

**BOARD OF SELECTMEN
MEETING AGENDA**

**Howe Manning School
Room 250
26 Central Street, Middleton, MA 01949
Tuesday, May 8, 2018
6:00 PM**

This meeting is being recorded

1. 6:00 PM Warrant
Minutes
Town Administrator updates and reports
2. 6:10 PM Review and approve Memorandum of Agreement with the Middleton Public Works Employees' Organization for Fiscal Years 2018-2020. If necessary, convene Executive Session pursuant to Mass. General Law chapter 30A, section 21(a)(3) relative to collective bargaining.
3. 6:15 PM Review and vote on application of the Bourque Family Foundation to hold a 7.7K road race on June 9, 2018 beginning at 10 Village Road
4. 6:20 PM Vote to renew two seasonal all alcohol restaurant licenses; two common victualler licenses; and, two entertainment licenses, for SD Management Group LLC at the Member's Lounge and Halfway House Snack Bar at 8-10 Village Road, Ronald Rice, Manager
5. 6:25 PM Review and discuss Main Street Grill's compliance with terms of its license; schedule a public hearing if non-compliant
6. 6:30 PM Discussion of May 8, 2018 Town Meeting Warrant and consideration of making recommendations to Town Meeting on warrant articles
7. 6:45 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Minutes of the MIDDLETON BOARD OF SELECTMEN
Fuller Meadow School
Nathan Media Room
143 South Main Street, Middleton, MA 01949
April 24, 2018 7:00PM

Present: Chair Brian Cresta, Timothy Houten, Rick Kassiotis

Absent: Kosta Prentakis

Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Ryan Ferrara, Minutes Secretary Judi Stickney, Steve Cocciardi, Craig Hartwell, and others

7:05 PM Chairman Brian Cresta called the meeting to order at 7:05PM

- **Warrant (including review of March 15, 2018 and April 10, 2018 Warrants):** After a brief review of two prior warrants dated March 15, 2018 and April 10, 2018, Town Administrator, Andrew Sheehan provided a review of Warrant 1822, dated April 26, 2018, with a total for the weekly bills of \$1,013,443 and payroll of \$614,466, and the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to approve warrant numbers 1819, 1821, and 1822, as presented.

- **Minutes:**
 - **March 22, 2018 Budget Hearing and Warrant Reading – Joint Meeting with Finance Committee**
 - **March 27, 2018 Regular Session**
 - **March 27, 2018 Executive Session**

After a brief review of the minutes, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to accept the minutes of March 22, 2018, March 27, 2018 Regular Session, March 27, 2018 Executive Session, as written.

- **Town Administrator's Report:** Town Administrator Andrew Sheehan provided the Board with updates and information on the following:
 - **Public Works Updates:**
 - **Howe-Manning Baseball Field:** The DPW recently replaced the material at the Howe-Manning baseball field and it looks good.
 - **Booster Water Pumps on Lakeview Avenue:** Glionna Plumbing and Heating will be installing booster pumps in 14 homes on Lakeview Avenue to boost water pressure. They are in the process of getting homeowner consent.
 - **Roadside Trash Pick Up This Week:** A crew from the jail will be in town this week picking up trash from the roadsides.
 - **Street Sweeping:** Street sweeping will be ongoing this month. DPW is still picking up storm debris from the roadsides. This Saturday is the last Saturday the transfer station will be accepting storm debris.
 - **Annual Town Meeting Warrant Book:** Sheehan advised that the Annual Town Meeting will be held May 8, at 7PM. The Warrant book has gone to print and will be delivered to all residents in town. The Warrant book is also available online. Sheehan hopes to have one or two more podcasts online before Town Meeting.

- **May 3, Pre-Town Meeting Warrant Overview:** Sheehan will be hold a pre-Town Meeting meeting on May 3 to go through the warrant.
- **State of the Town Address:** Sheehan advised he held a State of the Town address last Thursday at the Board of Trade Meeting. The video is available online.
- **Park Counselor Positions Available:** April 27th is the last day to apply for the Park Counselor positions. Information is available online.

7:17PM Zoning Board of Appeals Candidate: The Board met with Craig Hartwell of 6 Samos Circle as a candidate on the Zoning Board of Appeals as an Alternate. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to appoint Craig Hartwell of 6 Samos Circle as an Alternate Member of the Zoning Board of Appeals through June 30, 2018.

7:19 PM Appointment of Todd Moreschi, Plumbing and Gas-Fitting Inspector: After the Board briefly reviewed the memo from the Building Commissioner recommending Todd Moreschi, 34 North Liberty Street, to fill the vacancy of the Plumbing and Gas-Fitting Inspector, they took the following action:

On a **MOTION** made by **Kassiotis**, second by **Houten**, the Board of Selectmen **VOTED** unanimously to appoint Todd Moreschi as Plumbing and Gas-Fitting Inspector through June 30, 2020.

7:20 PM Review of Transfer Station Operations and Sticker Sales: Chair Cresta provided a brief history and background on the operation of the transfer station and sticker sales to begin a discussion on whether the Board should consider changing the operation to policies and procedures rather than altering town bylaws to manage the transfer station and sticker sales. Both Houten and Kassiotis spoke in favor of changing to policies and procedures. Chair Cresta thought Town Counsel should get involved in the process of changing from a bylaw to policies, which should also address policies related to private trash collection companies operating in town. He added that there should also be public hearings scheduled to get the public's input before any changes are considered. Town Administrator Sheehan noted that the Department of Public Works and the Board of Health would also be involved, adding that stickers are also available for purchase online. Cresta added that this could be an opportunity to provide more information to the public on what's acceptable at the transfer station and what isn't, as well as information on recycling, and the "swap shop".

7:33 PM Discussion and Review of May 8, 2018 Town Meeting Warrant: Chair Cresta briefly reviewed the Town Warrant dedications and asked the Board to consider making recommendations, as a Board, to Town Meeting on warrant articles. Town Administrator Andrew Sheehan ran through the Articles, noting any changes and additions.

7:44 PM Retirement of Steve Cocciardi, Finance Committee: Steve Cocciardi popped into the Selectmen's meeting to deliver ice cream to the Board and thank them for the opportunity of serving the Town as a Finance Committee member. The Board thanked Cocciardi for his long service to the Town and, after Cocciardi's departure from the meeting, continued their review of the Town Meeting Warrant.

7:45 PM Continued Review of May 8, 2018 Town Meeting Warrant: A lengthy discussion ensued on Article 5: Funding for Acquisition of Land and Phase 1 Design Services for Municipal Complex. Chair

Cresta noted that they would be taking no action on the Article at Town Meeting, but it may be coming back at a later meeting when costs are firmed up. Discussion turned to the Citizen's Petition Articles: Articles 24, 25, and 26, with Town Administrator Sheehan providing information on the Finance Committee recommendations on the Articles. There ensued a discussion on whether the Board of Selectmen should take a position on the Articles. Both Houten and Cresta expressed concern about Article 26: Zoning Bylaw Review Committee, noting that it is difficult to get residents to volunteer on committees and it may not be needed if Article 25 (Review of Zoning Bylaws) passes. Discussion turned to the transfer station articles with no support expressed for any of the articles. The Town Administrator also noted that none of the transfer station citizen's petition articles include a timeline. Chair Cresta suggested that anyone interested in submitting a Citizen's Petition should first talk to the Town Administrator for help with preparing the wording, etc. The Board may take a formal vote on whether to support the articles when a full board is in attendance. Sheehan advised the Board that they could also decide at Town Meeting on whether to support an article.

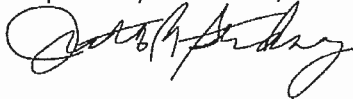
8:30 PM New Business:

- **Selectman Prentakis' Mother:** Selectman Houten expressed the Board's thoughts and concerns for Selectman Prentakis' mother, who is gravely ill.
- **Town Meeting May 8, Annual Town Election May 15:** Chair Cresta reminded residents that the Annual Town Meeting is Tuesday, May 8 and the Annual Town Election is the following Tuesday, May 15.

8:31 PM ADJOURN

With no further business, on a **MOTION** made by **Houten**, the Board of Selectmen **VOTED** unanimously to adjourn at 8:31 PM.

Respectfully submitted,



Minutes Secretary

Kosta Prentakis, Clerk

Documents either distributed to the Board of Selectmen before the meeting in a packet or at the meeting:

1. Agenda: April 24, 2018
2. Town of Middleton Summary of Weekly Bills Payable and Payroll Warrants
 - 3/15/18, #1819
 - 4/12/18, #1821
 - 4/26/18, #1822
3. Minutes:
 - 3/22/18
 - 4/27/18
4. E-Mail from Town Clerk to Town Administrator, Re: Zoning Board of Appeals, 3/14/18
5. Memo from Building Commissioner to Board of Selectmen, Re: Plumbing Inspector Position, 4/23/18
6. Resume of Todd R. Moreschi

7. Memo from Town Administrator to Board of Selectmen, Re: Public Safety Complex, 48 South Main Street, 4/20/18
8. Annual Town Meeting Warrant for Fiscal Year 2019
9. Letter from Assistant Town Administrator to Mass. Department of Telecommunications and Cable, 3/28/18
10. Memo from Assistant Town Administrator to Building Commissioner, Re: Cuddy's Way, 3/28/18
11. Letter from Middleton Electric Light Department General Manager to Finance Committee, Re: In Lieu of Tax Payment, 3/28/18
12. FY2019 Local Aid Estimates: Middleton
13. FY2019 Local Aid Assessments: Middleton
14. FY2019 Local Aid Estimates: Masconomet
15. Letter from Jack/Dian Anderson to Assistant Town Administrator, Town Administrator, Re: Xfinity/Comcast Outage, 4/5/18
16. Forman, Ethan. "Essex Tech to fund school resource officer position." *The Salem News* 19 April 2018
17. Letter from Xfinity to Board of Selectmen, Re: Xfinity TV Changes – Updates, 3/26/18
18. Letter from Comcast to Board of Selectmen, Re: Important Information on Video Packaging, 4/16/18
19. Letter from Xfinity to Board of Selectmen, Re: New Bill Design for Xfinity Services from Comcast, 4/13/18

**Draft Memorandum of Understanding Between the
Town of Middleton
and
Middleton Public Works Employees' Organization**

Fiscal Years 2018 through 2020

This agreement is made this _____ day of _____, 2018, by and between the Town of Middleton ("Town") and the Middleton Public Works Employees' Organization ("MPWEO").

Except as specifically modified by this Memorandum, all provisions of the contract between the parties for the period ending June 30, 2017 shall continue in full force and effect.

1. This Memorandum of Understanding (MOU) covers the period from July 1, 2017 (Fiscal Year 2018) through June 30, 2020 (Fiscal Year 2020).
2. Wage rate increases:
 FY2018: 2.5%
 FY2019: 3.0%
 FY2020: 3.0%
3. The Water Conservation By-Law Enforcement Stipend (Article XXX) will be eliminated from the MPWEO contract and replaced with a new Cemetery Specialist Stipend. The Cemetery Specialist Stipend will be of equal value as the Water Conservation By-Law Enforcement Stipend. The definition of duties is as follows: Cemetery Specialist – Responsible for showing plots to prospective buyers, keep accurate records of burial locations, and keeping up to date on existing and new cemetery regulations. Also responsible for recommending and implementing enhancements to improve the beautification of all cemeteries.
4. Under Article XXIII – Pay Schedule, eliminate all references to the Working Foreman/Equipment Operator position.
5. Under Article XXIII – Pay Schedule, revise the pay schedule for the remaining positions of Equipment Operators, Equipment Operators/Transfer Station Operators and Water Systems Operator/Supervisor as stipulated under Appendix A of this MOU.
6. A \$1,000 *Winter Appreciation/Productivity Bonus* will be payable upon execution of the MOU for Fiscal Year 2018. In years two (Fiscal Year 2019) and three (Fiscal Year 2020) of the MOU, a \$1,000 *Winter Appreciation/Productivity Bonus* will be paid on the next regularly scheduled pay period after April 1st of 2019 and 2020.

7. Any MPWEO employee who does not regularly work at the transfer station and who is directed to haul any solid waste or recyclable material out of Middleton will be paid at the same rate of pay for the duration of any such activity as the Equipment Operator/Transfer Station Operator position.
8. All MPWEO employees, upon the execution of this MOU, will be entitled to 3.5 days (28 hours) of compensatory time off which may be utilized on or before September 30, 2018 subject to the approval of the DPW Superintendent. This is a one-time contractual provision which shall expire on September 30, 2018.
9. Stipends cited under Item VII, Specialty Work Assignments, in the Fiscal Year 2013-2014 MOA shall be increased by \$200 per stipend.
10. The terms of this MOU are retroactive to July 1, 2017. Any retroactive payments due to MPWEO employees will be paid out in two equal installments over two consecutive pay periods immediately after such retroactive payments have been calculated by DPW staff.

Appendix A

Equipment Operators

	Start	6 Months	18 Months	3 Years	4 Years	5 Years
Fiscal Year 2017	1	2	3	4	5	6
	\$18.83	\$19.79	\$20.83	\$22.22	\$22.73	\$23.18

Split Pay

Fiscal Year 2017 - Senior Foreman \$27.40

\$27.40 - \$23.18 = \$4.22

\$4.22 / 8 DPW Employees = \$0.53 Per Person

Adjusted Pay
with the
Additional \$0.53
per employee

\$19.36 \$20.32 \$21.36 \$22.75 \$23.26 \$23.71

Fiscal Year
2018

Increase

2.5%

\$19.84 \$20.83 \$21.89 \$23.32 \$23.84 \$24.30

Fiscal Year
2019

Increase

3.0%

\$20.44 \$21.45 \$22.55 \$24.02 \$24.56 \$25.03

Fiscal Year
2020

Increase

3.0%

\$21.05 \$22.10 \$23.23 \$24.74 \$25.29 \$25.78

Appendix A - Continued

Water System Operator

	Start	1 Year	2 Years	3 Years	4 Years
Fiscal Year 2017	1	2	3	4	5
	\$24.31	\$25.78	\$27.21	\$27.84	\$28.35

Split Pay

Fiscal Year 2017 - Senior Foreman \$27.40

\$27.40 - \$23.18 = \$4.22

\$4.22 / 8 DPW Employees = \$0.53 Per Person

Adjusted Pay
with the
Additional \$0.53
per employee

\$24.84 \$26.31 \$27.74 \$28.37 \$28.88

Fiscal Year
2018

Increase

2.5%

\$25.46 \$26.97 \$28.43 \$29.08 \$29.60

Fiscal Year
2019

Increase

3.0%

\$26.22 \$27.78 \$29.29 \$29.95 \$30.49

Fiscal Year
2020

Increase

3.0%

\$27.01 \$28.61 \$30.17 \$30.85 \$31.40

Appendix A - Continued

Transfer Station Operator

	Start	6 Months	18 Months	3 Years	4 Years	5 Years
Fiscal Year 2017	1	2	3	4	5	6
	\$19.80	\$20.83	\$22.20	\$23.38	\$23.86	\$24.25

Split Pay

Fiscal Year 2017 - Senior Foreman \$27.40

\$27.40 - \$23.18 = \$4.22

\$4.22 / 8 DPW Employees = \$0.53 Per Person

Adjusted Pay
with the
Additional \$0.53
per employee

\$20.33 \$21.36 \$22.73 \$23.91 \$24.39 \$24.78

Fiscal Year
2018

Increase

2.5%

\$20.84 \$21.89 \$23.30 \$24.51 \$25.00 \$25.40

Fiscal Year
2019

Increase

3.0%

\$21.46 \$22.55 \$24.00 \$25.24 \$25.75 \$26.16

Fiscal Year
2020

Increase

3.0%

\$22.11 \$23.23 \$24.72 \$26.00 \$26.52 \$26.95

Signed this _____ day of _____, 2018.

For the Middleton Public Works Employees’
Organization

For the Town of Middleton by its
Board of Selectmen

Town Administrator

Andrew J. Sheehan



April 10, 2018
Michelle Creasi
Town of Middleton
48 S. Main Street
Middleton, MA 01949

Dear Michelle,

RE: Bourque 7.7K to benefit the Bourque Family Foundation

On behalf of the Bourque Family Foundation, I would like your permission to host our first annual Bourque 7.7K to benefit the fund. The proposed date would be on Saturday, June 9th, 2018. The race registration would start at 2:00 PM and the actual race would start at 4:00 PM. The pre and post-race registration will be held at Ferncroft Country Club and we have received approval from management to have our event there. The starting point of the race will be 10 Village Rd, Middleton, MA at the softball field located behind the Ferncroft Golf Club driving range. The race route takes us through both Middleton and Topsfield and it will start going left onto Coppermine Road and making a loop on New Meadow Lane and Nichols Lane... The race will then come back down Coppermine Road and turn right onto Locust Street. The race will continue on Locust Street until the intersection of East Street where the race will turn around come back up Locust Street. The race will continue on Locust Street until it turns into Village Road. The race will continue on Village Road until it reaches Country Club Lane. At this point the race will turn left and enter the Ferncroft Country Club. The finishing point of the race will be at Ferncroft Country Club. After the conclusion of the race we will be holding a post-race reception on the softball field. The post-race reception will include a food, drink, entertainment all coordinated with Ferncroft Country Club. I have attached a map for the course as well as turn by turn directions for your reference.

The Bourque Family Foundation strives to continue the impact made through Ray's leadership by supporting a wide variety of different charitable and educational endeavors.

I am respectfully requesting your approval to hold a portion of the road race here in Middleton to benefit The Bourque Family Foundation. Thank you for your consideration in this matter.

Sincerely,

Chris Puia

860-519-4833

chris@fmpproductions.com

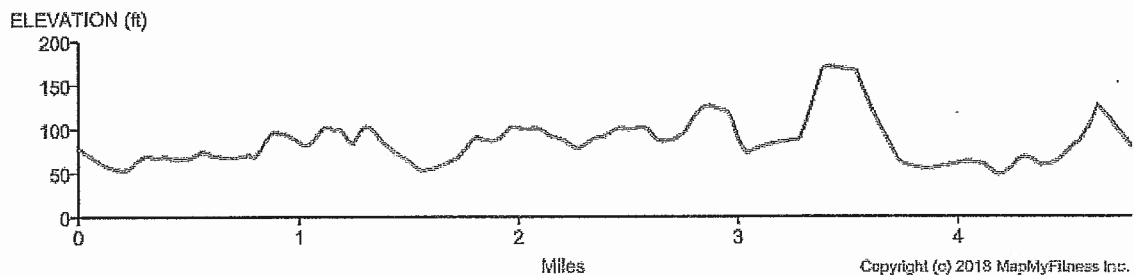
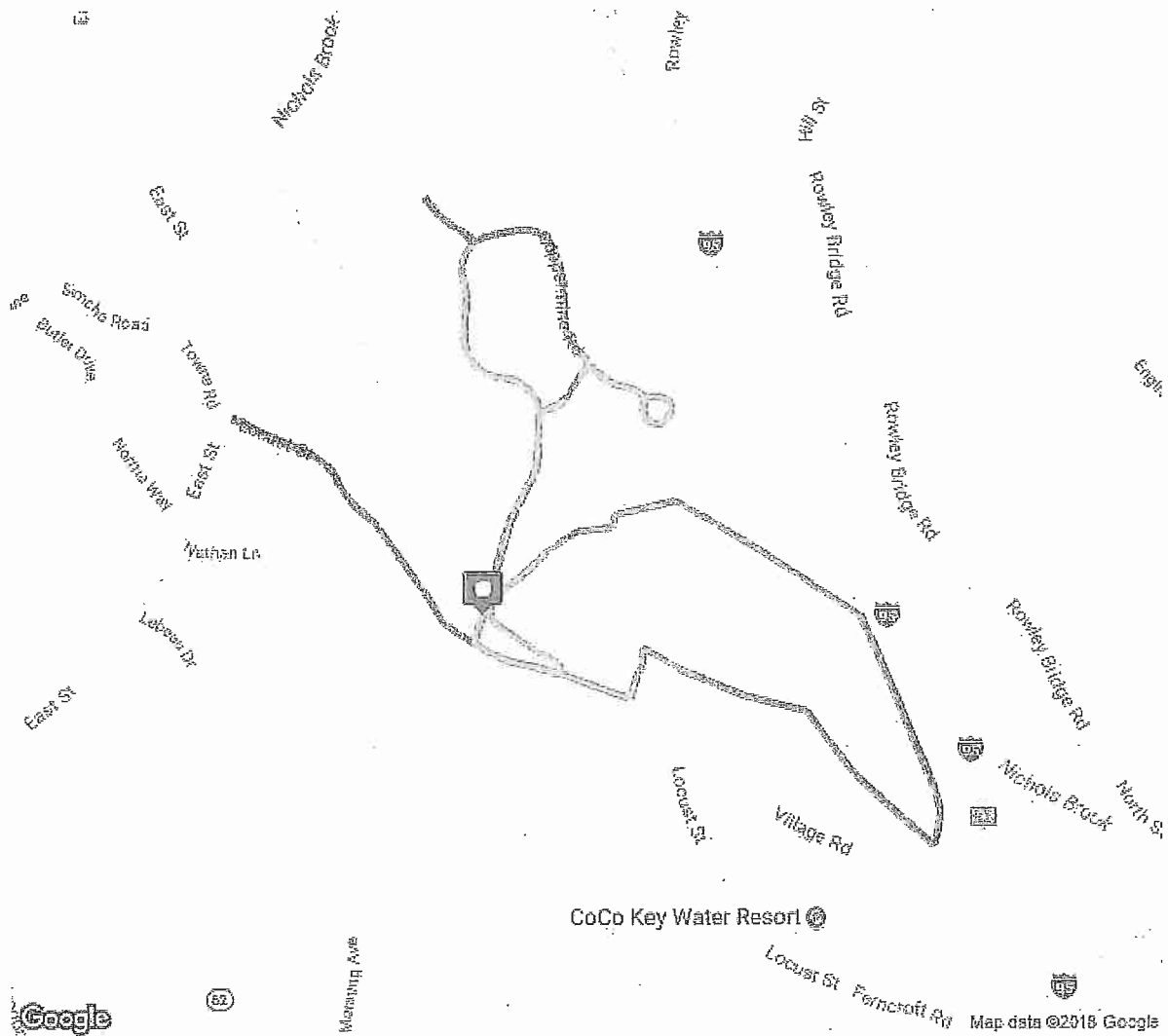
Bourque Family Foundation 7.7 K

Distance: 4.79 mi

Elevation Gain: 279 ft

Elevation Max: 172 ft

Notes



**Town of Middleton
Board of Selectmen Office
48 South Main Street
Middleton, MA 01949**

Please use this form to obtain your license renewal. Please remit a properly signed State Tax Form (attached) and a check made payable to the Town of Middleton to this office no later than **Wednesday, May 2, 2018**. License fees shall be paid by either **cashier's check or bank check**. Due to recent changes in state regulations, all license fees must be received in this office no later than May 2, 2018 in order to have your license renewed for 2018 Season.

SEASONAL ALCOHOLIC BEVERAGE LICENSE RENEWAL FORM FOR 2018

TYPE OF LICENSE		LICENSE FEE	AMOUNT DUE
Club License	_____	\$500.00	_____
Seasonal All Alcohol Restaurant	<u>1</u>	\$2,000.00	<u>\$2,000.00</u>
All Alcohol Inn Holder	_____	\$2,500.00	_____
All Alcohol Package Store	_____	\$2,000.00	_____
Beer & Wine Restaurant	_____	\$2,000.00	_____
Beer & Wine Package Store	_____	\$1,500.00	_____
Amusement Machines	_____	\$100.00	_____
Common Victualler	<u>1</u>	\$100.00	<u>\$100.00</u>
Juke Box	_____	\$35.00	_____
Entertainment	<u>1</u>	\$10.00	<u>\$10.00</u>
Golf License	_____	\$100.00	_____
Gas License (per nozzle)	_____	\$45.00	_____
Total Amount Due By May 2, 2018			<u>\$2,110.00</u>

Business Name: Halfway House Snack Bar at Ferncroft Country Club

Business Manager Name: _____

Phone Number: _____

Please Remit Receipts for Outstanding Balances Due for the Following:

Middleton Electric Department: \$21,0775.75

**Town of Middleton
Board of Selectmen Office
48 South Main Street
Middleton, MA 01949**

Please use this form to obtain your license renewal. Please remit a properly signed State Tax Form (attached) and a check made payable to the Town of Middleton to this office no later than **Wednesday, May 2, 2018**. License fees shall be paid by either **cashier's check or bank check**. Due to recent changes in state regulations, all license fees must be received in this office no later than May 2, 2018 in order to have your license renewed for 2018 Season.

SEASONAL ALCOHOLIC BEVERAGE LICENSE RENEWAL FORM FOR 2018

TYPE OF LICENSE		LICENSE FEE	AMOUNT DUE
Club License	_____	\$500.00	_____
Seasonal All Alcohol Restaurant	<u>1</u>	\$2,000.00	<u>\$2,000.00</u>
All Alcohol Inn Holder	_____	\$2,500.00	_____
All Alcohol Package Store	_____	\$2,000.00	_____
Beer & Wine Restaurant	_____	\$2,000.00	_____
Beer & Wine Package Store	_____	\$1,500.00	_____
Amusement Machines	_____	\$100.00	_____
Common Victualler	<u>1</u>	\$100.00	<u>\$100.00</u>
Juke Box	_____	\$35.00	_____
Entertainment	<u>1</u>	\$10.00	<u>\$10.00</u>
Golf License	_____	\$100.00	_____
Gas License (per nozzle)	_____	\$45.00	_____
Total Amount Due By May 2, 2018			<u>\$2,110.00</u>

Business Name: Member's Lounge at Ferncroft Country Club

Business Manager Name: _____

Phone Number: _____

Please Remit Receipts for Outstanding Balances Due for the Following:

Middleton Electric Department: \$21,0775.75