

**BOARD OF SELECTMEN
MEETING AGENDA**

**Fuller Meadow School
Nathan Media Center
143 South Main Street, Middleton, MA 01949
Tuesday, December 18, 2018
7:00 PM**
This meeting is being recorded

1. 7:00 PM Warrant: 1913
Minutes: December 4, 2018
Town Administrator updates and reports
2. 7:15 PM Middleton House of Pizza for a license to serve wine and malt beverages on premises.
3. 7:30 PM Review and vote to adopt Criminal Offender Registry Information (CORI) Policy
4. 7:35 PM Review and vote to adopt Equal Employment Opportunity, Discrimination, and Sexual Harassment Policy
5. 7:40 PM Vote to accept the following donations to the Middleton Food Bank:
 - From Michael and Ann Bushee: \$500
 - From Ruth Karchenes: \$500
6. 7:45 PM Vote to discontinue use of Accuvote voting equipment and use ImageCast voting equipment beginning with the Annual Town Election on May 21, 2019 and all subsequent elections, in the form described below:

Recommended Motion: I move to discontinue using the Accuvote-Optic Scan ballot tabulating voting equipment and to authorize Ilene Twiss, Middleton's Town Clerk, to purchase three (3) ImageCast scanning and tabulation voting equipment through LHS Associates, and to use the ImageCast voting equipment beginning with the Annual Town elections on May 21, 2019 and all elections and primaries federal, state and local from that date forward.
7. 7:50 PM Update on FY20 budget process, including instructions to departments
8. 8:05 PM Vote to renew remaining licenses for calendar year 2019
9. 8:10 PM Review, accept, and authorize expenditures on the following Council on Aging grants:
 - Title IIIB grant in the amount of \$11,500 for elder outreach
 - Formula Grant in the amount of \$20,088 for outreach and staffing
 - New England BioLabs in the amount of \$2,000 to support memory cafes as part of the regional respite care grant
10. 8:15 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
11. 8:20 PM Executive Session under GL c. 30A, s. 21(a)(6), to consider the purchase, acquisition, or value of real property 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
December 4, 2018 7:00PM

Present: Kosta Prentakis, Rick Kassiotis, Todd Moreschi

Absent: Brian Cresta, Timothy Houten

Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Tanya Stepasiuk, Minutes Secretary Judi Stickney, Brad Swanson, Danielle Panneton, Melissa Ogden, and others

7:04 PM Chairman Kosta Prentakis called the meeting to order at 7:04 PM and announced that Masconomet will be conducting interviews next Wednesday, December 12th, for the two finalists for the Superintendent position. Members of the community are invited to meet the finalists at the high school library tonight, from 6:30 PM- 8 PM, and tomorrow night, again from 6:30 PM-8 PM. Donna Straight is scheduled for tonight and Timothy Broadrick is scheduled for tomorrow night.

- **Warrant:** Town Administrator Andrew Sheehan provided a brief review of Warrant #1912 (12/06/18: Payroll \$721,590; Bills Payable: \$1,409,043), and the Board took the following action:
On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to approve the warrant, as presented.
- **Minutes:** After a brief review of the minutes of November 20, 2018, the Board took the following action:
On a **MOTION** made by **Kassiotis**, second by **Moreschi** the Board of Selectmen **VOTED** unanimously to accept the minutes of November 20, 2018, as presented.
- **Town Administrator Updates and Reports:** Town Administrator Andy Sheehan provided the Board with information and updates on the following:
 - **Winter Festival:** Sheehan provided a brief report on the Winter Festival held recently, noting that there was a good turnout for the event. Selectman Prentakis added that it was a great night and they ran out of most everything. Sheehan thanked the organizers for the fun community event.
 - **Children's Holiday Party:** Sheehan announced that the Recreation Commission's children's holiday party will take place on December 8th, here at Fuller Meadow School.
 - **Senator Tarr's Toy Drive:** Sheehan announced that Senator Tarr will be conducting his annual toy drive on Thursday, December 13th, at the Flint Library, taking donations of toys and gift cards for families in need on the North Shore. Sheehan added that everything collected at the event will stay in Middleton
 - **Winter Parking Ban:** Sheehan announced that the winter parking ban **went into effect** on December 1st and will run through April. No on-street parking from **midnight** to 6 AM.

- **Beaver Issues:** Sheehan provided a brief report on the beaver issues on Maple Street, noting that the issue has been addressed and resolved. Sheehan added that there is a recurring issue of beavers on School Street and another on Essex Street.
- **South Main Street Project is Complete:** Sheehan reported that Warren Kelly's South Main Street project is complete. Sheehan congratulated Kelly and the tenants that have moved in there.

7:16 PM Tax Classification Hearing: Brad Swanson, Assistant Assessor, met with the Board of Selectmen for the Tax Classification Hearing review of Fiscal Year 2019 final valuations approved by State Department of Revenue. Votes are required under Massachusetts General Law, Chapter 59, Section 2. The Chair asked for a motion to open the public hearing:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to open the public tax classification hearing.

Swanson provided the Board with a Tax Classification Hearing packet to view as he made a brief presentation on the highlights of the past year's valuation, noting that the town now has over \$2 billion in taxable value. Swanson continued with a public reading of the tax classification hearing information, which required votes on the following:

1. To discount up to 25% of Open Space
2. To adopt up to a 20% Residential Exemption
3. To adopt up to a 10% Small Commercial Exemption
4. To determine the percentage of the tax levy to be borne by the two main property classes:

Residential and CIP (Commercial, Industrial and Personal):

- A. 100% factor or unity for both classes
- B. A CIP factor between 100-150% of Residential factor as shown on options chart

After a brief discussion, the Chair asked for public comments. Hearing none, he called for a motion to close the public hearing:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to close the public tax classification hearing.

The Board voted on the required tax classifications as follows:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to set the open space discount at 0.

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to set the residential exemption at 0.

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to set the commercial exemption at 0.

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to approve a single tax rate.

After the votes, there was a brief discussion on highlights of the tax classifications, which was followed by a brief during which the Board members digitally signed the tax classification forms for the Department of Revenue.

7:28 PM Application to Change Location of Sol Bean Juice Bar and Kitchen: Danielle Panneton, owner of Sol Bean Café, met with the Board of Selectmen with an application to change the location of the Sol Bean Juice Bar and Kitchen from 119 South Main St., Middleton, MA to 221, Unit H So. Main Street, Middleton MA. Panneton explained that she has a larger kitchen at the new location and they will be open from 10AM-8PM, to provide healthy food and beverages to the community. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to approve the change in location of the Sol Bean Juice Bar and Kitchen from 119 South Main Street, Middleton, MA to 221 Unit H South Main Street, Middleton, MA.

7:35 PM Review and Vote to Sign Conservation Restriction: Melissa Ogden, of Mann & Mann, met with the Board with a request that the Town accept the Conservation Restriction from East Street Realty Trust and Bay Development, LLC, to the Town of Middleton, consisting of 5 acres of a 54.53-acre parcel of property located on Clinch Circle. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to accept the Conservation Restriction, as presented.

7:38 PM Vote to Accept a Donation of \$5,000 to the Middleton Food Bank: The Board briefly reviewed the donation of \$5,000 to the Middleton Food Bank from 2 Depot Square Ipswich Charitable Foundation and took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to approve with the Board's thanks, the donation of \$5,000 to the Middleton Food Bank from 2 Depot Square Ipswich Charitable Foundation.

7:39 PM Blanket Vote to Renew Alcoholic Beverage Licenses: The Board was presented with a list of all expiring alcoholic beverage licenses that need to be renewed for calendar year 2019. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to renew the alcoholic beverage licenses as presented.

7:40 PM Blanket Vote to Renew All Expiring Licenses: The Board was presented with a list of all expiring licenses to renew: Common Victualler, Class II, Class III, Gasoline, Golf Course and Driving Range, Auctioneer, Precious Metals, Livery Licenses, for calendar year 2019. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to approve a blanket vote to renew all licenses, Common Victualler, Class II, Class III, Gasoline, Golf Course and Driving Range, Auctioneer, Precious Metals, Livery licenses as presented.

7:41 PM Adjourn

With no further business, the Board of Selectmen's meeting of December 4, 2018 was adjourned at 7:41 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: December 4, 2018
- Minutes: November 20, 2018
- Warrant #1912, 12/06/18: Payroll \$721,590, Bills Payable \$1,409,043
- Public Notice: Town of Middleton Property Tax Classification Hearing
- Town of Middleton Property Tax Classification Hearing Packet
- Common Victualler/General License Application and supporting documents: Sol Bean Cafe
- Conservation Restriction and accompanying documents: Clinch Circle, Middleton, MA
- Letter from COA Director to Board of Selectmen, Re: Middleton Food Bank Donation / 2 Depot Square Ipswich Charitable Foundation, 11/27/18
- List of License Renewals: Auctioneer, Alcohol, Class II, Class III, Common Victualler Non-Alcohol, Gasoline Pumps Only, Golf, Automatic Amusement Only, Precious Metals, Taxi License
- Letter from Movimiento Cosecha to Board of Selectmen, Re: Green Life Janitorial, 11/28/18

DEMAKIS LAW OFFICES, P. C.

GREGORY C. DEMAKIS
THOMAS C. DEMAKIS

SANDOR RABKIN
JOHN M. MOORADIAN

56 CENTRAL AV
LYNN, MASSACHUSETTS

TEL. (781) 595-1234
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2.

October 31, 2018

VIA OVERNIGHT DELIVERY

Nektarios Demakes
Middleton House of Pizza
221 South Main Street, Unit 3
Middleton, MA 01949

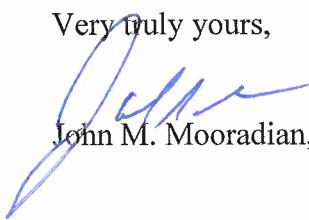
Re: Liquor Application for Middleton House of Pizza, Inc. d/b/a Middleton House of Pizza

Dear Nektarios:

Enclosed please find the Liquor License for your signature. Peter must sign some documents, as well. Please sign where indicated by the arrows and post-its. The CORI forms must be notarized. After you have signed, I advise you to deliver the Liquor License Application in person, in order for you to meet the license administrator and also ask the administrator about any other things you need to do to file a liquor license application at that particular municipality.

If you should have any questions concerning this application please call me.

Very truly yours,


John M. Mooradian, Esq.

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SANDOR RABKIN
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56 CENTRAL AVENUE
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FAX (781) 592-4990
www.demakislaw.com

October 31, 2018

Michelle Creasi
Middleton Board of Selectmen/Licensing
48 South Main Street
Middleton, MA 01949

RE: Application for a New Annual Wines and Malt Beverages License of Middleton House of Pizza, Inc. d/b/a Middleton House of Pizza, 221 South Main Street, Unit 3, Middleton, MA 01949

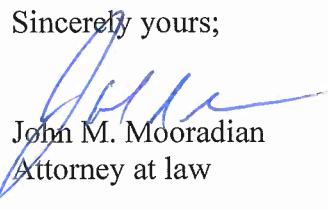
Dear Ms. Creasi:

Enclosed please find the following documents with regard to the above-referenced application:::

- 1) ABCC Online Application Forms, including:
 - a. Monetary Transmittal Form with Proof of ABCC Fee Payment
 - b. Retail Application.
 - c. Manager Application.
 - d. Applicant's Statement.
 - e. CORI Forms.
- 2) Corporate Resolution naming Peter Demakes manager and authorizing the President, Peter Demakes, to apply for the above-referenced wines and malt beverage.
- 3) Corporate Documents – copy of Articles of Organization.
- 4) Proof of Citizenship for the director(s) and manager.
- 5) Proof of Legal Right to Occupy - Lease Documentation.
- 6) Floor Plan.

Thank you very much for your time and cooperation. If you have any questions or need additional information, please feel free to call me at extension 105.

Sincerely yours;


John M. Mooradian
Attorney at law

Enclosure

DEMAKIS LAW OFFICES, P. C.

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SANDOR RABKIN

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FAX (781) 592-4990

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November 14, 2018

VIA OVERNIGHT DELIVERY

Nektarios Demakes
Middleton House of Pizza
221 South Main Street, Unit 3
Middleton, MA 01949

Re: Liquor Application for Middleton House of Pizza, Inc. d/b/a Middleton House of Pizza

Dear Nektarios:

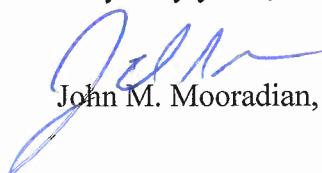
Enclosed please find the following pages to insert into the liquor license application:

- 1) Application for a New License Page 8. Please pull the page 8 I originally sent you and insert this new page. I made the Startup/Renovation Costs \$200,000.
- 2) Bank Statements for Middleton House of Pizza, Inc. which show \$200,000 on deposit. Please insert these at the back of the application.
- 3) Picture IDs for you and your brother. Please insert these IDs behind you and your brother's respective CORI forms.
- 4) Please obtain copies of you and your brothers' US Passport and insert them with the driver's licenses.

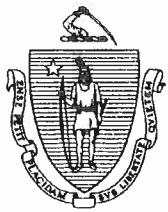
After you have inserted everything, please file the application in person so that you may meet the license administrator and also ask the administrator about any other things you need to do to file a liquor license application.

If you should have any questions concerning this application please call me.

Very truly yours,



John M. Mooradian, Esq.



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

APPLICATION FOR A NEW LICENSE

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: <https://www.paybill.com/mass/abcc/retail/>
PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL

EPAY CONFIRMATION NUMBER

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

 See attached receipt

ENTITY/ LICENSEE NAME Middleton House of Pizza, Inc.

ADDRESS 221 South Main Street, Unit 3

CITY/TOWN Middleton

STATE MA

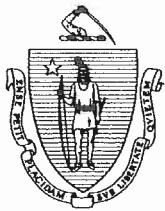
ZIP CODE 01949

For the following transactions (Check all that apply):

<input checked="" type="checkbox"/> New License	<input type="checkbox"/> Change of Location	<input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)	<input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC)
<input type="checkbox"/> Transfer of License	<input type="checkbox"/> Alteration of Licensed Premises	<input type="checkbox"/> Change of License Type (i.e. club / restaurant)	<input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)
<input type="checkbox"/> Change of Manager	<input type="checkbox"/> Change Corporate Name	<input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)	<input type="checkbox"/> Management/Operating Agreement
<input type="checkbox"/> Change of Officers/ Directors/LLC Managers	<input type="checkbox"/> Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)	<input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder	<input type="checkbox"/> Change of Hours
		<input type="checkbox"/> Other <input type="text"/>	<input type="checkbox"/> Change of DBA

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
TRANSMITTAL FORM ALONG WITH
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
239 CAUSEWAY STREET
BOSTON, MA 02241-3396**



*The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street Boston, MA 02114
www.mass.gov/abcc*

APPLICATION FOR A NEW LICENSE

Municipality Middleton

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Restaurant	Wines and Malt Beverages	Annual

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Applicant is applying for a new wines and malt beverages on premises restaurant license.

Is this license application pursuant to special legislation? Yes No Chapter Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name	Middleton House of Pizza, Inc.	FEIN	26-3794646
DBA	Middleton House of Pizza	Manager of Record	Peter Demakes
Street Address	229 South Main Street, Middleton, Massachusetts		
Phone	(978) 777-4777	Email	psd.2011@aol.com
Alternative Phone		Website	

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

229 South Main Street. Restaurant located on 1 floor. Total square footage of approximately 2,100 square feet. 1 entrance/exit. Emergency exit in rear. The lease references 221 South Main Street, Unit 3 as the leased premises. After the lease was agreed to, the Town of Middleton updated the street address of the location to 229 South Main Street, as this is a new commercial development in the town.

Total Square Footage:	2,100	Number of Entrances:	1	Seating Capacity:	30
Number of Floors	1	Number of Exits:	2	Occupancy Number:	TBD

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:	John M. Mooradian	Phone:	781-595-3311
Title:	Attorney	Email:	jmooradian@demakislaw.com

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	Corporation	Date of Incorporation	12/1/2008
State of Incorporation	Massachusetts	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
 - On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers** - At least 50% must be US citizens;
 - Off Premises(Liquor Store) Directors or LLC Managers** - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB
Peter Demakes	6 Sheffield Drive, Peabody, MA	██████████	11/10/1974
Title and or Position		Percentage of Ownership	Director/ LLC Manager US Citizen
President, Secretary		50%	<input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
Nektarios Demakes	6 Sheffield Drive, Peabody, MA	██████████	1/29/1978
Title and or Position		Percentage of Ownership	Director/ LLC Manager US Citizen
Treasurer		50%	<input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
██████████	██████████	██████████	██████████
Title and or Position		Percentage of Ownership	Director/ LLC Manager US Citizen
██████████	██████████	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
██████████	██████████	██████████	██████████
Title and or Position		Percentage of Ownership	Director/ LLC Manager US Citizen
██████████	██████████	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
██████████	██████████	██████████	██████████
Title and or Position		Percentage of Ownership	Director/ LLC Manager US Citizen
██████████	██████████	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input checked="" type="radio"/> No

Additional pages attached?

<input type="radio"/> Yes	<input checked="" type="radio"/> No
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CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

<input type="radio"/> Yes	<input checked="" type="radio"/> No
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MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement? Please provide a copy of the management agreement.

<input type="radio"/> Yes	<input checked="" type="radio"/> No
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APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name 7 River Street, LLC

Landlord Phone (978) 777-4439

Landlord Email wkelly729@comcast.net

Landlord Address 10 Perkins Road, Middleton, MA 01949

Lease Beginning Date 9/1/2018

Rent per Month 4,900

Lease Ending Date 9/1/2023

Rent per Year 58,800

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	
B. Purchase Price for Business Assets	
C. Other (Please specify)	\$200,000
D. Total Cost	\$200,000

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Middleton House of Pizza, Inc.	\$200,000
Total:	\$200,000

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

The startup/renovation costs are \$200,000. The \$200,000 are via funds held in Middleton House of Pizza, Inc. corporate checking accounts.

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

Please indicate what you are seeking to pledge (check all that apply) License Stock Inventory

To whom is the pledge being made?

10. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name	Peter Demakes	Date of Birth	11/10/1974	SSN	033-62-4246
Residential Address	6 Sheffield Drive, Peabody, MA 01960				
Email	psd.2011@aol.com	Phone	978-265-2903		
Please indicate how many hours per week you intend to be on the licensed premises			40		

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?*

Yes No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
2008	Present	Co-Owner	Middleton House of Pizza	

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary, utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature



Date



ADDITIONAL INFORMATION

Please utilize this space to provide any additional information that will support your application or to clarify any answers provided above.

APPLICANT'S STATEMENT

I, **Peter Demakes**

Authorized Signatory

the: sole proprietor; partner; corporate principal; LLC/LLP manager

of **Middleton House of Pizza, Inc.**

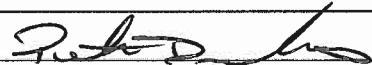
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date:

11/16/18

Title:

President



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114

STEVEN GROSSMAN
TREASURER AND RECEIVER GENERAL

KIM S. GAINSBORO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information. For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME:	Middleton House of Pizza, Inc.	CITY/TOWN:	Middleton
--	----------------	--------------------------------	------------	-----------

APPLICANT INFORMATION

LAST NAME:	Demakes	FIRST NAME:	Peter	MIDDLE NAME:	
MAIDEN NAME OR ALIAS (IF APPLICABLE):		PLACE OF BIRTH:		Danvers, MA	
DATE OF BIRTH:	11/10/1974	SSN:	[REDACTED]	ID THEFT INDEX PIN (IF APPLICABLE):	
MOTHER'S MAIDEN NAME:	Pantazelos	DRIVER'S LICENSE #:	[REDACTED]	STATE LIC. ISSUED:	Massachusetts
GENDER:	MALE	HEIGHT:	5	WEIGHT:	170
			10		EYE COLOR: Brown
CURRENT ADDRESS:	6 Sheffield Drive				
CITY/TOWN:	Peabody	STATE:	MA	ZIP:	01960
FORMER ADDRESS:					
CITY/TOWN:		STATE:		ZIP:	

PRINT AND SIGN

PRINTED NAME:	Peter Demakes	APPLICANT/EMPLOYEE SIGNATURE:	
---------------	---------------	-------------------------------	--

NOTARY INFORMATION

On this	10-31-2018	before me, the undersigned notary public, personally appeared	Peter Demakes
(name of document signer), proved to me through satisfactory evidence of identification, which were			
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.			
NOTARY			

DIVISION USE ONLY

REQUESTED BY:	
SIGNATURE OF CORI AUTHORIZED EMPLOYEE	
The DCII Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCII. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCII via mail or by fax to (617) 660-4614.	





Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114

STEVEN GROSSMAN
TREASURER AND RECEIVER GENERAL

KIM S. GAINSBORO, ESQ.
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CORI REQUEST FORM

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ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	LICENSEE NAME:	Middleton House of Pizza, Inc.	CITY/TOWN:	Middleton
--	----------------	--------------------------------	------------	-----------

APPLICANT INFORMATION

LAST NAME:	Demakes	FIRST NAME:	Nektarios	MIDDLE NAME:	
MAIDEN NAME OR ALIAS (IF APPLICABLE):			PLACE OF BIRTH: Salem, MA		
DATE OF BIRTH:	1/29/1978	SSN:	[REDACTED]	ID THEFT INDEX PIN (IF APPLICABLE):	
MOTHER'S MAIDEN NAME:	Pantazelos	DRIVER'S LICENSE #:	S [REDACTED]	STATE LIC. ISSUED:	Massachusetts
GENDER:	MALE	HEIGHT:	5	WEIGHT:	135
EYE COLOR:	Brown				
CURRENT ADDRESS:	6 Sheffield Drive				
CITY/TOWN:	Peabody	STATE:	MA	ZIP:	01960
FORMER ADDRESS:					
CITY/TOWN:		STATE:		ZIP:	

PRINT AND SIGN

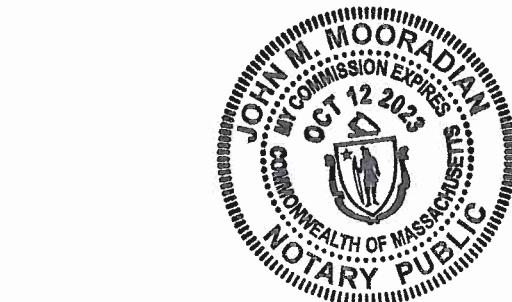
PRINTED NAME:	Nektarios Demakes	APPLICANT/EMPLOYEE SIGNATURE:	
---------------	-------------------	-------------------------------	--

NOTARY INFORMATION

On this	10-31-2018	before me, the undersigned notary public, personally appeared	Nektarios Demakes
(name of document signer), proved to me through satisfactory evidence of identification, which were			
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.			
NOTARY			

DIVISION USE ONLY

REQUESTED BY:	
SIGNATURE OF CORI-AUTHORIZED EMPLOYEE	
The DCI Identify Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCI. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCI via mail or by fax to (617) 660-4614.	



CORPORATE VOTE

The Board of Directors or LLC Managers of

Middleton House of Pizza, Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

October 24, 2018

Date of Meeting

For the following transactions (Check all that apply):

<input checked="" type="checkbox"/> New License	<input type="checkbox"/> Change of Location	<input type="checkbox"/> Change of Class (i.e. Annual / Seasonal)	<input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC)
<input type="checkbox"/> Transfer of License	<input type="checkbox"/> Alteration of Licensed Premises	<input type="checkbox"/> Change of License Type (i.e. club / restaurant)	<input type="checkbox"/> Pledge of Collateral (i.e. License/Stock)
<input type="checkbox"/> Change of Manager	<input type="checkbox"/> Change Corporate Name	<input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt)	<input type="checkbox"/> Management/Operating Agreement
<input type="checkbox"/> Change of Officers/ Directors/LLC Managers	<input type="checkbox"/> Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)	<input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder	<input type="checkbox"/> Change of Hours
		<input type="checkbox"/> Other <input type="text"/>	<input type="checkbox"/> Change of DBA

"VOTED: To authorize

Peter Demakes

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint

Peter Demakes

Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

For Corporations ONLY

A true copy attest,

A true copy attest,



Corporate Officer /LLC Manager Signature



Corporation Clerk's Signature



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Annual Report

(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Identification Number: 263794646

1. Exact name of the corporation: MIDDLETON HOUSE OF PIZZA, INC.

2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: PETER S. DEMAKES
 No. and Street: 251 SOUTH MAIN ST.
 City or Town: MIDDLETON State: MA Zip: 01949 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 251 SOUTH MAIN ST.
 City or Town: MIDDLETON State: MA Zip: 01949 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box)
		Address, City or Town, State, Zip Code
PRESIDENT	PETER S. DEMAKES	251 SOUTH MAIN ST MIDDLETON, MA 01949 USA
TREASURER	NEKTARIOS S. DEMAKES	251 SOUTH MAIN ST. MIDDLETON, MA 01949 USA
SECRETARY	PETER S. DEMAKES	251 SOUTH MAIN ST. MIDDLETON, MA 01949 USA
DIRECTOR	SAME TWO ABOVE	251 SOUTH MAIN ST MIDDLETON, MA 01949 USA

7. Briefly describe the business of the corporation:

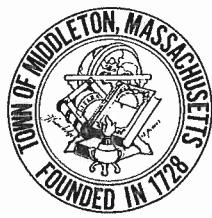
FAST FOOD RESTAURANT

8. Capital stock of each class and series:

10. Report is filed for fiscal year ending: 12/31/ 2017

Signed by NEKTARIOS S DEMAKES, its OTHER OFFICER
on this 22 Day of February, 2018

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All Rights Reserved



BOARD OF SELECTMEN

Town of Middleton
48 South Main Street
Middleton, Massachusetts
01949-2253
978-777-3617
www.middletonma.gov

3.

C.O.R.I. POLICY ADOPTED DECEMBER 18, 2018

I. PURPOSE

The Town of Middleton recognizes the need to ensure a safe environment for those we serve. As one means of providing a safe and credible environment, the Town has implemented this Criminal Offender Record Information (CORI) Policy.

II. APPLICABILITY

This policy is applicable to the criminal history screening of prospective and current employees, contractors, volunteers and interns, vendors, and professional licensing applicants. Where CORI and other criminal history checks may be part of a general background check for employment, volunteer work, or licensing purposes, the following practices and procedures will be followed.

This policy applies to any Town position paid, or unpaid, or contracted that may in the course of its duties have access to vulnerable populations such as the elderly, the disabled, or children or any other position that the Town must or is authorized to perform CORI checks on pursuant to law or regulation.

III. CONDUCTING CORI SCREENINGS

CORI checks will only be conducted as authorized by the DCJIS and MGL c. 6, § 172, and only after a CORI Acknowledgement Form has been completed. With the exception as noted below in Annual Checks, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours' notice that a new CORI check will be conducted. A CORI Acknowledgement Form may be withdrawn by providing the Town with written notice thereof.

Initial CORI Checks

All prospective and current employees, contractors, volunteers and interns, vendors, and professional licensing applicants of the Town of Middleton will be subject to a CORI screening in accordance with this policy before an offer of employment, volunteer assignment or other municipal relationship has been made.

Annual CORI Checks

Unless inconsistent with a collective bargaining agreement, the Town may conduct annual CORI checks for those working with vulnerable populations (with reappointment to be conditioned on an updated CORI check):

- All Library Employees or Volunteers
- All Council on Aging Employees or Volunteers
- Recreation Commission Employees or Volunteers who are running programs or classes where children age eighteen (18) or younger will participate
- All Fire and Police Department Employees

- All Emergency Management Team Members and Volunteers
- Any other employee where appropriate

IV. ACCESS TO CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a “need to know”. This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications.

The Town of Middleton must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

V. CORI TRAINING

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at the Town of Middleton will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, the Town of Middleton is an agency required by MGL c. 6, s. 171A to maintain a CORI Policy, therefore, the Town of Middleton shall ensure that all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

VI. USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

VII. VERIFYING A SUBJECT’S IDENTITY

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

VIII. INQUIRING ABOUT CRIMINAL HISTORY

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

IX. DETERMINING SUITABILITY

If a determination is made, based on the information as provided in section VII of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record’s accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

X. ADVERSE DECISIONS BASED ON CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately in accordance with 803 CMR 2.18 and/or 2.19, as applicable. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.

XI. SECONDARY DISSEMINATION LOGS

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside this organization, including dissemination at the request of the subject.

MIDDLETON BOARD OF SELECTMEN

Kosta E. Prentakis, Chairman

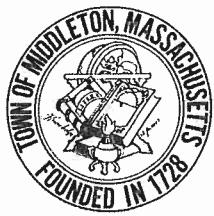
Richard Kassiotis, Clerk

Brian M. Cresta

Timothy P. Houten

Todd Moreschi

Andrew Sheehan, Town Administrator



BOARD OF SELECTMEN

Town of Middleton
48 South Main Street
Middleton, Massachusetts
01949-2253
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www.middletonma.gov

4.

EQUAL EMPLOYMENT OPPORTUNITY, DISCRIMINATION, AND SEXUAL HARASSMENT POLICY ADOPTED DECEMBER 18, 2018

I. INTRODUCTION

It is the Policy of the Town of Middleton to promote a professional and productive workplace in which all employees are treated with dignity and respect. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing or disruptive activity. Discrimination (including harassment), whether based upon race, color, gender, gender identity, national origin, religion, ancestry, age, sexual orientation, disability, maternity leave, genetic information, active military status, or another basis prohibited under state or federal anti-discrimination statutes, will not be tolerated. To achieve our goal of providing a workplace free from discrimination, we will implement the procedure described below to address any potential inappropriate conduct.

This Policy applies to all employment practices and employment programs sponsored by the Town. This Policy shall apply, but not be limited to, the areas of:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Termination,
- Layoff, and
- Other terms and conditions of employment.

This Policy may apply to discrimination (including harassment) that occurs between coworkers that takes place outside the workplace (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the Town may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this Policy:

- whether the event at which the conduct occurred is linked to the workplace in any way, such as at a Town-sponsored function;
- whether the conduct occurred during work hours;
- the severity of the alleged outside-of-work conduct;

- the work relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor and whether the alleged harasser and complainant come into contact with one another on the job;
- whether the conduct adversely affected the terms and conditions of the complainant's employment or impacted the complainant's work environment.

Because the Town takes allegations of unlawful discrimination and harassment seriously, we will respond promptly to complaints and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this Policy sets forth our goals of promoting a workplace that is free of discrimination and harassment, the Policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the legal definitions of discrimination or harassment.

II. Examples of Prohibited Discriminatory Behaviors

It is not possible to list all the circumstances that may constitute discrimination in violation of this Policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in the first paragraph above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting sexual harassment.

III. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this:

"Sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment. The victim or complainant as well as the harasser may be male or female. The victim or complainant does not have to be of the opposite sex. The complainant does not have to be a person directly harassed, but may be someone affected by the offensive conduct.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences, and;
- Discussion of one's sexual activities.

All employees should take special note that, as stated below, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Town.

IV. Complaints of Sexual Harassment

If any of our employees believes that they have been subjected to sexual harassment, it is our Policy to provide the employee with the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the Assistant Town Administrator/HR Coordinator. If you prefer, you may file your complaint with the Town Administrator. These persons are also available to discuss any concerns you may have and to provide information to you about this Policy and our complaint process.

V. Sexual Harassment Investigation

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where appropriate we will also impose disciplinary action.

Given the sensitive nature of complaints of discrimination and/or harassment, all parties and witnesses in a complaint, as well as Department Heads, supervisors, etc. who are aware of a complaint or investigation thereof, are strongly encouraged to maintain this information as confidential, so as not to negatively impact an investigation. All employees are reminded of the provisions of G.L. c. 268A, §23(c)(2), which prohibit a municipal employee or official from improperly disclosing information that is protected from disclosure under the public records law, and acquired by an employee or official in the course of official duties. Section 23 also prohibits a municipal employee or official from using such information to further the employee's/official's personal interest. Violations of the prohibitions of Section 23 may lead to disciplinary action, up to and including termination.

VI. Complaints Concerning Other Forms of Discrimination and/or Harassment

Complaints alleging forms of discrimination and/or harassment, other than sexual harassment, will be processed in accordance with Sections IV and V, above.

VII. Retaliation

Any retaliation against an individual who has formally or informally complained about discrimination (including harassment), or has cooperated with an investigation of a discrimination complaint, is prohibited. Retaliation can be overt or subtle. Retaliation may include, but is not limited to, treating a complainant or witness differently, more harshly or in a hostile manner; physical interference with movement such as blocking a path; derogatory comments or action which would tend to have a chilling effect on other complainants; sudden investigations of the complainant's private life, or; sudden strict enforcement of work rules. Retaliation in any form will not be tolerated.

VIII. Disciplinary Action

If it is determined that discrimination, harassment, retaliation, or other inappropriate conduct has been committed by one of our employees, the Town will take such action as is appropriate under the circumstances. Such actions may include: counseling, informal or formal reprimands, written or verbal warnings, suspension, reduction in pay, reduction in duties, transfers, and other formal sanctions, up to and including termination of employment.

IX. State and Federal Remedies

In addition to the above, if you believe you have been subjected to unlawful discrimination and/or harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 300 days; MCAD – 300 days).

1. The United States Equal Employment Opportunity Commission
John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203
Phone: (800) 669-4000 TTY: (800) 669-6820

2. The Massachusetts Commission Against Discrimination
Boston Office One Ashburton Place Sixth Floor, Room 601 Boston, MA 02108
Phone: 617-994-6000 TTY: 617-994-6196

Springfield Office 436 Dwight Street Second Floor, Room 220, Springfield, MA 01103.
Phone: (413) 739-2145

Worcester Office Worcester City Hall 455 Main Street, Room 100, Worcester, MA 01608.
Phone: (508) 799-8010 (508) 799-8490 – FAX

New Bedford Office 800 Purchase St., Rm 501 New Bedford, MA 02740.
Phone: (508) 990-2390 FAX: (508) 990-4260

X. Reasonable Accommodation

Employees seeking reasonable accommodations may submit their request in writing to the Assistant Town Administrator/HR Coordinator, 48 S. Main St. in Middleton, 978-777-3617.

XI. Equal Employment Opportunity Statement

The Town of Middleton will not discriminate in its employment practices, on the basis of race, color, gender, gender identity, national origin, religious creed, ancestry, age, sexual orientation, disability, maternity leave, genetic information, active military status, or another basis prohibited under state or federal anti-discrimination statutes. This shall include such areas as recruitment, selection, compensation and benefits, professional

development and training, reasonable accommodation for disabilities or religious practices, promotion, transfer, termination, layoff, and other terms and conditions of employment.

MIDDLETON BOARD OF SELECTMEN

Kosta E. Prentakis, Chairman

Richard Kassiotis, Clerk

Brian M. Cresta

Timothy P. Houten

Todd Moreschi

Andrew Sheehan, Town Administrator



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

5.

December 11, 2018

Board of Selectmen
48 South Main Street
Middleton, MA. 01949

Re: Middleton Food Bank Donation / Michael Bushee and Ruth Karchenes

Please add the following donations to your agenda for acceptance by the Board of Selectmen for the Middleton Council on Aging, and notify me when the checks has been accepted so that it can then be deposited.

Thank you,

Susan Gannon
COA Director

A donation has been made payable to the Town of Middleton Food Pantry:

Date: 12/6/18

Name: Michael & Ann Bushee

Donation: \$500.00 Check Number 3695

This donor would like to remain anonymous Yes No

Donation is in memory of or to honor:

Date: 12/10/18

Name: Ruth Karchenes

Donation: \$500.00 Check Number 2428

This donor would like to remain anonymous Yes No

Donation is in memory of or to honor:

TO: Town Administrator, Andrew Sheehan
Board of Selectmen

FROM: Ilene Twiss – Town Clerk

SUBJ: Election Tabulation Machines

DATE: December 13, 2018

6.

At the Annual Town Meeting on May 9, 2017, it was voted to include \$17,000 for new Election Tabulation Machines in the Capital Plan for Fiscal Year 2018.

The vendors for these machines are specified by the Elections Division of the Secretary of the Commonwealth as they must be approved and certified for use in elections.

The following is the wording that is needed for the vote to satisfy the State's requirement to discontinue the old machines and approve the new machines:

We move to discontinue using the Accuvote-Optic Scan ballot tabulating voting equipment and to authorize Ilene Twiss, Middleton's Town Clerk to purchase three (3) ImageCast scanning and tabulation voting equipment through LHS Associates, and to use the ImageCast voting equipment beginning with the Annual Town elections on May 21, 2019 and all elections and primaries federal, state and local from that date forward.



TOWN OF MIDDLETON
Office of the Town Clerk

December 18, 2018 Selectboard Vote

Per M.G.L. Chapter 54, Section 34 we hereby vote the use of the ImageCast Precinct Tabulator at the Middleton Annual Town Elections on May 21, 2019 and thereafter, at all primaries, preliminary elections and elections held in the Town of Middleton, until otherwise ordered by vote of the Middleton Selectboard, said electronic voting system shall be used in those polling places designated by the Selectboard.

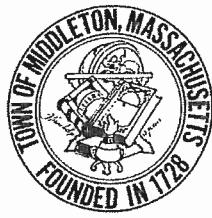
Further, the Town will discontinue the use of the Accu-Vote Optical Scanner effective March 1, 2019 in any and all elections held in the Town of Middleton.

Section 34: Use of voting machines by cities and towns

Section 34. A city or town may, by vote of a majority of the city council or by vote of a majority of the board of selectmen, at a meeting held at least one hundred and twenty days before the primary, preliminary election or election at which voting machines are to be used, determine upon and purchase, lease, or lease with an option to purchase, one or more voting machines approved as provided in section thirty-two, and order the use thereof at primaries, preliminary elections and elections of state, city or town officers in such city or town; and thereafter at all primaries and elections of state, city or town officers in that city or town, until otherwise ordered by the city council in a city and the selectmen in a town, said machines shall be used at primaries and preliminary elections and for voting for the officers to be elected at such elections and for taking the vote upon questions submitted to the voters. Notice of such determination to use voting machines, or to discontinue the use thereof, shall be sent to the state secretary by the city or town clerk within five days after such determination; provided, however, that no such discontinuance shall take place later than ninety days prior to a state or presidential primary or state election, nor later than thirty days prior to a city or town primary, preliminary election or election at which it is to become effective.

A city or town may, by vote of a majority of the city council or by vote of a majority of the board of selectmen, at a meeting held not later than one hundred and twenty days prior to a state or presidential primary or state election, and not later than sixty days prior to a municipal primary, preliminary election or election at which an electronic voting system is first to be used, determine upon the use of, and may lease, purchase, or lease with an option to purchase, the marking units or automatic tabulating equipment necessary to any electronic voting system approved for use in the commonwealth in accordance with section thirty-two. Thereafter, at all primaries, preliminary elections and elections held in said city or town, until otherwise ordered by vote of the city council in a city or of the selectmen in a town, said electronic voting system shall be used in those polling places designated by the city council or board of selectmen.

Notice of determination to use an approved electronic voting system, or to discontinue its use, shall be sent to the state secretary by the city or town clerk within five days after such determination; provided, however, that no such discontinuance shall take place later than ninety days prior to a state or presidential primary or state election, nor later than thirty days prior to a city or town primary, preliminary election or election at which it is to become effective; and, provided further, that no such discontinuance shall prevent the state secretary from selecting appropriate voting machines and vote tally systems pursuant to section thirty-two.



TOWN OF MIDDLETON
Office of the Town Clerk

December 19, 2018

Secretary of the Commonwealth
Elections Division
One Ashburton Place, Room 1705
Boston, MA 02108

This notice of determination is pursuant to M.G.L. Chapter 54, Section 34. The Selectboard of the Town of Middleton have by vote at their meeting of December 18, 2018, approved the discontinuance of the Accu-Vote Scan Tabulator and voted to replace it with the ImageCast Precinct (ICP) Tabulator. The approved purchase of the ImageCast Precinct (ICP) Tabulator will be purchased by the Town pursuant to the Annual Town Meeting vote on May 9, 2017, authorizing this purchase.

Per M.G.L. Chapter 54, Section 34 we hereby vote the use of the ImageCast Precinct (ICP) Tabulator at the Middleton Annual Town Election on May 21, 2019 and thereafter, at all primaries, preliminary elections and elections held in the Town of Middleton, until otherwise ordered by vote of the Middleton Selectboard, said electronic voting system shall be used in those polling places designated by the Selectboard.

Further, the Town will discontinue the use of the Accu-Vote Optical Scanner effective March 1, 2019 in any and all elections held in the Town of Middleton.

Given under our hands this 18th Day of December, 2018.

Selectmen of: The Town of Middleton



OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
Memorial Hall
48 South Main Street
Middleton, MA 01949-2253
978-777-3617
www.middletonma.gov

7.

MEMORANDUM

TO: Department Heads and Committee Chairpersons

FROM: Andrew J. Sheehan, Town Administrator

SUBJ.: Fiscal Year 2020 Operating and Capital Budget Guidelines

DATE: December 13, 2018

The purpose of this memorandum is to kick-off the Fiscal Year 2020 operating and capital budget processes. Attached to this memorandum are the following documents:

- 1) Last Year's FY2019 town-wide budget narrative for you to work from. Please use this document as reference to update your Department Description, FY19 Accomplishments, and Goals and Objectives for FY20. Please update and forward just your revised section. Please return completed documents to Sarah Wood, Tanya Stepasiuk, and me.
- 2) Budget summary tables with the FY20 column empty for you to fill in.
- 3) Budget detail tables from FY19 submitted by your department.
- 4) Fiscal Year 2020 Operating Budget meeting schedule. Please review the proposed schedule and get back to Tanya or me with any scheduling conflicts.
- 5) The 2019 Annual Town Meeting timeline. Dates of note for department heads include:
 - **Friday, January 4, 2019 (close of business):** Due date for departmental budget narratives, summary, and detail tables. Please return documents via email to all three of us
 - **Monday, January 7 – 15, 2019:** Budget meetings with Town Administrator, Chief Financial Officer, and Assistant Town Administrator. In addition to emailing documents in advance, please bring hard copies for all participants
 - **Saturday February 2, 2019:** All-day operating budget summit with Selectmen and Finance Committee. Department heads should plan to attend this meeting. The focus is on departments with large budget requests or requesting significant

increases. We will again try to limit it to only those departments that need to be there

- **Monday, February 4, 2019 (close of business):** Due date for capital budget documents (documents and guidance to follow). Please return documents via email to all three of us
- **Saturday, March 2, 2019** All-day capital budget session with Selectmen and Finance Committee. As with the operating budget, the focus will be on larger requests and we will not call on you to attend unless it is necessary

BUDGET GUIDELINES

Operating Budget

Summary

We will assemble the Fiscal Year 2020 budget assuming level funding in local aid accounts and education aid (Chapter 70). This assumption is based on recent history from Beacon Hill and the absence of reliable aid pronouncements.

The Town is budgeting a town-wide health care increase of 10%. After MIIA releases its data in February or March we will get a clearer picture of the premiums and will adjust as needed. Our pension expenses are projected to increase about \$95,000 in Fiscal Year 2020, about 5.4%. This excludes other anticipated areas of growth in the Fiscal Year 2020 budget including cost of living increases for personnel, the pressure of ongoing state and federal mandates on the Middleton Elementary School budget and the Masconomet and Essex Tech assessments.

Personal Services (Wages and Salaries)

All personal service budgets are to be funded by the terms of your settled contract for union employees. For those of you whose collective bargaining agreements are not yet settled, presume increases of 2.5%. Non-union employees should be budgeted at a 2.5% increase. All of this is subject to change until we get a clearer picture from Beacon Hill on local aid, Chapter 70 educational aid, other State Budget impacts, and local factors. Please be prepared to review all aspects of your department's needs when we meet with you in January.

Non-Personal Service Budgets (Purchase of Supplies & Services)

All other appropriations included within the operating and maintenance budget should be budgeted at last year's levels. Exceptions include new initiatives which provide the Town with long term savings or service efficiencies or well-supported supply cost or contractual service increases.

As we build the FY20 operating budget, we want to continue the broader discussion about each department's particular needs. Departments have largely been living with level funded budgets

for many years. We know that your needs are not static – service demands ebb and flow and needs appear and disappear based on many factors. We also do not like to be taken by surprise. Knowing about a need before it hits will help us better plan future budgets.

In addition to your normal operating budget requests we are again offering you the chance to propose new or expanded programs that meet your department's mission. This can be for an immediate need, for an identified future need, or for some other operational issue. If there is a change that will put clear demands on your department you should identify the issue, how it differs from today's situation, how it will impact the town, how you propose to address it, and the resources you will need to successfully address it. The best solution will vary from department to department and issue to issue. It may be best addressed by increased funding, a one-time investment in a technology solution, teaming up with another community to share resources, or some other approach. Your particular expertise and knowledge of your department is critical to identifying the best approach. We view this as an opportunity for you to make a case beyond the standard level funding.

If you have something you want to propose, we will review it as a supplement to your operating budget request. Such requests must be submitted as a separate supplement at the same time you submit your operating budget request. Do not incorporate the supplemental request into your regular budget submittal.

We are not promising that all of these requests will be funded, but we are promising that each one will be considered and discussed at our face to face budget meetings. Also, the Board of Selectmen and Finance Committee will be provided with this information. This will allow them to better understand the current and future needs of departments. Requests that merit funding will be funded depending on the Town's financial condition at the time of implementation. Longer term items that do not need immediate funding will benefit from early exposure that allows us to plan for them in future years.

Cost Savings/Offsets from Regional Purchasing or External Funds

Please italicize, footnote, or bold a budget line where savings occur because of regional services, purchasing, or cooperation. Please feel free to ask about or suggest new savings opportunities through regional contracts or shared services.

Departmental and Professional Goals and Objectives

Please give careful consideration when developing your departmental Goals and Objectives. This is an opportunity for the Selectmen, Finance Committee, and the Town Administrator's Office to understand your professional development needs and provide guidance to ensure that departments are addressing future needs of the Town.

Capital Budgets

Each department also must prepare a five-year capital improvement budget. **The forms are not included in this packet, but you should start collecting information and cost estimates.** Remember to include sufficient detail and project descriptions, as well as meaningful

cost/budget estimates for all capital requests. State contracts, vendor quotes, and similar documents are needed to ensure accurate estimates and budget planning.

Every department must prepare a capital plan unless your department will have no capital expenses within the next five years. Please note, based on the recently revised Financial Management Policies, the threshold for capital projects is \$5,000. Outlays that are less than \$5,000 should be included in your operating budget request.

The due date for the completed capital budget documents is Monday, February 4th.

Closing Comments

The Finance Committee Co-Chairpersons, Richard Gregorio and John Erickson, confer closely with us and the Selectmen regarding the budget. The Finance Committee will request that some of you meet with them to go over key budgetary issues prior to the joint operating budget meeting on Saturday, February 2nd. These are opportunities to further state your case and build support for your budget request.

We look forward to receiving your budget requests and meeting with you over the next few months to discuss your department's operating and capital needs.

Please do not hesitate to contact Sarah, Tanya, or me if you have any questions.

CALENDAR
FY2020 OPERATING AND CAPITAL BUDGETS
MAY 14, 2019 ANNUAL TOWN MEETING
MAY 21, 2019 ANNUAL TOWN ELECTION

Tuesday, October 9 & 23 and November 6 & 20, 2018	Preliminary budget sessions: department heads with Board of Selectmen
Thursday, December 13, 2018	FY20 budget instructions distributed to departments
Thursday, January 3, 2019	Nomination papers for elected Town offices available
Friday, January 4, 2019	Operating budget requests due to TA's Office
January 7-17, 2019	Operating budget meetings with TA, ATA, CFO
Monday, January 21, 2019	Martin Luther King, Jr. holiday
Monday, January 28, 2019	Operating budget books/files to BOS, FinCom
Tuesday, January 29, 2019	Board of Selectmen votes to open the ATM warrant
Saturday, February 2, 2019 8:30AM-4:00PM	Operating budget summit
Monday, February 4, 2019	Capital budget requests due to TA's Office
February 11-20, 2019	Capital budget meetings with TA, ATA, CFO
Monday, February 18, 2019	Presidents' Day holiday; start of school vacation week
Tuesday, February 26, 2019	Capital budget books/files to BOS, FinCom
Friday, March 1, 2019	Deadline to submit legal ad to <i>Tri-Town Transcript</i> for 3/22/18 budget hearing
Saturday, March 2, 2019 8:30AM-2:00PM	Capital budget summit
Tuesday, March 5, 2019	Non-petition warrant articles due to BOS
Friday, March 8, 2019	Legal ad in <i>Tri-Town Transcript</i> for 3/22/18 budget hearing
Tuesday, March 12, 2019	Petition articles and zoning amendments due at Town Administrator's Office by 5:00PM
Tuesday, March 12, 2019	BOS votes to close warrant
Friday, March 15, 2019	Deadline to submit legal notice to <i>Tri-Town Transcript</i> for Planning Board public hearing on zoning amendments

Thursday, March 21, 2019	Budget Hearing and Warrant Reading: BOS, FinCom, Moderator at Flint Public Library
Friday, March 22, 2019	1 st legal ad for Planning Board public hearing on zoning amendments
Tuesday, April 2, 2019 Until 5PM	Last day for candidates to submit nomination papers for Annual Town Election
Friday, March 29, 2019	2 nd legal ad for Planning Board public hearing on zoning amendments
Thursday, April 4, 2019	Joint meeting of Board of Selectmen & Finance Committee re outstanding budget issues, if needed
Wednesday, April 10, 2019	Planning Board public hearing on zoning amendments
Wednesday, April 10, 2019	Last day for candidates to object or withdraw their candidacy for elected office
Wednesday, April 10, 2019	Deadline to submit recommendations, exhibits, maps to TA's Office for inclusion in warrant book
Friday, April 12, 2019	Warrant book to printer
Monday, April 15, 2019	Patriots Day holiday; start of school vacation week
Tuesday, April 16, 2019	Motions meeting with TA, ATA, CFO, Moderator, Town Clerk, Town Counsel
Wednesday, April 24, 2019 Until 8:00PM	Last day to register to vote for the Annual Town Meeting and Annual Town Election
Tuesday, May 7, 2019	Deadline for Constable to post warrant
Friday, April 26, 2019	Warrant book to USPS for mailing to households on Saturday, April 27, 2019
Thursday, May 9, 2019 7:00PM	Pre-Town Meeting at Flint Public Library
Tuesday, May 14, 2019	Annual Town Meeting at Howe Manning School gymnasium
Tuesday, May 21, 2019	Annual Town Election at Fuller Meadow School gymnasium

Regular Board of Selectmen meetings:

January 15 & 29	April 9 & 23
February 12 & 26	May 7 & 21
March 12 & 26	

Unless otherwise noted, public meetings take place at the Nathan Media Room at Fuller Meadow School, 143 South Main Street



Town of Middleton
Council on Aging and Senior Center

RECEIVED

38 Maple St./P.O. Box 855
Middleton, MA. 01949
(P) 978-777-4067 (F) 978-777-2084
Susan.gannon@middletonma.gov

9.

December 12, 2018

To: Board of Selectmen

Re: Acknowledgement of three grants

Board of Selectmen:

Please be advised that the COA has received the grants listed below for FY '19:

Title IIIB	Outreach/Staffing	\$11,500
Formula Grant	Outreach/Staffing	\$20,088
NE BioLabs	Memory Cafes/MCOA	\$ 2,000

Cordially,

Susan J. Gannon
Executive Director