufficient strength to carry traffic.

2. All open excavations shall be adequately safeguarded by providing temporary barricades, caution signs, lights and other means to prevent accidents to persons, and damage to property. The contractor shall provide suitable and safest means for covering all open excavations and for accommodating travel when work is not in progress.

3. All excavated material shall be placed so that vehicular and pedestrian traffic may be maintained at all times. If the excavation becomes a hazard or if it excessively restricts traffic at any point, then special procedures shall be taken, such as limiting the excavation and prohibiting stockpiling of material in the street.

4. Uniformed Police Officers for traffic control shall be used when warranted by location and traffic conditions or at the discretion of the Chief of Police. Details shall be arranged by contacting the Northbridge Police Department at 508-234-6211.

5. Safety and traffic control methods, types of signs, warning lights, and barriers provided by the contractor shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices. They shall be in-place before work begins.

### **D. Detours**

1. All detours must be approved by the Chief of Police and the Department. The contractor shall supply a Traffic Management Plan clearly showing the location of the work, the detour route, and the location, size and wording of all signage.
2. Safety and traffic control methods, types of signs, warning lights, and barriers provided by the contractor shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices.

#### **E. Cleanup and Property Restoration**

1. The contractor shall frequently cleanup all refuse, debris, and other material generated by his operations. The site of the work and the adjacent areas shall at all times present a neat, orderly and workmanlike appearance. At the completion of work, the contractor shall perform a final cleanup to bring the work site back to its original condition or better.
2. The contractor shall repair and restore all vegetated or turfed areas disturbed during the work. Restoration shall include the application of loam and seed or sod in disturbed or damaged turfed areas. Any public shade tree that is removed shall be replaced with a suitable street tree as approved by the Tree Warden. Replacement trees shall have a minimum 2-1/2 inch caliper measured four (4) feet above the top of root ball. Contractor shall warrant the viability of all trees for two growing seasons.
3. The contractor shall at all times employ adequate safety measures to prevent injuries to persons or damage to property. The contractor shall furnish materials, labor and equipment to correct any and all areas deemed as unsafe by the Department.
4. The contractor shall restore or replace any property damaged by his work, equipment or employees to a condition at least equal to the condition that existed immediately prior to the beginning of operations. This includes pavements, sidewalks, curbing, driveways or other structures. Materials, equipment and methods for restoration shall be as approved by the Department.

#### **F. Miscellaneous**

The Department will not issue a Road Opening Permit for any street within an active subdivision when that street has not yet been accepted by the Town. These locations are considered Private Property and require permitting under the Town's Excavation and Trench Safety Regulation. The contractor shall obtain permission from the subdivision owner for any such road opening.

### **V. SPECIFICATIONS**

#### **A. Construction Methods and Materials**

All work and material shall comply in all respects to the Massachusetts Highway Department (MHD) "Standard Specifications for Highways and Bridges" 1995 edition or later.

#### **B. Excavation and Backfilling**

Existing pavements shall be cut with a saw, wheel or pneumatic chisel along straight lines before excavating. Trenches shall be excavated only to the depth and width required for the work. If unsuitable material is found in the excavation, trenches may be over-excavated and suitable bedding material, such as pea stone or screened gravel may be used. Once piping has been installed bedding material shall be placed up to 1-foot over the pipe. The remainder of the excavation shall be backfilled with common fill material in 1-foot layers, thoroughly compacted, up to 18-inches below the bottom of the pavement repair. Fill material shall be free from any debris, trash or deleterious materials or any stone large than four-inches. Under no circumstances shall frozen material be used. The sub base layer for paving shall consist of bank run gravel installed in six-inch layers and thoroughly compacted. Compaction requirements for sub base layer shall be 95 percent of maximum density and 92 percent of maximum density for the remainder of the excavation when tested according to ASTM D1557, Method D. The Department may direct that field density compaction tests, performed by an independent testing laboratory be conducted as the work progresses. Test shall be paid for by the contractor.

#### **C. Bituminous Concrete Paving**

In all instances, permanent pavement repairs shall match the existing adjacent pavement cross section thickness or a minimum compacted thickness of 2-1/2 inches of binder and 2 inches of surface course, whichever is greater. Bituminous concrete shall be Class I, Type I-1 conforming to Mass Highway standard M 3.11. All manhole frames and utility boxes are to be set to grade of the initial pavement until such time as the permanent pavement is placed. The contractor shall then reset the frames and boxes to the grade of the permanent pavement. At no time shall manhole frames and boxes be allowed to protrude above the surface of the initial pavement. Permanent pavement repair shall be compacted by means of a steel-wheel roller of sufficient weight to establish a uniform density comparable to that of the adjacent surface within the work area. The finished patch shall be level with no depression retaining water on any of its surface and shall be perfectly flush with the existing, surrounding pavement. The edges around the perimeter of the repaired areas shall be sealed with a suitable asphalt emulsion (RS-1 or equal).

#### **D. Infrared Treatment**

When required, infrared treatment of final pavement shall be performed in conjunction with installation of final pavement unless otherwise approved by the Department. The area to be treated shall include the entire final pavement patch plus an additional 1-foot of existing pavement beyond each side of the initial pavement. The infrared heater shall be positioned over the areas to be treated for the time required to soften the existing pavement to a depth of 2-inches or more. The area shall be thoroughly scarified to a depth

of at least 2-inches. A recycling agent admixture shall be added to the softened area after scarification, in the amount recommended by the admixture manufacturer and shall be raked to a uniform workable condition. Additional bituminous concrete material needed to achieve proper finished grade shall be added to the patch. This material shall have a temperature no less than 200 degrees F. Permanent pavement repair shall be compacted by means of a steel-wheel roller of sufficient weight to establish a uniform density comparable to that of the adjacent surface within the work area. The finished patch shall be level with no depression retaining water on any of its surface and shall be perfectly flush with the existing, surrounding pavement. The edges around the perimeter of the repaired areas shall be sealed with a suitable asphalt emulsion (RS-1 or equal).

#### **E. Materials**

##### **Sanitary Sewer:**

1. Gravity sewer pipe and fittings shall be PVC SDR 35 conforming to ASTM D3034 for sizes 4 through 18-inches. Pipe and fittings shall have bell and spigot push-on joints and shall be from a single manufacturer.
2. Precast concrete manhole barrel and transition top sections shall conform to Specifications for Precast Reinforced Concrete Manhole Sections, ASTM C478. Manhole sections shall not have rungs. Sections shall be sealed with a round rubber O-ring or a preformed flexible joint sealant. Exterior of all manhole sections shall be coated with an approved damp proofing material. Precast concrete barrel sections with precast top slabs and precast concrete transitions sections shall be designed for a minimum of H-20 loading plus the weight of soil above at 120 pcf.
3. Bricks for channels and shelves shall comply with ASTM C32, Sewer Brick, Grade SS. Bricks for building up and leveling manhole frames shall conform to ASTM C62.
4. Manhole covers shall have a diamond pattern; pick holes and the word "SEWER" cast in 3-inch letters. Manhole frame and cover shall be LeBaron Foundry model LA266 in paved areas and LAB266 with gasket in cross-country areas.

##### **Storm Drain:**

1. Drainage pipe shall be reinforced concrete pipe. Where suitable for the application, ADS plastic drainage pipe may be used.
2. Manhole covers shall have a diamond pattern; pick holes and the word "STORM" cast in 3-inch letters. Manhole frame and cover shall be LeBaron Foundry model LA266.
3. Catch basin frame and grate shall be LeBaron Foundry model LF246.

##### **Water Distribution System and Water Service Connections:**

The Town of Northbridge is served by a privately owned water company, the Whitinsville Water Company, and the municipally owned Northbridge Water System. The municipal system is operated and maintained for the Town by the Whitinsville Water Company, which serves as the agent for the Town system. Any and all work, on either system, involving connection to or extension of the water distribution system or connection of water services shall be coordinated with the Whitinsville Water Company and shall be accomplished in accordance with the standard specifications prepared by the Water Company.

Contact the Whitinsville Water Company well in advance of scheduling any work at 508-234-7358 for additional information or to obtain the required specifications as well as to coordinate installations and inspections. The water company is located at 44 Lake Street, Whitinsville, MA 01588.

## **VI. EXCAVATION AND TRENCH SAFETY**

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In order to protect the General Public from the hazards inherent in open, unattended trenches the Commonwealth of Massachusetts has enacted legislation in the form of Chapter 82A of the General Laws requiring a permitting process be established for opening trenches on public and private property. In turn the Department of Public Safety

This section of these rules and regulations is the local implementing directive for the permitting process for excavation of trenches on WITHIN THE LAYOUT OF PUBLIC WAYS. Regulations governing trench excavation on private property are found in the Town of Northbridge Trench Excavation & Safety Regulation.

### **A. General:**

Wherever an unattended trench exists, the operation shall be secured in a safe manner and suitable protection for the general public shall be provided. The permit holder shall secure the unattended trench to prevent unauthorized entry when work is not in progress.

### **B. Trenches on public ways.**

Access to unattended trenches opened during construction on a public way shall be restricted by covers or barriers.

1. Where covers are used they shall be comprised of steel metal plates no less than  $\frac{3}{4}$  inches thick, or equivalent. Covers shall be placed over the trench. Such covers shall be level and physically secure to prevent the creation of a hazard by inadvertent movement.
2. Where barriers are used they shall comply with the following provisions:
  - a. A continuous barrier not less than six feet in height shall surround the unattended trench.
  - b. All barriers shall be of adequate strength and shall be supported in a manner that will allow them to be seen by the motorist and provide a stable support not easily blown over by the wind or traffic.

- c. Trench barriers adjacent to high speed traffic may include traffic control barrels ballasted by sandbags or temporary pre-cast concrete barriers as components.
- d. Trench barriers comprised of multiple sections shall allow not more than four inches between each section. Adjacent sections must be securely fastened to each other.
- e. Any openings between the ground and barrier shall not exceed 4 inches.
- f. Barriers shall be at a sufficient distance from the trench to be unaffected by changing conditions of the trench site.

The provisions of this section may be substituted by monitoring of the unattended trench by the permit holder or by person(s) under the control and direction of the permit holder.

The provisions of this section may be substituted by backfilling the work site while unattended.

The permitting authority may require any additional, site-specific provisions it deems necessary to protect the general public as a condition to any permit issued.

## **VII. UNSAFE CONDITION - IMMEDIATE SHUTDOWN**

1. Whenever the permitting authority, or an inspector from either the Department of Public Safety or the Division of Occupational Safety deems a condition at a trench site to be a threat to public safety he may order that the area around the trench be made safe for the general public and may further order the immediate shutdown of the site until such time as the condition has been corrected to the satisfaction of the authority responsible for the immediate shutdown.
2. Conditions which warrant immediate shutdown of a trench site by the local permitting authority, an inspector from the Department of Public Safety or the Division of Occupational Safety may include:
  - a. A fatality or serious injury to a member of the general public;
  - b. Failure to use protections for the General Public in accordance with this regulation or an ineffective use of any protection for the General Public allowed by 520 CMR 14.04;
  - c. Failure to obtain a permit from the permitting authority;
  - d. Any other condition that constitutes a serious threat to life, limb or property of the general public as determined by the permitting authority, an inspector from the Department of Public Safety, or the Division of Occupational Safety.

## **VIII. FAILURE TO IMPLEMENT OR EFFECTIVELY USE ADEQUATE PROTECTIONS FOR THE GENERAL PUBLIC**

In the event that the permit applicant/permittee fails to implement or effectively use adequate protection for the general public or leaves a trench unattended, the permitting authority or other competent authority may take any of the following corrective actions or combinations thereof:

1. Post an attendant to provide continuous monitoring of the unattended trench.  
Attendant may be a police officer, firefighter, flagman or other individual designated by the authority.
2. Plate the trench as required under these regulations
3. Backfill the trench

The permit applicant/permittee shall be responsible for all costs associated with the above corrective actions.

## IMPORTANT PHONE NUMBERS

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### Emergency Numbers

Police/Fire or Medical Emergency:.....	911
NSTAR Gas (To report a leak or emergency).....	1-800-572-9337
National Grid (To report an emergency).....	1-800-322-3223
Massachusetts Dept. of Environmental Protection (Spill Hotline).....	1-888-304-1133
Whitinsville Water Co. (To report a leak).....	508-234-7358
Dig Safe.....	1-888-344-7233

### Non-Emergency Numbers

Permitting Authority (Northbridge Department of Public Works).....	508-234-3581
Northbridge Police Department.....	508-234-6211
Northbridge Fire Department .....	508-234-8448
Department of Public Works Highway Division.....	508-234-3581
Department of Public Works Sewer Division .....	508-234-2154
Building Department .....	508-234-6577
Plumbing Inspector/ Electrical Inspector.....	508-234-6577
Board of Health .....	508-234-3272
Planning Department.....	508-234-2447
Conservation Commission.....	508-234-0817
Whitinsville Water Company .....	508-234-7358
Town Manager .....	508-234-2095
Town Clerk.....	508-234-2001

**TOWN OF NORTHBRIDGE  
APPLICATION FOR  
UTILITY CONTRACTOR'S LICENSE**

Name of Contractor: \_\_\_\_\_

Owner or Principle Officer: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Business Address (If different): \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Emergency Contact Information:

Name: \_\_\_\_\_

Telephone (24-hour): \_\_\_\_\_ Pager Number: \_\_\_\_\_

Category of Work:

General Construction ☐ Service Connections ☐ Utility Main Construction ☐

Certification:

I have received a copy of the Town of Northbridge Road Opening Permit Rules and Regulations and agree to abide by all requirements stated therein in conjunction with any work performed within the Right-of-Way of all public ways.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

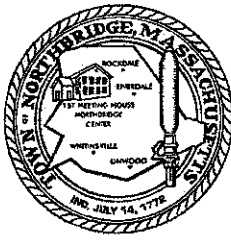
OFFICE USE ONLY

Certificate of Insurance ☐ Street Opening Bond ☐ List of References ☐

License Fee Paid: \_\_\_\_\_ License Number Issued: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Expiration Date: December 31, 20\_\_



# Town of Northbridge

Department of Public Works  
11 Fletcher Street, P. O. Box 88  
Whitinsville, Massachusetts 01588-0088  
Phone: (508)-234-3581  
Fax: (508)-234-0807

Permit Number: \_\_\_\_\_  
Date Issued: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

## ROAD OPENING AND TRENCH PERMIT APPLICATION

Pursuant to G.L. c. 82A §1 and 520 CMR 7.00 et seq.(as amended)

THIS APPLICATION CONTAINS 5 PAGES. THEY MUST BE FULLY COMPLETED PRIOR TO SUBMISSION.

Name of Applicant/Permittee:			Phone:	Cell:
Street Address			24-Hour Contact Number:	
City/Town	ST	ZIP	Valid License <input type="checkbox"/>	
Name of Excavator (if different from applicant)			Phone:	Cell:
Street Address			24-Hour Contact Number:	
City/Town	ST	ZIP	Valid License <input type="checkbox"/>	
Name of Owner(s) of Property			Phone:	Cell:
Street Address				
City/Town	ST	ZIP		
Other Contact		Permit Fee Received No ( ) Yes ( )		
<b>Description, location and purpose of proposed work:</b> Describe the exact location of proposed trench(es) and its purpose (include a description of what is (or is intended) to be laid in proposed trench (e.g.; pipes/cable lines etc.) Please use reverse side if additional space is needed. Attach plans.				
Insurance Certificate #:				
Name and Contact Information of Insurer:				
Policy Expiration Date:				
Dig Safe #:		Start Date/Time:		
Name of Competent Person (as defined by 520 CMR 7.02):				

Massachusetts Hoisting License #:	
License Grade:	Expiration Date:

BY SIGNING THIS FORM, THE APPLICANT, OWNER, AND EXCAVATOR ALL ACKNOWLEDGE AND CERTIFY THAT THEY ARE FAMILIAR WITH, OR, BEFORE COMMENCEMENT OF THE WORK, WILL BECOME FAMILIAR WITH, ALL LAWS AND REGULATIONS APPLICABLE TO WORK PROPOSED, INCLUDING OSHA REGULATIONS, G.L. c. 82A, 520 CMR 7.00 et seq., AND ANY APPLICABLE MUNICIPAL ORDINANCES, BY-LAWS AND REGULATIONS AND THEY COVENANT AND AGREE THAT ALL WORK DONE UNDER THE PERMIT ISSUED FOR SUCH WORK WILL COMPLY THEREWITH IN ALL RESPECTS AND WITH THE CONDITIONS SET FORTH BELOW.

THE UNDERSIGNED OWNER AUTHORIZES THE APPLICANT TO APPLY FOR THE PERMIT AND THE EXCAVATOR TO UNDERTAKE SUCH WORK ON THE PROPERTY OF THE OWNER, AND ALSO, FOR THE DURATION OF CONSTRUCTION, AUTHORIZES PERSONS DULY APPOINTED BY THE MUNICIPALITY TO ENTER UPON THE PROPERTY TO MONITOR AND INSPECT THE WORK FOR CONFORMITY WITH THE CONDITIONS ATTACHED HERETO AND THE LAWS AND REGULATIONS GOVERING SUCH WORK.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO REIMBURSE THE MUNICIPALITY FOR ANY AND ALL COSTS AND EXPENSES INCURRED BY THE MUNICIPALITY IN CONNECTION WITH THIS PERMIT AND THE WORK CONDUCTED THEREUNDER, INCLUDING BUT NOT LIMITED TO ENFORCING THE REQUIREMENTS OF STATE LAW AND CONDITIONS OF THIS PERMIT, INSPECTIONS MADE TO ASSURE COMPLIANCE THEREWITH, AND MEASURES TAKEN BY THE MUNICIPALITY TO PROTECT THE PUBLIC WHERE THE APPLICANT OWNER OR EXCAVATOR HAS FAILED TO COMPLY THEREWITH INCLUDING POLICE DETAILS AND OTHER REMEDIAL MEASURES DEEMED NECESSARY BY THE MUNICIPALITY.

THE UNDERSIGNED APPLICANT, OWNER AND EXCAVATOR AGREE JOINTLY AND SEVERALLY TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE MUNICIPALITY AND ALL OF ITS AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY, CAUSES OR ACTION, COSTS, AND EXPENSES RESULTING FROM OR ARISING OUT OF ANY INJURY, DEATH, LOSS, OR DAMAGE TO ANY PERSON OR PROPERTY DURING THE WORK CONDUCTED UNDER THIS PERMIT.

APPLICANT SIGNATURE

\_\_\_\_\_ DATE \_\_\_\_\_

EXCAVATOR SIGNATURE (IF DIFFERENT)

\_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE (IF DIFFERENT)

\_\_\_\_\_ DATE: \_\_\_\_\_

For Town use -- Do not write in this section	
PERMIT APPROVED BY	\$ _____ Application Fee
PERMITTING AUTHORITY _____ Date _____	
CONDITIONS OF APPROVAL	

**CONDITIONS AND REQUIREMENTS PURSUANT TO G.L.C.82A AND 520 CMR 7.00 et seq. (as amended)**

By signing the application, the applicant understands and agrees to comply with the following:

- i. No trench may be excavated unless the requirements of sections 40 through 40D of chapter 82, and any accompanying regulations, have been met and this permit is invalid unless and until said requirements have been complied with by the excavator applying for the permit including, but not limited to, the establishment of a valid excavation number with the underground plant damage prevention system as said system is defined in section 76D of chapter 164 (DIG SAFE);
- ii. Trenches may pose a significant health and safety hazard. Pursuant to Section 1 of Chapter 82 of the General Laws, an excavator shall not leave any open trench unattended without first making every reasonable effort to eliminate any recognized safety hazard that may exist as a result of leaving said open trench unattended. Excavators should consult regulations promulgated by the Department of Public Safety in order to familiarize themselves with the recognized safety hazards associated with excavations and open trenches and the procedures required or recommended by said department in order to make every reasonable effort to eliminate said safety hazards which may include covering, barricading or otherwise protecting open trenches from accidental entry.
- iii. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et.seq., entitled Subpart P "Excavations".
- iv. Excavators engaging in any trenching operation who utilize hoisting or other mechanical equipment subject to chapter 146 shall only employ individuals licensed to operate said equipment by the Department of Public Safety pursuant to said chapter and this permit must be presented to said licensed operator before any excavation is commenced;
- v. By applying for, accepting and signing this permit, the applicant hereby attests to the following: (1) that they have read and understands the regulations promulgated by the Department of Public Safety with regard to construction related excavations and trench safety; (2) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CMR 1926.650 et.seq., entitled Subpart P "Excavations" as well as any other excavation requirements established by this municipality; and (3) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of the permit application, complied with the requirements of sections 40-40D of chapter 82A.
- vi. **This permit shall be posted in plain view on the site of the trench.**

For additional information please visit the Department of Public Safety's website at [www.mass.gov/dps](http://www.mass.gov/dps)

### Summary of Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.)

This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to [www.mass.gov/dps](http://www.mass.gov/dps)

Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at least ¾" thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to attend trenches at all times, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shutdown until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

## Summary of 1926 CFR Subpart P -OSHA Excavation Standard

This is a worker protection standard, and is designed to protect employees who are working inside a trench. This summary was prepared by the Massachusetts Division of Occupational Safety and not OSHA for informational purposes only and does not constitute an official interpretation by OSHA of their regulations, and may not include all aspects of the standard. For further information or a full copy of the standard go to [www.osha.gov](http://www.osha.gov).

- **Trench Definition per the OSHA standard:**
  - An excavation made below the surface of the ground, narrow in relation to its length.
  - In general, the depth is greater than the width, but the width of the trench is not greater than fifteen feet.
- **Protective Systems** to prevent soil wall collapse are always required in trenches deeper than 5', and are also required in trenches less than 5' deep when the competent person determines that a hazard exists. Protection options include:
  - Shoring. Shoring must be used in accordance with the OSHA Excavation standard appendices, the equipment manufacturer's tabulated data, or designed by a registered professional engineer.
  - Shielding (Trench Boxes). Trench boxes must be used in accordance with the equipment manufacturer's tabulated data, or a registered professional engineer.
  - Sloping or Benching. In Type C soils (what is most typically encountered) the excavation must extend horizontally 1 ½ feet for every foot of trench depth on both sides, 1 foot for Type B soils, and ¾ foot for Type A soils.
  - A registered professional engineer must design protective systems for all excavations greater than 20' in depth.
- **Ladders** must be used in trenches deeper than 4'.
  - Ladders must be inside the trench with workers at all times, and located within 25' of unobstructed lateral travel for every worker in the trench.
  - Ladders must extend 3' above the top of the trench so workers can safely get onto and off of the ladder.
- **Inspections** of every trench worksite are required:
  - Prior to the start of each shift, and again when there is a change in conditions such as a rainstorm.
  - Inspections must be conducted by the competent person (see below).
- **Competent Person(s) is:**
  - Capable (i.e., trained and knowledgeable) in identifying existing and predictable hazards in the trench, and other working conditions which may pose a hazard to workers, and
  - Authorized by management to take necessary corrective action to eliminate the hazards. Employees must be removed from hazardous areas until the hazard has been corrected.
- **Underground Utilities** must be:
  - Identified prior to opening the excavation (e.g., contact Digsafe).
  - Located by safe and acceptable means while excavating.
  - Protected, supported, or removed once exposed.
- **Spoils** must be kept back a minimum of 2' from the edge of the trench.
- **Surface Encumbrances** creating a hazard must be removed or supported to safeguard employees. Keep heavy equipment and heavy material as far back from the edge of the trench as possible.
- **Stability of Adjacent Structures:**
  - Where the stability of adjacent structures is endangered by creation of the trench, they must be underpinned, braced, or otherwise supported.
  - Sidewalks, pavements, etc. shall not be undermined unless a support system or other method of protection is provided.
- **Protection from water accumulation hazards:**
  - It is not allowable for employees to work in trenches with accumulated water. If water control such as pumping is used to prevent water accumulation, this must be monitored by the competent person.
  - If the trench interrupts natural drainage of surface water, ditches, dikes or other means must be used to prevent this water from entering the excavation.
- **Additional Requirements:**
  - For mobile equipment operated near the edge of the trench, a warning system such as barricades or stop logs must be used.
  - Employees are not permitted to work underneath loads. Operators may not remain in vehicles being loaded unless vehicles are equipped with adequate protection as per 1926.601(b)(6).
  - Employees must wear high-visibility clothing in traffic work zones.
  - Air monitoring must be conducted in trenches deeper than 4' if the potential for a hazardous atmosphere exists. If a hazardous atmosphere is found to exist (e.g., O<sub>2</sub> <19.5% or >23.5%, 20% LEL, specific chemical hazard), adequate protections shall be taken such as ventilation of the space.
  - Walkways are required where employees must cross over the trench. Walkways with guardrails must be provided for crossing over trenches > 6' deep.
  - Employees must be protected from loose rock or soil through protections such as scaling or protective barricades.

## 520 CMR 14.00: EXCAVATION AND TRENCH SAFETY

### Table of Contents:

Section 14.01 Authority, Purpose, and Scope

Section 14.02 Definitions

Section 14.03 Permitting Requirements

Section 14.04 Protections for the General Public

Section 14.05 Suspension and Revocation of Permits; Assessment of Fines; Immediate Shut-Down; Appeals

### Section 14.01 Authority, Purpose, and Scope

#### (1) Purpose and Scope.

(a) 520 CMR 14.00 is promulgated by the Department of Public Safety in conjunction with the Division of Occupational Safety pursuant to authority granted by M.G.L. c. 82A § 1.

(b) The purpose of 520 CMR 14.00 is to establish reasonable standards to protect the safety of the citizens of the Commonwealth from the hazards inherent in trenches and to provide for penalties for individuals who violate any provision of this regulation.

#### (2) Applicability Provision.

(a) 520 CMR 14.00 shall apply to any excavator.

(b) This regulation shall not be construed or enforced in a manner that directly, substantially or specifically regulates the occupation, safety or health of any employee engaged in employment covered by the Federal Occupational Safety and Health Act.

(c) This regulation shall be read in conjunction with and shall not supersede, be construed or be enforced in a manner that contradicts 780 CMR, the Massachusetts State Building Code.

(3) Effective Date. The enforcement of 520 CMR 14.00 shall begin on January 1, 2009 in order to provide adequate time for excavators and permitting authorities to train their employees and implement the provisions contained within these regulations.

### Section 14.02 Definitions

Competent Person- A person or persons who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to people, and who has authorization to take prompt corrective measures to eliminate them. A competent person must be able to demonstrate that he or she has been trained in and is knowledgeable about: soil analysis, the use of protections for the General Public and the requirements of this regulation.

Emergency- An unforeseen condition in which the safety of the public is in imminent danger because of a threat to life or health or where immediate correction is required to maintain or restore essential public utility service.

Excavator – Any entity including, but not limited to, a person, partnership, joint venture, trust, corporation, association, public utility, company or state or local government body or public agency which performs excavation operations including the excavation of trenches.

General Public –All natural persons not engaged in the creation of a trench.

Permit Holder –The excavator who is responsible for acquiring a permit from the Permitting Authority.

Permitting Authority – A city, town, or public agency required to administer the provisions of 520 C.M.R. 14.03.

Public Agency - A department, agency, board, commission, authority, or other instrumentality of the Commonwealth or political subdivision of the Commonwealth or two or more subdivisions thereof.

Serious Injury - A personal injury that results in death, dismemberment, significant disfigurement, permanent loss of the use of a body organ, member, function, or system, a compound fracture, or other significant injury that requires immediate admission and overnight hospitalization and observation by a licensed physician.

Trench – An excavation which is narrow in relation to its length, made below the surface ground in excess of 3 feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet.

Unattended Trench – A trench where neither the permit holder, excavator, nor any of the people who work in or at the trench are present.

#### Section 14.03 Permitting Requirements

(1) No person shall, except in an emergency, make a trench excavation, in any public way, public property, or privately owned land until a permit is obtained from the appropriately designated permitting authority.

(2) Issuance of Permit.

(a) The permit holder shall be responsible for obtaining the appropriate permit for the excavation of trenches for each project from the appropriate permitting authority.

(b) Each city, town or regionalized entity shall designate one board or officer to issue permits for the excavation of trenches on privately owned land or land owned by a city or town. Cities or towns that regionalize or share permitting and inspection

functions with other cities or towns may utilize these regionalized entities for the permitting of trenches.

(c) Any individual or entity creating a trench on property that is owned or controlled by a public agency or that a public agency otherwise has a property interest in, including but not limited to an easement, shall obtain a permit from the public agency with care and control of the property unless the permitting authority is otherwise designated through a written agreement. The public agency issuing the permit shall electronically notify the Department of Public Safety of the permit's issuance and shall provide the following information:

- i. The location of the excavation indicated on the permit;
- ii. The anticipated date to begin the trench operation;
- iii. The anticipated date to conclude the trench operation;
- iv. The name of the permit holder; and
- v. The name of the competent person(s).

(d) When issuing a permit under this section, the permitting authority shall attach a summary of OSHA Regulation 1926 Subpart P-Excavations and a summary of any regulation promulgated by the Department of Public Safety in conjunction with the Division of Occupational Safety in accordance with M.G.L. c. 82A.

(3) Permit Requirements. In order to obtain a permit, the following information must be submitted to the permitting authority:

- (a) Completed application;
- (b) Certificate of insurance;
- (c) Required fee in accordance with 520 CMR 14.03 (6) where applicable.

(4) Contents of Permit Applications. All permit applications must contain the following information:

- (a) Digsafe number (see sample permit);
- (b) Name and contact information of permit holder;
- (c) Name and contact information of the excavator;
- (d) Name of the competent person(s)
- (e) Name of person(s) performing the excavation of the trench;
- (f) Massachusetts Hoisting License number, license grade and expiration date of the person(s) performing the excavation of the trench;
- (g) Permit expiration date (if applicable);
- (h) Specific location of the trench;
- (i) Name and contact information of insurer;
- (j) All permit applications shall also include the following statements pursuant to M.G.L. c.82A, §3 (3) and (5) (i), (ii):

1. "Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 *et. seq.*, entitled Subpart P Excavations."

2. "By applying for, accepting and signing this permit, the applicant attests to the following: (i) that he has read and understood the regulations promulgated by the Department of Public Safety with regard to trench safety; (ii) that he has read and understood the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 *et seq.*, entitled Subpart P "Excavations".

(5) Posting. All Permits issued pursuant to this regulation shall be posted in plain view on the site of the trench. All permits shall be made available to the permitting authority, any investigator from the Division of Occupational Safety, any inspector of the Department of Public Safety, or any other lawfully authorized authority.

(6) Permit Fees. In accordance with Chapter 82A, § 2, the local permitting authority may charge a reasonable fee to cover the administrative costs incurred by the authority in connection with the review and processing of permits.

#### Section 14.04 Protections for the General Public

(1) Generally. Wherever an unattended trench exists, the operation shall be secured in a safe manner and suitable protection for the general public shall be provided. The permit holder shall secure the unattended trench to prevent unauthorized entry when work is not in progress.

(2) Trenches on public ways. Access to unattended trenches opened during construction on a public way shall be restricted by covers or barriers.

(a) Where covers are used they shall be comprised of steel metal plates no less than ¾ inches thick, or equivalent. Covers shall be placed over the trench. Such covers shall be level and physically secure to prevent the creation of a hazard by inadvertent movement.

(b) Where barriers are used they shall comply with the following provisions:

1. A continuous barrier not less than six feet in height shall surround the unattended trench.

2. All barriers shall be of adequate strength and shall be supported in a manner that will allow them to be seen by the motorist and provide a stable support not easily blown over by the wind or traffic.

3. Trench barriers adjacent to high speed traffic may include traffic control barrels ballasted by sandbags or temporary pre-cast concrete barriers as components.

4. Trench barriers comprised of multiple sections shall allow not more than four inches between each section. Adjacent sections must be securely fastened to each other.

5. Any openings between the ground and barrier shall not exceed 4 inches.

6. Barriers shall be at a sufficient distance from the trench to be unaffected by changing conditions of the trench site.

(3) Trenches at fixed work sites other than on a public way. Access to unattended trenches opened during construction at a fixed work site on public or private property shall be restricted by covers or portable barriers.

(a) Where covers are used they shall be comprised of steel metal plates no less than ¾ inches thick or equivalent. Covers shall be placed over trenches. Such covers shall be level and physically secure to prevent the creation of a hazard by inadvertent movement.

(b) Where portable protective barriers are used, barriers of a height not less than 6 feet shall be constructed surrounding the entire perimeter of the trench.

1. Barriers comprised of multiple sections may allow not more than four inches between each section. Adjacent sections must be securely fastened to each other.
2. Openings between the ground and fence shall not exceed 4 inches.
3. Fence-type barriers shall be secured by vertical support members not more than ten feet apart. Fencing spaces shall not exceed 4 inches when measured as mesh size or between slats.
4. Solid barriers shall not contain holes or indentations larger than 4 inches.
5. All horizontal support members shall be located on the trench side of the barrier.
6. The wall of a dwelling or other permanent structure of a height of not less than six feet may serve as part of the barrier, provided it complies with all of the provisions of this section.
7. Gates and other means of egress must:
  - (i) Comply with the size and strength provisions of this section;
  - (ii) Be securely fastened to adjacent barrier components;
  - (iii) Allow not more than four inches between gates and barrier components;and
  - (iv) Be securely locked with a padlock, combination lock, or other suitable locking device.
8. Barriers must be clearly marked on all sides with signs indicating "Danger – Do Not Enter", "Authorized Personnel Only" or equivalent warning.
9. Barriers shall be placed at a sufficient distance from the trench to be unaffected by changing conditions of the trench site.

(4) The provisions of this section may be substituted by continuous personal monitoring of the unattended trench by the permit holder or by person(s) under the control and direction of the permit holder.

(5) The provisions of this section may be substituted by backfilling the work site while unattended.

(6) The permitting authority may require any additional, site-specific provisions it deems necessary to protect the general public as a condition to any permit issued.

#### Section 14.05 Suspension and Revocation of Permits; Assessment of Fines; Immediate Shut-Down; Appeals

(1) Scope 520 CMR 14.05 establishes the suspension and revocation procedures for all permits, establishes the penalty structure for the assessment of administrative penalties and sets forth the procedure for immediate shut down of the site.

(2) Revocation and Suspension of Permit by Permitting Authority. The permitting authority may, after a hearing, suspend or revoke a permit issued pursuant 520 CMR 14.03. All hearings under this section shall be held in accordance with G.L. c. 30A and 801 CMR 1.02. Each permitting authority shall have the discretion to establish the grounds consistent with this regulation for a suspension or revocation however such suspension or revocation shall not be imposed in a manner which directly, substantially or specifically regulates the occupational safety or health of any employee engaged in employment covered by the Federal Occupational Safety and Health Act.

(3) Assessment of Fines by the Department of Public Safety

(a) Notwithstanding any action taken by a permitting authority pursuant to 520 CMR 14.05 (2), the Department of Public Safety may assess administrative fines against the excavator in accordance with M.G.L. c. 82A § 1.

(b) Penalty Structure. Whenever the Department of Public Safety finds upon inspection, investigation or other information in its possession, that a violation of any provision of 520 CMR 14.00 has occurred, the Department may assess an administrative penalty not to exceed \$5,000.00 for each violation. Each day during which a violation exists shall constitute a separate offense.

(c) Factors in determining amount of penalty. In determining the amount of the administrative penalty, the Department of Public Safety may consider one or more of the following:

1. The willfulness of the violation;
2. Previous violations resulting in the imposition of administrative penalties as set forth in the rules of the Department of Public Safety;
3. Whether the violation resulted in an accident involving bodily injury or death to a member of the general public;
4. The actual or potential danger to the public;
5. Whether the excavator did everything reasonable to attempt to comply with the regulation;
6. Actions, if any, taken by the permitting authority;
7. Whether imposition of the administrative penalty is likely to deter future noncompliance; and
8. The interests of public safety.

(d) Notice. The Department of Public Safety shall send written notice of alleged violation(s) and intent to impose administrative penalties to the violator. The Notice shall specify:

1. The specific condition(s) which constitute the violation;
2. The provision(s) of the regulation with which there has been non-compliance;
3. The amount that is to be assessed as a penalty for each alleged violation;
4. The procedure for requesting a hearing as set forth in 520 CMR 14.05 (7).

(e) Hearings. Written requests for a hearing must be filed with the Department of Public Safety within ten calendar days of receipt of the notice of violation issued pursuant to 520 CMR 14.05 (7).

(4) The failure to make a timely request for a hearing shall constitute a waiver of the right to a hearing and imposition of the penalty set forth in the Notice. A hearing shall be commenced by the Department of Public Safety within a reasonable period after the request for a hearing has been received by the Department of Public Safety. Any person aggrieved by a determination of the Department of Public Safety may appeal to the Superior Court in accordance with M.G.L. c. 30A, §14.

(5) Immediate Shutdown by State or Local Authorities

(a) Whenever the permitting authority, or an inspector from either the Department of Public Safety or the Division of Occupational Safety deems a condition at a trench site to be a threat to public safety he may order that the area around the trench be made safe for the general public and may further order the immediate shutdown of the site until such time as the condition has been corrected to the satisfaction of the authority responsible for the immediate shutdown.

(b) Conditions which warrant immediate shutdown of a trench site by the local permitting authority, an inspector from the Department of Public Safety or the Division of Occupational Safety may include:

1. A fatality or serious injury to a member of the general public;
2. Failure to use protections for the General Public in accordance with this regulation or an ineffective use of any protection for the General Public allowed by 520 CMR 14.04;
3. Failure to obtain a permit from the permitting authority;
4. Any other condition that constitutes a serious threat to life, limb or property of the general public as determined by the permitting authority, an inspector from the Department of Public Safety, or the Division of Occupational Safety.

(6) Re-Inspection following Immediate Shutdown The trench site shall remain closed until all necessary repairs and corrections have been made to the satisfaction of the authority responsible for the immediate shutdown, provided however, that the Department of Public Safety and Division of Occupational Safety shall have concurrent jurisdiction to authorize the reopening of a trench shut down by either agency. Reopening of the site may not occur until the site has been inspected by the authority ordering the immediate shutdown and found to be safe for reopening and operation.

(7) Appeal from Immediate Shutdown. Any person aggrieved by the decision by the Department of Public Safety, the Division of Occupational Safety, or the permitting authority to shut down a trench site pursuant to 520 CMR 14.05 (5) may make an appeal for a hearing to the entity responsible for the immediate shutdown. The site shall remain shut down during the appeal period. Such appeal shall be made in writing within 10 calendar days. Upon receipt of the appeal, a hearing shall be scheduled promptly. All hearings under this provision shall be held in accordance with G.L. c. 30A and 801 CMR

1.02. Any person aggrieved by a decision after hearing may appeal to the Superior Court in accordance with G.L. c. 30A § 14.

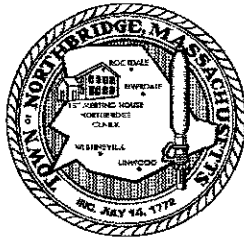
(8) Serious Injury/Fatality; Notification; investigation.

(a) Notification. An excavator shall report all serious injuries or fatalities which occur at the location of a trench to the State Police within one hour from the time the serious injury occurred.

(b) Investigation. In the event that a serious injury or fatality occurs, the trench site shall be immediately secured. The site surrounding the trench shall not be disturbed, cleaned, or altered in any way except by a public authority or as necessary for the preservation of life and property or the removal of the injured person(s) until receiving express authorization from an inspector of the Department of Public Safety.

REGULATORY AUTHORITY

M.G.L. c. 82A, §§1-5.



# Town of Northbridge Department of Public Works

11 Fletcher Street, P.O. Box 88

Whitinsville, Massachusetts 01588-0088

Tel. No. (508) 234-3581 – Fax. No. (508) 234-0807

*James Shuris, P.E., MBA  
Director of Public Works*

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## MEMORANDUM

Date: 19 June 2014

RE: "NO ROAD LEFT BEHIND"  
2014 Roads Program

To: Theodore D. Kozak, Town Manager

From: James Shuris, P.E., MBA  
Director of Public Works

Dear Ted:

I am writing to follow-up on June 9<sup>th</sup> Board of Selectmen Meeting concerning our 2014 Roads Program. On June 11<sup>th</sup> we received a low competitive bid from J.H. Lynch & Sons, Inc. in the amount of \$543,751 originally earmarked specifically for portions (i.e. approximately 1.75-miles) of Hill Street. As I commented to you and the Board of Selectmen on several occasions, this work is a "fit-to-suit/budget" plan and that the "Hill Street" plan is to "piece-it-together" as best as we can since the total length of Hill Street is approximately 4.1-miles.

At this time, the estimated cost to perform "piece-it-together" work (i.e. cold planing and top course overlay for ½-road width as well as full-road width) on Hill Street is \$400,000 and will include the following locations. Note that the locations are approximate and may change during the performance of actual work).

**Hill Street (2.25-miles and estimated @ \$400,000):**

- East side lane width from No. 1664 south (325-feet)
- Full lane width in the vicinity adjacent to Foppema's Farm (830-feet)
- Full lane width from Foppema's Farm to No. 1088 (4,900-feet)
- West side lane width from the Old Cemetery to No. 794 (670-feet)
- Full lane width from utility Pole No. 62 to Goldthwaite Road (850-feet)
- Full lane width from No. 569 to No. 154 (4,300-feet)

After completion of the above mentioned Hill Street work, we expect to have an unused remaining balance of \$143,751 which we plan to use on additional public streets using the same "piece-it-together" approach. Some streets may include cold planing and top course overlay at Douglas Road and tack coat and leveling top course at Old Quaker Street as follows:

**Douglas Road (3/4-mile and estimated @ \$88,000):**

- Full lane width from No. 545 to Pole No. 30 (1,480-feet)
- South lane width from Pole No. 30 to Castle Hill Road (2,420-feet)

**Old Quaker Street (1.8-miles @ \$195,000):**

- Full lane width from Mendon Road (@ Moon Hill Road) – ( 1,240-feet)
- Full lane width from No. 142 to West Hill Road (1,930-feet)
- Full lane width from West Hill Road to Lot No. 3 (810-feet)
- Full lane width from Wolf Hill Road to No. 462 (140-feet)
- Full lane width from Lookout Park to No. 610 (430-feet)
- Full lane width from No. 610 to Pole No. 71 (1,472-feet)
- Full lane width from Pole No. 173 to Pole No. 175 (230-feet)
- Full lane width from No. 598 to No. 934 (1,500-feet)
- Full lane width from Pole No. 84 to No. 1150 (1,700-feet)

**The estimated cost to perform the work outlined above is \$683,000.**

At this time, the available funds by source, is \$564,611.85 and below the estimated construction cost of \$683,000. However, we anticipate that MassDOT's Year 2014 Chapter 90 State Aid funding will remain at \$478,000, thus allowing us to complete the road improvement work outlined above.

The available \$564,611.85 current funds are comprised of the following sources:

- |   |              |
|---|--------------|
| • Chapter 90 State Aid:                         | \$430,944.00 |
| • Town Meeting Appropriation for 2014:          | \$86,773.00  |
| • MassDOT "Winter Rapid Recovery Road Program": | \$46,894.85  |

We are looking to another very successful road improvement and construction season.

Very truly yours,

  
James Shuris, P.E., MBA  
Director of Public Works

cc: Jamie C. Luchini  
DPW – Highway Superintendent

## **TOWN MANAGER'S REPORT – June 23, 2014**

**1) Update on Bridge Work: Ross Rajotte Bridge** – The DPW has located one of the medallions and is still looking for the second one. Working with the state to reattach. **Douglas Road Bridge** – The Contractor will attach the memorial plaque for United States Marine L/CPL Thomas S. Perron.

**2) Invitation to join the Coalition on Chapter 70, 71, 74 Requirements:** The Town of Spencer has contacted Northbridge and asked if we would join there coalition on the negative impacts to municipalities because of Chapter's 70, 71, 74 requirements. Chapter 70 is requiring communities to spend more on foundation requirements and Chapter's 71 & 74 are requiring additional spending for regional educational services. This community is asking Northbridge to join in changing the requirements of these chapters.

**4) Mass Works Grant Application:** I am currently working with the Town Planner and DPW Director on an application to improve infrastructure on Quaker Street and Church Street Extension. This grant may be used in connection with the development at the Osterman Gas site.

**5) Department Head Meeting:** At a recent Department Head Meeting I asked the Department Heads to look for ways to save expenditures on their FY 15 budget. I also asked them to provide me with the impact if a 10% reduction were required.

**3) Central Mass. Regional Planning Commission Energy Resource Program for Citizens:** CMRPC is inviting the Town of Northbridge, with other communities to participate in a bulk electricity purchasing program for residents and businesses. This program currently includes 36 communities in Central and Western Massachusetts with the Hampshire Council of Government. They are encouraging our community to investigate this program.



JUN 16 2014

Central Massachusetts Regional Planning Commission

Celebrating Fifty-One Years of Service - 1963-2014

Lawrence B. Adams Executive Director  
Chris Ryan Community Development  
Mary Ellen Blunt Transportation  
Janet Pierce Regional Services and  
Business Manager  
Howard Drobner Commission Chair

P.5

Board of Selectmen  
Town of Northbridge  
7 Main Street  
Whitinsville, MA 01588

June 11, 2014

The Hampshire Council of Governments (HCOG) and the Central Massachusetts Regional Planning Commission (CMRPC) are pleased to unveil a new partnership for energy services in the region. Lawrence B. Adams, Executive Director of the CMRPC, and Todd D. Ford, Executive Director of the HCOG, have pledged to work cooperatively to bring more local, affordable, and sustainable energy choices to the region.

A core pillar of the partnership will be to encourage additional CMRPC communities to participate in the HCOG's bulk electricity purchasing program for residents and businesses. It is already the Commonwealth's largest Community Choice Aggregation (CCA).

**Community Choice Aggregation helps your residents and businesses save money and become more informed and involved in electricity purchases. Already eight communities in CMRPC (Barre, Brookfield, East Brookfield, New Braintree, North Brookfield, Upton, and West Brookfield) participate in the program, which includes a total of 36 municipalities in all five central and western Massachusetts counties.** The CMRPC is encouraging municipalities to invite the Hampshire Council to discuss the program with their Board of Selectmen or City Council.

CCA is a program in which the participating cities and towns use their combined bulk buying power to seek lower electricity prices for residents and businesses. The program is unique in that the HCOG bundles the purchasing power of multiple communities, to create buying power that drives down prices and protects consumers. The current 36 communities have a combined population greater than the City of Lowell, which recently obtained aggressive pricing through their CCA. This bulk purchasing power will help drive prices even lower.

\* \* \*

The HCOG is the only public entity in Massachusetts that provides communities with a *complete solution* for CCA of electricity for residential, non-profit, and business customers.

The benefits of the HCOG/CMRPC program include:

- **The Largest:** More cities and towns (36) under contract than any other Community Choice agent in Massachusetts.
- **Open to All:** Any city or town in the Commonwealth can join this program.
- **Power in Numbers:** A single procurement for electricity for all participating communities, increases economies of scale for all. The current communities have a total population of 150,000 people.
- **No Cost, No Worries, No Work:** The HCOG does all of the work, without any cost to the cities and towns, to develop a plan, get all state approvals, and administer the program.
- **Local Green Power:** The optional Hampshire Green program is unique in Massachusetts by providing funds to municipalities for renewable energy development and conservation.
- **Trusted:** HCOG and CMRPC are local, trusted, public entities. We work for you, and all excess revenue is reinvested in the region.

If you would like to save money for your residents and businesses, without costs to the town budget, please invite the HCOG to meet with you.

Please feel free to reach the HCOG at 413-584-1300 x-151.

Thank you.

Lawrence B. Adams, Executive Director, CMRPC

Todd Ford, Executive Director, HCOG