

**BOARD OF SELECTMEN
MEETING AGENDA**

**Fuller Meadow School
Nathan Media Center
143 South Main Street, Middleton, MA 01949**

Tuesday, July 30, 2019

7:00 PM

This meeting is being recorded

1. 7:00 PM Warrant: 1928, 2002, 2003
Minutes: Open Session 7/9/19
Town Administrator updates and reports
2. 7:15 PM Vote to assign a street name to a private way located at 97 North Main Street. Recommended name is James Coffin Way.
3. 7:25 PM Review request of Ken Lava for a waiver of Cemetery rules to allow for a larger headstone/monument than is allowed under the Cemetery rules.
4. 7:35 PM Vote to sign Purchase and Sale Agreement between Corbeau LLC and the Town of Middleton
5. 7:40 PM Vote to approve number of participants and tax abatement amount for Senior and Vet Tax Work Off Participants for 2020 calendar year
6. 7:45 PM Vote to re-appoint Richard Cardinale and James Hannon Jr. to the Board of Registrars for three year terms
7. 7:50 PM Vote to Adopt the Veterans' Services Account Policy
8. 8:00 PM Vote to sign the memorandum of agreement with the Clerical Union, AFSCME 1098 of Council 93. If necessary, the Board may enter Executive Session under GL c. 30A, s. 21(a)(3)
9. 8:05 PM Vote to execute amended solar agreement with Falck Renewables to include a battery storage solution to the project at 230 Rear South Main Street
10. 8:10 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
11. 8:15 PM Executive Session under GL c. 30A, s. 21(a)(6), to consider the purchase, acquisition, or value of real property where the Chairman declares discussion in open session would have a detrimental effect on the position of the Town, if necessary

Upcoming Meetings:

- August 13, 2019
- September 10, 2019. Return to regular schedule

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
July 9, 2019 6:30 PM

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Present: Present: Chair Timothy Houten, Rick Kassiotis, Todd Moreschi, Kosta Prentakis (via telephone for Executive Session only)

Absent: Brian Cresta

Others Present: Town Administrator Andrew Sheehan, Assistant Town Administrator Tanya Stepasiuk, Angel Cuevas, Gabriel Scarabelli

6:30 PM With a quorum present, Chairman Houten called the meeting to order.

6:30 PM Executive Session:

On a **MOTION** made by Houten, second by **Prentakis** the Board of Selectmen **VOTED** unanimously by roll call vote to enter into Executive Session under GL c. 30A, s. 21(a)(3) with respect to the police union, clerical union, and collective bargaining, noting that discussion and votes may also take place in open session.

Roll Call by Clerk Moreschi:

Houten: YES

Prentakis: YES

Moreschi: YES

6:43 PM Open Session

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to adjourn Executive Session and return to open session.

6:44 PM Ratification of the Police Union Contract:

Selectman Chair Tim Houten reported that the Board just voted unanimously in Executive Session to ratify the Police Union memorandum of agreement.

6:45 PM ROUTINES

- **Warrants:** Town Administrator Andrew Sheehan provided a brief review of Warrant #1927 (Payroll: \$659,210, Bills Payable: \$663,541), and Warrant #2001 (Payroll: \$43,104, Bills Payable: \$1,939,320), noting that the Town Accountant had reviewed the warrants and requested the Board's approval. After a brief discussion, the Board took the following action:

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

- **Minutes:** After a brief review of the open session minutes of June 18, 2019, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** to accept the minutes of June 18, 2019, as written.

- **Town Administrator's Report:** Town Administrator Andrew Sheehan provided the Board with updates and information on the following:
 - **Update on North Liberty Street:** Sheehan advised the Board that they opened bids for that project a couple of weeks ago, noting that bids came in a little higher than expected at \$550,000. Sheehan added that \$408,000 is being picked up by the State, the balance by the Town using Chapter 90 funds. They will be meeting with contractor next week.
 - **Summer Meeting Schedule:** Sheehan advised the Board that there may need to be another meeting prior to August 13. He will send an email to see what everyone's schedule is like. It should not be a particularly heavy meeting and, if the Board desires, it could be a late afternoon or early evening meeting.
 - **Retirement of Sgt. Bob Currier:** Sheehan reported that Sgt. Bob Currier has retired after 36 years on the police force, adding that the Town wishes him a long and happy retirement. Sheehan added that Currier will be at a future meeting so the Board can formally recognize him for his years of service.
 - **Upcoming Retirements:**
 - **COA Director Susan Gannon:** Sheehan advised the Board that COA Director Susan Gannon is moving on. He and the Assistant Town Administrator are working on finding a replacement, noting that resumes are due at the end of July.
 - **Tri-Town Council Executive Director Lisa Teichner:** Sheehan advised the Board that Lisa Teichner is moving on from Tri-Town Council, adding that the Town wishes her well. She's been there 14 years and her assistant Meredith Shaw will be taking over as Executive Director.
 - **North Shore Regional Communications Center:** Sheehan advised the Board that as of July 1st the management of the Essex Regional Communications Center transitioned over to State 911. Sheehan added that it's a good move and the Town is appreciative of State 911 for taking it over. He will continue updating the board on the transition.

6:53 PM Transfer of the Class III Motor Vehicle Junk License at 295 North Main Street: Angel Cuevas met with the Board of Selectmen to request a transfer of the Class III Motor Vehicle Junk License at 295 North Main Street from Muzichuk Garage, Inc. to Express Used Auto Parts, Inc., Manager Angel Cuevas. The license will be issued with the stipulation that the license will stay with the address and will only be granted to a business leasing at 295 North Main Street. After a brief discussion with Mr. Cuevas, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to transfer of the Class III Motor Vehicle Junk License at 295 North Main Street from Muzichuk Garage, Inc. to Express Used Auto Parts, Inc.

6:58 PM Vote to Sign 9th Extension of Offer to Purchase: Town Administrator Andy Sheehan provided the Board with a 9th extension of the Offer to Purchase between Corbeau LLC and the Town of Middleton. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to sign the 9th Extension of Offer to Purchase between Corbeau LLC and the Town of Middleton.

7:00 PM Update on the Master Development Planning: Town Administrator Andy Sheehan provided the Board with an update on the Master Development Planning process for 105 South Main Street. Sheehan advised the Board that over the next several months there will be meetings with the consultant and the public for input on the layout of the property. They want to make sure they get the process right and, at this point, he is not sure they will be ready with anything for the Fall Town Meeting but will continue to keep the Board updated.

7:04 PM Application for a New Common Victualler License: Gabriel Scarabelli, manager for Best Bagels, INC d/b/a Best Bagels, met with the Board of Selectmen with an application for a new Common Victualler License for Best Bagels, INC d/b/a Best Bagels located at 181 South Main St, Middleton MA. Scarabelli provided the Board with a brief history of his bagel business and answered the Board's questions. After a brief discussion, the Board of Selectmen took the following action:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to accept the application for the Common Victualler license for Best Bagels, INC d/b/a Best Bagels located at 181 South Main St, Middleton MA, Gabriel Scarabelli, Manager.

7:08 PM Appointment: After a brief review of an application from Pam Hartman, who applied to be appointed to the Cultural Council, the Board took the following action:

On a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to appoint Pam Hartman to the Cultural Council with a term ending June 30, 2022.

7:09 PM Appointment: After a brief review of the request by Michael Sliney to be reappointed to the Conservation Commission, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to reappoint Michael Sliney to the Conservation with a term ending June 30, 2022.

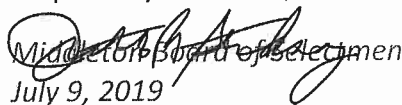
7:10 PM New Business

- **Main Street Pub Update:** Selectman Houten advised the Board that he has asked the Town Administrator to get an update from the new owner of the Main Street Pub to see what their plans are. If there are no upcoming plans to reopen soon, they may consider revoking the liquor license.

7:11 PM Adjourn

With no further business, on a **MOTION** made by **Moreschi**, second by **Kassiotis**, the Board of Selectmen **VOTED** unanimously to adjourn its meeting of July 9, 2019.

Respectfully submitted,


Middleton Board of Selectmen
July 9, 2019

Meeting Minutes
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Judith A. Stickney, Minutes Secretary

Todd Moreschi, BOS Clerk

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

- Agenda: July 9, 2019
- Warrant #1927 (Payroll: \$659,210, Bills Payable: \$663,541)
- Warrant #2001 (Payroll: \$43,104, Bills Payable: \$1,939,320)
- Minutes: June 18, 2019
- Letter and supporting material from Mann & Mann, PC, to Board of Selectmen, re: Class III Used Car Dealer's License/295 North Main Street, June 18, 2019
- Common Victualler's License application and related material: Name: Best Bagels, Inc. dba Best Bagel
- NINTH AMENDMENT TO OFFER TO PURCHASE BETWEEN CORBEAU, LLC ("SELLER") AND THE TOWN OF MIDDLETON, MASSACHUSETTS ("BUYER") RE: 105 AND 93 South Main Street, Middleton, MA
- Town of Middleton Talent Bank Application: Pam Hartman, Cultural Council
- FIRST AMENDMENT TO PILOT AGREEMENT BETWEEN TOWN OF MIDDLETON AND HG SOLAR DEVELOPMENT LLC
 - TOWN OF MIDDLETON FALCK RENEWABLES BATTERY SOLUTION P.I.L.O.T. SCENARIOS

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7-15-19

To : Middleton Board Of Selectmen

Letter of Intent – Name of a Private Way & Subdivision

Location : 97 North Main Street ,Middleton ,Ma

Name of Private Way : “James Coffin Way ” (Attached Obituary)

Name of Subdivision : “Middleton Place” (Attached Subdivision Plan)

Respectfully

Michael DiRuggi

97 North Main Middleton,L.L.C. Manager



James H. Coffin

October 1, 1919 - June 16, 2010

DANVERS — James Howard Coffin, 90, of Middleton, died Wednesday, June 16, 2010 at Putnam Farms. He was the husband of the late Dorothy (Smith) Coffin.

He was born on Oct. 1, 1919 in Norwich, Conn., son of the late Edward Ellsworth and Dorothy (Gorman) Coffin. He was a graduate of Danvers High School, Class of 1937. He later earned an associate degree in business administration at La Salle College. He also became a master gas fitter and worked on the state level for LPG Fire Safety.

During World War II he served as a private in the U.S. Army Infantry in the European Theater. He was captured and became a prisoner of war in early 1945, until his liberation at wars end. After the war he returned to business at Danvers Hardware where he had been employed as a book keeper and salesman. He was instrumental in the establishment of Country Gas Service, now Eastern Propane Gas and Oil, where he retired as the Executive Vice President. During his years in the gas industry he became director of the National LP Gas Association and the New England LP Gas Association.

Active in the community, Mr. Coffin was a former member of the Danvers Rotary Club, as well as a trustee and member of the board of investment of the former Danvers Savings Bank. He was a trustee and treasurer of the Middleton Congregational Church, a 65-year member of the American Legion Post 227 of Middleton, the DAV and the V.F.W. He was active in Masonic circles; he was a 32nd degree Mason and member of Amity Lodge A.F. & A.M. of Danvers and of the Allene Shrine Temple in Wilmington. He served as member of the Board of Selectman for the

great-grandfather, uncle and friend. He will be sadly missed by all who knew him.

James is survived by his daughter, Donna J. Butler and her husband Theodore H. Butler of Middleton; his grandson, Tristan James Butler and his wife Jean of Methuen; his granddaughter, Darcy J. Bucchiere and her husband John of Middleton; his great-grandsons, Jake and Cameron Bucchiere of Middleton. He is also survived by a son, James Howard Coffin Jr. and his wife Susan of Peabody; his grandson, Jamie of Peabody; his granddaughter, Kristen (Coffin) Merrill and her husband Mike; and his great-grandson, Owen of Somerville; his sisters, Alice Clinch and Priscilla Dzierzak of Danvers; his brother-in-law, Donald P. Smith of Conyers, Ga.; and several nieces and nephews. He was also the brother of the late Edward E. Coffin.

ARRANGEMENTS: His celebration of life will be held in the Middleton Congregational Church, Maple Street, Middleton, at 11 a.m., Monday, June 21, 2010. Relatives and friends invited. Burial in Oakdale Cemetery, Middleton. As requested, visiting hours omitted. Assisting the family with arrangements is the Peterson-O'Donnell Funeral Home, 167 Maple St. (Route 62) Danvers. Online guestbook at www.legacy.com. For more information inquire at 978-774-6600. In lieu of flowers, expressions of sympathy may be made in James' memory to the Shriners Burn Institute, 51 Blossom St., Boston, MA 02114 or to The Hospice of the North Shore, 75 Sylvan St., Danvers, MA 01923.

Guestbook

A place to share condolences and memories.

0 posts

TOWN OF MIDDLETON
BOARD OF SELECTMEN

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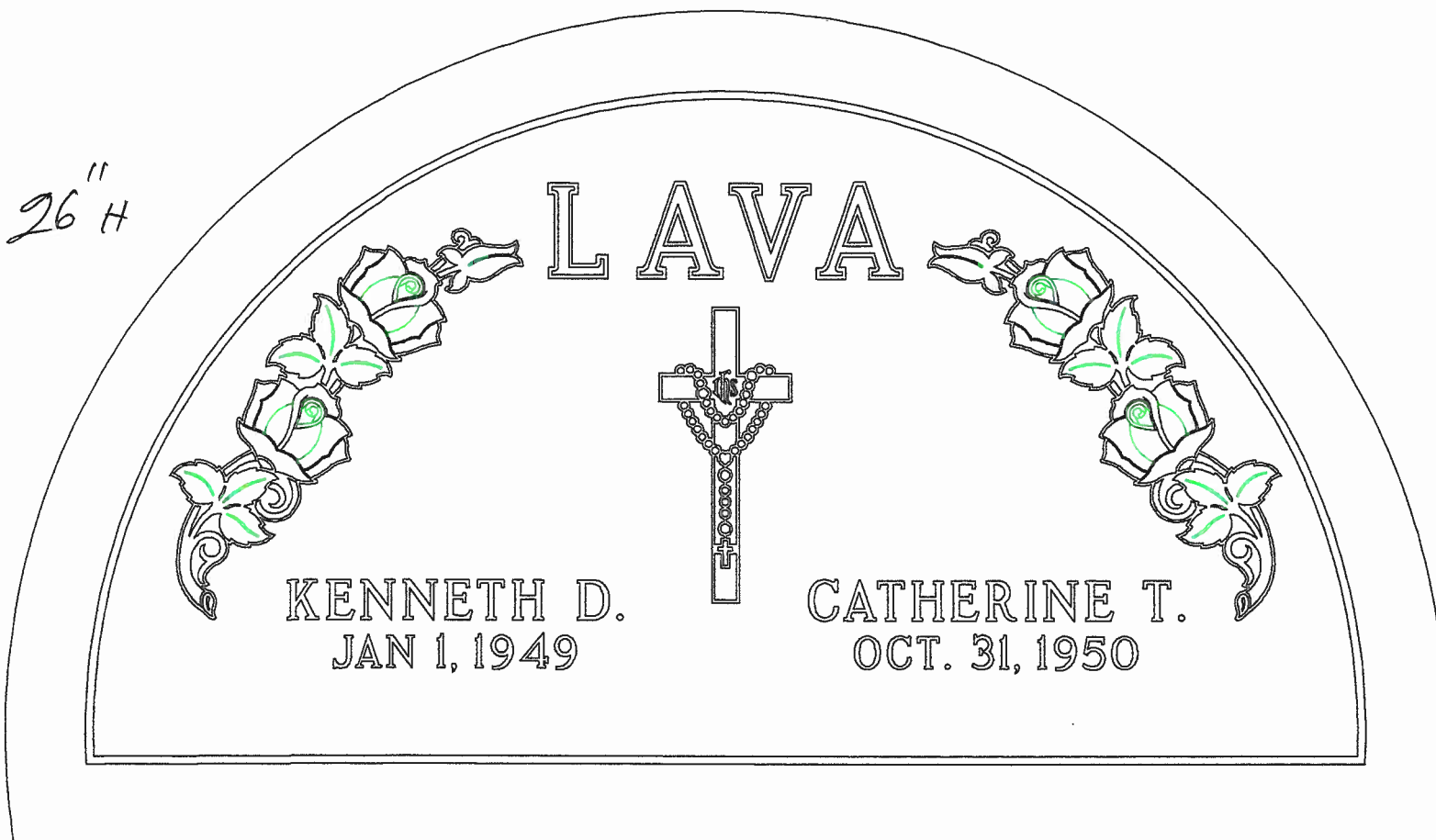
MY NAME IS KENNETH LAVA AND MY WIFE AND I PURCHASED A DOUBLE GRAVE LOT IN OAKDALE CEMETERY ON JUNE 4, 2019, IN SECTION H123 ON WOOD AV. WHICH WE BOTH REALLY LIKE ALOT. THE NEXT THING WE DID WAS TO SHOP FOR A HEADSTONE. METHUEN MEMORIALS WAS THE COMPANY WE CHOSE TO PURCHASE THE STONE FROM. THE STONE WE PICKED OUT WAS TOO BIG FOR OUR LOCATION. WE LOOKED AT THE FOUR GRAVE LOTS THAT WERE AVAILABLE BUT, WE REALLY LIKE OUR LOCATION MUCH BETTER.

METHUEN MEMORIALS MADE A LOT OF CHANGES TO THE STONE BEFORE MAKING THE FINAL DESIGN, IT MEASURED 45" W X 6" X 26" H. I MET SCOTT A FEW TIMES AT THE CEMETERY, SHOWED HIM THE FINAL DESIGN WITH THE MEASUREMENTS, AND HE SAID, HE WOULD HAVE NO PROBLEM WITH THE STONE BEING PLACED ON OUR GRAVE LOT. MY WIFE AND I HOPE YOU FEEL THE SAME WAY.

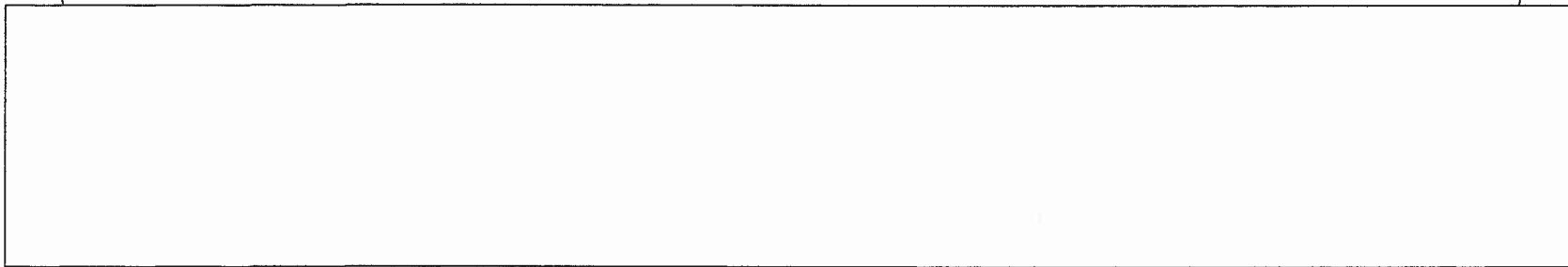
SINCERELY

Mr. + Mrs. Kenneth Lava

TABLET 26" H



BASE
45" W



070319-LAVA.mcd (B)

THIS DRAWING WAS PREPARED FOR YOUR APPROVAL. PLEASE CHECK TO MAKE SURE THAT ALL SPELLINGS, DATES AND DESIGN WORK ARE CORRECT. BY SIGNING THIS DRAWING YOU ARE APPROVING THE MEMORIAL TO BE CUT AS SHOWN AND THAT ANY CHANGES MADE WILL SUPERSEDE THE ORIGINAL CONTRACT.

APPROVED BY _____ DATE _____

BELOVED PARENTS

[REDACTED]
JUNE 22, 1954



[REDACTED]
MAR. 13, 1953
JUNE 5, 2007



OFFICE OF THE TOWN ADMINISTRATOR

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



MEMORANDUM

TO: Board of Selectmen

FROM: Tanya Stepasiuk, Assistant Town Administrator/HR Coordinator

SUBJ.: Senior/Veteran Tax Work-Off Program

DATE: July 30, 2019

I am proposing that for the Calendar Year 2020 that we set the Senior/Veteran Tax Work Off numbers at the following:

35 participant households
112 hours per participant household
\$1,428 maximum tax credit (based upon a rate of \$12.75/hour credit – minimum wage for 2020)

This will result in a total potential “expenditure” of \$49,980, which is below the \$50,000 budget agreed upon by the Board of Assessors.

At our Annual Town Meetings in 2013 and 2018 we have set a maximum number of participants of 50 and a maximum tax credit of \$1,500, respectively. These recommended numbers will fall within these parameters.

Senior/Veteran Tax Work Off Program

Overview

The Senior Citizen Tax Work Off Program is open to senior citizens (65 years of age and older) or veterans who own property in and pay real estate taxes to the Town of Middleton. Participants will be expected to complete 112 hours of service in the program year, which runs from January 1 to September 30. A \$1,428 property tax credit minus any required withholdings will be applied to the participant's real estate tax bill in the following fiscal year, not current year's property tax bill. Applications are available in August of each year and are due by September 30.

Program Requirements

Participants should work the required 112* hours of service to receive the total. Hours worked may be shared with another family member if they have also been accepted into the program. The Town of Middleton, based on need, may place the participant in more than one job in order to fulfill the total hours.

**To receive the maximum \$1,428 tax credit participants must work 112 hours. Working less than 112 hours results in a pro-rated tax credit based on the number of hours worked.*

Eligibility Criteria

Seniors

Age: Applicants must be 65 years of age as of the annual eligibility date.

Veterans

Military Status: Applicants must be a veteran as defined by Massachusetts state law or the spouse of a veteran who is deceased or who has a service-related disability.

Ownership and Residency: Applicants must be a resident of the Town of Middleton and must own (as the assessed owner of record) and occupy (as their domicile) the property for which abatement is sought. If the property for which abatement is sought is owned by a trust, the applicant must have legal title, i.e., be one of the trustees. Applicants who are a holder of a valid life estate will meet ownership requirements. Applicants may qualify for and receive any or all of the following that affect their property tax bill; participation in Senior Work-off Program, a Tax Deferral, and a Statutory Exemption. Co-owners of a property may both participate in the program, but the total abatement may not exceed the maximum amount of a possible abatement per property available through this program for the year.

Compensation

- \$12.75 per hour (based on Massachusetts minimum wage) tax abatement

- Participants will receive abatement for up to 112* hours of service. Any hours worked beyond the 112 hours cannot be accumulated for the Tax Work Off Program.
- Maximum amount of abatement is \$1,428 per household per fiscal year.
- Money earned through the Tax Work Off Program is reportable income for federal taxes only. Participants will receive a W-2 form for the amount of money earned through the program.

Taxpayer must:

- Be 65 years of age or older as of January 1, 2020.
- Own and occupy the property as principal residence.
- Be current with property tax payments.
- Possess and identify employable skills.
- Complete the application and additional requirements.
- Complete a CORI check and/or provide references if required by the work site
- Be interviewed for job placement by the department head supervising the work.

Job Placement for a Tax Credit Position

- Individuals will be chosen based on the best match between the applicants qualifications and the skill requirements of each job.
- Applicants will be interviewed by the department supervisor of the position for which they have been placed. Participants must work on site.
- There will be a two week probationary period to assess the appropriateness of the placement.
- Program participants may not work for relatives who are Town employees.
- Participants must not be Town of Middleton employees unless exempted by the Town Administrator.
- Individuals previously chosen for the program may make re-application in subsequent years. No applicant is guaranteed a position. First-time applicants will have priority consideration each year. Prior participants in the program who are trained in or familiar with specific tasks may be given subsequent priority.
- Time sheets will be filled out by the department supervisor each day that is worked. Quarterly accounting of time worked will be submitted to the program director. Once verified, the program director will submit to the Assessor for the abatement based on the number of hours worked.

Additional Information

- All seniors and veterans taking part in this program will be considered temporary employees of the Town of Middleton.
- Prior to starting work for the program, persons must fill out the necessary papers relating to employment with the Town.
- All applicable federal taxes will be withheld from income earned. In addition, the state mandated pension deduction O.B.R.A. will be deducted from earnings (participants may apply for a refund when job is completed).
- The IRS will treat all money earned through this program as taxable income.

- Participants should be sure that the income from this employment will not jeopardize any benefit program they are currently participating in (i.e. SSI, Medicaid, Fuel Assistance, etc.).
- The amount of property tax reduction earned by the taxpayer under this program is not considered income or wages for the purposes of state income tax withholding, unemployment compensation or workmen's compensation.

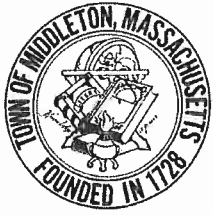
Deadline Dates:

- Application available: **August 1**
- Application due: **September 30**
- Applicants are notified if they have been provisionally accepted: **October 31**
- Applicants interview with department heads: **November**
- Applicants are informed if they have been officially selected: **December 1**
- Participant employment paperwork is due: **December 31**
- Participant work begins: **January 1** (work may start on subsequent dates based on departmental needs)
- Participant work ends: **September 30**

TO APPLY:

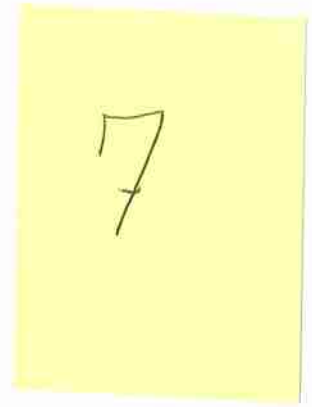
Fill out the application form and mail to Tanya Stepasiuk, 48 S. Main St., Middleton, MA 01949 or email to hr@middletonma.gov by September 30. Any applications received after this date may not be considered.

Questions? Contact Tanya Stepasiuk at 978-777-3617 or tanya.stepasiuk@middletonma.gov.



BOARD OF SELECTMEN

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



VETERAN'S DONATION ACCOUNT DISTRIBUTION POLICY ADOPTED XXXXXX

As of June 18, 2019, the Town has adopted a Veteran's Donation Account. The purpose of this account is to enable to Veteran's Services Officer ("VSO") and other Town Officials to accept donations which may then be utilized for the benefit of Veterans living in the Town.

The Veteran's Services Officer shall identify or respond to requests for veterans with specific needs and all distributions shall go to individuals demonstrating need to the VSO. The VSO shall make every attempt to equitably disburse resources to eligible individuals.

The VSO may distribute financial assistance, goods, or services valued up to \$100 in one fiscal year to a single individual without prior authorization. Expenditures totaling over \$100 in one fiscal year to a single individual shall be approved in advance by the Town Administrator and expenditures over \$500 in one fiscal year to a single individual shall be approved in advance by the Board of Selectmen

All donations and expenditures shall be documented based upon the direction of the Town Accountant/CFO.

MIDDLETON BOARD OF SELECTMEN

Timothy P. Houten, Chairman

Todd Moreschi, Clerk

Brian M. Cresta

Kosta E. Prentakis

Richard Kassiotis

Andrew Sheehan, Town Administrator