

BOARD OF SELECTMEN
MEETING AGENDA

Fuller Meadow School
Nathan Media Center

143 South Main Street, Middleton, MA 01949

Tuesday, January 28, 2020

7:00 PM

This meeting is being recorded

1. 7:00 PM Warrant: #2016
Minutes: Open Session: January 14, 2020
Town Administrator updates and reports
2. 7:15 PM Public Comment Period
3. 7:25 PM Vote to open the May 12, 2020 Annual Town Meeting warrant
4. 7:30 PM Review and vote to set the FY20 sewer rate for the South Essex Sewer District
5. 7:35 PM Review and vote to accept a donation from Raymond Falite, Manager of Fairway Estates, LLC in the amount of \$5,000 per unit for a 45 unit project located at 59 South Main Street, said donation to be used toward the design and construction of a Senior Center/Community Center;
And:
Vote to establish a gift account pursuant to Massachusetts General Law chapter 44, section 53A, to accept donations and gifts to support a Senior Center/Community Center
6. 7:45 PM Public Hearing: Transfer of Wine & Malt Beverages with Cordials/Liquor License and Common Victualler License, currently held by Maximos, Inc., d/b/a Captain Pizza, manager Demetria Captain, located at 227 Maple Street Middleton, on the petition of Barney Restaurant Group, LLC, d/b/a Captain Pizza by owner and new manager Kathleen Barrett
7. 7:55 PM Vote to declare surplus the 2007 Dodge Charger with 107,755 miles and authorize the Town Administrator to donate it to North Shore Essex Tech as a learning project
8. 8:00 PM Review and vote to sign three-year employment agreement with the Town Administrator
11. 8:05 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
12. 8:10 PM Executive Session under GL c. 30A, s. 21(a)(2) for negotiations with non-union personnel with respect to the Town Administrator

Upcoming Meetings: February 1, 2020, Joint Operating Budget meeting with Finance Committee
February 11 & 25, 2020

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.

I

Minutes of the MIDDLETON BOARD OF SELECTMEN
Fuller Meadow School
Nathan Media Room
143 South Main Street, Middleton, MA 01949
January 14, 2020 7:00 PM

Present: Present: Chair Timothy Houten, Kosta Prentakis, Todd Moreschi, Brian Cresta, Rick Kassiotis

Absent: None

Others Present: Town Administrator Andy Sheehan, Assistant Town Administrator Tanya Shallop, and others

7:05 PM With a quorum present, Selectmen Chair Tim Houten called the meeting to order.

7:05 PM ROUTINES

- **Warrants #2014 and #2015:** Town Administrator Andy Sheehan provided a brief review of Warrant #2014 (Payroll: \$681,713, Bills Payable: \$812,769), and Warrant #2015 (Payroll: \$661,200, Bills Payable: \$973,458), 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 **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to accept both warrants, as presented.

- **Minutes:**

- **December 17, 2019:** After a brief review of the minutes of December 17, 2019, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to accept the minutes of December 17, 2019, as presented.

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

- **Close Out of FY19 Budget:** Sheehan reported to the Board that the State had a \$2B surplus, noting that Middleton will get a supplemental Chapter 90 Appropriation in the amount of \$30,800, which will go into the Chapter 90 for the various Public Works projects in town. Selectman Prentakis noted that we would also be getting additional money for the CPA fund.
 - **Master Planning Process:** Sheehan reported that the Master Planning process is continuing, noting that the Master Development Planning Committee is meeting tomorrow night with HKT Architects at Fuller Meadow School, across the hall in the cafeteria, to go over preliminary floor plans, phasing options for the project, architectural features in the first phase, as well as future phases.
 - **MassDOT Update on Water Main Repairs on Route 114 at the Danvers Line:** Sheehan reported that the Danvers Water Department is doing a water main repair over the Ipswich River, where it crosses Route 114. There will be lane restrictions – a single lane for a couple of weeks, during the daytime. The water main is leaking and in the last couple days, the leak

has gotten significantly worse. There will likely be some discoloration of water while the repairs are going on.

- **Highway Exit RENUMBERING:** Sheehan reported that MassDOT is changing the exit numbers on all exits on all Mass. Highways to coincide with the mile markers, as done in most other states. He added that on January 23rd, at Lowell City Hall, they will be holding their first public hearing on the renumbering.
- **Trash and Recycling:** Sheehan provided the Board with an article from the Boston Globe regarding the changing recycling and trash markets that is affecting many cities and towns in Massachusetts, driving up costs for disposing of trash. He is putting together a working group with the DPW, the Assistant Town Administrator, and others, to look at various options available for trash and recycling services and will report back to the Selectmen.

7:11 PM Public Comment Period: There were no comments.

7:17 PM Department of Fire Services Grant: \$5,440: The Town Administrator had provided the Board with information in their packet on a grant the Fire Department got from the Department of Fire Services in the amount of \$5,440 and asked them to vote to accept and authorize the Fire Chief to expend the funds from the grant to fund hoods and gloves and the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to accept and authorize the Fire Chief to expend funds in the amount of \$5,440 from the Department of Fire Services Grant to fund hoods and gloves.

7:18 PM Massachusetts Office on Disabilities ADA Improvement Grant: \$30,000: The Assistant Town Administrator provided the Board with information on a grant the town received in the amount of \$30,000 from the Massachusetts Office on Disabilities ADA Improvement Grant, as well as what the grant money will purchase. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to accept and authorize the Town Administrator to expend funds in the amount of \$30,000 from a Massachusetts Office on Disabilities ADA Improvement Grant.

7:20 PM Review and Vote to Adopt Revised Complete Streets Policy: The Town Administrator provided the Board with information on the Complete Streets Policy, noting the changes made in the revised version, including the creation of a Transportation Task Force. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to adopt the revised Complete Streets Policy, as drafted.

7:23 PM Declare Surplus: COA 2007 Aero Bus: The Town Administrator provided the Board with information on the Council on Aging's 2007 Aero Bus that has not been in service for about a year. 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 declare surplus the Council on Aging's 2007 Aero Bus with estimated value of \$4,000 and authorized the Town Administrator to dispose of it in accordance with statutes and local policy.

7:27 PM Approve \$1,000 Donation to COA: The Board briefly reviewed a donation to the Middleton Council on Aging in the amount of \$1,000 from the Middleton Family Medical Medicine and took the following action:

On a **MOTION** made by **Cresta**, second by **Prentakis**, the Board of Selectmen **VOTED** unanimously to approve a donation to the Middleton Council on Aging in the amount of \$1,000 from Middleton Family Medical Medicine.

7:28 PM Review and approve the following donations to the Middleton Food Pantry:

- **\$500 from Bostik**
- **\$500 from United Civil**
- **\$2,000 from New England Biolabs, Inc.**

On a **MOTION** made by **Kassiotis**, second by **Cresta**, with thanks, the Board of Selectmen **VOTED** unanimously to accept, with gratitude, the three donations totaling \$3,000, to the Middleton Food Pantry from Bostik, United Civil, and New England Biolabs, Inc.

7:28 PM Vote to Appoint Superintendent of Public Works and Deputy Superintendent of Public Works: After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously to appoint Paul Goodwin as Superintendent of Public Works and Ken Gibbons as Deputy Superintendent of Public Works. **Selectman Moreschi recused himself from this discussion and vote.**

7:30 PM Executive Session

On a **MOTION** made by **Houten**, the Board of Selectmen **VOTED** unanimously by roll call vote to go into Executive Session, under GL c. 30A, s. 21(a)(2), for negotiations with non-union personnel, and declared discussion in open session would have a detrimental effect on the position of the Town, and c. 30A, s. 21(a)(3), with respect to the Town Administrator, and will not be returning to Open Session.

Selectman Clerk Moreschi called the roll call:

Houten: Yes
Prentakis: Yes
Cresta: Yes
Kassiotis: Yes
Moreschi: Yes

MOTION carried unanimously.

7:55 PM ADJOURN

With no further business, the Board of Selectmen's meeting of January 14th, adjourned at 7:55 PM.

Upcoming Meetings:

- **January 28, 2020**
- **February 1, 2020, Joint Operating Budget Meeting with Finance Committee**
- **February 11 & 25, 2020**

Respectfully submitted,



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: January 14, 2020
- Warrant: #2014 (Payroll: \$681,713, Bills Payable: \$812,769)
- Warrant: #2015 (Payroll: \$661,200, Bills Payable: \$973,458)
- Minutes:
 - December 17, 2019
- Letter from Governor Baker to Chief Martinuk, Re: Department of Fire Services Grant: \$5,440, 12/9/19
- E-Mail from Massachusetts Office on Disability to Town Administrator et al, Re: FY20 Municipal ADA Improvement Grant, 12/16/19
- COMPLETE STREETS POLICY ADOPTED NOVEMBER 18, 2014 REVISED JANUARY 14, 2020
- Letter from COA to Board of Selectmen, Re: Council on Aging Donation/Middleton Family Medicine Medical, 12/19/19
- Letter from COA to Board of Selectmen, Re: Middleton Food Bank Donation / Bostik, 12/26/19
- Letter from COA to Board of Selectmen, Re: Middleton Food Bank Donation / New England Biolabs and United Civil Inc., 12/19/19
- Abel, D. (11 January 2020) Recycling is becoming so expensive that some towns don't know what to do *The Boston Globe*. Retrieved from <http://www.bostonglobe.com/metro/2020/01/11/national-recycling...>

CALENDAR
FY2021 OPERATING AND CAPITAL BUDGETS
MAY 12, 2020 ANNUAL TOWN MEETING
MAY 19, 2020 ANNUAL TOWN ELECTION

**2019**

Thursday, December 12 FY21 budget instructions distributed to departments

2020

Friday, January 3 Operating budget requests due to TA's Office

Monday, January 6 Nomination papers for elected Town offices available

January 6-15 Operating budget meetings with TA, ATA, CFO

Monday, January 20 Martin Luther King, Jr. holiday

Monday, January 27 Operating budget books/files to BOS, FinCom

Tuesday, January 28 Board of Selectmen votes to open the ATM warrant

Saturday, February 1
8:30AM-4:00PM Operating budget summit

Monday, February 3 Capital budget requests due to TA's Office

February 10-18 Capital budget meetings with TA, ATA, CFO

Thursday, February 13 Deadline to submit legal notice to *Chronicle & Transcript* for March 11 Planning Board public hearing on zoning amendments

Monday, February 17 Presidents' Day holiday; start of school vacation week

Thursday, February 20 1st legal ad in *Chronicle & Transcript* for Planning Board public hearing on zoning amendments

Thursday, February 27 2nd legal ad in *Chronicle & Transcript* for Planning Board public hearing on zoning amendments

Saturday, February 29 Leap Day

Tuesday, March 3 Presidential Primary Election, Fuller Meadow Gym, 7AM-8PM

Tuesday, March 3 Capital budget books/files to BOS, FinCom

Friday, March 6 Deadline to submit legal ad to *Chronicle & Transcript* for 4/2/20 budget hearing

Saturday, March 7
8:30AM-2:00PM Capital budget summit

Tuesday, March 10	Non-petition warrant articles due to BOS
Wednesday, March 11	Planning Board Hearing on Zoning Amendments
Thursday, March 12	Petition articles and zoning amendments due at Town Administrator's Office by 5:00PM
Thursday, March 19	Legal ad in <i>Chronicle & Transcript</i> for 4/2/20 budget hearing
Tuesday, March 24	Special Town Meeting to fund Fire Station/Public Safety Building design
Tuesday, March 24	BOS votes to close ATM warrant
Thursday, April 2	Budget Hearing and Warrant Reading: BOS, FinCom, Moderator at Flint Public Library
Thursday, April 2	Deadline to submit recommendations, exhibits, maps to TA's Office for inclusion in warrant book
Tuesday, April 7, Until 5PM	Last day for candidates to submit nomination papers for Annual Town Election
Thursday, April 9	Joint meeting of Board of Selectmen & Finance Committee re outstanding budget issues, <u>if needed</u>
Monday, April 13	Warrant book to printer or earlier if April 9 joint meeting not needed
Wednesday, April 15	Last day for candidates to object or withdraw their candidacy for elected office
Monday, April 20	Patriots Day holiday; start of school vacation week
Wednesday, April 22 Until 8:00PM	Last day to register to vote for the Annual Town Meeting and Annual Town Election
Friday, April 24	Warrant book to USPS for mailing to households
Tuesday, April 28	Motions meeting with TA, ATA, CFO, Moderator, Town Clerk, Town Counsel
Tuesday, April 28	Target date for Constable to post warrant
Thursday, May 7, 7:00PM	Pre-Town Meeting at Flint Public Library
Tuesday, May 12	Annual Town Meeting at Howe Manning School gymnasium
Tuesday, May 19	Annual Town Election at Fuller Meadow School gymnasium

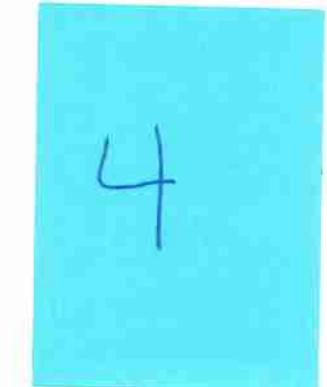
All meeting locations subject to change depending on availability of venue

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

January 14 & 28
February 11 & 25
March 10 & 24

April 7 & 21
May 5 & 19

Town of Middleton
FY 2020
Operating and Maintenance
Sewer Rate From SESD Billings



<u>Sewer Enterprise Fund Expenses</u>	<u>Amount</u>
1. South Essex Sewer District Operating and Maintenance Charges Billed To Middleton For Fiscal Year 2020	\$ 90,519.68
2. Billing expenses including collections, receivables, and all associated accounting	\$ 4,861.00
3. Reserve for bad debt (losses) = 5% of total billable expenses	<u>\$ 4,769.03</u>
Total Sewer Enterprise Expenses =	\$ 100,149.71
Less any Deductions for State Grants to Reduce Sewer Use Charges	\$ -
Net Total Sewer Enterprise Fund Expenses =	<u>\$ 100,149.71</u>
<i>Recommended Sewer Rate =</i>	
<i>Total Expenses</i>	<u>\$ 100,149.71</u>
<i>Total Sewer Flow</i>	<u>6,197,276.81</u> cubic feet
	\$ 0.016 \$ 1.616
	per hundred cubic

Approved by Board of Selectmen

Timothy Houten, Chairman

Kosta Prentakis

Rick Kassiotis

Todd Moreschi

Brian Cresta

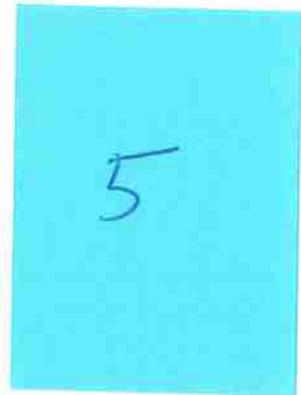
Andrew Sheehan
Town Administrator

Date:

January 28, 2020

Fairway Estates, LLC
9 Broadway
Wakefield, MA 01880

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



Re: Senior Center/Community Center Donation

Dear Members of the Board of Selectmen:

Please accept the following as Fairway Estates, LLC's pledge and agreement to provide a gift in the amount of up to two hundred twenty-five 00/100 (\$225,000.00) dollars toward the design and construction of a Senior Center/Community Center that the Town of Middleton intends to build on land it recently purchased.

To fund this gift, Fairway Estates, LLC agrees that it will make up to forty-five (45) payments each in the amount of five thousand and 00/100 (\$5,000.00) dollars. Said payments to be made prior to the issuance of each occupancy permit for each unit of a certain forty-five unit project to be constructed by Fairway Estates at 59 South Main Street in Middleton. Should less than forty-five (45) units be constructed, the gift will be reduced accordingly.

It is my understanding that the Building Department, along with the Planning Department will be monitoring the construction and occupancy of the Fairway Estates project and can assist in ensuring that the donations under this pledge are made in a timely fashion. To that end, Fairway Estates shall submit each donation, which will be payable to the Town of Middleton, along with each application for certificate of occupancy.

I look forward to the success of the Senior Center/Community Center project.

Sincerely,

FAIRWAY ESTATES, LLC,

DocuSigned by:



By: Raymond Falite, Manager
Its Mgr.,
Duly authorized

ACCEPTED BY A VOTE OF THE MIDDLETON BOARD OF SELECTMEN,

By: _____
Its Chairperson, duly authorized



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surrender by them to
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he books of the city

tory Notes

Sec. 12

exchange for bearer

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; such exchange shall
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in the same general
commonwealth under
twenty-nine.

tory Notes

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as otherwise provided
fees provided for by
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without specific appro-
however, that (1) sums
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ties, towns or districts
purposes shall be avail-
fic appropriation, but
purposes for which the
neet temporary loans

MUNICIPAL FINANCE

issued in anticipation of such allotment as provided in section six or six A, (2) sums not in excess of \$150,000 recovered under the terms of a fire or physical damage insurance policy or received in restitution for damage done to such city, town or district property may, with the approval of the chief executive officer, be used by the officer or department having control of the city, town or district property for the restoration or replacement of such property without specific appropriation during the fiscal year in which they are received or 120 days after receipt, whichever is later, and (3) sums recovered from pupils in the public schools for loss of or damage to school books, materials, electronic devices or other learning aids provided by the school committee, or paid by pupils for materials used in the industrial arts projects, may be used by the school committee for the restoration or replacement of such books or materials without specific appropriation.

Amended by St.1960, c. 592, § 3; St.1961, c. 246; St.1967, c. 46, § 7; St.1968, c. 598, § 2; St.1970, c. 525; St.1972, c. 88; St.1972, c. 766, § 4; St.1978, c. 367, § 70A; St.1980, c. 169; St.1984, c. 181; St.1992, c. 62; St.2016, c. 218, § 84, eff. Nov. 7, 2016.

Historical and Statutory Notes

St.1920, c. 591, § 7.

St.1926, c. 205.

§ 53A. Grants and gifts; acceptance and expenditure

An officer or department of any city or town, or of any regional school or other district, may accept grants or gifts of funds from the federal government and from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality or an agency thereof, and in the case of any grant or gift given for educational purposes may expend said funds for the purposes of such grant or gift with the approval of the school committee, and in the case of any other grant or gift may expend such funds for the purposes of such grant or gift in cities having a Plan D or Plan E form of government with the approval of the city manager and city council, in all other cities with the approval of the mayor and city council, in towns with the approval of the board of selectmen, and in districts with the approval of the prudential committee, if any, otherwise the commissioners. In the case of grants from the federal government or from the commonwealth, a county or municipality or agency or instrumentality thereof, upon receipt of an agreement from the grantor to provide advance payment or

reimbursement to the city, town or district, the officer or department may spend the amount of the advance payment, or the amount to be reimbursed, for the purposes of the grant, subject to the approvals required by this section. Any advance payment or reimbursement shall be applied to finance the grant expenditures; provided, however, that any expenditures outstanding at the close of the fiscal year after the fiscal year in which the grantor approved the agreement shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor. Notwithstanding the provisions of section fifty-three, any amounts so received by an officer or department of a city, town or district shall be deposited with the treasurer of such city, town or district and held as a separate account and may be expended as aforesaid by such officer or department receiving the grant or gift without further appropriation. If the express written terms or conditions of the grant agreement so stipulate, interest on the grant funds may remain with and become a part of the grant account and may be expended as part of the grant by such officer or department receiving the grant or gift without further appropriation. Any grant, subvention or subsidy for educational purposes received by an officer or department of a city, town or school district from the federal government may be expended by the school committee of such city, town or district without including the purpose of such expenditure in, or applying such amount to, the annual or any supplemental budget or appropriation request of such committee; provided, however, that this sentence shall not apply to amounts so received to which section twenty-six C of chapter seventy-one of the General Laws, and chapter six hundred and twenty-one of the acts of nineteen hundred and fifty-three, as amended, and chapter six hundred and sixty-four of the acts of nineteen hundred and fifty-eight, as amended, apply; and, provided further, that notwithstanding the foregoing provision, this sentence shall apply to amounts so received as grants under the Elementary and Secondary Education Act of 1965, (Public Law 89-10).¹ After receipt of a written commitment from the federal government approving a grant for educational purposes and in anticipation of receipt of such funds from the federal government, the treasurer, upon the request of the school committee, shall pay from

the General Fund of such municipality compensation for services rendered and goods supplied to such federal grant programs, such payments to be made no later than ten days after the rendition of such services or the supplying of such goods; provided, however, that the provisions of such federal grant would allow the treasurer to reimburse the General Fund for the amounts so advanced.

Added by St.1964, c. 99. Amended by St.1967, c. 46, § 8; St.1967, c. 388, § 1; St.1983, c. 331; St.1984, c. 74; St.1986, c. 203; St.1986, c. 651, § 3; St.2016, c. 218, § 85, eff. Nov. 7, 2016.

¹ 20 U.S.C.A. § 236 et seq.; See, also, 20 U.S.C.A. § 2701 et seq.

§ 53A½. Gifts of tangible personal property;
acceptance

A city council, with the mayor's approval if the charter so provides, or a board of selectmen, or prudential committee or town council may, in its sole discretion and authority, accept gifts of tangible personal property on behalf of the city, town or district from the federal government, a charitable foundation, private corporation, individual, or from the commonwealth or any political subdivision thereof, and may, in its sole discretion and authority, use said gifts, without specific appropriation thereof, for the purpose of such a gift or, if no restrictions are attached to the gift, for such other purposes as it deems advisable.

Added by St.2000, c. 274. Amended by St.2014, c. 455, §§ 4, 5, eff. April 6, 2015.

S 53B. Contributions by commonwealth; application to indebtedness

Any sums allotted and paid by the commonwealth to a city, town or district as a contribution towards the cost of a useful public works project, the state's share of the cost of which project was financed from the proceeds of a loan issued by such city, town or district, shall be applied towards the payment of such indebtedness.

Added by St.1968, c. 598, § 3.

§ 53C. Deposit and expenditure of compensation for off-duty or special detail work; appropriation for special fund; fee

All money received by a city, town or district as compensation for work performed by one of its employees on an off-duty work detail which is related to such employee's regular employment or for special detail work performed by persons where

such detail is not related to regular employment shall be deposited in the treasury and shall be kept in a fund separate from all other monies of such city, town or district and, notwithstanding the provisions of section fifty-three, shall be expended without further appropriation in such manner and at such times as shall, in the discretion of the authority authorizing such off-duty work detail or special detail work, compensate the employee or person for such services; provided, however, that such compensation shall be paid to such employee or person no later than ten working days after receipt by the city, town or district of payment for such services

When necessary, a city, town or district may appropriate funds to be placed in the special fund authorized by this section to be used for the purpose for which the fund was established. A city, town or district may establish a fee not to exceed ten per cent of the cost of services authorized under this section, which shall, except in the case of a city, town, district or the commonwealth, be paid by the persons requesting such private detail. Any such fee received shall be credited as general funds of the city, town or district and shall not be used again without further appropriation.

Districts shall include regional school districts.
Added by St.1970, c. 344. Amended by St.1973, c. 773,
St.1976, c. 24; St.1980, c. 98; St.1982, c. 70.

§ 53D. Recreation and park self-supporting service revolving funds; creation; authorized use of funds; annual report; revocation of provisions

Notwithstanding the provisions of section fifty-three, any city or town which accepts the provisions of this section may establish in the city or town treasury a revolving fund which shall be kept separate and apart from all other monies by the treasurer and in which shall be deposited the receipts received in connection with the conduct of self-supporting recreation and park services of said city or town. The principal and interest thereon shall be expended at the direction of the authority, commission, board or official of such city or town with said responsibility without further appropriation but only with the written approval of the mayor in cities, or city manager in Plan E cities, or the selectmen in towns, or in towns which have adopted the town manager form of government the town manager and only for the purpose of operating self-supporting recreation and park services. The city auditor or town accountant shall submit

annually a report by the mayor, city councilmen or town mayor of said report shall be made to the bureau of accountants of funds in said revenue for the purpose of paying the full-time, as defined, director of accountants; provided, further, that the balance shall not exceed the close of each year in excess of ten thousand dollars, the city or town of fifty-three.

A city or town of this section 1 acceptance; prov town may require provisions of this authorization by or city council. Added by St.1977, St.1989, c. 223; St.

§ 53E. Agency of u

Notwithstanding
three, a city or town
of this section may
appropriate for the
any agency, board
or town that such
the aggregate, by
fees charged to
such agency, board

The use of such amount not to exceed the previously estimated amount as an appropriation, by his designee, an itemized and documented manner amounts.

Receipts so a
special account
otherwise speci
pended for the
appropriation.
the end of the fis
general treasury

6
**The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc**

APPLICATION FOR A TRANSFER OF LICENSE

Municipality Middleton, MA

RECEIVED
 JAN 10 2020

12:29 PM
[Signature]

1. TRANSACTION INFORMATION

Transfer of License
 Alteration of Premises
 Change of Location
 Management/Operating Agreement

Pledge of Inventory Change of Class
 Pledge of License Change of Category
 Pledge of Stock Change of License Type
 Other (\$12 ONLY, e.g. "club" to "restaurant")

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

Purchasing the business of Captain Pizza located at 227 Maple St., Middleton MA 01949. Current business will continue without any interruption during sales transaction. Layout and menu will remain unchanged.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	S12 Restaurant	Wines & Malt Beverages with Cordials/Liquors Permit	Annual

3. BUSINESS ENTITY INFORMATION

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

Current or Seller's License Number	00038-RS-0704	FEIN	84-4002288
Entity Name	Barney Restaurant Group LLC		
DBA	Captain Pizza	Manager of Record	Kathleen M. Barrett
Street Address	227 Maple St., Middleton MA 01949		
Phone	203-906-2436	Email	kathybarrett95@gmail.com
Add'l Phone		Website	captainpizzamiddleton.com

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

There will be no changes from last approved description

Total Sq. Footage	1400	Seating Capacity	40	Occupancy Number	40
Number of Entrances	2	Number of Exits	2	Number of Floors	1

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name	Maximos Inc d/b/a Captain Pizza	By what means is the license being transferred?	Purchase
List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.			
Name of Principal	Title/Position	Percentage of Ownership	
Ekaterine Captain	Owner	100%	
Name of Principal	Title/Position	Percentage of Ownership	
Name of Principal	Title/Position	Percentage of Ownership	
Name of Principal	Title/Position	Percentage of Ownership	
Name of Principal	Title/Position	Percentage of Ownership	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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

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

Name of Principal	Residential Address	SSN	DOB
Kathleen M. Barrett	311 Bear Hill Rd., North Andover, MA 01845		1/29/65
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
Managing Partner	51%	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
<input checked="" type="radio"/> Yes <input type="radio"/> No			
Name of Principal	Residential Address	SSN	DOB
Kevin J. Carney	270 Canal St., #218, Lawrence, MA 01841		7/6/65
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
Partner	49	<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
<input checked="" type="radio"/> Yes <input type="radio"/> No			
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
<input checked="" type="radio"/> Yes <input type="radio"/> No			
Name of Principal	Residential Address	SSN	DOB
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
		<input checked="" type="radio"/> Yes <input type="radio"/> No	<input checked="" type="radio"/> Yes <input type="radio"/> No
<input checked="" type="radio"/> Yes <input type="radio"/> No			

APPLICATION FOR A TRANSFER OF LICENSE

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position		Percentage of Ownership	
<input type="text"/>		<input type="text"/>	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
Name of Principal		Residential Address	
<input type="text"/>		<input type="text"/>	
		SSN	
		<input type="text"/>	
Title and or Position		Percentage of Ownership	
<input type="text"/>		<input type="text"/>	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
Name of Principal		Residential Address	
<input type="text"/>		<input type="text"/>	
		SSN	
		<input type="text"/>	
Title and or Position		Percentage of Ownership	
<input type="text"/>		<input type="text"/>	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input type="radio"/> Yes <input type="radio"/> No	

Additional pages attached?

<input type="radio"/> Yes	<input checked="" type="radio"/> No
---------------------------	-------------------------------------

CRIMINAL HISTORY

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

<input type="radio"/> Yes	<input checked="" type="radio"/> No
---------------------------	-------------------------------------

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	

APPLICATION FOR A TRANSFER OF LICENSE

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

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

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

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

7. CORPORATE STRUCTURE

Entity Legal Structure	LLC	Date of Incorporation	Dec 17, 2019
State of Incorporation	Massachusetts	Is the Corporation publicly traded?	<input type="radio"/> Yes <input checked="" type="radio"/> No

8. OCCUPANCY OF PREMISES

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

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

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name	Paula Johnson	Landlord Email	jimpaulamatt@yahoo.com
Landlord Phone	978-777-0046	Landlord Address	227 Maple St., Middleton MA 01949
Lease Beginning Date	3/1/2020	Rent per Month	\$3000
Lease Ending Date	2/28/2024	Rent per Year	\$36,000

Will the Landlord receive revenue based on percentage of alcohol sales? Yes No

9. APPLICATION CONTACT

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

Name:	Kathleen M. Barrett	Phone:	203-906-2436
Title:	Managing Partner	Email:	kathybarrett95@gmail.com

APPLICATION FOR A TRANSFER OF LICENSE

10. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	<input type="text"/>
B. Purchase Price for Business Assets	\$150,000
C. Other* (Please specify)	<input type="text"/>
D. Total Cost	\$150,000

*Other: (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

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

Name of Contributor	Amount of Contribution
<input type="text"/>	<input type="text"/>
Total:	<input type="text"/>

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Pentucket Bank	\$150,000	Line of Credit	<input checked="" type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input checked="" type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

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

Line of Credit on 311 Bear Hill Rd., North Andover MA 01845

11. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

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

To whom is the pledge being made?

12. MANAGER APPLICATION

A. MANAGER INFORMATION

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

Proposed Manager Name	Kathleen M. Barrett	Date of Birth	1/29/65	SSN	032-60-3081
Residential Address	311 Bear Hill Rd., North Andover, MA 01845				
Email	Kathleen M. Barrett	Phone	203-906-2436		
Please indicate how many hours per week you intend to be on the licensed premises			50-60		

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? *

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

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

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

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

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

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

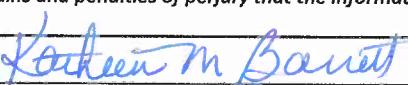
Start Date	End Date	Position	Employer	Supervisor Name
Jan. 2019	Nov. 2018	Dir. of Community Relations	Benchmark Senior Living	Charles Crush
Jan. 2017	Nov. 2017	Senior VP	InteQ Insights	Terry McCarthy
Jan. 2016	Oct. 2016	Vice President	Novitex Enterprises	Irinia Novoselsky
Feb. 1991	May 2015	Group Vice President	Affinion Group	James Daxner

D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature  Date 1/6/2020

13. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

If yes, please fill out section 13.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

Yes No

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

13A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone		
Name of Principal	Residential Address	SSN	DOB	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
		<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
CRIMINAL HISTORY				
Has any individual identified above ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.				<input type="radio"/> Yes <input type="radio"/> No

13B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 13A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

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

Name	License Type	License Name	Municipality

13C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 13A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

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

Name	License Type	License Name	Municipality

13D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 13A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

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

Licensee Name	License Type	Municipality	Date(s) of Agreement

13E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question section 13B, 13C, 13D ever been suspended, revoked or cancelled?

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

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

13F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee? Yes No
b. Will the licensee retain control of the business finances? Yes No
c. Does the management entity handle the payroll for the business? Yes No

d. Management Term Begin Date e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

\$ per month/year (indicate amount)
 % of alcohol sales (indicate percentage)
 % of overall sales (indicate percentage)
 other (please explain)

ABCC Licensee Officer/LLC Manager

Signature:

Title:

Date:

Management Agreement Entity Officer/LLC Manager

Signature:

Title:

Date:

APPLICANT'S STATEMENT

I, **Kathleen M. Barrett** the: sole proprietor; partner; corporate principal; LLC/LLP manager

Authorized Signatory

of **Barney Restaurant Group, LLC**

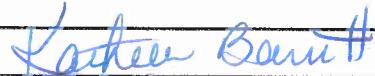
Name of the Entity/Corporation

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

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

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

Signature:



Date: 1/6/2020

Title:

Managing Partner

CORPORATE VOTE

The Board of Directors or LLC Managers of

Barney Restaurant Group, LLC

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

Jan 28, 2020

Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize

Kevin J. Carney

Name of Person

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

"VOTED: To appoint

Kathleen M. Barrett

Name of Liquor License Manager

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

A true copy attest,

For Corporations ONLY

A true copy attest,

Kevin J. Carney
Corporate Officer /LLC Manager Signature

Corporation Clerk's Signature

(Print Name)

(Print Name)



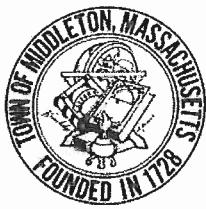
Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-774-3589
www.middletonma.gov

Common Victualler/General License Application

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

1. Licensee Name: Kathleen M. Barrett
2. Name of Manager: Kathleen M. Barrett
3. Social Security Number/FID Number: 032-10-3081
4. Business Address: 311 Bear Hill Rd N. Andover MA 01845
5. Home Address: 311 Bear Hill Rd N. Andover MA 01845
6. Telephone Numbers (Please provide all numbers by which you can be reached):
Business Phone: _____
Cell Phone: 203-906-2436
Home Phone: _____
7. Email Address: KathyBarrett95@gmail.com
8. Registered Voter? Yes _____ No _____
9. Are you a U.S. Citizen? Yes _____ No _____
10. Court and Date of Naturalization (if applicable) _____
(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)
- 10a. Where? _____
11. Identify your criminal record: (Massachusetts/Any other state/Federal): Have you had any arrests or appearance in a criminal court or have you been charged with a criminal offense regardless of final disposition; (Must check either Yes or No)
_____ Yes No

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



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

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

My business partner Kevin Carney has previously owned & operated 2 restaurants & head chef in other restaurants

12. List all employment for the last five years:

Benchmark Senior Living - Jan 2019 - Nov 2019
Integ Insights - Jan 2017 - Dec 2017
Novitex Ent - Jan 2016 - Oct 2016
Affinion Group - Feb 1991 - May 2015

13. Hours per week to be spend on the licensed premises: 20-60

14. Days and Hours of Operation: 7 days/week 11:00 am - 10:00 pm

15. Seating Capacity: 40

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

If Leased:

16a. If Yes, From Whom? Paula Johnson

16b. Terms of Lease? attached

(Please provide a copy of lease agreement)

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

Kathleen M Barrett
Printed Name of Owner

By: Kathleen M Barrett
(Signature)

Date: 1/21/2020

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

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

Name of Company: Barney Restaurant Group LLC

Address: 311 Bear Hill Rd N. Andover MA 01845

Title of Person Signing: Managing Partner

Signature of Individual or Corporate Name: Kathleen M. Barrett

Printed Name of Above: Kathleen M. Barrett

Contact Telephone Number: 203-906-2434

Date: 1/2/2020

Social Security Number or Federal Identification Number: 032-60-3081

Email Address: Kathy Barrett 95@gmail.com

Andrew Sheehan

From: James Digianvittorio (MPD)
Sent: Thursday, January 16, 2020 1:02 PM
To: Andrew Sheehan
Cc: James Digianvittorio (MPD)
Subject: FW: Black Charger



Andy,

We just picked up the unmarked Black 2007 Charger from the Tech school today. This was basically our last ditch effort to get the car operational. We had had it at the Jail for a while and sunk money into it trying to get it inspected and then at the dealership in an attempt to get the car inspected but to no avail.

When I advised the lead instructor today at the school that I would be taking this car off line, he mentioned that the Automotive section would love to have it donated so they can show the students how to dismantle the engine and the other parts, he assured me that they use it for training purposes only and then they would junk it when finished with it. The fact that we couldn't sell the car unless we sold it for parts.

What is your thoughts.

The School has been very good to us with other vehicles in the past and also with many projects around Town.

From: James Digianvittorio (MPD)
Sent: Thursday, January 16, 2020 12:29 PM
To: Ronald Carpenter (MPD); David Arathuzik (MPD); Matthew Armitage (MPD); Robert Peachey (MPD)
Cc: James Digianvittorio (MPD)
Subject: Black Charger

I have been in contact with Tom Forsyth at the Essex Tech they have run every diagnostic test on the charger and they have stated that there are too many issues and too much money to fix the problems with the car.

We will be picking it up and taking it off line today.

The list is the following:

Transmission torque converter needs to be replaced

Right Front caliber is not working properly

There is a failure in the ABS Braking system computer that would need to be replaced in order to get the ABS light out. They can't do that type of work it would have to go back to the dealership and the part alone is over \$600 not including the labor.

NOTICE: This e-mail transmission and any accompanying attachments may contain confidential or privileged information. They are intended only for use by the individual or entity named on this e-mail transmission. If you are not the intended recipient, you are not authorized to disclose, copy, distribute or use, in any manner, the contents of this information. If you have received this e-mail transmission in error, please notify us by e-mail immediately.