

**BOARD OF SELECTMEN  
MEETING AGENDA**

**Fuller Meadow School**

**Nathan Media Center**

**143 South Main Street, Middleton, MA 01949**

**Tuesday, May 7, 2019**

**7:00 PM**

*This meeting is being recorded*

1. 7:00 PM Warrant: 1923  
Minutes: Open Session 4/23/19  
Town Administrator updates and reports
2. 7:15 PM Review and vote on application of the Bourque Family Foundation to hold a 7.7K road race on June 8, 2019 beginning at Ferncroft Country Club, 10 Village Road, Middleton
3. 7:25 PM Discuss May - August meeting schedule: suggested meeting dates: May 28; June 4 & 18; July 9; August 13; return to regular schedule September 10
4. 7:30 PM FY19 3<sup>rd</sup> quarter update from Sarah Wood, Chief Financial Officer /Town Accountant
5. 7:45 PM Review and sign contract with Sarah Wood, Chief Financial Officer/Town Accountant. If necessary, enter Executive Session under GL c. 30A, s. 21(a)(2) for negotiations with non-union personnel with respect to the Town Accountant/Chief Financial Officer
6. 7:50 PM Review and discuss request of Sandy Rubchinuk to support *An Act Promoting the Proper Disposal of Miniatures*, House Bill 2881
7. 8:00 PM Review and discuss of May 14, 2019 Annual Town Meeting warrant; Board vote and/or discussion on the following articles:
  - Article 19, North Liberty Street easements
  - Article 20, amend C. 169, Licenses & Permits
  - Article 21, Amend C. 1, Non-Criminal Disposition
  - Article 22, Home Rule Petition regarding voting locations
  - Article 23, C. 75, Annual Town Report
  - Article 24, C. 56, (broadcast of) Meetings
  - Article 25, C. 270, Animal Control
8. 8:30 PM Review recommendations for appointment to the Master Development Planning Committee
9. 8:40 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
10. 8:45 PM Executive Session under GL c. 30A, s. 21(a)(2) for negotiations with non-union personnel with respect to the Town Accountant and 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, if necessary

*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.*

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**Minutes of the MIDDLETON BOARD OF SELECTMEN**  
**Fuller Meadow School**  
**Nathan Media Room**  
**143 South Main Street, Middleton, MA 01949**  
**April 23, 2019 7:00PM**

*Present: Kosta Prentakis, Brian Cresta, Rick Kassiotis*

*Absent: Tim Houten, Todd Moreschi*

*Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Tanya Stepasiuk, Minutes Secretary Judi Stickney, Albert DiNapoli, Kate Brill-Daley, Officer Joseph Fedullo, Chief James DiGianvittorio, Sandra Rubchinuk, Town Clerk Ilene Twiss, Brian York, and others*

**7:01 PM** With a quorum present, Chairman Prentakis called the meeting to order.

- **Warrants:** Town Administrator Andrew Sheehan provided a brief review of Warrant #1922 (Payroll: \$644,235, Bills Payable: \$1,456,089), noting that the Town Accountant had reviewed the warrant and requested the Board's approval. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to approve warrant #1922, as presented.

- **Minutes:** After a brief review of the minutes of the Joint Meeting of April 4, 2019, April 9, 2019, and Executive Session Minutes of January 15, 2019, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** to accept the minutes of April 9, 2019, Joint Meeting of the Board of Selectmen and Finance Committee of April 4, 2019, and January 15, 2019 Executive Session as written.

- **Town Administrator's Report:** Town Administrator Andrew Sheehan provided the Board with information and updates on the following:

- **Last Day to Register to Vote:** Sheehan advised the Board and viewers that tomorrow, April 24, is the last day to register to vote to participate in the Annual Town Meeting and Election.
- **Pre-Town Meeting:** Sheehan advised he is hosting a pre-town meeting on May 9<sup>th</sup>, at 7PM, at the library.
- **Town Meeting Warrant:** Sheehan advised the Board that the Town Meeting Warrant has gone to the printer. It will be at the post office next week to be delivered to every household. Sheehan added that it is also online on the town website.
- **Construction and Rehab Work on the Tobin Bridge:** Sheehan advised that the 2-year project will cause headaches for commuters heading into or out of Boston. His office sent out an e-mail with a link to the MassDOT project website. It is a dynamic website and will be updated regularly as progress moves along.
- **Earth Day:** Sheehan advised that the Stream Team is challenging residents to clean up the sides of the roadways and they will be giving recognition to the person(s) who pick up the

most trash on Middleton Stream Team's Earth Day Festival, April 28<sup>th</sup>. Information is available on the Town's website.

- **Looking for Public Facilities Planning Committee Volunteers:** Sheehan advised they are actively seeking volunteers for the Public Facilities Planning Committee, noting that they could really use people with a variety of technical backgrounds, engineers, architects, project managers, etc. Anyone interested should contact the Town Administrator's office to volunteer or for more information.

**7:09 PM Application for Change of Manager for Interstate Management Company, LLC d/b/a Doubletree North Shore Boston, 51 Village Road, Middleton, MA:** Atty. Albert DeNapoli, representing the applicant, met with the Board of Selectmen for approval of the change of manager for Interstate Management Company, LLC d/b/a Doubletree North Shore Boston from Elena F. Hargraves to Kate Brill-Daley for the All Alcohol Innkeepers, Common Victualler and Entertainment license. There ensued a discussion on the notification process, with members of the board expressing concern over the short notice they receive when there is a change in manager. It was requested of the applicant that the letter they provided be redrafted on letterhead with the title of Erica Hageman who signed the letter, changing the time in which the Board must be notified from ten business days to three business days. When that letter is received, the Board will put this on the agenda again. DiNapoli will notify his client of the Board's concerns and requests. Kate Brill-Daley contributed to the discussion, assuring the Board that she is planning on staying with the company and if that ever changes, she will personally notify the Board.

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously, contingent to an updated notification process on any future changes for provisional approval for a change of Manager for Interstate Management Company, LLC d/b/a Doubletree North Shore Boston, 51 Village Road, Middleton, MA from Elena F. Hargraves to Kate Brill-Daley for the All Alcohol Innkeepers, Common Victualler and Entertainment license, said notification to be received by May 1, 2019.

**7:25 PM Review and Approve Request for a Full-Time Patrol Officer Appointment:** Police Chief James DiGianvittorio met with the Board of Selectmen with a request to appoint Reserve Officer Joseph Fedullo to a full-time patrolman, with a one-year probationary period. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to offer a full-time appointment to Reserve Officer Joseph Fedullo, with a one-year probationary period, through April 23, 2020.

After the vote, Town Clerk Ilene Twiss swore Officer Fedullo in as a full-time patrol officer.

**7:29 PM Review and Approve Proposed Signage: Henry Tragert Common:** Brian York, member of the Middleton Stream Team, met with the Board to provide information on proposed signage at Henry Tragert Common. They were awarded a \$2,000 matching grant from the Essex Heritage Foundation and are requesting matching funds from the Town, as well as support from the DPW with any heavy lifting required for the signage installation. Sheehan said there may be funds remaining from the Tragert Common appropriation; if so, some of those funds, along with in-kind contributions, can be used to match the grant.

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to approve the signs, as presented, with a thank you to the Middleton Stream Team for undertaking this effort and noting that the Town Planner and Conservation Agent will work with the Stream Team on the verbiage of the signs.

After the vote, Sandra Rubchinuk, member of the Stream Team, provided additional information on the Stream Team's Earth Day festivities taking place on Sunday, at Rubchinuk Park.

**7:42 PM Review and Sign Extension of Offer to Purchase Middleton Golf Course:** After a brief discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to sign the 6<sup>th</sup> extension of offer to purchase Middleton Golf Course at 105 South Main Street.

**7:43 PM Review and sign bond anticipation note documents for the acquisition of Middleton Golf Course:** Town Administrator Andy Sheehan advised the Board that Hilltop Securities put a package together for the \$3,745,000 short term borrow, a one-year note, for the acquisition of the golf course, and \$325,000 for the design. The low bid was 3% for a one-year note, about a half percent lower than what they were expecting. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to sign the bond anticipation note documents for the acquisition of Middleton Golf Course at 3%.

**7:46 PM Vote to Accept an Anonymous Donation of \$500 to the Middleton Food Bank:**

On a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to accept the anonymous donation of \$500 to the Middleton Food Bank, with the thanks.

**7:46 PM Adopt the Senior and Veteran Work-Off Policy:** Assistant Town Administrator Tanya Stepasiuk provided the Board with information on the proposed policy. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to adopt the Senior and Veteran Work-Off Policy as proposed.

**7:48 PM Update on FY2020 Operating and Capital Budgets and May 14, 2019 Annual Town Meeting Warrant:** Town Administrator Andy Sheehan advised there are no changes and the final summary budget is available online. A brief discussion ensued on some of the State funding the Town receives. After discussion, the Town Administrator suggested that the Board members may want to take a position on some of the Town Meeting Warrant Articles. Sheehan will put something together for the Board to review at the next meeting. A discussion ensued on the meeting schedule. The Board will discuss the meeting schedule on May 7<sup>th</sup>.

**7:53PM Masconomet CFO Susan Givens:** Selectman Chair Kosta Prentakis advised the Board that Town resident Susan Givens, CFO at Masconomet, has been offered and accepted a Superintendent's position at Newmarket, NH. Her expertise will be greatly missed.

**7:54 PM Adjourn**

With no further business, on a **MOTION** made by **Cresta**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to adjourn at 7:54 PM.

Respectfully submitted,



Judith A. Stickney, Minutes Secretary

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Richard Kassiotis, BOS Clerk

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

- Agenda: April 22, 2019
- Minutes: April 9, 2019
- Minutes: April 4, 2019 (Joint Meeting: BOS & FinCom)
- Minutes: Executive Session January 15, 2019
- Warrant #1922 (Payroll: \$644,235, Bills Payable: \$1,456,089)
- Letter and related materials from Tarlow, Breed, Hart, Rodgers to Board of Selectmen, Re: Application for Change of Manager for Interstate Management Company, LLC d/b/a Doubletree North Shore Boston, 51 Village Road. Middleton. MA 01949, 12/19/18
- Letter and related materials from Middleton Stream Team to Board of Selectmen, Re: Signage at the Henry Tragert Town Common
- Letter and related materials from Locke Lord to Town Treasurer, Re: 3,745,000 General Obligation Bond Anticipation Notes (Subject to Federal and Massachusetts Income Taxation) Dated and Closing: April 26, 2019
- SENIOR AND VETERAN WORK-OFF PROGRAM POLICY ADOPTED APRIL 23, 2019



## Middleton Police Department

65 North Main Street

Middleton, MA 01949

Tel: (978) 774-4424 Fax: (978) 774-4466

E-mail: [chief@middletonpolice.com](mailto:chief@middletonpolice.com)

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*James A. DiGianvittorio*  
Chief of Police

May 3, 2019

Bourque Road Race

I have been in contact with the organizers of the 2<sup>nd</sup> annual Ray Bourque road race scheduled to be held on June 8, 2019. We have agreed to provide the same level of police assistance and service as we did last year. After consulting with the Police officers who worked the event it was a very well run event with very little impact on the motoring public, and all our safety related concerns were met.



March 28, 2019  
Michelle Creasi  
Town of Middleton  
48 S. Main Street  
Middleton, MA 01949

Dear Michelle,

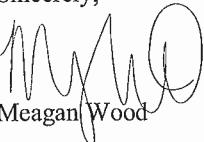
RE: 2nd Annual 7.7K - Bourque Family Foundation

On behalf of the Bourque Family Foundation, I would like your permission to host our 2nd Annual 7.7K to benefit the Bourque Family Foundation. The proposed date would be on Saturday, June 8<sup>th</sup>, 2019. The race registration would start at 2:00 PM and the actual race would start at 4:00 PM. The pre and post-race registration will be held at Ferncroft Country Club, who has already given us approval to host the event on their property. The starting point of the race will be 10 Village Rd, Middleton, MA at the softball field located behind the Ferncroft Golf Club driving range. The race route takes us through both Middleton and Topsfield and it will start going left onto Coppermine Road and making a loop on New Meadow Lane and Nichols Lane. The race will then come back down Coppermine Road and turn right onto Locust Street. The race will continue on Locust Street until the intersection of East Street where the race will turn around come back up Locust Street. The race will continue on Locust Street until it turns into Village Road. The race will continue on Village Road until it reaches Country Club Lane. At this point the race will turn left and enter the Ferncroft Country Club. The finishing point of the race will be at Ferncroft Country Club. After the conclusion of the race we will be holding a post-race reception on the softball field. The post-race reception will include a food, drink, entertainment all coordinated with Ferncroft Country Club. I have attached a map for the course as well as turn by turn directions for your reference.

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

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

Sincerely,



Meagan Wood

(603) 651-6850

[meagan@fmpproductions.com](mailto:meagan@fmpproductions.com)

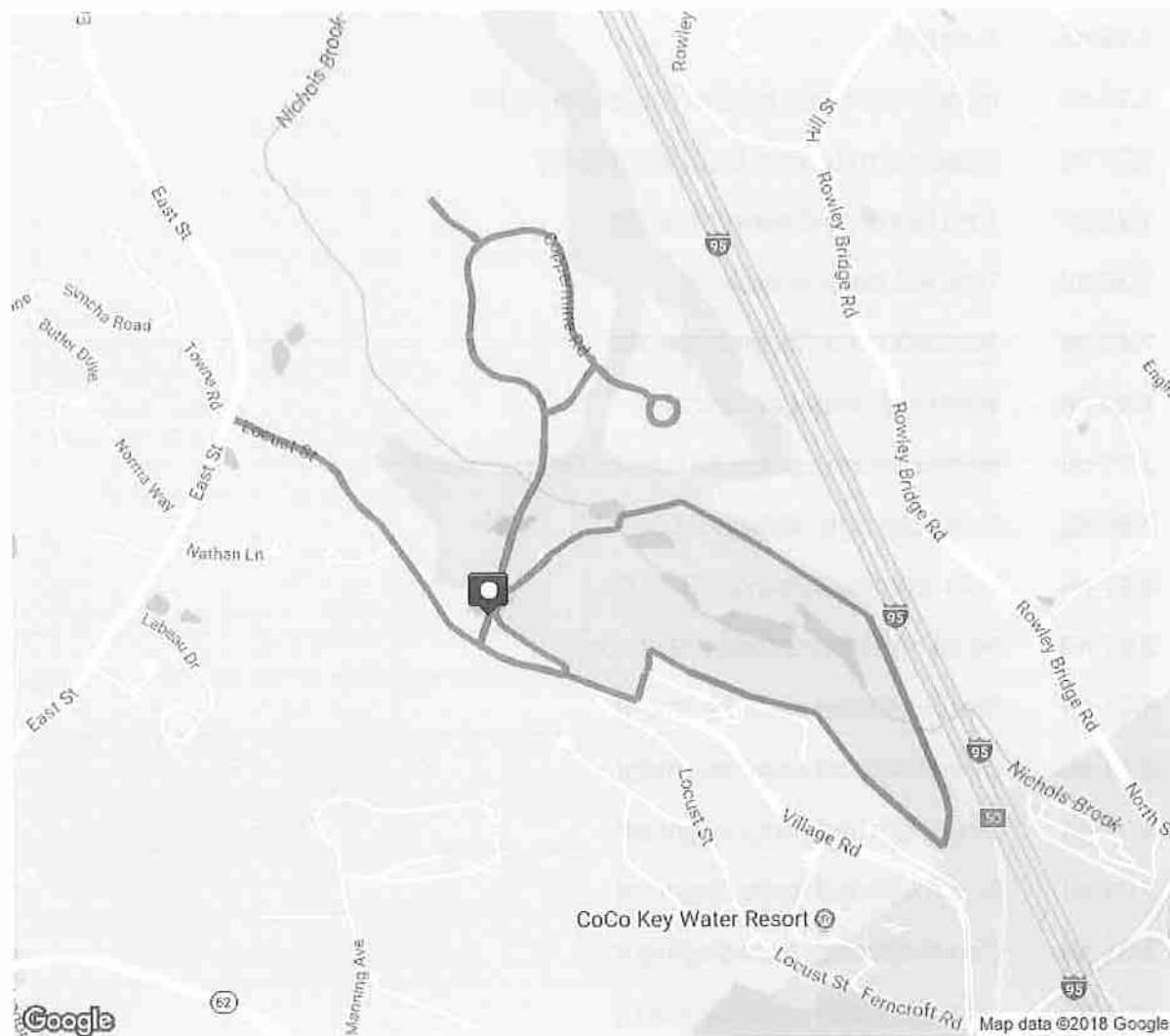
## Bourque Family Foundation 7.7 K

Distance: 4.79 mi

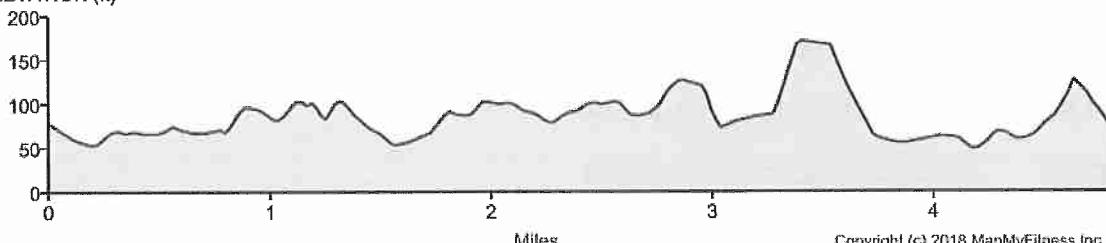
Elevation Gain: 279 ft

Elevation Max: 172 ft

### Notes



### ELEVATION (ft)



# Calendar for year 2019 (United States)

3.

January							February							March											
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa					
			1	2	3	4			1	2			1			1	2								
6	7	8	9	10	11	12	3	4	5	6	7	8	9	3	4	5	6	7	8	9					
13	14	15	16	17	18	19	10	11	12	13	14	15	16	10	11	12	13	14	15	16					
20	21	22	23	24	25	26	17	18	19	20	21	22	23	17	18	19	20	21	22	23					
27	28	29	30	31			24	25	26	27	28			24	25	26	27	28	29	30					
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April							May							June											
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7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8					
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15					
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22					
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July							August							September											
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7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14					
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21					
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28					
28	29	30	31				25	26	27	28	29	30	31	29	30	7:● 15:○ 23:● 30:●									
2:● 9:○ 16:○ 24:● 31:●							5:● 14:○ 21:● 28:●																		
October							November							December											
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1	2	3	4	5				1	2		1		1		1	2	3	4	5	6	7				
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14					
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21					
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5:● 13:○ 21:● 27:●							4:● 12:○ 19:● 26:●							4:● 12:○ 18:● 26:●											

## Holidays and Observances:

Jan 1	New Year's Day	May 12	Mothers' Day	Oct 31	Halloween
Jan 21	Martin Luther King Day	May 27	Memorial Day	Nov 11	Veterans Day
Feb 14	Valentine's Day	Jun 16	Fathers' Day	Nov 28	Thanksgiving Day
Feb 18	Presidents' Day	Jul 4	Independence Day	Dec 24	Christmas Eve
Apr 13	Thomas Jefferson's Birthday	Sep 2	Labor Day	Dec 25	Christmas Day
Apr 21	Easter Sunday	Oct 14	Columbus Day (Most regions)	Dec 31	New Year's Eve

Calendar generated on www.timeanddate.com/calendar



**TOWN OF MIDDLETON**  
Office of Town Accountant/CFO  
48 South Main Street  
Middleton, MA 01949  
(978) 777-4966

4.

**TO:                   Board of Selectmen/Finance Committee**

**FROM:               Sarah Wood**

**DATE:               May 1, 2019**

**SUBJECT:    FY 2019, 3<sup>rd</sup> Quarter Highlights**

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This report includes a summary of the 3<sup>rd</sup> quarter results as of March 31, 2019 of FY 2019 for the General Fund, CPA Fund, Water Fund, and Revolving Accounts. The General Fund accounts for the Town's annual operating budget and the majority of the capital budget. Exceptions include MELD and SESD assessments, which are accounted for as enterprise funds and capital budget items that are for another fund (i.e. CPA Fund).

### **General Fund Expenditures**

As of March 31, 2019, 73% of the FY 2019 General Fund budget had been expended. Please see the chart below for a breakdown of each major category's budget versus actual figures as of the third quarter in FY 2019. Encumbrances and warrant articles are not included in these figures.

<b>Major Category</b>	<b>Adjusted Budget</b>	<b>Actual Expended</b>	<b>Percent Expended</b>
General Government	\$1,827,207	\$1,117,713	61%
Public Safety	\$4,074,236	\$2,683,758	66%
Education	\$22,495,895	\$16,373,854	73%
Public Works	\$1,613,946	\$1,057,481	66%
Health and Human Services	\$509,701	\$334,266	68%
Culture and Recreation	\$606,238	\$402,635	66%
Unclassified	\$4,423,547	\$3,799,159	86%

At the end of the third quarter of the fiscal year the total year-to-date expenditures should be around 75% of the departmental budget. The Recreation Commission, North Shore Essex Tech assessment, debt service, retirement assessment and liability insurance all typically have percentages exceeding 75% in the third quarter. Recreation committee's summer park program takes place within the first few months of the fiscal year therefore expenditures are higher. Retirement and liability insurance are paid by the Town in full in July and have now been allocated to MELD and the School Department per the allocation received from MIIA. Snow and Ice has expended 90% of the budget, we will end the year without the need of a Free Cash transfer. All other departments are operating at or below this benchmark.

As it is the third quarter we typically try to see how the general fund is looking as we get closer to year-end. With the BAN the Town has received for the purchase of the Middleton Golf Course we need to pay certain fees in FY19 that were unbudgeted as it was not anticipated during the budget process last year; a reserve fund transfer will be requested to cover these costs. In addition, the Police Chief is keeping an eye on his salaries budget, unless more officers use their vacation time we could be looking at a larger than usual vacation buyback at the end of the year that could exceed budgeted amounts. All other departments look to be remaining on track with their spending for the rest of the fiscal year.

### **General Fund Revenues**

Revenue collections have been performing at or above budgeted expectations. As of March 31, 2019, 79.11% or \$28,154,773 of total estimated revenues for FY 2019 (\$35,587,590) had been collected.

Of the local receipts, there were only three categories that are lower than 75% of their budgeted revenues: PILOT, Library revenues and Medicaid Reimbursement. There is still one PILOT payment outstanding, once that is collected all expected revenues will be collected. We received a large turnover from the library in April that brings their total to 80% so I anticipate any remaining revenues will meet budgeted expectations. Medicaid reimbursements have seen a timing lag. In addition, the largest of the reimbursements is not typically received until June.

Many of the revenue categories are seeing significant increases in revenues collected compared to this time last fiscal year. I anticipate that revenues will stay within trend and end the year above budgeted expectations.

### **CPA Fund Expenditures & Revenues**

CPA expenditures at 27% of budgeted expenditures, not inclusive of capital items. This is not unexpected as the majority of the remaining debt payments are due in April.

CPA revenues are at 84% of budgeted revenues. This is slightly higher than expectations as we receive the CPA state match in the 2<sup>nd</sup> quarter.

### **Water Fund Expenditures & Revenues**

Water expenditures are at 61% of the budget not inclusive of capital items. This is not unusual as the majority of the remaining larger expenditures take place in the spring/summer. Also, due to staffing changes last fall it is anticipated that there will be a budgetary surplus in the salary line item.

There is no true budgeted revenue amount for the water fund. It is expected that revenues will be enough to cover the current year budget as well as add some additional revenue that will close out to fund balance at the end of the year. The majority of the revenue received comes from the Town of Danvers.

I hope the information presented is informative and helpful. If you have any questions, please do not hesitate to contact me.

**Town of Middleton, MA**  
**Fiscal Year 2019 Expenditures (unaudited)**

For the Period Ended GENERAL FUND	BUDGET	9/30/18	12/31/18	3/31/19	6/30/19	Total YTD EXPENDED	AVAILABLE BUDGET	% USED
		Quarter 1	Quarter 2	Quarter 3	Quarter 4		\$ 200	
Total 114 TOWN MODERATOR	\$ 200	\$ -	\$ -	\$ -	\$ -	\$ 195,050	\$ 115,428	63%
Total 122 SELECTMEN	310,478	53,546	56,355	85,149	-	195,050	115,428	63%
Total 131 FINANCE COMMITTEE	88,509	430	125	500	-	1,055	87,454	1%
Total 135 TOWN ACCOUNTANT	163,517	27,873	35,450	55,039	-	118,362	45,155	72%
Total 141 ASSESSORS	178,021	42,255	40,119	48,673	-	131,047	46,974	74%
Total 145 TREASURER/COLLECTOR	255,806	57,585	49,121	63,848	-	170,554	85,252	67%
Total 146 CUSTODIAN OF TOWN LANDS	2,500	-	-	2,500	-	2,500	-	100%
Total 151 TOWN COUNSEL	86,500	8,887	17,325	16,018	-	42,230	44,270	49%
Total 155 MIS	282,109	40,190	44,587	72,256	-	157,033	125,076	56%
Total 161 TOWN CLERK	134,718	28,449	29,953	29,941	-	88,343	46,375	66%
Total 162 ELECTIONS	40,474	4,864	15,878	2,601	-	23,343	17,131	58%
Total 171 CONSERVATION COMMISSION	62,062	13,943	13,486	16,205	-	43,633	18,429	70%
Total 175 PLANNING BOARD	102,647	22,297	19,356	26,879	-	68,533	34,114	67%
Total 176 BOARD OF APPEALS	4,300	540	431	522	-	1,493	2,807	35%
Total 181 MASTER PLAN COMMITTEE	1,225	-	-	250	-	250	975	20%
Total 192 TOWN BUILDING	109,141	15,631	20,905	36,578	-	73,113	36,028	67%
Total 195 TOWN REPORT	5,000	-	-	1,174	-	1,174	3,826	23%
Total 210 POLICE	1,875,196	363,537	369,932	454,423	-	1,187,892	687,304	63%
Total 220 FIRE	1,909,968	361,769	370,730	565,899	-	1,298,398	611,571	68%
Total 241 BUILDING INSPECTION	262,234	57,310	56,937	67,506	-	181,753	80,481	69%
Total 292 ANIMAL CONTROL	26,638	4,686	5,659	5,371	-	15,716	10,922	59%
Total 296 CONSTABLE	200	-	-	-	-	-	200	0%
Total 301 SCHOOL DEPARTMENT	11,883,149	1,759,074	3,039,632	3,320,085	-	8,118,791	3,764,358	68%
Total 314 MASCONOMENT ASSESSMENT	9,795,231	2,419,464	2,353,854	2,668,061	-	7,441,378	2,353,853	76%
Total 315 ESSEX TECH ASSESSMENT	817,515	204,730	418,094	190,861	-	813,685	3,830	100%
Total 420 DPW ADMINISTRATION	960,638	208,868	171,100	199,292	-	579,260	381,378	60%
Total 423 SNOW & ICE REMOVAL	249,500	-	27,970	196,990	-	224,960	24,540	90%
Total 425 TRANSFER STATION	403,808	77,224	73,284	102,754	-	253,262	150,546	63%
Total 511 BOARD OF HEALTH	134,703	34,169	27,887	31,662	-	93,717	40,985	70%
Total 541 COUNCIL ON AGING	207,800	53,911	50,758	57,575	-	162,244	45,556	78%
Total 543 VETERANS AGENT	133,698	24,249	18,027	23,360	-	65,635	68,063	49%
Total 545 TRI TOWN COUNCIL	28,500	7,125	7,125	7,125	-	21,375	7,125	75%
Total 548 GARDEN CLUB	5,000	-	1,295	-	-	1,295	3,705	26%
Total 610 LIBRARY	549,350	124,284	109,779	136,473	-	370,536	178,814	67%
Total 630 RECREATION COMMISSION	45,888	29,351	2,473	275	-	32,099	13,789	70%
Total 691 HISTORICAL COMMISSION	1,000	-	-	-	-	-	1,000	0%
Total 692 MEMORIAL DAY	5,000	-	-	-	-	-	5,000	0%

Total 693 CHIEF WILLS FESTIVAL	5,000	-	-	-	-	-	-	5,000	0%
Total 710 DEBT SERVICE	1,282,835	784,753	-	331,255	-	-	1,116,008	166,828	87%
Total 820 STATE ASSESSMENTS & CHARGES	438,091	110,354	110,674	101,649	-	322,677	115,414	74%	
Total 910 COMPENSATION RESERVE	40,000	-	2,925	-	-	2,925	37,075	7%	
Total 911 RETIREMENT	1,409,336	1,743,117	-	(333,781)	-	1,409,336	-	100%	
Total 913 UNEMPLOYMENT	10,000	1,104	221	1,895	-	3,220	6,780	32%	
Total 914 HEALTH INSURANCE	869,035	237,560	190,570	186,500	-	614,629	254,406	71%	
Total 915 GROUP INSURANCE	3,000	677	424	466	-	1,567	1,433	52%	
Total 916 MEDICARE/DEP TAX	90,000	18,993	20,466	25,375	-	64,833	25,167	72%	
Total 945 LIABILITY INSURANCE	206,250	319,477	5,177	(135,690)	-	188,964	17,286	92%	
Total 962 TRANSFERS TO OTHER FUNDS	75,000	75,000	-	-	-	75,000	-	100%	
<b>Total GENERAL FUND</b>	<b>\$ 35,550,770</b>	<b>\$ 9,337,275</b>	<b>\$ 7,778,081</b>	<b>\$ 8,663,510</b>	<b>\$ -</b>	<b>\$ 25,778,866</b>	<b>\$ 9,771,904</b>	<b>73%</b>	
<b>Total CPA</b>	<b>\$ 158,050</b>	<b>\$ 38,450</b>	<b>\$ -</b>	<b>\$ 3,925</b>	<b>\$ -</b>	<b>\$ 42,375</b>	<b>\$ 115,675</b>	<b>27%</b>	
<b>Total WATER FUND</b>	<b>\$ 191,155</b>	<b>\$ 49,899</b>	<b>\$ 28,051</b>	<b>\$ 38,285</b>	<b>\$ -</b>	<b>\$ 116,235</b>	<b>\$ 74,920</b>	<b>61%</b>	
The Departmental Codes in the 900 series are initially expensed with the Town covering all costs. In March, the School and MELD's portion of these expenditures are journalized out into MELD's fund and the school's budget.									

**Town of Middleton, MA**  
**Fiscal Year 2019 Warrant Articles Expenditures (unaudited)**

<u>Fund</u>	<u>Fiscal Year</u>	<u>Article #</u>	<u>Account Name</u>	<u>Original Appropriation</u>	<u>Available Balance at 7/1/2018</u>	<u>YTD Expended</u>	<u>Available Balance at 3/31/19</u>
GF	2012	30 STRM.MNGMT CONSULT		15,000	2,613	-	2,613
GF	2013	13 ASSESSOR GIS SYS		32,000	1,936	-	1,936
GF	2013	25 DPW BLDG REPAIR		41,000	19,429	8,118	11,311
GF	2014	16 SCHOOL SECURITY SYST		37,000	7,691	-	7,691
GF	2015	19 RADAR GUN & VESTS		23,300	2,964	-	2,964
GF	2015	25 IMPROVE RUBCHINU PK		90,000	12,347	2,900	9,447
GF	STM 2015	2 ATHLETIC FLD MAINT		35,000	11,707	7,120	4,587
GF	2016	16 FIRE TRAINING		16,000	3,951	3,905	45
GF	2016	25 DPW BUILDING REFURB		25,000	25,000	1,500	23,500
GF	2017	17 REMEDIATE NATSUE WAY		165,000	144,135	7,280	136,855
GF	2017	23 UPGRADE RADIO INFRASTRUCTURE		25,000	2,536	-	2,536
GF	2017	26 PUBLIC FACILITIES STUDY		50,000	2,000	-	2,000
GF	2017	28 SCHOOL ACCOUNTING SOFTWARE		22,000	4,417	-	4,417
GF	2018	26 REPLACE DUMP TRUCK		73,000	2,402	-	2,402
GF	2018	26 TRANSFER STATION BUILDING AND DECK REPAIRS		9,000	9,000	6,571	2,429
GF	2018	28 FD BUILDING REPAIRS		20,000	20,000	13,293	6,707
GF	2018	28 FD TRAINING		16,400	16,400	16,377	23
GF	2018	28 FD COMAND POST EQUIPMENT		16,000	8,299	-	8,299
GF	2018	28 REPLACE FIRE HOSES		8,000	6,020	1,912	4,108
GF	2018	29 FM LIBRARY FURNITURE		13,000	990	-	990
GF	2018	29 FM SCIENCE CURRICULIM		36,750	4,422	4,337	86
GF	2018	29 FM SECURITY SYSTEM		101,358	101,358	203	101,155
GF	2018	33 TOWN HALL WINDOWS		10,000	10,000	-	10,000
GF	2018	34 IT IMROVEMENTS		34,450	12,760	7,412	5,348
GF	2018	34 VOTING TABULATORS		17,000	17,000	-	17,000
GF	2018	34 EMPLOYEE TRAINING		10,000	4,248	3,977	272
GF	STM 2018	7 MEMORIAL HALL REPAIRS		25,000	2,228	1,972	256
GF	2019	18 DEPARTMENT HEAD RECRUITMENT		20,000	20,000	-	20,000
GF	2019	18 IT IMROVEMENTS		37,280	37,280	28,855	8,425
GF	2019	18 VOTING BOOTHS		9,367	9,367	9,400	(33)
GF	2019	18 ELECTION POLLING PADS		12,720	12,720	9,540	3,180
GF	2019	18 POLICE DEPT TASER REPLACEMENT		12,700	12,700	12,670	30
GF	2019	18 FIRE DEPT TOUGHBOOKS		10,750	10,750	1,355	9,395
GF	2019	18 FIRE DEPT PORTABLE RADIOS		51,000	51,000	-	51,000
GF	2019	18 FIRE DEPT COMMUNICATIONS EQUIPMENT		55,000	55,000	46,494	8,506
GF	2019	18 HM END-USER TECHNOLOGY		107,016	107,016	61,720	45,296
GF	2019	18 HM TECHNOLOGY INFRASTRUCTURE		27,733	27,733	13,960	13,773
GF	2019	18 FM END-USER TECHNOLOGY		37,592	37,592	32,263	5,329
GF	2019	18 FM TECNOLOGY INFRASTRUCTURE		20,516	20,516	7,615	12,901
GF	2019	18 TRAGERT COMMON IMPROVEMENTS		4,200	4,200	3,800	400
GF	2019	18 HIGHWAY DIVISION POWER WASHER		5,500	5,500	5,395	105
GF	2019	18 HIGHWAY DIVISION SANDER/PLOW		46,000	46,000	41,040	4,960
GF	2019	18 HIGHWAY DIVISION RIGHT OF WAY TREE-CUTTING		30,000	30,000	26,335	3,665
GF	2019	18 ADDITIONAL CHAPTER 90		100,000	100,000	52,143	47,857
GF	2019	18 TRANSFER STATION CONCRETE PADS		24,300	24,300	-	24,300
GF	2019	18 COA SECURITY SYSTEM		1,100	1,100	400	700
GF	2019	18 COA SOFTWARE		7,500	7,500	6,372	1,128
GF	2019	18 COA KITCHEN EQUIPMENT		8,000	8,000	1,327	6,673
GF	2019	19 REPLACE SCBA COMPRESSOR		50,000	50,000	-	50,000
GF	2019	20 MASCO CAPITAL ITEMS*		192,765	192,765	-	192,765
GF	2019	25 BYLAW CONSULTANT		50,000	50,000	-	50,000
CEMETERY I	2016	26 OAKDALE CEMETERY WORK		63,000	30,182	-	30,182
CEMETERY I	2019	18 OAKDALE CEMETERY IMPROVEMENTS		15,000	15,000	3,690	11,310
CPA	2014	27 OLD TOWN HALL REPAIRS		22,000	22,000	-	22,000
CPA	2015	34 PHASE 1 RAILS TO TRAILS		130,000	126,600	-	126,600
CPA	2016	20 SHADE STRUCTURE AT HM		25,000	3,990	-	3,990
CPA	2016	21 TOWN COMMON IMPROVEMENT		100,000	4,713	-	4,713
CPA	2016	45 OLD TOWN HALL PLANS + DRAWINGS FOR REPAIR		20,000	8,510	-	8,510
CPA	2018	35 CURTIS SAW MILL PROJECT		4,900	4,900	-	4,900
CPA	2019	10 EMILY MAHER PARK IMPROVEMENTS		45,000	45,000	-	45,000
CPA	2019	10 HOUSING AUTHORITY WINDOWS		185,917	185,917	-	185,917

\* - will close out to free cash as the other two communities did not have special town meetings prior to the end of January

**Town of Middleton, MA**  
**Fiscal Year 2019 Encumbrance Expenditures (unaudited)**

<u>Fund</u>	<u>Department</u>	<u>Account Name</u>	<u>Approved</u>	<u>YTD Expended</u>	<u>Balance at 3/31/19</u>
GF	Selectmen	Contractual Services	\$ 3,500	\$ -	\$ 3,500
GF	MIS	Contractual Services - Police	1,900	1,210	690
GF	MIS	Technology Supplies	2,055	2,055	0
GF	MIS	PEG Supplies	5,000	4,561	439
GF	Town Clerk	General Code	5,000	3,075	1,925
GF	Police	Salaries & Wages **	20,535	-	20,535
GF	Police	Overtime **	9,349	-	9,349
GF	Police	Part Time **	8,200	-	8,200
GF	Police	Incentive Pay **	2,886	-	2,886
GF	Police	Equipment Repair	344	344	-
GF	Police	Training and Education **	25,737	-	25,737
GF	Police	K-9 Unit	2,000	1,087	913
GF	Police	Travel	2,582	2,582	-
GF	Fire	Overtime **	68,857	-	68,857
GF	Fire	Part Time **	40,677	-	40,677
GF	Fire	Central Office Supplies	224	224	-
GF	School	Teacher's Summer Pay	296,830	295,002	1,828
GF	School	Supplies	96,617	42,172	54,445
GF	DPW	Catch Basin Cleaning	12,000	11,928	72
GF	DPW	Road Machinery Cleaning	3,358	3,358	-
GF	Transfer Station	Electricity	648	600	48
GF	BOH	Community Health Service	195	195	-
GF	BOH	Copier/Printing	314	314	-
GF	BOH	Travel	32	32	-
GF	Comp Reserve	Compensation Reserve	2,500	2,500	-
			\$ 611,338	\$ 371,238	\$ 240,100

\*\* - Were to be used for pending contract negotiations; will be closed out at end of year due to contracts not being signed within the appropriate time frame

**Town of Middleton, MA**  
**Fiscal Year 2019 Revenues (unaudited)**

For the Period Ended GENERAL FUND	BUDGET	9/30/18 Quarter 1	12/31/18 Quarter 2	3/31/19 Quarter 3	6/30/19 Quarter 4	Total YTD REVENUE	(UNDER)/OVER BUDGET	% RECEIVED
PERSONAL PROPERTY TAXES	\$ 623,282	\$ 247,573	\$ 64,096	\$ 206,576		\$ 518,245	(105,037)	83%
REAL ESTATE**	27,810,228	7,094,901	6,894,402	6,988,000		20,977,303	(6,832,925)	75%
TAX LIEN/TITLE/FORECLOSURE	*	3,340	332,917	72,826		409,083	N/A	N/A
MOTOR VEHICLE EXCISE	1,950,000	121,013	125,084	1,364,877		1,610,974	(339,026)	83%
OTHER EXCISE - ROOM	215,000	64,781	63,540	37,120		165,441	(49,559)	77%
OTHER EXCISE - MEALS	215,000	62,787	57,791	52,009		172,587	(42,413)	80%
PENALTIES AND INTEREST ON TAXES	80,000	17,931	50,997	50,528		119,456	39,456	149%
PILOT	130,000	-	-	84,323		84,323	(45,677)	65%
PILOT - MELD	223,000	-	223,000	-		223,000	-	100%
CHARGES FOR SERVICES - SOLID WASTE FEES	200,000	96,010	107,200	9,925		213,135	13,135	107%
FEES	115,000	19,847	46,794	41,555		108,196	(6,804)	94%
DEPARTMENTAL REVENUES - LIBRARIES	3,500	-	1,747	437		2,184	(1,316)	62%
DEPARTMENTAL REVENUES - CEMETERIES	48,000	5,300	22,187	8,600		36,087	(11,913)	75%
OTHER DEPARTMENTAL REVENUE	140,000	29,692	50,129	31,439		111,260	(28,740)	79%
LICENSES AND PERMITS	605,000	237,627	188,254	102,739		528,620	(76,380)	87%
FINES AND FORFEITS	12,000	3,762	5,037	2,346		11,145	(855)	93%
INVESTMENT INCOME	70,000	28,744	29,533	42,437		100,714	30,714	144%
MEDICAID REIMBURSEMENT	30,000	7,253	4,415	5,539		17,207	(12,793)	57%
STATE AID	2,329,644	621,670	586,980	559,386		1,768,036	(561,608)	76%
TRANSFERS IN	787,936	867,190	110,587	-		977,777	189,841	124%
<b>Total GENERAL FUND</b>	<b>\$ 35,587,590</b>	<b>\$ 9,529,421</b>	<b>\$ 8,964,690</b>	<b>\$ 9,660,662</b>	<b>\$ -</b>	<b>\$ 28,154,773</b>	<b>\$ (7,432,817)</b>	<b>79%</b>
<b>Total CPA</b>	<b>\$ 264,349</b>	<b>\$ 60,201</b>	<b>\$ 101,373</b>	<b>\$ 61,269</b>	<b>\$ -</b>	<b>\$ 222,843</b>	<b>\$ (41,506)</b>	<b>84%</b>
<b>Total WATER FUND</b>	<b>*</b>	<b>\$ 14,075</b>	<b>\$ 20,625</b>	<b>\$ 12,260</b>	<b>\$ -</b>	<b>\$ 46,960</b>	<b>N/A</b>	<b>N/A</b>

\* Indicates budgeted figures not available.

\*\* Net of Overlay raised on recap

Note: The budgeted figures for Personal Property and Real Estate taxes are the amounts to be raised per the recap

Note: Budgeted revenues does not include the free cash or overlay surplus appropriated for fiscal year expenditures

**Town of Middleton, MA**  
**Revolving Funds (unaudited)**

	Fund Balance as of 7/1/2019	Revenue as of 3/31/19	Expenditures as of 3/31/19	Fund Balance as of 3/31/19
RECREATION REVOLVING	\$ 15,060	\$ 3,136	\$ (3,375)	\$ 14,821
USER FIELD FEES	28,044	2,240	(2,300)	27,984
COA TRIP FUND	15,828	15,611	(11,862)	19,577
STORMWATER MANAGEMENT	800	100	-	900
FIREARMS LICENSES AND PERMITS	13,791	3,313	-	17,103

**Town of Middleton, MA**  
**Appropriation Funds (unaudited)**

	Fund Balance as of 3/31/19	Revenue as of 3/31/19	FY 20 Appropriation
AMBULANCE FUND	910,456	510,834	(475,000)
WATER FUND**	661,058	46,960	-
PEG	406,731	133,666	(154,406)
WEIGHTS & MEASURERS	22,792	-	(22,792)
OPEB*	1,251,950	31,292	50,000
STABILIZATION*	1,513,868	47,203	50,000
CAPITAL STABILIZATION*	413,481	13,481	50,000
RETIREMENT STABILIZATION*	25,843	843	-
SPED STABILIZATION*	155,114	4,946	(12,000)
SPED RESERVE FUND*	139,629	4,402	-

\* Revenue amount indicates interest only.

\*\* No appropriation shown for water as it is accounted for as an enterprise fund in FY20

5.

TOWN OF MIDDLETON  
CONTRACT OF EMPLOYMENT  
TOWN ACCOUNTANT/CHIEF FINANCIAL OFFICER

Agreement

This agreement is between the Town of Middleton ("Town"), acting through its Board of Selectmen, and Sarah Wood ("Town Accountant/CFO" or "employee").

**1) TERMS AND CONDITIONS:**

**Term.** The term of this agreement shall be from July 1, 2019 through June 30, 2022. Thereafter, the Town Accountant/CFO is subject to the appointment and employment provisions of Chapter 6 of the Town Charter, as amended.

**Resignation or Non-Renewal.** In the event the employee desires to resign the position of Town Accountant/CFO before the expiration of the aforesaid term of employment, the employee will provide written notice at least thirty (30) days in advance to the Middleton Board of Selectmen through the Town Administrator. In the event the Town decides not to renew this contract beyond June 30, 2022, the Town will provide at least thirty (30) days advance notice in writing by of the decision of non-renewal.

**Dismissal for Cause.** The Town may discharge the Town Accountant/CFO at any time during the term of this agreement for good and just cause.

**Certification.** The Town Accountant/CFO shall endeavor to obtain and maintain certification as a Certified Governmental Accountant through the Massachusetts Municipal Auditors & Accountants Association. Upon obtaining this certification, the Town Accountant/CFO shall be eligible for a bonus as reflected below.

**Professional Development.** The employee is encouraged to become a member of the Massachusetts Municipal Auditors & Accountants Association (MMAAA) and the Eastern Massachusetts Auditors & Accountants Association (EMAAA) and other associations, certifications, and trainings pertinent to the position. The Town agrees to pay the membership dues and associated costs, subject to appropriation, and to provide time to attend meetings and conferences.

**2) COMPENSATION**

**Wages.** The Town agrees to compensate the Town Accountant/CFO at a salary referenced below:

For the period of 7/1/19 through 6/30/20 the annual salary of \$98,000 with a \$1,000 bonus payable at the time of certification as a Certified Governmental Accountant or on May 1, 2020 if the Town Accountant/CFO has obtained this certification in a prior year and has maintained her status as a Certified Governmental Accountant.

For the period of 7/1/20 through 6/30/21 the annual salary of \$100,450 with a \$1,000 bonus payable at the time of certification as a Certified Governmental Accountant or on May 1, 2021 if the Town Accountant/CFO has obtained this certification in a prior year and has maintained her status as a Certified Governmental Accountant.

For the period of 7/1/21 through 6/30/22 the annual salary of \$102,961.25 with a \$1,000 bonus payable at the time of certification as a Certified Governmental Accountant or on May 1, 2022 if the Town Accountant/CFO has obtained this certification in a prior year and has maintained her status as a Certified Governmental Accountant.

**Overtime.** It is understood that this position is a salaried position exempt under the Federal Fair Labor Standards Act. The employee will be expected to attend occasional night and weekend meetings, including but not limited to quarterly updates to the Board of Selectmen, occasional Finance Committee meetings, several Saturday budget meetings (generally in February and March), and other meetings as required.

### 3) OTHER BENEFITS

**Health and Dental Insurance.** If elected, the Town pays for 60% of the full health insurance plan offered by the Town and 75% of the dental insurance plan.

**Vacation Leave.** Paid vacation leave is 4 weeks per year. Vacation is awarded on July 1<sup>st</sup> of each year for the convenience of scheduling time off. Upon separation the employee is eligible for vacation pay-off on a pro-rated yearly basis. Vacation time may be carried over from one year to the next year, to a maximum of ten (10) days.

**Sick Leave.** Sick leave shall accrue at the rate of 1.25 days per month, which may be accumulated to a maximum of 150 days. Sick leave will not be paid at the time of separation.

**Personal Leave.** Personal leave is granted 2 days per fiscal year. Personal leave days may not be carried over from one contract year to the next contract year.

**Other Benefits.** The Town will provide the Town Accountant/CFO with the additional benefits as are conferred upon other Town Employees as accorded by the Town's Personnel Plan, policies, or practices.

### 4) DUTIES

The Board of Selectmen and Town Administrator reserve the right to modify duties and responsibilities outlined in the position description as determined by the Employer during the term of this agreement with notice provided.

It is recognized that occasionally people have business interests outside of their full time jobs, but is acknowledged and agreed that the employee shall not let any such interests interfere in any manner with the responsibilities as full time Town Accountant/CFO. In all cases, the Town's interests shall take precedence.

Sarah Wood

Middleton Board of Selectmen

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Andrew Sheehan, Town Administrator



March 27, 2019

6a.

Dear Mr. Sheehan and Board of Selectman,

I am writing to request that support be sent to the State house on the proposed "Act Promoting the proper disposal of miniatures". House Bill #2881 is Sponsored by Rep. Hunt and supported by many legislators and citizens. I personally have been alarmed by the prevalence of empty "nips" thrown all over Middleton roadways and in streams. I posted my litter clean up results, covering just a half mile, on facebook and the local newspaper asked to print the story. It seems that "nips" are a problem within the Tri-town area. I followed up by attending a 'Keep Massachusetts Beautiful' forum on litter and was made aware that it is a tremendous problem throughout the Commonwealth. I am enclosing a sample resolution supporting this House bill from Gloucester, as it is written very well and can be used as a template for Middleton if you choose to support this much needed bill. I have also attached the story and pic I wrote and that inspired people to share with me their own frustration with this litter problem. As folks that do many litter clean-ups, we all are finding that water bottles and Nips make up the largest proportion of litter in Massachusetts communities. Please support this proposal.

Thank You,

Sandy Rubchinuk

## HOUSE . . . . . No. 2881

## The Commonwealth of Massachusetts

## PRESENTED BY:

**Randy Hunt**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

## An Act promoting the proper disposal of miniatures.

## PETITION OF:

NAME:	DISTRICT/ADDRESS:
Randy Hunt	5th Barnstable
Jack Patrick Lewis	7th Middlesex
Ruth B. Balser	12th Middlesex
Michael J. Barrett	Third Middlesex
F. Jay Barrows	1st Bristol
Jennifer E. Benson	37th Middlesex
Donald R. Berthiaume, Jr.	5th Worcester
Mike Connolly	26th Middlesex
Brendan P. Crighton	Third Essex
William L. Crocker, Jr.	2nd Barnstable
Daniel R. Cullinane	12th Suffolk
Josh S. Cutler	6th Plymouth
Julian Cyr	Cape and Islands
Angelo L. D'Emilia	8th Plymouth
Marjorie C. Decker	25th Middlesex
Sal N. DiDomenico	Middlesex and Suffolk
Diana DiZoglio	First Essex
Michelle M. DuBois	10th Plymouth
Carolyn C. Dykema	8th Middlesex
Lori A. Ehrlich	8th Essex
James B. Eldridge	Middlesex and Worcester
Tricia Farley-Bouvier	3rd Berkshire
Paul R. Feeney	Bristol and Norfolk
Kimberly N. Ferguson	1st Worcester
Dylan A. Fernandes	Barnstable, Dukes and Nantucket
Ann-Margaret Ferrante	5th Essex
Carole A. Fiola	6th Bristol
Susan Williams Gifford	2nd Plymouth
Patricia A. Haddad	5th Bristol
Richard M. Haggerty	30th Middlesex

**In City Council, January XX, 2019**

**Resolved**

**A RESOLUTION FOR STATE ACTION TO COMBAT NIP BOTTLE and SINGLE USE  
WATER BOTTLE LITTER**

WHEREAS, the growing prevalence of “nip” bottles (miniature, single serving, bottles of spirit, liqueur, or other alcoholic beverage) and single use water bottles as loose litter on our streets and sidewalks and in our parks and other open spaces contributes to the flow of trash in our waterways, rivers, and ocean; and

WHEREAS, this form of litter additionally detracts from the public’s enjoyment and diminishes the quality of life in our communities; and

WHEREAS, the Commonwealth has seen tremendous success in the elimination of other forms of bottle and can littering through the adoption of M.G.L. c. 94 sections 321-327, also called the Bottle Bill;

THEREFORE, we, the City Council and Mayor of Gloucester, do request of the Legislature and the Governor of the Commonwealth that they take action in 2019 to amend M.G.L. c. 94 and all other regulations or laws thereunder regarding the redemption of empty bottles and containers in order to extend the law to include “nip” bottles or any other small bottle of spirit, liqueur, or other alcoholic beverage, typically of 50 ml, intended to comprise an individual serving and single use water bottles.

ENVIRONMENT

# *What does this trash say about our town?*

By Sandy Rubchinuk

*Editor's note: Sandy Rubchinuk originally shared this on the Middleton Stream Team Facebook page. It is reprinted here, with permission and with minor edits for readability.*

I spent an hour recently cleaning up litter on my street! Peabody Street is a main route for all Masco students coming from the entire north side of town as well as a country road cut-through to get over to Rt. 95. It has been one of the most prettiest streets in Middleton, but the litter is getting worse every year.

This was picked up by me in just a half-mile, only on one side of the road and only a few feet in off the side of the road.

See TRASH, B8



Middleton resident Sandy Rubchinuk collected this trash from a half-mile stretch on one side of the road she lives on. [COURTESY PHOTO]

## TRASH

From Page A6

My litter study included:

- 13 green apple vodka nips
- 4 butterscotch Dr. McGillicuddy's nips
- 3 small plastic wine
- 3 hard seltzer grapefruit
- about 6 beer cans
- 8 assorted cigarette packages

- 1 cannabis tray container
- 21 water bottles (several used as drink mixing bottles and chewing tobacco spit bottles)

- Dunkin', McDonald's, Cumbies, and even Burger King litter

Water bottles always make up most of the litter I clean up. However, the over 40 total assorted nip bottles, which are replenished every few weeks, really are a concern to me. I worry about high school

kids dumping them into their water bottles for the school day. I worry about drivers avoiding the open container law by tossing them all over my road.

This litter is not an exception. I can go out every week and collect even more! I still need to do the other side of the road! Also, my beautiful country road abuts three running waterways, so this lightweight plastic most often ends up in the water!

As the local newspaper editors made one focus for 2019 to be litter, and as the Tri-Town Council did a program on hidden addictions (including alcohol), I feel that we need to figure out not only why people litter but what the litter tells us about what is going on in town!

*Sandy Rubchinuk is a longtime Middleton resident and member of the Middleton Stream Team.*

# Town of Middleton

# Massachusetts



7.

## Annual Town Meeting

Tuesday, May 14, 2019, 7:00 P.M.

Annual Town Meeting Warrant for  
Fiscal Year 2020

Meeting to be held at Howe Manning School Gymnasium  
26 Central Street, Middleton, MA

**TOWN OF MIDDLETON  
ANNUAL TOWN MEETING  
THE COMMONWEALTH OF MASSACHUSETTS  
MAY 14, 2019**

ESSEX s.s.

To the Constable of the Town of Middleton in the County of Essex:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs, to meet at the Howe Manning School Gymnasium, 26 Central Street in said Middleton on Tuesday, May 14<sup>th</sup>, 2019 next, at 7:00 p.m., then and there to act on the following articles:

To transact any other business that may lawfully come before this meeting.

**CURRENT AND PRIOR YEAR FINANCIAL ARTICLES**

**ARTICLE 1.** To hear Committee Reports:

School Committee  
Finance Committee  
Master Plan Committee  
Other Committees

**ARTICLE 2.** On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to be used to fund the deficit incurred in the Department of Public Works (snow removal and winter road maintenance) budget; or take any other action relative thereto.

**Purpose:** This article will transfer funds to close the deficit for snow and ice removal.

**ARTICLE 3.** On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to be used to fund the maintenance of the Middleton Golf Course; or take any other action relative thereto.

**Purpose:** This article will fund the maintenance of the Middleton Golf Course located at 105 South Main Street.

**ARTICLE 4.** On petition of the Board of Selectmen, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from available funds to supplement the Fiscal Year 2019 operating budget; or take any other action relative thereto.

**Purpose:** This article is to transfer funds and supplement monies, if necessary, to meet departmental expenses in the current fiscal year.

## FY2020 FINANCIAL ARTICLES

**ARTICLE 5.** On petition of the Board of Selectmen acting in the capacity of the Personnel Board, to see if the Town will vote to set the salaries of elected officials pursuant to Massachusetts General Law Chapter 41, Section 108 and the Town Consolidated Personnel Plan, Section 9-5 as follows; or take any other action relative thereto.

See page 38 for full Compensation Plan

**ARTICLE 6.** On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to fund the Omnibus Budget for Fiscal Year 2020; or take any other action relative thereto.

**Purpose:** This article requests approval of the Town operating budget for the coming fiscal year.

Town of Middleton				
Summary of Fiscal Year 2019 and Proposed 2020 Operating Budget Totals				
	Fiscal Year 2019	Fiscal Year 2020	(Decrease) Increase In Dollars \$	Percent + or - Change
Town Operating Budgets	\$8,593,328	\$8,871,849	\$278,521	3.2%
Health Insurance, Retirement, Unclassified	\$2,627,621	\$2,661,981	\$34,360	1.3%
Town Debt Service (offset by CPA funding)	\$1,282,835	\$1,481,095	\$198,260	15.5%
<b>Town General Government Totals</b>	<b>\$12,503,784</b>	<b>\$13,014,925</b>	<b>\$511,141</b>	<b>4.1%</b>
<u>Schools</u>				
Local School Budget	\$11,883,149	\$12,538,943	\$655,794	5.5%
Masconomet Budget	\$9,795,231	\$10,350,504	\$555,273	5.7%
Essex Technical High School Budget	\$817,515	\$777,677	(\$39,838)	-4.9%
<b>All School Totals</b>	<b>\$22,495,895</b>	<b>\$23,667,124</b>	<b>\$1,171,229</b>	<b>5.2%</b>
<b>Operating Budget Totals</b>	<b>\$34,999,679</b>	<b>\$36,682,049</b>	<b>\$1,682,370</b>	<b>4.8%</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 100: GENERAL GOVERNMENT</b>					
<b>Department #114 TOWN MODERATOR</b>					
5100 Personal Services	200	200	200	200	200
<b>DEPARTMENT TOTAL</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>
<b>Department #122 SELECTMEN/ADMINISTRATOR</b>					
5100 Personal Services	256,493	253,437	264,658	269,177	269,117
5200 Purchase of Services/Supplies	19,106	36,229	30,820	31,480	31,480
<b>DEPARTMENT TOTAL</b>	<b>\$275,599</b>	<b>\$289,666</b>	<b>\$295,478</b>	<b>\$300,657</b>	<b>\$300,597</b>
<b>Department #131 FINANCE COMMITTEE</b>					
5100 Personal Services	1,190	1,220	2,009	2,059	2,059
5200 Purchase of Service/Supplies	1,680	1,535	1,500	1,780	1,780
5200 Reserve fund (Budget Shown)	30,000	70,000	100,000	100,000	100,000
<b>DEPARTMENT TOTAL</b>	<b>\$32,870</b>	<b>\$72,755</b>	<b>\$103,509</b>	<b>\$103,839</b>	<b>\$103,839</b>
<b>Department #135 TOWN ACCOUNTANT</b>					
5100 Personal Services	113,710	116,919	127,242	128,177	128,177
5200 Purchase of Services/Supplies	32,229	23,670	36,275	37,775	37,775
5800 Capital Outlay	0	788	0	0	0
<b>DEPARTMENT TOTAL</b>	<b>\$145,939</b>	<b>\$141,377</b>	<b>\$163,517</b>	<b>\$165,952</b>	<b>\$165,952</b>
<b>Department #141 ASSESSORS</b>					
5100 Personal Services	150,092	153,738	158,081	170,010	166,393
5200 Purchase of Services/Supplies	17,758	16,577	19,940	19,940	20,510
<b>DEPARTMENT TOTAL</b>	<b>\$167,850</b>	<b>\$170,315</b>	<b>\$178,021</b>	<b>\$189,950</b>	<b>\$186,903</b>
<b>Department #145 TREASURER/COLLECTOR</b>					
5100 Personal Services	169,899	181,460	175,056	182,813	182,813
5200 Purchase of Services/Supplies	37,710	30,273	42,750	40,450	40,450
<b>DEPARTMENT TOTAL</b>	<b>\$207,609</b>	<b>\$211,733</b>	<b>\$217,806</b>	<b>\$223,263</b>	<b>\$223,263</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>Department #146 CUSTODIAN OF TOWN LANDS</b>					
5100 Personal Services	2,500	2,500	2,500	2,500	2,500
<b>DEPARTMENT TOTAL</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>	<b>\$2,500</b>
<b>Department #151 TOWN COUNSEL</b>					
5200 Purchase of Services	60,000	85,458	86,500	90,000	90,000
<b>DEPARTMENT TOTAL</b>	<b>\$60,000</b>	<b>\$85,458</b>	<b>\$86,500</b>	<b>\$90,000</b>	<b>\$90,000</b>
<b>Department #155 INFORMATION TECHNOLOGY</b>					
5100 Personal Services	50,523	46,811	91,029	69,458	70,149
5200 Purchase of Services/Supplies	99,801	141,207	191,080	207,056	202,500
<b>DEPARTMENT TOTAL</b>	<b>\$150,325</b>	<b>\$188,018</b>	<b>\$282,109</b>	<b>\$276,514</b>	<b>\$272,649</b>
<b>Department #161 TOWN CLERK</b>					
5100 Personal Services	109,269	109,629	114,918	138,520	133,770
5200 Purchase of Services/Supplies	7,581	6,442	12,800	12,990	12,990
5800 Capital Outlay	3,510	3,075	7,000	12,500	12,500
<b>DEPARTMENT TOTAL</b>	<b>\$120,359</b>	<b>\$119,146</b>	<b>\$134,718</b>	<b>\$164,010</b>	<b>\$159,260</b>
<b>Department #162 ELECTIONS/ REGISTRATIONS</b>					
5100 Personal Services	17,027	8,953	28,830	26,488	26,088
5200 Purchase of Services/Supplies	6,769	5,510	11,644	13,250	13,250
<b>DEPARTMENT TOTAL</b>	<b>\$23,796</b>	<b>\$14,463</b>	<b>\$40,474</b>	<b>\$39,738</b>	<b>\$39,338</b>
<b>Department #171 CONSERVATION COMMISSION</b>					
5100 Personal Services	34,489	47,449	57,212	74,329	74,329
5200 Purchase of Services/Supplies	2,105	2,164	4,850	4,850	4,850
<b>DEPARTMENT TOTAL</b>	<b>\$36,594</b>	<b>\$49,613</b>	<b>\$62,062</b>	<b>\$79,179</b>	<b>\$79,179</b>

		Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>Department #175 PLANNING BOARD</b>						
5100 Personal Services		70,773	89,824	93,967	96,479	96,479
5200 Purchase of Services/Supplies		5,984	5,455	8,680	8,680	8,680
<b>DEPARTMENT TOTAL</b>		<b>\$76,758</b>	<b>\$95,279</b>	<b>\$102,647</b>	<b>\$105,159</b>	<b>\$105,159</b>
<b>Department #176 BOARD OF APPEALS</b>						
5100 Personal Services		1,377	1,220	2,250	2,304	2,304
5200 Purchase of Services/Supplies		937	1,917	2,050	2,050	2,050
<b>DEPARTMENT TOTAL</b>		<b>\$2,315</b>	<b>\$3,137</b>	<b>\$4,300</b>	<b>\$4,354</b>	<b>\$4,354</b>
<b>Department #181 MASTER PLAN COMMITTEE/LAND ACQUISITION</b>						
5100 Personal Services		714	610	1,125	1,152	1,152
5200 Purchase of Services/Supplies		0	0	100	100	100
<b>DEPARTMENT TOTAL</b>		<b>\$714</b>	<b>\$610</b>	<b>\$1,225</b>	<b>\$1,252</b>	<b>\$1,252</b>
<b>Department #192 TOWN BUILDINGS</b>						
5100 Personal Services		35,991	38,225	39,816	40,811	40,811
5200 Purchase of Services/Supplies		61,862	64,222	69,325	76,825	76,825
<b>DEPARTMENT TOTAL</b>		<b>\$97,854</b>	<b>\$102,447</b>	<b>\$109,141</b>	<b>\$117,636</b>	<b>\$117,636</b>
<b>Department #195 TOWN REPORTS</b>						
195 Town Warrants/Reports		2,412	2,383	5,000	5,500	5,500
<b>DEPARTMENT TOTAL</b>		<b>\$2,412</b>	<b>\$2,383</b>	<b>\$5,000</b>	<b>\$5,500</b>	<b>\$5,500</b>
<b>TOTAL GEN. GOVERNMENT FUNCTION 100</b>		<b>\$1,403,694</b>	<b>\$1,549,099</b>	<b>\$1,789,207</b>	<b>\$1,869,703</b>	<b>\$1,857,581</b>

**FUND: 01 GENERAL FUND**

				Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUNCTION 200: PUBLIC SAFETY</b>					
<b>Department #210 POLICE DEPARTMENT</b>					
5100 Personal Services	1,403,629	1,442,884	1,585,895	1,621,528	1,594,130
5200 Purchase of Services/Supplies	203,581	189,142	239,301	246,443	246,443
5800 Capital Outlay	5,950	17,000	50,000	50,000	50,000
<b>DEPARTMENT TOTAL</b>	<b>\$1,613,161</b>	<b>\$1,649,027</b>	<b>\$1,875,196</b>	<b>\$1,917,971</b>	<b>\$1,890,573</b>
<b>Department #220 FIRE DEPARTMENT</b>					
5100 Personal Services	1,452,224	1,511,158	1,686,792	1,781,170	1,765,384
5200 Purchase of Services/Supplies	165,830	175,990	205,176	217,805	217,805
5800 Capital Outlay	13,857	18,000	18,000	18,000	18,000
<b>DEPARTMENT TOTAL</b>	<b>\$1,631,910</b>	<b>\$1,705,148</b>	<b>\$1,909,968</b>	<b>\$2,016,975</b>	<b>\$2,001,189</b>
<b>Department #241 INSPECTIONS DEPARTMENT</b>					
5100 Personal Services	204,715	214,346	229,894	236,693	236,693
5200 Purchase of Services/Supplies	25,559	23,056	32,340	32,340	32,800
<b>DEPARTMENT TOTAL</b>	<b>\$230,274</b>	<b>\$237,402</b>	<b>\$262,234</b>	<b>\$269,033</b>	<b>\$269,493</b>
<b>Department #292 ANIMAL CONTROL</b>					
5100 Personal Services	22,442	19,957	23,438	22,732	22,732
5200 Purchase of Services/Supplies	1,541	1,457	3,200	4,400	4,400
<b>DEPARTMENT TOTAL</b>	<b>\$23,983</b>	<b>\$21,414</b>	<b>\$26,638</b>	<b>\$27,132</b>	<b>\$27,132</b>
<b>Department #296 TOWN CONSTABLE</b>					
5100 Personal Services	200	200	200	200	200
<b>DEPARTMENT TOTAL</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>	<b>\$200</b>
<b>TOTAL PUBLIC SAFETY FUNCTION 200</b>	<b>\$3,499,528</b>	<b>\$3,613,191</b>	<b>\$4,074,236</b>	<b>\$4,231,311</b>	<b>\$4,188,587</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION: 300: EDUCATION</b>					
<b>Department #301 MIDDLETON SCHOOL DEPARTMENT</b>					
5100 Personal Services	7,396,852	7,802,416	8,300,801	8,760,308	8,624,747
5200 Purchase of Services /Supplies	3,015,809	3,358,161	3,582,348	4,192,616	3,914,196
<b>DEPARTMENT TOTAL</b>	<b>\$10,412,661</b>	<b>\$11,160,577</b>	<b>\$11,883,149</b>	<b>\$12,952,924</b>	<b>\$12,538,943</b>
<b>Department #314 MASCONOMET SCHOOL DISTRICT</b>					
5600 Intergovernmental Payments (Middleton's Assessment)	9,116,409	9,241,983	9,415,414	9,968,124	9,968,124
5900 Masconomet Debt Service	387,861	384,138	379,817	382,380	382,380
<b>DEPARTMENT TOTAL</b>	<b>\$9,504,270</b>	<b>\$9,626,121</b>	<b>\$9,795,231</b>	<b>\$10,350,504</b>	<b>\$10,350,504</b>
<b>Department #315 NORTH SHORE ESSEX AGRICULTURAL AND VOCATIONAL SCHOOL DISTRICT</b>					
5600 Intergovernmental Payments (Middleton's Assessment)	536,848	539,119	731,689	699,698	699,698
5900 NSEAVSD Debt Service	61,910	69,732	85,826	77,979	77,979
<b>DEPARTMENT TOTAL</b>	<b>\$598,758</b>	<b>\$608,851</b>	<b>\$817,515</b>	<b>\$777,677</b>	<b>\$777,677</b>
<b>TOTAL SCHOOL DEPARTMENT</b>	<b>\$20,515,689</b>	<b>\$21,395,549</b>	<b>\$22,495,895</b>	<b>\$24,081,105</b>	<b>\$23,667,124</b>
<b>FUNCTION 300: EDUCATION</b>					

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 400: PUBLIC WORKS</b>					
<b>Department #420 PUBLIC WORKS DEPARTMENT</b>					
5100 Personal Services	544,658	573,221	650,238	674,861	674,861
5200 Purchase of Services/Supplies	284,883	277,587	291,400	320,521	300,981
5800 Capital Outlay	19,000	18,830	19,000	19,000	19,000
<b>DEPARTMENT TOTAL</b>	<b>\$848,541</b>	<b>\$869,637</b>	<b>\$960,638</b>	<b>\$1,014,382</b>	<b>\$994,842</b>
<b>Department #423 SNOW AND ICE</b>					
5100 Personal Services	46,299	43,544	60,000	60,000	60,000
5200 Purchase of Services/Supplies	281,621	255,344	189,500	209,500	209,500
<b>DEPARTMENT TOTAL</b>	<b>\$327,920</b>	<b>\$298,888</b>	<b>\$249,500</b>	<b>\$269,500</b>	<b>\$269,500</b>
<b>Department #425 TRANSFER STA./SOLID WASTE</b>					
5100 Personal Services	103,387	102,000	125,808	133,322	133,322
5200 Purchase of Services/Supplies	254,790	254,193	278,000	294,276	294,276
<b>DEPARTMENT TOTAL</b>	<b>\$358,177</b>	<b>\$356,193</b>	<b>\$403,808</b>	<b>\$427,598</b>	<b>\$427,598</b>
<b>TOTAL PUBLIC WORKS</b>	<b>\$1,534,639</b>	<b>\$1,524,719</b>	<b>\$1,613,946</b>	<b>\$1,711,480</b>	<b>\$1,691,940</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 500: HUMAN SERVICES</b>					
<b>Department #511 BOARD OF HEALTH</b>					
5100 Personal Services	100,405	104,616	107,878	110,681	110,681
5200 Purchase of Services/Supplies	22,993	21,700	26,825	28,325	28,785
<b>DEPARTMENT TOTAL</b>	<b>\$123,398</b>	<b>\$126,316</b>	<b>\$134,703</b>	<b>\$139,006</b>	<b>\$139,466</b>
<b>Department #541 COUNCIL ON AGING</b>					
5100 Personal Services	150,471	145,875	157,612	169,655	169,655
5200 Purchase of Services/Supplies	38,780	45,631	48,688	57,710	59,006
5800 Capital Outlay	1,325	1,500	1,500	1,500	1,500
<b>DEPARTMENT TOTAL</b>	<b>\$190,576</b>	<b>\$193,006</b>	<b>\$207,800</b>	<b>\$228,865</b>	<b>\$230,161</b>
<b>Department #543 VETERAN SERVICE OFFICER</b>					
5100 Personal Services	14,471	27,097	26,948	17,550	17,550
5200 Purchase of Services/Supplies	97,007	78,522	106,750	106,750	86,750
<b>DEPARTMENT TOTAL</b>	<b>\$111,477</b>	<b>\$105,619</b>	<b>\$133,698</b>	<b>\$124,300</b>	<b>\$104,300</b>
<b>Department #545 TRI-TOWN COUNCIL</b>					
5200 Purchase of Services	28,500	28,500	28,500	28,500	28,500
<b>DEPARTMENT TOTAL</b>	<b>\$28,500</b>	<b>\$28,500</b>	<b>\$28,500</b>	<b>\$28,500</b>	<b>\$28,500</b>
<b>Department #548 MIDDLETON GARDEN CLUB</b>					
5200 Purchase of Services	3,213	2,777	5,000	5,000	5,000
<b>DEPARTMENT TOTAL</b>	<b>\$3,213</b>	<b>\$2,777</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>
<b>TOTAL HUMAN SERVICES FUNCTION 500</b>	<b>\$457,165</b>	<b>\$456,218</b>	<b>\$509,701</b>	<b>\$525,671</b>	<b>\$507,427</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 600: CULTURE &amp; RECREATION</b>					
<b>Department #610 FLINT PUBLIC LIBRARY</b>					
5100 Personal Services	317,773	342,490	371,499	404,133	385,870
5200 Purchase of Services/Supplies	165,776	165,269	177,851	179,941	183,368
<b>DEPARTMENT TOTAL</b>	<b>\$483,549</b>	<b>\$507,760</b>	<b>\$549,350</b>	<b>\$584,074</b>	<b>\$569,238</b>
<b>Department #630 RECREATION COMMISSION</b>					
5100 Personal Services	16,010	18,255	21,538	21,726	21,726
5200 Purchase of Services/Supplies	14,385	19,126	24,350	24,350	24,350
<b>DEPARTMENT TOTAL</b>	<b>\$30,395</b>	<b>\$37,381</b>	<b>\$45,888</b>	<b>\$46,076</b>	<b>\$46,076</b>
<b>Department #691 HISTORICAL COMMISSION</b>					
5200 Purchase of Services	542	85	1,000	1,000	1,000
<b>DEPARTMENT TOTAL</b>	<b>\$542</b>	<b>\$85</b>	<b>\$1,000</b>	<b>\$1,000</b>	<b>\$1,000</b>
<b>Department #692 MEMORIAL DAY</b>					
5200 Purchase of Services	4,017	5,928	5,000	5,000	5,000
<b>DEPARTMENT TOTAL</b>	<b>\$4,017</b>	<b>\$5,928</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>
<b>Department #693 CHIEF WILLS DAY FAMILY FESTIVAL</b>					
5200 Purchase of Services	5,000	5,000	5,000	5,000	5,000
<b>DEPARTMENT TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>	<b>\$5,000</b>
<b>TOTAL CULTURE &amp; REC. FUNCTION 600</b>	<b>\$523,504</b>	<b>\$556,154</b>	<b>\$606,238</b>	<b>\$641,150</b>	<b>\$626,314</b>

	Actual FY 2017	Actual FY 2018	Approved FY 2019	Department Requested FY 2020	Selectmen Finance Committee Recommendation FY 2020
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 700: DEBT SERVICE</b>					
<b>Department #710 DEBT SERVICE</b>					
5801 Principal	742,314	863,640	819,475	887,250	887,250
5915 Interest	507,147	495,287	463,360	434,095	593,845
<b>TOTAL DEBT SERVICE FUNCTION 700</b>	<b>\$1,249,461</b>	<b>\$1,358,927</b>	<b>\$1,282,835</b>	<b>\$1,321,345</b>	<b>\$1,481,095</b>
<b>FUND: 01 GENERAL FUND</b>					
<b>FUNCTION 900: UNCLASSIFIED</b>					
<b>Department: UNCLASSIFIED</b>					
910 Compensation Reserve	7,155	8,685	40,000	40,000	40,000
911 Retirement	1,188,311	1,300,187	1,409,336	1,475,022	1,460,009
913 Unemployment	772	6,638	10,000	10,000	10,000
914 Health Insurance	694,249	765,596	869,035	886,972	846,972
915 Group Insurance	1,794	2,521	3,000	3,000	3,000
916 Medicare	78,378	84,945	90,000	95,000	95,000
945 All Other Insurance	146,016	166,691	206,250	216,200	207,000
<b>DEPARTMENT TOTAL</b>	<b>\$2,116,674</b>	<b>\$2,335,264</b>	<b>\$2,627,621</b>	<b>\$2,726,194</b>	<b>\$2,661,981</b>
<b>TOTAL OPERATING BUDGET</b>	<b>\$31,300,354</b>	<b>\$32,789,121</b>	<b>\$34,999,679</b>	<b>\$37,107,959</b>	<b>\$36,682,049</b>
<b>GENERAL FUND 01</b>					

**ARTICLE 7.** On petition of the Board of Selectmen and Community Preservation Committee, to see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for debt service, and community preservation projects and other expenses in Fiscal Year 2020 with each item to be considered a separate appropriation; or take any other action relative thereto.

### **Proposed Fiscal Year 2020 Community Preservation Budget**

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from Fiscal Year 2020 Community Preservation Fund Revenues, unless otherwise specified for Fiscal Year 2020 Community Preservation Purposes with each item considered to be a separate appropriation:

<b><u>Purpose</u></b>	<b><u>Recommended Amount</u></b>	<b><u>Funding Source</u></b>
A) Reserves: Open Space	\$31,641	FY 2020 Estimated CPA Receipts
Reserves: Historic Resources	\$31,641	FY 2020 Estimated CPA Receipts
Reserves: Community Housing	\$31,641	FY 2020 Estimated CPA Receipts
B) Flint Library Debt Service	\$62,750	\$32,090 from Historic Resources Reserve and \$30,660 from Fund Balance
C) 11 South Main St. Debt Service	\$40,325	\$32,090 from Open Space Reserve and \$8,2354 from Fund Balance
D) CPA Committee Admin. Expenses	\$1,150	From Fund Balance
<b>Community Preservation Total</b>	<b>\$235,148</b>	

**Purpose:** Each year the Town Meeting must appropriate or reserve for future appropriation at least 10% of the estimated annual fund revenues for acquisitions and initiatives in each of the following three categories of allowable community preservation purposes:

- Open space (excluding recreational uses)
- Historic resources
- Community housing

The term “annual fund revenues” in Fiscal Year 2020 are estimated at \$251,000 and is composed of the estimated receipts from the local surcharge of \$230,000 and monies from the State Trust Fund, which will make its fifteenth payment in October of 2019 providing an additional estimated \$21,000 in matching funds based upon the local share raised in FY 2019.

**ARTICLE 8.** On petition of the Board of Selectmen and Community Preservation Committee, to see if the Town will vote to appropriate from the Community Preservation Fund annual revenues the following amounts recommended by the Community Preservation Committee for new community preservation projects in Fiscal Year 2020 with each item to be considered a separate appropriation; or take any other action relative thereto.

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
A) Rubchinuk Park irrigation	\$24,500	Fund Balance
B) Digitize Historic Records	\$89,000	Fund Balance
<b>Community Preservation Total</b>		<b>\$ 113,500</b>

**ARTICLE 9.** On petition of the Board of Selectmen to see if the Town will vote to authorize the spending limits of the following revolving funds established under the Town Bylaw and General Laws Chapter 44, Section 53E ½:

<b>Revolving Fund</b>	<b>Spending Limit</b>
Firearms License and Permits	\$10,000
Council on Aging	\$35,000
Recreation	\$15,000
Recreation Field Use	\$15,000
Stormwater Management	\$5,000

Or take any other action relative thereto.

**ARTICLE 10.** On petition of the Town Accountant, Public Works Superintendent, Board of Selectmen, and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Sewer Enterprise receipts to pay expenses and contractual services required to operate the Sewer Enterprise Fund for Fiscal Year 2020; or take any other action relative thereto.

Direct Costs	
SESD Assessment	\$105,000
Expenses	\$100
Extra/Unforeseen	\$1,000
Total Direct Costs:	\$106,100

Indirect Costs *	
Salaries and Wages	\$4,346
Insurance & Benefits	\$515
Total Indirect Costs:	\$4,861

Total FY2020 Budget	<b>\$110,961</b>
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*\*(to be raised and appropriated in the General Fund Operating Budget)*

Town shall raise the sum of \$106,100 or any other sum from the Sewer Enterprise Revenues and to approve the sum of \$4,861 of indirect costs appropriated in the general fund under article 8 to be funded from Sewer Enterprise Revenues.”

**ARTICLE 11.** On petition of the Town Accountant, Public Works Superintendent, Board of Selectmen, and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Water Enterprise receipts to pay expenses and contractual services required to operate the Water Enterprise Fund for Fiscal Year 2020; or take any other action relative thereto.

Direct Costs	
Salaries and Wages	\$110,768
Capital Outlay	0
Debt Service	\$11,285
Expenses	\$116,600
Total Direct Costs:	\$238,653
Indirect Costs *	
Salaries and Wages	\$13,530
Insurance & Benefits	\$7,419
Total Indirect Costs:	\$20,949
Total FY2020 Budget	<b>\$259,602</b>

*\*(to be raised and appropriated in the General Fund Operating Budget)*

Town shall raise the sum of \$238,653 or any other sum from the Water Enterprise Revenues and to approve the sum of \$20,949 of indirect costs appropriated in the general fund under article 8 to be funded from Water Enterprise Revenues.”

**ARTICLE 12.** On petition of the Board of Assessors and Director of Veterans Services, to see if the Town will vote to accept Clause 22G of Section 5 of Chapter 59 of the General Laws (also referenced in Section 15 of Chapter 218 of the Acts of 2018), known as the BRAVE Act, to allow veterans or their surviving spouses whose domicile is owned by a trustee, conservator, or other fiduciary for the person’s benefit to be eligible for exemption under Clause 22 if they would otherwise qualify, said acceptance to take effect in Fiscal Year 2020; or take any other action relative thereto.

**Purpose:** This article would expand eligibility for Clause 22 exemptions to veterans who did not name themselves as trustees at the time the home was conveyed to a trust. Under the previous version of Clause 22, a veteran who conveyed their home to a trust was only eligible for the exemption if they listed themselves as a trustee. This would apply to one Middleton resident.

**ARTICLE 13.** On petition of the Electric Light Commissioners, to see if the Town will vote to accept a sum of money from the earnings of the Electric Light Department, said sum to be used for the reduction of taxes; or take any other action relative thereto.

**ARTICLE 14.** On petition of the Electric Light Commissioners, to see if the Town will vote to authorize the appropriation of all income of the Municipal Light Department, the whole to be expended by the Manager thereof under the direction and control of the Commissioners, for the expenses of the Department for the Fiscal Year as defined in Section 57 of Chapter 164 of the General Laws of the Commonwealth, and the excess to be transferred to the Depreciation Fund of said Department to be used as the Commissioners may direct hereto; or take any other action relative thereto.

**ARTICLE 15.** On petition of the Superintendent of Public Works, to see if the Town will vote to raise and appropriate such sums of monies as may be received from the Commonwealth of Massachusetts for the fiscal year commencing July 1, 2019 to install drainage, widen, pave, and otherwise improve any public way in accordance with the provisions of Chapter 90 of the Massachusetts General Laws; or take any other action relative thereto.

**ARTICLE 16.** On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to fund the Capital expenditures for Fiscal Year 2020; and to authorize the Town Administrator to sell or trade items rendered surplus by such purchases; or take any other action relative thereto.

<b>Department/Location</b>	<b>Project</b>	<b>Expenditure</b>
<u>Dept. of Public Works</u>	Skid Steer Loader	55,000
	F350 Pickup Truck or similar	40,000
	Asphalt Hot Box, Roller, Trailer	43,000
	Paving to Supplement c. 90	100,000
	Sidewalk Improvements	75,000
	Roll-off Containers	20,500
	Lawnmower	10,500
	<b><i>Public Works subtotal</i></b>	<b><i>344,000</i></b>
<u>Police Department</u>	Patrol Rifles	1,400
	Taser replacement	18,750
	Patrol vehicles	102,000
	Office Shredder, Multifunction Copier	2,800
	Outfit, Train New Reserve Officers	11,180
	<b><i>Police subtotal</i></b>	<b><i>136,130</i></b>

<u>Fire Department</u>	Self-Contained Breathing Apparatus	9,000
	Replace Squad 5 Pump	9,000
	Replace Air Bags	2,250
	Replace Ladder 1 Lighting	5,700
	Ballistic Vests, Helmets	8,300
	Replace 4 AEDs	10,000
	Ambulance Load System	34,000
	Replace Stair Chairs	8,600
	CPR Mannequin	2,700
	Outfit, Train New Firefighter/Paramedic	20,045
	<b><i>Fire subtotal</i></b>	<b><i>109,595</i></b>
<u>Information Technology</u>	Fire Department File-Print Server	4,000
	Memorial Hall Network Switches	2,000
	Memorial Hall NAS Backup Device	1,500
	Fire Dept. Network Switch	1,000
	Multifunction Copier-Printers: MH, COA, PD	19,000
	<b><i>Information Technology subtotal</i></b>	<b><i>27,500</i></b>
<u>Facilities</u>	Memorial Hall Repairs, Maintenance	17,300
	Memorial Hall LED Lighting Upgrades	22,000
	COA Refinish Hardwood Flooring	7,500
	<b><i>Facilities subtotal</i></b>	<b><i>46,800</i></b>
<u>Administration</u>	Board of Health Ford Escape or similar	25,430
	Building Dept. F150 or similar	29,100
	ClearGov Budget Module	9,300
	HR Software	14,727
	<b><i>TA/BOS subtotal</i></b>	<b><i>78,557</i></b>
<u>Middleton Public Schools</u>	Fuller Meadow End-User Technology	34,198
	Fuller Meadow Technology Infrastructure	15,000
	Fuller Meadow Building Interior	22,500
	Fuller Meadow Playground, Parking Lot	15,000
	Howe Manning End User Technology	84,249
	Howe Manning Technology Infrastructure	15,000
	<b><i>Middleton schools subtotal</i></b>	<b><i>185,947</i></b>
<u>Essex No. Shore Tech</u>	Capital contribution	19,765
	<b><i>Essex Tech subtotal</i></b>	<b><i>19,765</i></b>
<b><i>Capital Projects Total</i></b>		<b><i>\$ 948,294</i></b>

**Purpose:** This article requests approval of the capital budget for the coming fiscal year. Capital items are assets that have a useful life of five (5) or more years and a cost of more than \$5,000. Regular capital investment is critical to maintaining the Town's infrastructure, including vehicle fleet, buildings, equipment, and acquisition of land. Annually, a capital improvement plan (CIP) is developed looking ahead for the next five years. Year one of the CIP is the ensuing year's capital budget.

**ARTICLE 17.** On petition of the Masconomet School Committee and Superintendent, see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$159,795 to fund Middleton's share of the capital expenditures of the Masconomet Regional School District for Fiscal Year 2020 for the following:

• Woodshop Safety Measures	\$40,000
• Sidewalk and Parking Lot Repairs	\$60,000
• Stabilization Fund	<u>\$350,000</u>
Masconomet Total	\$450,000

**Middleton's share** **\$159,795**

Or take any other action relative thereto.

**ARTICLE 18.** On petition of the Board of Selectmen and Finance Committee, to see if the Town will vote to raise and appropriate, borrow or transfer from available funds certain sums of money to the following reserve accounts:

- Stabilization Fund: \$50,000
- Capital Stabilization Fund: \$50,000
- Special Education Stabilization Fund: \$50,000
- Other Post-Employment Benefits Liability Irrevocable Trust Fund: \$50,000

Or take any other action relative thereto.

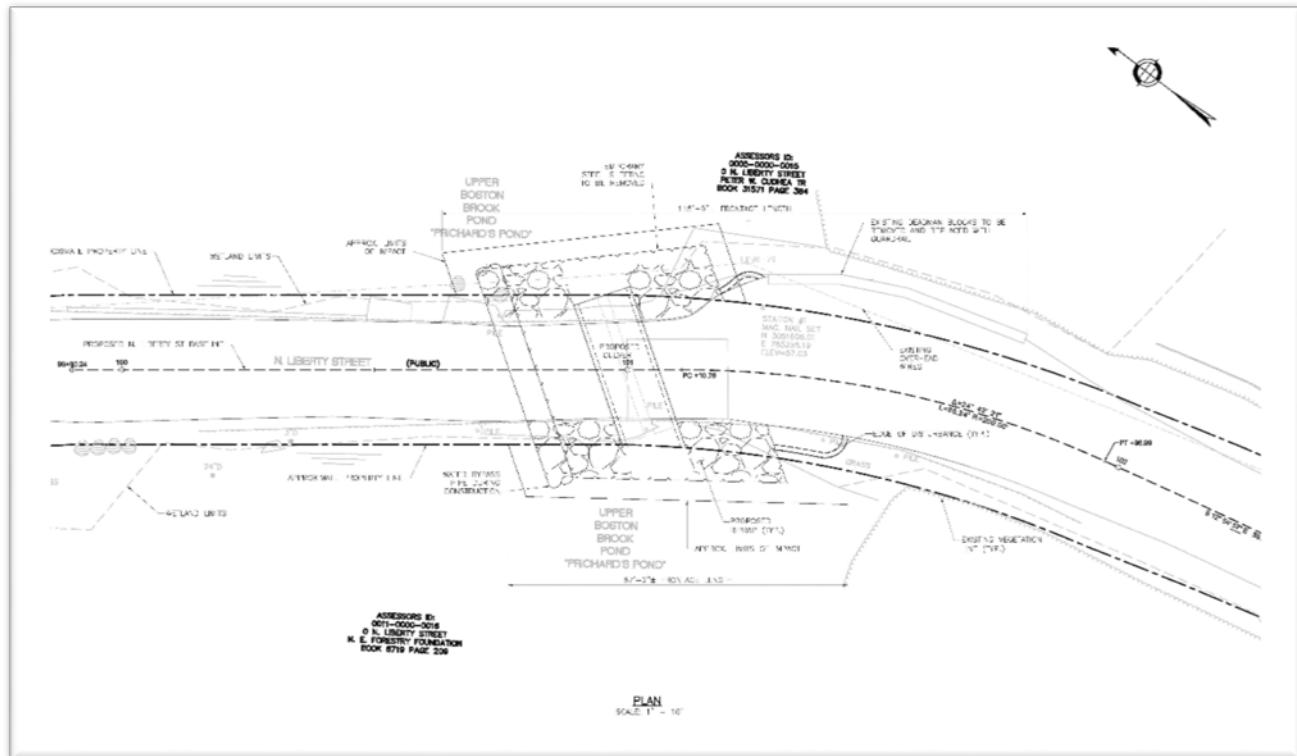
	Tax Levy	Overlay Reserve	Community Preservation Fund	Ambulance Fund	Proposed Free Cash Contribution	Stabilization Fund	Debt Service	Other	Notes
<b>Public Works</b>									
Parks & Recreation - Rubchinuk Park Irrigation(Phase1)			24,500						
Highway Division - Bobcat Skid Steer Replacement					55,000				
Highway Division - F250 Pickup Replacement					40,000				
Highway Division - Asphalt Hot Box					22,000				
Highway Division - Asphalt Roller/Trailer					21,000				
Highway Division - Chapter 90								300,000	Chapter 90
Highway Division - Maple Street/Liberty Street								172,000	Complete Streets Grant
Highway Division - North Liberty Culvert								500,000	Small Bridge Repair Grant
Highway Division - Additional Chapter 90		100,000							
Highway Division - Brigadoon Tree/Sidewalk (phase 1)		75,000							
Transfer Station - New Roll off Containers (2)					17,000				
Transfer Station - Repair Roll off Containers (1)					3,500				
Cemetery - Replace Scag 52" Mower					10,500				
<b>Total Public Works</b>	<b>\$0</b>	<b>\$175,000</b>	<b>\$24,500</b>	<b>\$0</b>	<b>\$169,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$972,000</b>	
<b>Police</b>									
Patrol Rifles Upgrades					1,400				
Taser Replacements					18,750				
Three Replacement Patrol Vehicles					102,000				
Office Shredder/Copier					2,800				
Outfit and Train 2 New Reserve Officers					11,180				
<b>Total Police</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$136,130</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Fire</b>									
Equipment - Replace self-contained breathing apparatus gear (SCBA)					9,000				
Replace Squad 5 Pump					9,000				
Replace air bags					2,250				
Replace Ladder 1 Lighting					5,700				
Ballistic Vests & Helmets					8,300				
Replace 4 AED's				10,000					
Ambulance Load System				34,000					
Replace Stair Chairs				8,600					
CPR Mannequin				2,700					
Training Costs for New Firefighter/Paramedic					20,045				
<b>Total Fire</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$55,300</b>	<b>\$54,295</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

	Tax Levy	Overlay Reserve	Community Preservation Fund	Ambulance Fund	Proposed Free Cash Contribution	Stabilization Fund	Debt Service	Other	Notes
<b>Elementary Schools</b>									
Fuller Meadow School - End-user technology					34,198				
Fuller Meadow School - Technology infrastructure					15,000				
Fuller Meadow School - Building Interior					22,500				
Fuller Meadow School - Playground Eqpt/Parking Lot					15,000				
Howe Manning School - End-user technology					84,249				
Howe Manning School - Technology infrastructure					15,000				
<b>Elementary Schools Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$185,947</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Masconomet Regional School</b>									
Contribution to Stabilization Fund for interim repairs					450,000				
<b>Masconomet Regional School - Middleton Assessment at</b>									
35.51%	\$0	\$0	\$0	\$0	\$159,795	\$0	\$0	\$0	
<b>Town Buildings - Memorial Hall</b>									
Replace Memorial Hall Sign					6,500				
Paint Exterior Trim and Front Door Surface Maintenance					4,000				
Replace Shed					5,000				
Reset front Steps					1,800				
Upgrade Town Hall Lighting to LED					22,000				
<b>Town Buildings - Memorial Hall</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$39,300</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Town Buildings - Old Town Hall</b>									
Refinish Hardwood Flooring					7,500				
<b>Town Buildings - Old Town Hall Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Flint Public Library</b>									
Building system upgrades									
Technology updates									
<b>Total Flint Public Library</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Information Technology</b>									
IT - Five year replacement protocol file/print server at fire station					4,000				
IT- Replace network switches at Town Hall					2,000				
IT - NAS Device to store backup data at Town Hall					1,500				
IT - New network switch at Fire Station					1,000				
IT- Photocopy Machine with Managed Printer Services - Town Hall/COA/Police Dept					19,000				
<b>Total Information Technology</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$27,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

	Tax Levy	Overlay Reserve	Community Preservation Fund	Ambulance Fund	Proposed Free Cash Contribution	Stabilization Fund	Debt Service	Other	Notes
<b>Essex Tech Capital contribution</b>									
Essex Tech Capital contribution									
<b>Total Other</b>	\$0	\$0	\$0	\$0	\$19,765	\$0	\$0	\$0	
<b>Administration</b>									
Purchase New Ford Escape for Board of Health					25,430				
Purchase New Ford F-150 for Building Department					29,100				
Purchase of ClearGov Budget Module		9,300							
Purchase of LaserFiche Licensing			89,000						
Maintenance of Golf Course (FY19)					25,000				
IT - Remaining Purchase of HR Software (\$25,000 grant already received)		14,727							
<b>Total Administration</b>	\$0	\$24,027	\$89,000	\$0	\$79,530	\$0	\$0	\$0	
<b>Financial Transfers</b>									
Capital Stabilization					50,000				
SPED Stabilization					50,000				
OPEB Trust Fund					50,000				
General Stabilization Fund					50,000				
<b>Financial Transfers</b>	\$0	\$0	\$0	\$0	\$200,000	\$0	\$0	\$0	
<b>Capital Budget Total</b>	\$0	\$199,027	\$113,500	\$55,300	\$1,078,762	\$0	\$0	\$972,000	

## CITIZEN PETITIONS, BYLAW ADOPTIONS, AND REAL PROPERTY

**ARTICLE 19.** On petition of the Board of Selectmen, to see if the Town will vote to authorize the Selectmen to acquire temporary easements necessary for the reconstruction of the North Liberty Street Bridge, as described on easement plans on file in the Office of the Town Clerk; or taken any action relative thereto.



**ARTICLE 20.** On petition of the Board of Selectmen, to see if the Town will vote to amend Chapter 169, Licenses and Permits, Article I Delinquent Taxpayers, by deleting the words shown in **bold strikethrough** and inserting the words in **underline and bold**; or taken any action relative thereto.

### § 169-1 List to be furnished.

The Treasurer-Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges shall annually furnish each department, board, commission or division, hereinafter referred to as the "licensing authority," that issues licenses or permits, including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the "party," that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges **for not less than a twelve-month period**, and that such party has not filed in good faith a pending application for an abatement of such tax or has a pending petition before the Appellate Tax Board.

### § 169-2 Denial, suspension or revocation of license or permit.

The licensing authority shall deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing ~~board authority~~ from the Treasurer-Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Treasurer-Collector; provided, however, that written notice is given to the party and the Treasurer-Collector, as required by applicable provision of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be a *prima facie* evidence for denial, revocation or suspension of said license or permit to any party. The Treasurer-Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceedings at law, except for any appeal from such license denial, revocation, suspension. Any license or permit denied, suspended or revoked under this section shall not be issued or renewed until the licensing authority receives a certificate issued by the Treasurer-Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the municipality as of the date of issuance of said certificate.

#### § 169-3 Payment agreements.

Any party shall be given an opportunity to enter into a payment agreement with the Treasurer-Collector, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

#### § 169-4 Waiver.

The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in MGL c. 268A, ~~§ 1~~, in the business or activity conducted in or on said property.

#### § 169-5 Exceptions.

This section shall not apply to the following licenses and permits granted under the General Laws of the Commonwealth of Massachusetts: open burning, MGL c. 48, § 13; bicycle permits, MGL c. 85, § 11A; sales of articles for charitable purposes, MGL c. 101, § 33; children work permits, MGL c. 149, § 69; clubs, associations dispensing food or beverage license, MGL c. 140, § 21E; dog licenses, MGL c. 140, § 137; fishing, hunting, trapping licenses, MGL c. 131, § 12; marriage licenses, MGL c. 207, § 28; and theatrical events, public exhibition permits, MGL c. 140, § 181.

Or take any action relative thereto.

**Purpose:** This article updates and modernizes Chapter 169.

**ARTICLE 21.** On petition of the Board of Selectmen, to see if the Town will vote to amend Chapter 1, Section 1-2 Non-Criminal Disposition, by deleting the words shown in **bold strikethrough** and inserting the words in **underline and bold**; or taken any action relative thereto.

#### 1-1 Criminal Complaints

Whoever violates any provision of these bylaws may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law and as the District Court may see fit to impose, the maximum penalty for each violation, or offense brought in such manner, shall be \$300.

#### 1-2 Noncriminal Disposition

A. In addition to the procedures for enforcement as described above, the provisions of these bylaws and the Board of Health Regulations entitled "Sale of Tobacco Products to Minors" may also be enforced by noncriminal complaint pursuant to the provisions of MGL c. 40, § 21D.

[Amended 11-29-2005 STM by Art. 10]

B. The Police Department, **Building Commissioner**, or in cases concerning the enforcement of the Board of Health Regulations entitled "Sale of Tobacco Products to Minors," agents of the Board of Health, as an alternative to initiating criminal proceedings may give to the offender a written notice to appear before the Clerk of the Salem District Court at any time during office hours, not later than 21 days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offense charged, and the time and place for his required appearance. Such notice should be signed by a police officer, **Building Commissioner**, or in cases concerning the enforcement of the Board of Health

Regulations entitled "Sale of Tobacco Products to Minors," by an agent of the Board of Health, and shall be signed by the offender whenever practicable in acknowledgement that such notice has been received.

C. The notice shall be served and all the procedures followed as set out in said MGL c. 40, § 21D, as amended.

D. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense, beginning with the date of receipt of the notice and order issued pursuant to this bylaw. The penalty for violation of any provision of these bylaws shall be as each bylaw provides, and if there is no penalty the following shall apply:

[Amended 11-29-2005 STM by Art. 10]

- (1) First offense: written warning.
- (2) Second offense: \$100.
- (3) Third offense: \$200.
- (4) Fourth and subsequent offenses: \$300.

E. Without intending to limit the generality of the foregoing, it is the intention of this provision that all bylaws and sections of bylaws and the Board of Health Regulations entitled "Sale of Tobacco Products to Minors" are to be included within the scope of this section, that the specific penalties as set forth in the bylaws and sections of the bylaws and the Board of Health Regulations entitled "Sale of Tobacco Products to Minors" shall apply and that in addition to

police officers, who shall in all cases be considered enforcing persons for the purpose of this provision, the municipal personnel listed for each section, if any, and in cases concerning the enforcement of the Board of Health Regulations entitled "Sale of Tobacco Products to Minors" agents of the Board of Health shall also be enforcing persons for such sections.

**ARTICLE 22.** On petition of the Board of Selectmen and Town Clerk, to see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts for special legislation in the form set forth below exempting the Town of Middleton from Chapter 54, Section 24 of the General Laws, as follows:

SECTION 1. Chapter 54, Section 24 of the General Laws is hereby amended by deleting the following language "...Alcoholic beverages shall not be sold in any portion of a building which is designated as a polling place, during voting hours or while ballots are being counted...",

And replacing it with the following language.

"...Alcoholic beverages shall not be served or consumed in that portion of a building used as a polling place, during voting hours or while ballots are being counted therein...".

SECTION 2. This act shall take effect upon passage.

Provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any action relative thereto.

**Purpose:** This article seeks a special act of the Massachusetts Legislature to allow elections to be held in a building in which alcoholic beverages are sold as long as alcoholic beverages are not consumed inside the polling location during voting hours or while ballots are being counted. The tradition of holding elections in public schools is becoming more challenging and problematic. This exemption from the State election laws would allow the Town to hold elections in a function hall. The special legislation would make available more options for the Town in designating polling places.

**ARTICLE 23.** On petition of 10 or more registered voters, to see if the Town will vote to amend the Middleton General Bylaws, Chapter 75: Records & Reports, as shown in the highlighted text below:

§75-1. The Annual Town Report shall be printed and published **14 days** before the Annual Town Meeting by the Selectmen at the expense of the Town, and shall contain the reports of the Selectmen, the School Committee, and each other department of the Town for the preceding financial year, as required by law or by this bylaw; the record of all Town Meetings during said year; a record of appropriations made for each department during said year; a financial statement

of the accounts of the Town as of the end of the year; the report of the Finance Committee and its recommendations as to appropriations for the following year; the jury list; the reports of all committees; a statement by any board or committee in charge of any contract work or other undertaking for which a special appropriation has been made, reporting all receipts, expenditures and indebtedness incurred up to date; and an estimate of the amount of money necessary to finish such work; and such other matters as may be required by law, by vote of the Town, or in the discretion of the Selectmen. **If the selectmen neglect or refuse to make the annual report, they shall severally forfeit fifty dollars.**

Purpose: As of March 1, 2019, Annual Reports for the following years were unavailable: FY2010, FY2011, FY2012, FY2014, FY2015, FY2016, FY2017. The intent of this article is to provide consistency with Massachusetts General Law, Part I, Title VII, Chapter 40, Section 49 in regard to a penalty for noncompliance and to ensure the Annual Report is published in a timely manner prior to the Annual Town Meeting.

**ARTICLE 24.** On petition of 10 or more registered voters, to see if the Town will vote to amend the Middleton General Bylaws, Chapter 56: Meetings, by adding the following section shown below:

§56-9. All meetings of the following committees shall be broadcast: Board of Assessors, Board of Selectmen, Board of Health, Conservation Commission, Elementary School Committee, Regional School Committee, Finance Committee, Master Plan Committee, Planning Board, and Zoning Board of Appeals. This listing does not preclude the Town from broadcasting meetings of other committees. If a meeting cannot be broadcast, the meeting shall be video recorded and aired on the Public Cable Access Channel and made available on the Town website within 2 business days of the meeting.

Purpose: Beginning September 1, 2019, committee meetings will be recorded to ensure transparency of town government activities and to provide current information to citizens in a timely manner.

**ARTICLE 25.** On petition of the Board of Selectmen, to see if the Town will vote to amend the Middleton General Bylaws, Chapter 270: Animals, Article II: Animal Control by adding the words shown in **bold underline** and deleting the words in **bold strikethrough** below.

§ 270-64. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AT LARGE or LOOSE

A dog which is off the property of its owner or keeper and is:

A. Unaccompanied by a person of adequate age and discretion to properly control its actions;

- B. Unrestrained by a leash or chain of less than eight feet in length; **or**
- C. A danger to persons or property as determined by the Animal Control Officer.

## **NUISANCE**

~~Animal behavior which constitutes a nuisance includes but is not limited to the following: molesting a passerby or passing vehicles (including bicycles), attacking persons or domestic animals, trespassing on public or private property or damaging public or private property, and barking, whining or howling in an excessive, continuous or untimely fashion.~~

## **DANGEROUS DOG**

### **Any dog that:**

- A. Without justification, attacks a person or domestic animal causing physical injury or death;**
- B. Behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.**

**§ 270-45. Dog license required; rabies vaccination for dogs and cats.**

The Animal Control Officer (hereinafter called "ACO") is authorized to require all dogs in the Town of Middleton to be licensed in accordance with MGL c 140, § 137. The ACO is authorized to require all Middleton dogs and cats to be vaccinated against rabies by a licensed veterinarian and to require their owners or keepers to retain proof of said vaccination supplied by a veterinarian **in accordance with MGL c. 140, s. 145B.** Whosoever violates the provisions of this section shall be subject to a fine in accordance with MGL c 140, § 173A, of \$50; **each day of violation shall be considered a separate offense.**

**§ 270-56. Dogs to be restrained.**

~~The Animal Control Officer is authorized to require owners or keepers of dogs to keep such dogs from becoming a public nuisance. All dogs within the Town of Middleton are prohibited from running at large or loose and shall be leashed when off the owner's property. The ACO is further authorized to require owners or keepers of dogs to restrain their dogs from running at large or loose.~~ The ACO is required to enforce this requirement with uniformity. **Whoever violates any provision of this article shall be subject to a fine of \$50.00 for a first offense and \$75.00 for any subsequent offense relating to the same dog. Any dog which has been the subject of four violations of this section, shall be reported as a potential nuisance dog by the animal control officer to the Board of Selectmen for a hearing pursuant to § 270-7 of this bylaw.**

**§ 270-7. Violations and penalties.**

### **A. Dog control fines:**

~~[Amended 3-15-2016; 3-29-2016]~~

- ~~(1) First offense: punishable by a fine of \$25.~~
- ~~(2) Second offense: punishable by a fine of \$50.~~
- ~~(3) Third and subsequent offenses: punishable by a fine of \$100.~~

**B. Domestic animal killing another domestic animal:**

- ~~(1) First offense: punishable by a fine of \$10. A public hearing shall be held by the Board of Selectmen on each complaint.~~
- ~~(2) Second offense: punishable by the maximum fine permissible per MGL c. 140, § 173, \$50, and destruction of the dog or placement with another owner. A public hearing shall be held by the Board of Selectmen on each complaint.~~

**§ 270-7. Complaint, Hearing & Appeal Process.**

- A. It shall be the duty of the Board of Selectmen to determine if a dog is to be deemed a nuisance or dangerous.
- B. Town law enforcement officers, inspectors or medical technicians shall report to the Board of Selectmen any potentially nuisance or dangerous dogs and any witnessed inappropriate behavior or incidents. Any other person may file a complaint in writing to the Board of Selectmen that a dog owned or kept in the town is a nuisance dog or a dangerous dog.
- C. After receiving a complaint that a dog is a nuisance or dangerous, the Board of Selectmen shall investigate and hold a public hearing, to include examination under oath of the complainant. Based on credible evidence and testimony presented at the public hearing, the Board of Selectmen may deem a dog a nuisance or dangerous.
- D. A determination of the Board of Selectmen shall be final and binding, subject to appeal to a court of competent jurisdiction pursuant to G. L. 140, s. 157 as may be amended.
- E. No dog shall be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog; was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog; or was committing or attempting to commit a crime. Children under seven years of age at the time injury was sustained will be presumed to have not committed any of the actions stated in this subsection.

**§ 270-8. Order – Nuisance Dogs.**

The Board of Selectmen may impose the following penalties or conditions following a finding that a dog is a nuisance dog:

- A. That the owner or keeper of the dog take remedial action to ameliorate the cause of the nuisance behavior.
- B. And any and all other remedies available to the Town pursuant to G.L. c. 140, § 157.

## § 270-9. Order – Dangerous Dogs.

The Board of Selectmen may impose the following penalties or conditions following a finding that a dog is a dangerous dog:

- A. That the dangerous dogs must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the dog from escaping. Such pen or structure shall have secure sides and a secure top and shall also provide protection from the elements for the dog.
- B. That the dangerous dog shall be prohibited upon any public way unless accompanied by a person over the age of 17 and restrained by an appropriate dog leash no longer than three feet in length.
- C. That the owner be required to obtain insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional.
- D. That the dog be euthanized.
- E. That the dangerous dog be required to wear a bright orange collar, at least two inches in width.
- F. That the person who either owns or harbors the dangerous dog conspicuously display a sign approved by the animal control officer with a warning symbol that informs children of the presence of such dangerous dog and a sign easily readable by the public using the words "dangerous dog." Signs are to be posted at each entrance to the house and on gates that are part of a fence enclosing the property as well as on the pen.
- G. That the dangerous dog be muzzled when not securely confined indoors or in a pen. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any person or animal.
- H. And any and all other remedies available to the Town pursuant to G.L. c. 140, § 157.

## § 270-10. Number limited.

- A. There shall be no more than one dangerous dog per dwelling unit allowed in the town.
- B. No person shall be permitted to own, harbor or otherwise control or have custody of more than one dangerous dog, excepting a licensed kennel.

## § 270-11. Possession by minor.

It is prohibited for a minor to either own, harbor or to otherwise have control or custody of a dangerous dog.

## § 270-12. Breeding, selling or trading.

**No person shall be permitted to breed dangerous dogs or sell or trade them within the town without informing the recipient of the dog of the finding or dangerousness in accordance with MGL c. 140, s. 157A.**

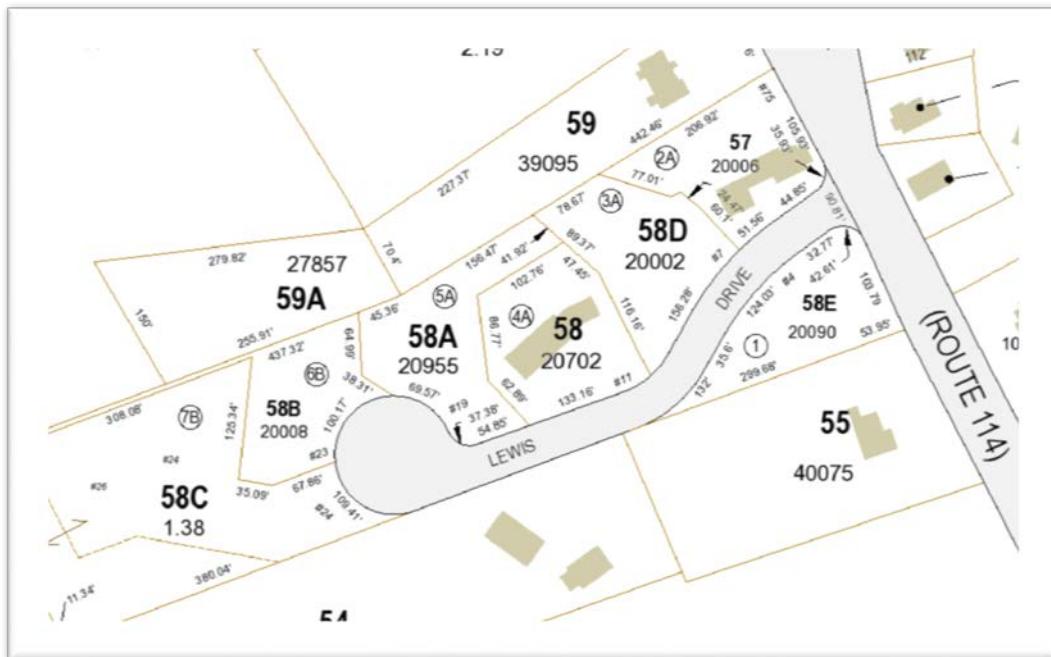
**§ 270-13. Inflicting injury or damage.**

**Any injury or damage inflicted by a dog on a human or domestic animal shall result in immediate confinement, and a hearing shall be conducted as soon as possible in accordance with M.G.L. c. 140, § 157.**

**Any dog, if found to be in violation of an order of a hearing authority or district court, may be captured, detained or, in the case of a threat to public safety, euthanized in a humane manner pursuant to M.G.L. c. 140, § 158. Any dog found living in a wild state may be euthanized in a humane manner.** ; or take any other action relative thereto.

**ARTICLE 26.** On petition of the Board of Selectmen to see if the Town will vote to accept Lewis Drive as a public way as laid out by the Board of Selectmen under M.G.L Chapter 82, Sections 21 & 22, and in compliance with the Planning Board's Subdivision Rules and Regulations, and to authorize the Board of Selectmen to acquire by purchase, gift, or eminent domain, the fee simple or a lesser interest in the land within such ways, and any easements related thereto, and raise and appropriate the sum of \$1.00; or taken any action relative thereto.

**Planning Board Recommendation:** The board voted 4-0 to recommend the Town accept Lewis Drive as a public way.



**End of Annual Town Meeting Warrant**

**To the Town Constable:**

You are hereby ordered to notify and warn said qualified voters to meet at the Fuller Meadow School on Tuesday, May 21, 2019, next for the following purposes, VIZ: To choose by ballot the following Town Officers for the ensuing year:

Town Moderator for two years  
Constable for three years  
Two Board of Selectmen members for three years  
One Board of Assessors member for three years  
Two Elementary School Committee members for three years  
One Regional School Committee member for three years  
One Planning Board member for five years  
One Electric Light Commissioner for three years  
One Library Trustees for three years  
One Housing Authority member for five years

**The Polls open at 7:00 a.m. and close at 8:00 p.m. Voting takes place at the Fuller Meadow School gymnasium, 143 South Main Street, Middleton.**

And you are hereby directed to service this Warrant by posting up attested copies thereof at:

Memorial Hall	Flint Public Library	Ferncroft Towers, and
Post Office	Howe Station Market	Fuller Pond Village

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereof, to the Town Clerk at time and place of meeting aforesaid.

Given under our hands this 9<sup>th</sup> day of April in the year Two Thousand Nineteen.

**MIDDLETON BOARD OF SELECTMEN**

K. S. A.  
Jeff. H. Moore  
J. M.

B. M. Q.

A true copy Attest:

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Constable of the Town of Middleton

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Date Posted

**COMMITTEE CHARGE & MISSION**  
**MASTER DEVELOPMENT PLANNING COMMITTEE**  
**APRIL 4, 2019**

The Middleton Board of Selectmen seeks volunteers to serve on the Master Development Planning Committee. Working with the Town's design consultants, the Committee will develop a layout of the property at 105 South Main Street that will become the Municipal Complex. The Municipal Complex is anticipated to include a Fire Station, Police Station, Community/Senior Center/Council on Aging, and Town Offices. This work continues the work described in a report by Gienapp Design Associates, dated October 10, 2017.

The Committee's work will include laying out the general locations of buildings, parking, access/egress driveways, underground utilities, and common/green spaces. An extensive outreach process is anticipated to ensure broad public participation and input leading to consensus of how the site should be laid out and developed. The Committee members will serve through the end of the master development planning process at which point it is anticipated that the committee will be dissolved and a permanent building committee will be appointed. During its deliberations the Committee shall be mindful of the municipal facilities planning principles described in the Master Plan Committee bylaw, chapter 53-2(C) of the Middleton Code.

The Board of Selectmen seeks up to 9 members with diverse backgrounds and expertise, including but not limited to engineering/surveying, finance, architecture, landscape design/architecture, site planning, project management, and construction. Members should anticipate frequent meetings, including public input meetings with residents and other stakeholders.

Residents interested in serving on the Committee are invited to submit a Talent Bank application to [andrew.sheehan@middletonma.gov](mailto:andrew.sheehan@middletonma.gov).

Talent Bank applications are available at  
<https://www.middletonma.gov/DocumentCenter/View/567/Talent-Bank-Application-PDF?bidId=>