

**BOARD OF SELECTMEN
MEETING AGENDA**

**Fuller Meadow School
Nathan Media Center
143 South Main Street, Middleton, MA 01949
Tuesday, October 23, 2018
7:00 PM**
This meeting is being recorded

1. 7:00 PM Warrants: 1909
Minutes: October 9, 2018 open session and October 9, 2018 executive session
Town Administrator updates and reports
2. 7:10 PM Review and discuss Main Street Grill's compliance with terms of its license; schedule a public hearing if non-compliant
3. 7:15 PM FY20 preliminary budget discussions: Police, Fire, Public Works, and Town Clerk
4. 7:30 PM Introduction of Deputy Public Works Superintendent Paul Goodwin
5. 7:35 PM Review and approve request of Police Chief James DiGianvittorio to approve a Reserve Officer appointment to Melissa Witt for a one year probation period.
6. 7:40 PM Review and approve request by Anne Tragert Cote to be appointed to the Historical Commission with a term through June 30, 2019
7. 7:45 PM Review and approve request by Diane Currier to be appointed to the Recreation Commission with a term through June 30, 2020
8. 7:50 PM Review and approve recommendations from the Cable Advisory Committee to be used in cable contract negotiations with Comcast and Verizon
9. 8:00 PM Application for a Transfer of a Common Victualler License for Freddy's Place, 214A South Main Street: Transfer from Elona Allushi, owner, Alushi Restaurant, Inc., to Vat Vulaj, owner, Vulaj Restaurant, Inc. and, Change of Manager, from Elona Allushi to Xhovan Vulaj, by new owner Vat Vulaj.
10. 8:10 PM Request to declare surplus a 2000 International 4900 dump truck with snow plow and salt/sander spreader having an estimated value of \$7,000 and to authorize a trade-in toward purchase of Peterbuilt 348 dump truck
11. 8:15 PM Request to declare surplus a recycling container of unknown age having an estimated scrap value less than \$1,000
12. 8:20 PM Request to declare surplus collapsible aluminum voting booths of unknown age having an estimated scrap value of less than \$1,000
13. 8:25 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
14. 8:30 PM Executive session under GL c. 30A, s. 21(a)(6), to discuss strategy with respect to collective bargaining with the Police Union where the Chairman declares discussion in open session would have a detrimental effect on the position of the Town.

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
October 9, 2018 7:00PM

Present: Kosta Prentakis, Timothy Houten, Rick Kassiotis, Todd Moreschi

Absent: Brian Cresta

Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Tanya Stepasiuk, Minutes Secretary Judi Stickney, Steve Greenberg, Scott Morrison, Susan Gannon, Melissa Gaspar, Gary Bent, Christina Granese, and others

7:00 PM Chairman Kosta Prentakis called the meeting to order at 7:00 PM.

7:01 PM

- **Warrants:** Town Administrator Andrew Sheehan provided a brief review of Warrants #1907 (9/27/18: Payroll \$624,231; Bills Payable: \$1,869,995), and #1908 (10/11/18: Payroll \$664,235; Bills Payable \$603,320), and the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to approve all warrants, as presented.

- **Minutes:**
 - **Open Session: September 11, 2018 and September 18, 2018**
 - **Executive Session: September 11, 2018 and September 18, 2018**

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

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** to accept the minutes of the September 11, 2018, September 11, 2018 executive session, September 18, 2018, and September 18, 2018 executive session, as submitted.

- **Town Administrator Updates and Reports**
 - **Tanya Stepasiuk, Assistant Town Administrator:** Town Administrator Andrew Sheehan advised the Board that today was Tanya's first day, which was filled with meeting the employees. Sheehan added that he's getting her up to speed and she will be attending meetings as much as possible.
 - **Bridge Collapse on North Liberty:** Sheehan publicly thanked the residents of North Liberty Street for their patience while the DPW works to get the collapsed bridge fixed and passable. Sheehan noted that the Town was awarded \$500K for the replacement of the bridge. WorldTech Engineering is working on a temporary solution to get us through the winter. The permanent repair will commence next year. The DPW has been keeping residents up to date through their Facebook page.
 - **Water Issues:**
 - **Water Quality Issue:** Through a regularly scheduled water test, the Town was notified of elevated levels of trihalomethanes, at 83ppb, just over the limit of

80ppb. Sheehan advised that it is not a critical concern and there is no need to boil water or use bottled water. He will keep the Board informed.

- **Treatment Plant on Lake Street:** Two pumps are down at the treatment plant on Lake Street. The plant is currently offline, and Danvers expects the pumps to be replaced as early as next week. In the meantime, water is being supplied to Middleton from alternate sources in Danvers and Beverly.
- **Masconomet Superintendent Retirement:** Sheehan advised there is a link on the town's website to a survey for residents to register their interests and qualities they want to see in the next Superintendent.
- **Flu Clinic:** Sheehan advised that there will be a flu clinic on Saturday, 10/13, from 9am-noon at the Howe Manning School cafeteria.

7:10 PM Application for the Alteration of Licensed Premises on Behalf of Middleton Golf Course, II, INC: The Board entertained a request from Attorney Christina Granese, of Tinti, Quinn, Grover & Frey, P.C. on behalf of Middleton Golf Course II, INC., DBA Middleton Golf, 105 South Main Street, Middleton, for approval of a petition for removal of the former deck area and the addition of (288sq.ft.) a brick patio and a porch area that will access the area from the second floor (192sq.ft.). Attorney Granese met with the Board of Selectmen to discuss her petition and provided the Board with maps, plans, drawings and documents to support the request. 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 approve the amendment.

7:13 PM Preliminary FY20 Budget Discussions:

The Board met with representatives from the Council on Aging, Veterans Service Officer, Flint Library, and Middleton Elementary Schools to discuss their preliminary FY20 budget plans.

- **Middleton Elementary Schools:** Steve Greenberg, Assistant Superintendent of Operations for the Tri-Town School Union, along with the Superintendent Scott Morrison, noted they have some special education circumstances, and they are working through them with their approved operating budget, but if there is a concern, he would communicate that to all parties as soon as possible. Greenberg advised they needed to add a kindergarten section due to the unexpected increase in kindergarten enrollment, adding that neither Topsfield nor Boxford had to add a kindergarten session. Enhancements in infrastructure and technology are well underway to expand wireless access points in infrastructure in both buildings. They have purchased additional equipment and had a budget of a little over \$100K for safety and security enhancements in both buildings. Things coming up for future fiscal years will be a feasibility study on the kitchen at Fuller Meadow, in-depth feasibility study on the infrastructure of Howe-Manning and Fuller Meadow, using a phased approach. Greenberg advised they audit their capital plans every year to determine if priorities have changed.
- **Flint Public Library:** Melissa Gaspar, Library Director, introduced all of the library personnel and volunteers who were in attendance. She advised that they have had no large unexpected expenses this year. They are grateful to the Town for the technology enhancements. They were notified that their uninterrupted power source needs to be replaced, which was unexpected. When asked what she thought would be needed next year, she responded that they have not had pay raises in the 7 years, only COLA's, and she feels that their wages are not competitive. Gaspar

added that she and her staff have done a lot of research into salaries of surrounding towns which she will be presenting to the Town when they're ready for those discussions. Gaspar reported that they had the most successful summer reading program this year and check-outs have also increased substantially.

- **Council on Aging:** Susan Gannon, Director of the Council on Aging, reported that they purchased a new van this year, noting that there were no grants available when they were ready for the new van. They have an older van that is not worth repairing, as costs to repair were more than the value of the van. She hopes to get the 2007 van through the winter, without putting any additional funds into it. She anticipates that they will need to purchase a new van in a couple of years. They are putting a lot of money into maintaining their commercial kitchen equipment which was donated to the Town at a cost savings of over \$60K. They have replaced two dishwashers and anticipate replacing the refrigerator and freezer. A new security system is being installed today and they will be doing a security system on the door with a video camera. The HVAC system flooded the basement over a weekend when no one was there. The HVAC flood issues were an unexpected expense. Gannon noted that this is her 17th year and the first time she will be asking for additional funding. Gannon reviewed some of the intergenerational programs her department provides for residents. She also provided information on a grant they received to hire a full-time employee. Gannon advised that the grant will cover the employee's salary for the year the grant was received.
- **Veteran's Services:** Gary Bent, recently appointed Director of Veterans Services, met with the Board of Selectmen and reported that Ted Butler, the prior Director of Veterans Services, has been a great source of information for him. Chapter 115 is a major part of his budget which helps fund assistance for homeless veterans. He provided a brief report on the Chapter 115 disbursements, adding that the Town is reimbursed for 75% of the funds they give out under Chapter 115. Bent also provided information on the various additional programs that he is involved with that provide assistance to veterans, noting that the Essex County Sheriff's Department is the largest employer of veterans in the area and the GI Bill assists them with the cost of uniforms and other required expenses of working for the Sheriff's Department.

7:30 PM Vote to Accept Donation to the Middleton Food Pantry: Jim Desrochers of TrueView Financial, along with Samantha Miller of the Vinium Wine Shop, and Mark Hunter of the Goddard School, met with the Board of Selectmen to donate a check for \$3,402.30 for the Middleton Food Pantry, collected at the recent Food Truck Festival. Samantha Miller gave a shout out to Chris Korkoulis of Angelica's for providing their parking area for the festival. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to accept a check in the amount of \$3,402.30 for the Middleton Food Pantry.

7:40 PM Review and Approve request of Police Chief James DiGianvittorio: Chief DiGianvittorio sent a letter to the Board requesting that the Board vote to offer a conditional full-time appointment to Reserve Officer Joseph Fedullo allowing him to attend the full time Police Academy in October; and to approve offering a Reserve Officer appointment to Melissa Witt.

On a **MOTION** made by **Houten**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to allow Officer Fedullo to attend the full-time Police Academy; and the appointment of Melissa Witt as a Reserve Officer.

7:10 PM Discussion of November 13, 2018 Special Town Meeting: Town Administrator Andrew Sheehan advised that the Special Town Meeting was originally scheduled to purchase land on South Main Street and Boston Street. Since that was first publicized a month ago, the Town has been approached by the owners of the Middleton Golf Course with an offer to the Town to purchase the property for municipal use and open space. Sheehan added that an agreement was reached earlier this evening with an offer to purchase the real estate. Because of that, he now suggests that the Special Town Meeting scheduled for November 13th be canceled and a Special Town Meeting be scheduled for early next year, before Annual Town Meeting, with the intent of approving the purchase of the golf course property, at \$3.8M, and authorize funding for a Master Development Plan. If all gets approved, he anticipates a new fire station will be ready for occupancy in late 2021 or early 2022.

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to cancel the November 13th, 2018 Special Town Meeting.

After the vote, the Town Administrator thanked the owner of the land they were previously negotiating to purchase at South Main Street and Boston Street, as well as the owners of the golf course property for coming to them with their proposal.

8:27 PM New Business

- **Pumpkin Festival:** Selectman Houten provided details on the upcoming 33rd annual Pumpkin Festival on October 20th and the 21st.

8:29 PM Adjourn

With no further business, on a **MOTION** made by **Houten**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to adjourn at 8:29 PM.

Respectfully submitted,



Judith A. Stickney, Minutes Secretary

Richard Kassiotis, BOS Clerk

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

- Agenda: October 9, 2018
- Warrants:

- Warrant #1907, 9/27/18: Payroll \$624,231, Bills Payable \$1,869,995
- Warrant #1908, 10/11/18: Payroll \$664,235, Bills Payable \$603,320
- Minutes:
 - Open Session: September 11, 2018 and September 18, 2018
 - Executive Session: September 11, 2018 and September 18, 2018
- Letter and Supporting Documents: From Tinti, Quinn, Grover & Frey, PC, to Board of Selectmen/Town Administrator, Re: Middleton Golf Course II, Inc. Liquor License-Alteration of Premises Application, 7/20/18
- Letter from COA Director to Board of Selectmen, Re: Middleton Food Bank Donation/TrueView Financial LLC, 9/25/18
- E-Mail and Supporting Attachments from TrueView Financial to Town Administrator, Re: Food Truck Festival, 9/20/18
- Town of Middleton Council on Aging Schedule of Departmental Payments to Treasurer, 9/27/18
- Memo from Middleton Police Chief to Board of Selectmen, Re: Full-time Appointment, 10/2/18
- Letter from MassDOT to Town Administrator, Re: North Liberty Street Bridge – M20014, 10/2/18
- Memo from Police Chief to Board of Selectmen, Re: Officer in Charge, 10/2/18
- Waters, Wendall. **“At DARE to Remember 5K, fond memories of Boxford and Middleton Police Officer Michele Nowak.”** Tri-Town Transcript [Boxford] 25 September 2018.
- McGonigle, Bryan. **“North Andover man: Columbia Gas ‘lit my house on fire’, but Middleton firefighters saved it.”** Tri-Town Transcript [Boxford] 19 September 2018.
- Letter from Middleton Boy Scout Troop 19 to Board of Selectmen, Re: Eagle Scout Christopher P. Stankus, 9/17/18
- E-Mail from Thomas Wheatley to Town Administrator, Re: Middleton Council on Aging, 9/21/18
- Letter from Mass. Municipal Association to Board of Selectmen, Re: MMA’s Legislative Breakfast Meetings will be on October 12, October 19, and October 26, 9/17/18



Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-774-3589
www.townofmiddleton.org

6

TOWN OF MIDDLETON - TALENT BANK APPLICATION

The Board of Selectmen maintains a Talent Bank of names of citizens of Middleton willing to serve on boards, commissions and committees. Names in this file are available for use by all Town Departments.

Names: ANNE TRAGERT COTE Telephone: 978-317-1550

Address: Po Box 801, MIDDLETON Bus. Telephone: _____

Occupation: PHYSICAL THERAPIST for LAITEY HEALTH SYSTEMS

Background Experience: longtime member ZBA; President Middleton

Historical Society; member Middleton Garden Club + Friends of the Flint

I am interested in serving on Town Boards and Committees involved in the following areas:
(Please check all that apply. The Board encourages you to attach a recent resume if available.)

<input type="checkbox"/> Board of Health	<input type="checkbox"/> Recreation Commission
<input type="checkbox"/> Council on Aging	<input checked="" type="checkbox"/> Historical Commission
<input type="checkbox"/> Finance Committee	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Scholarship Committee
<input type="checkbox"/> Master Plan Committee	<input type="checkbox"/> Library Services
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Town Recycling Committee
<input type="checkbox"/> Industrial Commercial Development	<input type="checkbox"/> Cultural Council
<input type="checkbox"/> Review Committee	

Amount of Time Available: 2 weekdays

Are you available year round for committee meetings? Yes No
If not, when are you available?

Winter Spring Summer Autumn

Are there any Boards or Committees in which you are particularly interested?

I would be honored to fill out the term of Historical Commission member Tom Darrisse who was a longtime member of our Historical Society

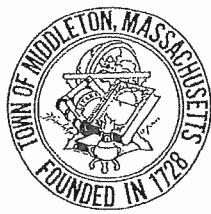
Email Address: LAAC@comcast.net

Anne S. Cote
Signature

7-16-18

Date

Please submit all responses to the Town Administrator's Office via the mailing address above or via email to:
michelle.creasi@middletonma.gov



7

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TOWN OF MIDDLETON TALENT BANK APPLICATION

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Names: Diane Currier Telephone: 978-766-3376

Address: 54 North Liberty St. Bus. Telephone: 978-777-3318

Email Address: dmcurrier692@gmail.com

Occupation: Insurance Project Manager- Retired

Background Experience: youth soccer coach years ago, MCC Treasurer years ago.

I am interested in serving on Town Boards and Committees involved in the following areas:

(Please check all that apply. The Board encourages you to attach a recent resume if available.)

<input type="checkbox"/> Board of Health	<input checked="" type="checkbox"/> Recreation Commission
<input type="checkbox"/> Council on Aging	<input type="checkbox"/> Historical Commission
<input type="checkbox"/> Finance Committee	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Scholarship Committee
<input type="checkbox"/> Master Plan Committee	<input type="checkbox"/> Library Services
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Industrial Commercial Development Review Committee
<input type="checkbox"/> Cultural Council	<input type="checkbox"/> Zoning Bylaw Review Committee

Amount of Time Available: _____

Are you available year round for committee meetings? Yes No
If not, when are you available?

_____ Winter _____ Spring _____ Summer _____ Autumn

Are there any Boards or Committees in which you are particularly interested?

No

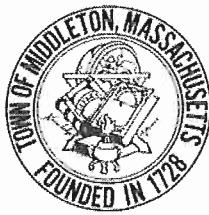
Diane Currier

Signature

Please submit all responses to the Town Administrator's Office via the mailing address above or via email at:
michelle.creasi@middletonma.gov

10/16/18

Date



9

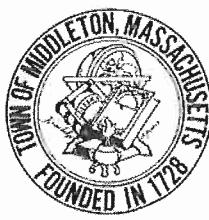
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Common Victualler/General License Application

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

1. Licensee Name: Vulaj Restaurant, Inc.
2. Name of Manager: Xhovon Vulaj
3. Social Security Number/FID Number: 83-2202495
4. Business Address: _____
5. Home Address: 143 Lowell Street, Peabody, MA 01960
6. Telephone Numbers (Please provide all numbers by which you can be reached):
Business Phone: 978 535 1222
Cell Phone: 978 239 6168
Home Phone: _____
7. Email Address: _____
8. Registered Voter? Yes No
9. Are you a U.S. Citizen? Yes No
10. Court and Date of Naturalization (if applicable) _____
(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)
- 10a. Where? _____
11. Identify your criminal record: (Massachusetts/Any other state/Federal): Have you had any arrests or appearance in a criminal court or have you been charged with a criminal offense regardless of final disposition; (Must check either Yes or No)
 Yes No

If yes, please describe offense(s) specific charge and disposition (fine, penalty, etc.)



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11. Prior experience in the restaurant/food establishment industry: Yes _____ No
If yes, please describe:

I ~~do~~ have a Pizza Place located at 525 Lowell Street, Peabody, MA 01960. I have been operating this business for 10 years

12. List all employment for the last five years:

Giovanni's Roast Beef Seafood & Pizza, Peabody, MA 01960 - working there for 10 years.

13. Hours per week to be spent on the licensed premises: 63 hours

14. Days and Hours of Operation: M - Sunday 6:00AM - 2:00PM

15. Seating Capacity: 60 seats

16. Do you own/lease premises? Yes _____ No

If Leased:

16a. If Yes, From Whom? LRB Middleton LLC

16b. Terms of Lease? 11 years (2 Options included)
(Please provide a copy of lease agreement)

I hereby swear under the pains and penalties of perjury that the information I have given in this application is true to the best of my knowledge and belief.

VAT VULAJ
Printed Name of Owner

By: Vat Vulaj
(Signature)

Date: 10-15-18

Town of Middleton, Massachusetts
Revenue Enforcement and Protection Certification (REAP)

Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, I hereby certify under the penalties of perjury that I to my best knowledge and belief, have filed all State tax returns and paid all state taxes required by law.

Name of Company: Vulaj Restaurant Inc

Address: 143 Lowell St. Reobody, MA 01960

Title of Person Signing: President

Signature of Individual or Corporate Name: VAT Vulaj

Printed Name of Above: VAT VULAJ

Contact Telephone Number: 978 239 6168

Date: 10-15-18

Social Security Number or Federal Identification Number: 83-2202495

Email Address: _____



TOWN OF MIDDLETON

Public Works Department

195 NORTH MAIN STREET
MIDDLETON, MA 01949

Ken Gibbons
Superintendent of Public Works

Tel (979) 777-0407
Fax (978) 774-0718

MEMORANDUM

To: Town Administrator / CPO

From: Ken Gibbons

Date: October 17, 2018

Subject: Vehicle Trade-in

10

I am requesting to trade-in a 2000 International model 4900 dump truck with a snow plow and salt/sand spreader. The truck mileage is approximately 40,306 with the value of **\$7000.00** going towards the purchase of a 2019 Peterbilt model 348 dump truck.



TOWN OF MIDDLETON

Public Works Department
195 NORTH MAIN STREET
MIDDLETON, MA 01949

Ken Gibbons
Superintendent of Public Works

Tel (979) 777-0407
Fax (978) 774-0718

MEMORANDUM

To: Town Administrator / CPO

From: Ken Gibbons

Date: October 17, 2018

Subject: Container to scrap

I am requesting to dispose of a recycling container. The approximate age of the container is 23 years old with a serial # 105843. The container has a scrap value of considerably less than \$1000.00. The container has already been replaced.



BOARD OF SELECTMEN

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POLICY FOR DISPOSAL OF SURPLUS SUPPLIES AND EQUIPMENT ADOPTED AUGUST 14, 2018

This policy complies with Massachusetts General Law, chapter 30B, section 15 which requires that municipalities adopt written procedures to dispose of supplies and equipment valued at less than \$10,000.

Procedures for disposing of supplies and equipment valued at less than \$10,000

1. The department head shall recommend in writing to the Town Administrator as Chief Procurement Officer (CPO) the surplus item(s) to be disposed of and the estimated value. Estimates of value may be arrived at using all available and relevant sources, which sources shall be identified.
2. Surplus items having an estimated value of less than \$1,000 or having only scrap value may be disposed of as the CPO deems appropriate.
3. Items having an estimated value between \$1,000 and \$9,999 shall be designated as surplus by the Board of Selectmen.
4. The CPO shall publicize the surplus item(s) in the manner he/she deems in the Town's best interest.
5. The Town may sell at less than fair market value or donate surplus supplies and equipment to another governmental entity or a charitable tax exempt organization.
6. All funds generated by the sale of surplus supplies and equipment shall be deposited into the general fund.
7. Surplus supplies and equipment may be traded towards the purchase of supplies and equipment as allowed by MGL c. 30B.
8. All items are disposed of in "as is" condition.
9. The Town reserves the right to reject any and all bids/offers.

Supplies and Equipment valued at more than \$10,000

Supplies and equipment valued at more than \$10,000 shall be disposed of by sealed bids or public auction, including online auction. The chief procurement officer shall determine the method.

Police Department property

Unclaimed property taken into possession by the Police Department shall be auctioned in accordance with MGL c. 135, s. 8.

Items taken into custody by the Police Department shall be disposed of in accordance with the relevant state or federal statute.

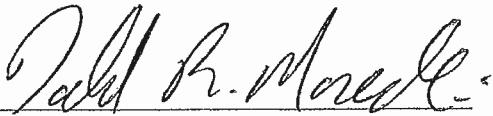
MIDDLETON BOARD OF SELECTMEN


Kosta E. Prentakis, Chairman


Richard Kassiotis


Timothy P. Houten

Brian M. Cresta


Todd Moreschi