

BOARD OF SELECTMEN MEETING AGENDA

**Fuller Meadow School
Front Canopy
143 South Main Street, Middleton, MA 01949
Tuesday, March 24, 2020
5:00 PM**

This meeting is being recorded

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, GL c. 30A, s. 18, and the Governor's Order imposing strict limitations on the number of people who may gather in one place, this meeting of the Middleton Board of Selectmen may be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town's website, www.middletonma.gov. For this meeting, Board members intend to gather in person while maintaining responsible social distancing. The Board, collectively or individually, may elect to participate remotely. No in-person attendance by the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings. Members of the public who wish to listen to or watch this meeting may do so by watching a rebroadcast of the meeting on local access cable or on the Town's website, www.middletonma.gov.

1. 5:00 PM Warrant: #2020
Minutes: Open Session: March 10, 2020
2. 5:05 PM Town Administrator updates and reports on response to Coronavirus/COVID-19; updates on other topics
3. 5:10 PM Discussion and possible vote on local declaration of emergency
4. 5:20 PM Vote to designate one member to sign payroll and bills payable warrants on behalf of the Board
5. 5:25 PM Discussion of May 12, 2020 Annual Town Meeting, May 19, 2020 Annual Town Election, and related meetings, hearings, and actions
6. 5:35 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

Scheduled Meetings: ***The status of all meetings remains uncertain during the State of Emergency***
April 2: Joint w/ Finance Committee FY21 Budget Hearing and Warrant Reading
April 7: Regular BOS meeting
April 9: Joint w/ Finance Committee FY21 Budget, if necessary
April 21: Regular BOS meeting

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
March 10, 2020 7:00 PM

Present: Present: Kosta Prentakis, Todd Moreschi, Brian Cresta, Rick Kassiotis

Absent: Chair Timothy Houten

Others Present: Town Administrator Andy Sheehan, Assistant Town Administrator Tanya Shallop, Minutes Secretary Judi Stickney, Veterans Services Officer Gary Bent, Alan Kerr, Jim Riley, Brett Zimmerman, Atty. Joseph Devlin, Chris Pesce, Maria Silva, Town Counsel Kate Feodoroff, and others.

7:03 PM With a quorum present, Acting Chair Rick Kassiotis called the meeting to order.

7:03 PM ROUTINES

- **Warrant #2019:** Town Administrator Andy Sheehan provided a brief review of #2019 (Payroll: \$680,300, Bills Payable: \$1,326,220), noting that the Town Accountant had reviewed the warrant and requested the Board's approval. The Board took the following action:
On a **MOTION** made by **Cresta**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to accept warrant #2019, as presented.
- **Minutes:**
 - After a brief review of the minutes of February 25, 2020, the Board took the following action:
On a **MOTION** made by **Cresta**, second by **Moreschi**, the Board of Selectmen **VOTED** unanimously to accept both the open and Executive Session minutes of February 25, 2020 as presented.
- **Town Administrator's Report:** Town Administrator Andy Sheehan provided the Board with updates and information on the following:
 - **Accessibility of Public Facilities:** Sheehan advised that the Assistant Town Administrator has applied for and received a grant from the Mass. Office on Disabilities for an ADA self-evaluation and transition plan. They have contracted with the Institute for Human Centered Design to prepare a plan for all town facilities. He added that they expect to have the report by the end of the fiscal year.
 - **Coronavirus Update:** Sheehan advised they are keeping up with Mass Dept. of Public Health recommendations. There are numerous networks of colleagues around the state who are sharing information. In the last 24 hours, there has been a change in the way things are going with public events being canceled. There is a regional event scheduled for Thursday and we're trying to get someone there. The COA has postponed a few of their off-site events.
 - **Budget Development Update:** Sheehan reported that the Board of Selectmen and Finance Committee met last Saturday, and they are making great progress on the operating and capital budgets. Sheehan added that the Annual Budget Hearing will take place on April 2nd at the Flint Library and they hope to close the budget at that meeting.

- **Brush Drop-Off Event:** Sheehan announced there will be a brush drop-off event at the transfer station on Saturday, April 4th, from 8AM-4PM.
- **Nomination Papers Available:** Sheehan reported that nomination papers are available through the end of March for the May 19th Annual Election. Additional information can be found on the Town Clerk's website and/or in the Town Clerk's office.
- **Presidential Primary Update:** Sheehan publicly thanked all the people who worked at the polls on Tuesday as well as on the early voting days.
- **April 22nd is Last Day to Register:** Selectman Cresta reminded all viewers that April 22nd is the last day to register to vote for the Annual Town Meeting and Annual Election.

7:12 PM Public Comment Period: There were no public comments.

7:13 PM Vote to Accept a Donation: Maria Silva, branch manager, and Chris Pesce, Vice President of Marketing from the North Shore Bank, met with the Board of Selectmen with a check for the Veterans Donation Account. Pesce provided the Board with information on the fundraiser they hold at the bank for local charities called Jeans Day for Charities, where they allow employees to wear jeans for a donation of \$5.00, and they raised \$1,850 for the veterans. The Armed Forces Financial Network (AFIN) will match any donation made by an organization that supports the Armed Services, and they donated an additional \$1,500 for the veterans. Pesce presented the Veterans Agent, Gary Bent, with a check for \$3,350 for the Veterans Donation Account. Selectman Brian Cresta provided more information on the Veterans Donation Account for anyone who wanted to donate to it. After a very brief discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Prentakis**, the Board of Selectmen **VOTED** unanimously to accept, with thanks, the donation to the Veterans Donation Account in the amount of \$1,850 from North Shore Bank, as well as a companion donation of \$1,500 from AFIN, for a total of \$3,350.

7:17 PM Discussion of Personnel Policies, Charter and Bylaw Amendments: Town Counsel, Kate Feodoroff, met with the Board to discuss proposed amendments to the Town's personnel policies, charter, and bylaw. She advised the Board that the goal was to combine all the personnel and employee policies that currently exist into one reference policy. A draft of the Personnel Policies and Procedures, as well as a marked-up Charter and Bylaw, was provided to the Board members to refer to as Feodoroff made her brief presentation. Assistant Town Administrator Tanya Shallop provided additional information. After a brief discussion, the Board decided to put this on the agenda for April 21st for the Board to vote on it.

7:32 PM Public Hearing: Application for a New All Alcohol Beverages Restaurant Liquor License and Common Victualler License: Brett Zimmerman, Alan Kerr, Jim Riley, and Attorney Joseph Devlin met with the Board of Selectmen with an application for a new all alcohol beverages restaurant liquor license and Common Victualler license for their new 99 Restaurant & Pub, located at 245 South Main Street. After a lengthy discussion, the Board took the following action:

On a **MOTION** made by **Cresta**, second by **Prentakis**, the Board of Selectmen **VOTED** unanimously to approve a new all alcohol beverages restaurant liquor license and Common Victualler license, manager of record, Brett Zimmerman, by Atty. Joseph Devlin for 99 West, LLC d/b/a 99 Restaurant & Pub, located at 245 So. Main Street, Middleton MA 01949.

7:46 PM Vote to Accept a Grant: The Town Administrator provided the Board with information on a grant the Town received in the amount of \$1,300 per year from MED-Project to the Middleton Police

Department, noting that the funds will be used to acquire Narcan. Selectman Cresta ask the Chief to get in touch with Beverly Hospital to cycle out the older Narcan and replace with new. 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 a grant in the amount of \$1,300 per year from MED-Project to the Middleton Police Department; to be used to acquire Narcan.

7:49 PM Vote to Accept a Donation of 15 Princeton Elm Trees: The Town Administrator advised the Board that the Town has received a donation of 15 Princeton elm trees from the Institution for Savings, as part of its 200th birthday celebration, adding that the 15-foot tall trees have an estimated value of \$7,800. 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 approve a donation of 15 Princeton elm trees from the Institution for Savings, with thanks.

7:52 PM Update on the April 16, 2020 Special Town Meeting: Town Administrator Andy Sheehan advised the Board and the viewing public that the Master Development Planning Committee asked to delay the April Special Town Meeting to allow them more time to get the word out and educate the public on the plan for 105 South Main Street. He said he expects the Town Meeting will be held in the fall. Acting Chair Rick Kassiotis publicly thanked the committee for all the work they've put in on the proposed public facilities complex.

7:54 PM New Business:

- **Citizen Feedback Session:** Selectman Prentakis announced he will be holding a public feedback session on Thursday March 26th, from 6:30PM-7:30PM, at the Flint Public Library.

7:55 PM ADJOURN

With no further business, the Board of Selectmen's meeting of March 10, 2020 adjourned at 7:55 PM.

Upcoming Meetings:

- **March 24: Regular BOS meeting**
- **April 2: Joint w/ Finance Committee FY21 Budget Hearing and Warrant Reading**
- **April 7: Regular BOS meeting**
- **April 9: Joint w/ Finance Committee FY21 Budget, if necessary**
- **April 16: Special Town Meeting for Public Facilities Complex**
- **April 21: Regular BOS meeting**

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: March 10, 2020
- Warrant: #2019 (Payroll: \$680,300, Bills Payable: \$1,326,220)
- Minutes:
 - February 25, 2020
- Letter from Veterans Service Officer to Board of Selectmen, Re: Middleton Veterans Donation (\$1,850.00) - North Shore Bank Middleton branch, 3/5/20
- Letter and related material from Devlin Law to Board of Selectmen, Re: New application for an Annual Restaurant All Alcoholic Beverages License of 99 West, LLC d/b/a 99 Restaurant & Pub, 245 South Main Street and 6 River Street, Middleton, MA, 2/12/20
- Town of Middleton Personnel Policies and Procedures
- TOWN OF MIDDLETON COMMONWEALTH OF MASSACHUSETTS HOME RULE PETITION: AN ACT APPROVING THE TOWN OF MIDDLETON HOME RULE CHARTER
- Charter
- ARTICLE To see if the Town will vote to amend Chapter 68 Personnel, of the ByLaws of the Town by deleting the entire chapter and substituting in its place: Chapter 68 Personnel
- E-Mail from Police Chief to Town Administrator et al, Re: Narcan Project, 3/4/20
- E-Mail and related material from Police Chief to Town Administrator et al, Med Project Grant, 2/7/20
- E-Mail from Institution for Savings to Town Administrator, Re: A Gift from the Bank to Celebrate Our 200th Anniversary: RESPONSE REQUESTED! 1/30/20
- Letter from Danvers Town Manager to ENSATS Committee Members et al, Re: ENSATS Enrollment Policy & Process, 2/14/20

TOWN OF MIDDLETON DECLARATION OF EMERGENCY

WHEREAS, the 2019 Novel Coronavirus (COVID-19) is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

WHEREAS, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

WHEREAS, on March 15, 2020, the Governor of the Commonwealth of Massachusetts announced emergency actions to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people and prohibiting on-premises consumption of food or drink at bars and restaurants from March 17, 2020 until April 6, 2020, as well as suspension of public and private elementary and secondary school educational operations from March 17, 2020 until April 6, 2020; and

WHEREAS, the Middleton Town Administrator, the Health Director, and the Board of Health, in consultation with the State Department of Public Health has determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of Middleton; and

WHEREAS, the Middleton Town Administrator, Health Director, and Board of Health have determined that immediate public action is needed in order to prevent or minimize the spread of COVID-19 by and among the people of Middleton; and

WHEREAS, it is critical to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of Middleton; and

WHEREAS, declaring a state of emergency will facilitate and expedite the use of resources to protect persons from the impacts of COVID-19, including but not limited to emergency expenditures pursuant to Massachusetts General Laws, Chapter 44, Section 31 and limitations on operating hours and access to public buildings;

NOW THEREFORE, pursuant to the Civil Defense Act of 1950, we, the Board of Selectmen of the Town of Middleton, Massachusetts, hereby declare that as of March 10, 2020, a state of emergency exists in the Town of Middleton. This declaration of emergency shall remain in effect until further notice, pursuant to our judgment that the conditions leading to this declaration no longer exist.

Date: _____

Timothy P. Houten, Chairman

Todd Moreschi, Clerk

Kosta E. Prentakis, Member

Brian M. Cresta, Member

Richard Kassiotis, Jr., Member

Andrew J. Sheehan, Town Administrator

