

**BOARD OF SELECTMEN
MEETING AGENDA**

**Fuller Meadow School
Nathan Media Center
143 South Main Street, Middleton, MA 01949
Tuesday, May 28, 2019
7:00 PM**

This meeting is being recorded

1. 7:00 PM Election of Officers/Board Reorganization
Warrant: 1924
Minutes: Open Session 5/7/19
Town Administrator updates and reports
2. 7:15 PM Recognize Patricia A. Ohlson for her years of service to the Town
3. 7:30 PM Vote to designate one member to sign vendor and payroll warrants during July and August
4. 7:35 PM Application for a one day liquor license at Howe Station Market for the exterior premises, 229 Maple Street, by manager Dipak Karia, of Luv Kush Marking Inc., for June 1, 2019
5. 7:45 PM Application for a one day liquor license at 8-10 Village Road, for the area located at the corner of Coppermine Rd and Locust St known as the driving range, by Ron Rice, manager of SD Management, LLC, associated with the Bourque Foundation Road Race on June 8, 2019
6. 7:55 PM Review and discuss May 14, 2019 Annual Town Meeting and Annual Town Election
7. 8:10 PM Discuss parameters and comparable communities for a limited classification plan
8. 8:20 PM Authorize the Town Administrator to execute a contract with a design consultant for the Master Development Plan at 105 South Main Street
9. 8:25 PM Authorize the Town Administrator to execute contracts for the following construction projects:
 - Maple Street/Liberty Street intersection improvements, bids due June 6, 2019
 - North Liberty Street bridge replacement, bids due June 25, 2019
10. 8:40 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

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

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

Present: Kosta Prentakis, Brian Cresta, Tim Houten, Todd Moreschi

Absent: Richard Kassiotis

Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Tanya Stepasiuk, Minutes Secretary Judi Stickney, Town Accountant Sarah Wood, Sandy Rubchinuk

7:00 PM With a quorum present, Chairman Prentakis called the meeting to order.

- **Warrants:** Town Administrator Andrew Sheehan provided a brief review of Warrant #1923 (Payroll: \$686,824, Bills Payable: \$945,091), 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 **Houten**, the Board of Selectmen **VOTED** unanimously to approve warrant #1923, as presented.

- **Minutes:** After a brief review of the minutes of April 23, 2019, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Prentakis**, the Board of Selectmen **VOTED** to accept the minutes of April 23, 2019, as written.

- **Town Administrator's Report:** Town Administrator Andrew Sheehan provided the Board with information and updates on the following:
 - **Town Meeting Reminder:** Town Meeting will be held on Tuesday, May 14th at the Howe Manning School. Pre-Town Meeting will be held Thursday, May 9th, at 7PM, at Flint Public Library. Warrants were mailed out to all residents and they are reminded to bring warrants with them to Town Meeting.
 - **State Budget:** Local Aid has improved by about \$120,000. Most of that is related to the elimination of the charge for the regional dispatch center. Senate Ways and Means were scheduled to release their budget today. The Legislature is also debating a new Chapter 90 bill. MMA has requested \$300M, but so far the authorization is \$200M and it is unclear where that will end up. He will keep the Board posted.
 - **Town Elections Reminder:** Town elections will be held May 21st, from 7AM-8PM, at the Fuller Meadow School. Sheehan reminded voters to be careful of children coming and going in the parking lot when they come in to vote.
 - **Kudos to Fire Chief Tom Martinuk:** Sheehan advised that Chief Martinuk finished the FEMA and MEMA reimbursement paperwork for the March 2018 snowstorm and the Town will be reimbursed for expenses related to that storm.
 - **Maple/Liberty Intersection Project Design:** Sheehan advised that he met with Bill Mertz to look at the intersection design. Design on the project is done. Bids will be due the first week

in June. We're on schedule to complete the work well before the deadline in September. Discussion turned to repairs to the bridge on Maple Street. Selectman Cresta asked the Town Administrator to contact MassDOT to see if he could get them moving on it. He will keep the Board copied on correspondence between his office and the MassDOT.

- **Veteran's Fishing Event:** Sheehan advised that the Veterans Services Agent is doing a lot of outreach and community building. He's been working with the Danvers Fish & Game Club to host a veteran's fishing event on May 28th.

7:14 PM Review and Vote on Application of the Bourque Family Foundation: The Chair advised the Board that the Bourque Family Foundation is requesting permission to hold a 7.7K road race on June 8, 2019 beginning at Femcroft Country Club, 10 Village Road, Middleton.

On a **MOTION** made by **Cresta**, second by **Houten**, the Board of Selectmen **VOTED** unanimously to approve the Bourque Family Foundation 7.7K road race on June 8, 2019, at the Ferncroft Country Club.

7:15 PM Discuss May - August Meeting Schedule: The Town Administrator suggested meeting dates of May 28; June 4 & 18; July 9; August 13; with a return to the regular schedule on September 10. The Chair suggested that July 30th be added to the schedule. If it's not needed, it will be cancelled. Everyone agreed.

7:17 PM FY19 3rd Quarter Update from Sarah Wood, Chief Financial Officer/Town Accountant: Sarah Wood, Town Accountant/Chief Financial Officer met with the Board with several spreadsheets and statistical reports for the Board to view as she provided a brief update on the 3rd quarter revenues and expenditures. Wood provided highlights of the reports, noting that the Town is in great shape, at 73% for expenditures at this point. Revenues are in at 79.11%, which is about the 75% goal. She anticipates the year will end on a positive note. A brief discussion ensued on the data reviewed, notably the money that has been designated for specific uses on Town Meeting Warrant Articles, but not used. After a lengthy discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Houten**, the Board of Selectmen **VOTED** unanimously that if 2012, 2013, 2014, and 2015 Warrant Articles were not expended by the end of June we will instruct the Town Accountant to close out those Warrant Articles. Cresta **MODIFIED** the **MOTION** to include that the CPA Committee be requested to approve their unused Warrant Articles also be closed out.

7:47 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

On a **MOTION** made by **Cresta**, second by **Houten**, the Board of Selectmen **VOTED** unanimously to approve a 3-year contract with Sarah Wood that will run through June 30, 2022.

7:50 PM Review and Discuss Request of Sandy Rubchinuk to Support House Bill 2881: Resident Sandy Rubchinuk met with the Board to request their support for House Bill 2881, promoting the proper disposal of miniatures – nip bottles. Rubchinuk provided the Board with a brief summary of her attendance at a litter conference recently and her experience cleaning up the litter on her street. She explained House Bill 2881 to the Board and asked the Board to write a letter to the legislature in support of the Bill. Selectman Cresta suggested that the Town start an educational campaign in conjunction with the two establishments in Town that sell nips.

On a **MOTION** made by **Cresta**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to authorize that a letter be sent to our delegation in support of House Bill 2881 and the companion Bill in the Senate, and to also encourage the legislature to look at ways to reduce the amount of litter that is on our roadways due to the sale of nips.

8:07 PM Review and Discuss of May 14, 2019 Annual Town Meeting Warrant: The Board reviewed the following articles and took action, as noted:

- Article 19, North Liberty Street Easements: After a brief discussion, the Chair will move this article.
- Article 20, Amend C. 169, Licenses & Permits: After a brief discussion, Selectman Houten will move the article.
- Article 21, Amend C. 1, Non-Criminal Disposition: After a brief discussion, Selectman Cresta will move the article.
- Article 22, Home Rule Petition Regarding Voting Locations: After a brief discussion, Selectman Moreschi will move the article.
- Article 23, C. 75, Annual Town Report: After a brief discussion, the Board will not take a position on it, due to the appearance of a conflict.
- Article 24, C. 56, (Broadcast of) Meetings: After a brief discussion, the Board will not take a position on it.
- Article 25, C. 270, Animal Control: The Town Administrator advised this article will be withdrawn.

8:19 PM Review Recommendations for Appointment to the Master Development Planning Committee: The Chair advised that the Town Administrator has recommended that the Board appoint the following residents to the Master Development Planning Committee: George Dow, Amy Karas, Ken Lisiak, William Renault, Tom Schank, Frank Twiss, and Annie Wilton. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to appoint the 7 individuals recommended by the Town Administrator to serve in a capacity until Town Meeting approves funding for the project at the golf course site.

After the vote, the Town Administrator provided a brief update on the design engineering firm proposals and also advised that two additional members may be appointed to the Master Development Planning Committee.

8:26 PM Adjourn

With no further business, on a **MOTION** made by **Cresta**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to adjourn at 8:26 PM.

Respectfully submitted,

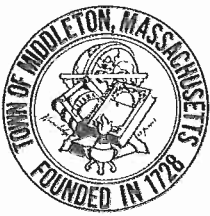


Judith A. Stickney, Minutes Secretary

Board of Selectmen Clerk

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

- Agenda: May 7, 2019
- Minutes: April 23, 2019
- Warrant #1923 (Payroll: \$686,824, Bills Payable: \$945,091)
- Memo from Police Chief to Board of Selectmen, Re: Bourque Road Race, 5/3/19
- Letter and related materials from Bourque Family Foundation to Michelle Creasi, Re: Road Race, 3/28/19
- Meeting Calendar
- Memo and related materials from Town Accountant/CFO to Board of Selectmen et al, Re: FY 2019, 3rd Quarter Highlights, 5/1/19
- Town of Middleton Contract of Employment Town Accountant/Chief Financial Officer
- Letter and related materials from Sandra Rubchinuk to Board of Selectmen and Town Administrator, Re: House Bill 2881, 3/27/19
- Town of Middleton Annual Town Meeting Warrant for Fiscal Year 2020
- Committee Charge and Mission: Master Development Planning Committee: April 4, 2019
- Memo from Town Administrator to Board of Selectmen, Re: Vacation Plans, 5/3/19
- Memo from Town Administrator to Board of Selectmen, Re: Recommendations for Appointment Master Development Planning Committee, 5/7/19
- Letter from 40 Boston Street Resident to Zoning Board of Appeals, Re: 59 South Main St., 5/4/19
- Announcement: Veteran's Fishing Event, May 18, 2019, Danvers Fish and Game Club, 9AM-3PM



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

4.

One Day Liquor License Application

License Fee Payable to the Town of Middleton

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

Business Name LuvKush Marketing, Inc d/b/a Howes Station Market

Business Address 229 Maple St. Middleton, MA. 01949

Social Security Number/FID Number 75-3083413

Applicant Information

Individual's Name Dipak Karia

Home Address 16 Willowby Way, Lynnfield, MA. 01940

Telephone Number (give both your home and a number which you can be reached during the day).

Day Time # 617-285-8214

Home # 781-334-2165

Is the Applicant a United States Citizen? ☒ Yes ☐ No

Driver's License Number & State 575135165, Massachusetts

E-Mail Address dkaria4352@yahoo.com

Date of Event June 1st, 2019 (Saturday) Time from 1pm to 4pm

Location of Licensed Activity Howes Station Market (229 Maple Street, Middleton)

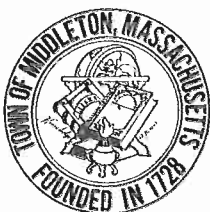
Purpose of Event Grand Craft Beer and Wine Tasting

Will there be entertainment? ☐ Yes ☒ No

Is the event being catered? ☐ Yes ☒ No

Name of ~~Caterer~~ ^{Food Truck} All Purpose Bakery

Number of People Attending Adults _____ Children _____



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Type of License (circle one)

One-Day All-Alcoholic One-Day Beer & Wine Charitable Wine Pouring Charitable Wine Auction

Is the alcohol being donated? _____ Yes ✓ No

Where is the liquor being purchased from? Several licensed wholesalers/distributors - Seaboard Products

Are they a licensed wholesaler? ✓ Yes _____ No - Merrimack Valley Distributing

Who will be serving the alcohol?

Licensed salesmen from the appropriate wholesalers
Does the server have liquor liability insurance? ✓ Yes _____ No

Is the event held by, or held for the benefit of, a business or non-profit group?

Business ✓ Yes _____ Non Non-Profit _____ Yes _____ No

Will there be a cash bar? _____ Yes ✓ No

Is there an entrance fee or donation required? _____ Yes ✓ No (Requesting a minimum \$5 donation to MPD)

Is the event open to the general public? ✓ Yes _____ No

****Special One Day Licensees must purchase Alcoholic Beverages from a licensed supplier. Special Licensee cannot purchase alcoholic beverages from a Package Store and cannot accept donations of alcoholic beverages from anyone.****

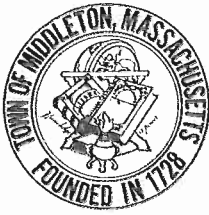
Liability Disclaimer for Special One Day License

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Middleton, and the Select Board as Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature of Applicant

D. H. Kerley

05/23/19
Date



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

ONE DAY SPECIAL LIQUOR LICENSES

One Day Special Liquor License Requirements:

All One Day Special Licenses must be issued to a natural person (an individual) or a responsible manager acting on behalf of a corporation, partnership, or other entity, who will be the person responsible for the sale of alcohol.

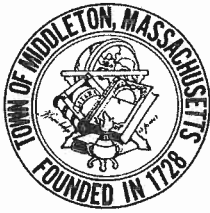
Pursuant to MGL Chapter 183, Section 41 a Special License must be obtained when delivery of alcohol is considered to be a sale of alcohol a caterer must obtain a Special License when arranging for the delivery of alcohol on which they shall make a profit.

Persons holding a special license must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a MGL Chapter 138, Section 14 (Special License) license cannot purchase alcoholic beverages from a package store.

You will be required to submit the following documents:

- Completed Application for Special License
- Certificate of Insurance Liability to the Town of Middleton for Workers Compensation Insurance, if applicable
- Signed Workers' Compensation Certificate
- Check for \$50 per date payable to the Town of Middleton

Please complete and sign all forms and return to:
Middleton Board of Selectmen, 48 South Main Street, Middleton, MA 01949



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5.

One Day Liquor License Application

License Fee Payable to the Town of Middleton

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

Business Name SD Management
Business Address 10 Village Road
Social Security Number/FID Number 20-3965825

Applicant Information

Individual's Name _____
Home Address _____

Telephone Number (give both your home and a number which you can be reached during the day).

Day Time # 978 739-4040 Home # 607 438 6678

Is the Applicant a United States Citizen? ☒ Yes ☐ No

Driver's License Number & State S 708 20618 MASS

E-Mail Address R. Rice @ Ferncroftcc.com

Date of Event June 8 2019 Time from 4pm to 7pm

Location of Licensed Activity driving range field

Purpose of Event fundraiser

Will there be entertainment? ☒ Yes ☐ No

Is the event being catered? ☒ Yes ☐ No

Name of Caterer Ferncroft Country Club

Number of People Attending Adults 300 Children _____



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Type of License (circle one)

One-Day All-Alcoholic One-Day Beer & Wine Charitable Wine Pouring Charitable Wine Auction

Is the alcohol being donated? _____ Yes ✓ No

Where is the liquor being purchased from? Atlantic Beverage

Are they a licensed wholesaler? ✓ Yes _____ No

Who will be serving the alcohol?

Does the server have liquor liability insurance? ✓ Yes _____ No

Is the event held by, or held for the benefit of, a business or non-profit group?

Business _____ Yes _____ Non Non-Profit ✓ Yes _____ No

Will there be a cash bar? ✓ Yes _____ No

Is there an entrance fee or donation required? ✓ Yes _____ No

Is the event open to the general public? _____ Yes ✓ No

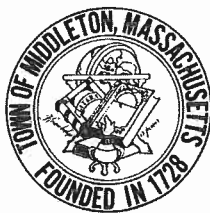
****Special One Day Licensees must purchase Alcoholic Beverages from a licensed supplier. Special Licensee cannot purchase alcoholic beverages from a Package Store and cannot accept donations of alcoholic beverages from anyone.****

Liability Disclaimer for Special One Day License

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Middleton, and the Select Board as Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature of Applicant *[Signature]*

5.24.19
Date



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Please complete and sign all forms and return to:
Middleton Board of Selectmen, 48 South Main Street, Middleton, MA 01949



OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
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Middleton, MA 01949-2253
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www.middletonma.gov

7.

MEMORANDUM

TO: Board of Selectmen and Andrew Sheehan

FROM: Tanya Stepasiuk, Assistant Town Administrator/HR Coordinator

SUBJ.: Possible Comparable Towns for Middleton

DATE: May 28, 2019

Seeing as we may be embarking on a compensation study of Department Heads and Assistant Department Heads, it seems like a good time to discuss potential comparable towns to Middleton. Some municipalities have a regular list of “comps” which they use for a variety of purposes. We could utilize a list for several purposes going forward or we could utilize these for this project only.

I have provided a list of 15 possible comparable towns knowing that we may not want to utilize all of these perhaps even based on “gut reactions” that Middleton is not similar enough to compare positions.

Possible Middleton Comparable Towns:

- Ashland
- Boxford
- Georgetown
- Groton
- Holliston
- Hopkinton
- Ipswich
- Littleton
- Maynard
- Newbury
- North Reading
- Rockport
- Rowley
- Swampscott
- Topsfield

In order to choose these possible comps, I looked at several criteria. These towns all have a population between 5,000 and 20,000 and are located either in Essex or Middlesex counties.

Out of this narrowed field, I looked at population, income per capita, average single family tax bill, and population density. I chose towns (exempted cities) that were characteristically similar to Middleton in each area and then deleted those that were similar in one category, but very dissimilar in others (i.e. had a very similar population, but significantly dissimilar income per capita). I obtained all of this data from the DLS website. I will make the excel spreadsheet to anyone who would like to take a further look at specifics.

Once we have settled on a list of comps, I will be able to survey these towns regarding their salaries, hours, and benefits of selected positions and utilize this data to see how each position in Middleton compares to towns we have deemed similar.

