

MIDDLETON BOARD OF SELECTMEN

MEETING AGENDA

TUESDAY, JUNE 2, 2020

7:00 PM

This meeting is being recorded

Due to the state of emergency in Massachusetts due to the COVID-19 outbreak, this meeting will be held via ZOOM, an internet based meeting space. It is the intent that the virtual meeting space will be made accessible to the public; however, if this is not possible despite best efforts, the full and complete transcript of the meeting will be posted on the Town's website as soon as practicable upon the conclusion of the proceedings. To join the meeting, go to

<https://us02web.zoom.us/j/83467379189?pwd=NjVXUIMxck1zeFhXTlhKdGk1aGhHQT09>

Meeting ID: 834 6737 9189

Password: 773273

One tap mobile

+13126266799,,83467379189#,1#,773273# US (Chicago)

1. 7:00 PM Warrant: #2025
Minutes: Open Session:
 - May 19, 2020
 - Joint Session with Finance Committee: February 1, 2020 and May 7, 2020Town Administrator updates and reports
2. 7:15 PM Public Comment Period
3. 7:25 PM Presentation and discussion of Census 2020 with Philip Dagati, Census Bureau Partnership Specialist
4. 7:40 PM Vote to accept the following grants to the Fire Department:
 - Assistance to Firefighters Grant (AFG) in the amount of \$42,857.14. Funds will be used to pay for jaws of life and air bags
 - Volunteer Fire Assistance (VFA) Grant in the amount of \$1,000. Funds will be used for brush fire personal protective equipment
5. 7:45 PM Continue review and discussion of the June 24, 2020 Annual Town Meeting; vote to close and sign Annual Town Meeting warrant
6. 8:00 PM Update on Transfer Station operations and financing
7. 8:10 PM Vote to accept a donation from Teresa & Stephen Buono to the Middleton Council on Aging – Meals on Wheels in the amount of \$1,000
8. 8:15 PM Vote to accept the following donations Middleton Food Pantry:
 - Essex County COVID-19 Response Fund: \$5,000
 - Jason & Brenna Nichol: \$500
 - The Rotary Foundation, on behalf of the Rotary Club of Topsfield, Boxford, and Middleton: \$600
 - Teresa & Stephen Buono: \$1,000
9. 8:20 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

Upcoming Meetings: June 16: Regular BOS meeting
 June 24: Annual Town Meeting
 June 30: 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 BOARD OF SELECTMEN & FINANCE COMMITTEE
FY2021 OPERATING BUDGET SUMMIT**

**Fuller Meadow School
Nathan Media Center
143 South Main Street, Middleton, MA 01949
Saturday, February 1, 2020
8:15 AM**

BOS Present: Brian Cresta (BC), Timothy Houten (TH), Rick Kassiotis (RK), Todd Moreschi (TM), Kosta Prentakis (KP)

Finance Committee Present: Richard Gregorio (RG), Michelle Cresta (MC), George E. Dow, Sr. (GD), Toni Mertz (TM), Jason Vining (JV)

Others Present: Town Administrator Andrew Sheehan (AS), Assistant Town Administrator Tanya Shallop (TS), Town Accountant/CFO Sarah Wood (SW), Other attendees as noted

8:32 AM With a quorum present TH called the meeting to order.

8:30 AM **FY2021 Operating Budget overview: Andy Sheehan (AS), Sarah Wood (SW)**
AS discussed the calendar going forward. AS and SW presented an overview of the budget including highlighting the current unknown status of the school budgets, health insurance, and retirement. SW discussed items of note in the draft budget including an increase in contractual services, IT, and compensation reserve. SW also reviewed the revenue projections including taxes, state aid, and MV excise tax. She gave an overview as to how the draft budget fit into the town's financial management policies. There were brief discussions regarding Essex County Retirement and the presentation of the budget. AS provided a recap of the needs to balance the budget and previewed the capital budget.

9:40 **Masconomet Regional School budget: Tasha Cooper (TC), Michael Harvey (MH)**

MC discussed the new administration's approach to the budget process. He noted that the draft school budget had not been deliberated on by the School Committee and stated that things would continue to change. He used a "0 based budgeting" approach. MH outlined critical priorities and answered questions regarding any anticipated capital needs.

10:25 **Council on Aging Budget: Jillian Smith (JS)**

JS presented a changed organizational structure for the next fiscal year and the budget costs associated with it. She discussed vehicles with the members of the BOS and FC, saying that she would like to ask for a new smaller vehicle in the capital budget. She discussed new initiatives at the COA including social isolation initiatives.

10:51 Department of Public Works: Paul Goodwin (PG)

Vote by the FC to approve a reserve fund transfer in the amount of \$19,800 for the heating system at the DPW building

Motion RG

Second MC

Approved 5-0

PG walked through the budget highlights including increases to equipment repair. He answered questions regarding trees, mowing, drainage inspections, cemetery work, summer positions, and snow and ice. He also engaged in a discussion regarding the future of the transfer station due to the increasing costs of recycling and equipment. Members of the BOS would like to see a fee for bulk items and a recycling sticker fee. This will be added to a future BOS meeting.

11:41 Vote by the FC to approve a reserve fund transfer in the amount of \$850 for a Quickbooks update.

Motion RG

Second MC

Approved 5-0

11:44 Fire Department: Chief Tom Martinuk (TM)

TM discussed the repairs that have been necessary for the equipment and the cost of telephone equipment and service. There was a general discussion among members of the BOS, FM, and others regarding ambulance billing and the possibility of small claims court opportunities. TM explained the "special expenses" line item. TM briefly talked about his supplemental requests for an additional FT firefighter and additional hours for the Fire Department clerk.

12:00 TM left the meeting

12:15 Police Department: Chief James DiGianvittorio (JD)

JD discussed his base budget generally. He talked about the contractual obligations based upon the CBA. There was a general discussion of overtime within the department and the drivers and needs. Additionally, he discussed outfitting the cruisers with equipment and his capital request for a new "court car."

12:25 Flint Public Library: Melissa Gasper (MG)

MG discussed the increase in programming at the library and the increase in attendance and use of the facilities. She related this to her supplemental asks of more hours for the janitorial staff and more hours for one of her librarians.

12:40 Middleton Elementary School budget: Scott Morrison (SM), Steve Greenberg (SG), Matt LaCava (ML), Kristen Richardson (KR), Steve Clifford (SC)

SG discussed the current budget increase of 5.76% as a “starting point.” They had a budget meeting earlier that morning but had not made many decisions yet. Major increases in the proposed budget include a grant writer, an operations supervisor, and an HVAC technician. They are also requesting a utility vehicle, IT support, a nurse assistant, and other staff increases. There was a general discussion about Ch. 70 funding.

1:35 Health, Information Technology: Derek Fullerton (DF)

DF discussed his supplemental request of a cross-jurisdictional health inspector. There was general discussion regarding the consultants that the department uses and how much is spent on a yearly basis. There was additional discussion about the supplemental request of the Health Department software.

1:48 General Discussion; review and discuss supplemental requests

There was a general discussion of the supplemental request for administrative support for the Zoning By-Law Review Committee with some members wondering whether this should be a separate budget or department. Because of the potential of a Regional IT Collaboration in the future, AS, SW, and TS have moved more items into the IT budget to more easily show the true costs of IT to the town and be able to make comparisons in the future. There was a general discussion of any potential citizen petitions for Town Meeting. No one knew of any potential ones. AS gave a short preview of the capital budget and meeting. There was some general discussion of the rail train project.

The meeting adjourned at 2:40 PM.

Respectfully submitted,

Tanya Shallop, Assistant Town Administrator

Todd Moreschi, BOS Clerk

John Erickson, Finance Committee Co-Chair

Richard Gregorio, Finance Committee Co-Chair

MIDDLETON
BOARD OF SELECTMEN AND FINANCE COMMITTEE
MEETING MINUTES
FISCAL YEAR 2021 BUDGET HEARING
AND
ANNUAL TOWN MEETING WARRANT READING
MAY 7, 2020
7:00 PM

This meeting is being recorded.

NOTE: Due to the state of emergency in Massachusetts due to the COVID-19 outbreak, this meeting was held via ZOOM, an internet-based meeting space.

Present:

Board of Selectmen: Chair Tim Houten, Brian Cresta, Kosta Prentakis, Todd Moreschi, Rick Kassiotis

Finance Committee: Chair John Erickson, Co-Chair Richard Gregorio, George Dow, John Mahoney, Jason Vining

Absent: Michelle Cresta, Toni Mertz

Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator Tanya Shallop, Paul Pellicelli, Town Moderator Barbara Piselli, Town Clerk Ilene Twiss, Tasha Cooper, Town Accountant Sarah Wood, Treasurer/Tax Collector Belinda Young, Scott Morrison, Steve Greenberg, Library Director Melissa Gaspar, Chief James DiGianvittorio, Fire Chief Thomas Martinuk, Council on Aging Director Jillian Smith, Assistant Assessor/Appraiser Brad Swanson, DPW Asst. Director Ken Gibbons, Sgt. Matt Armitage, Town Planner Katrina O'Leary, DPW Superintendent Paul Goodwin, and others

With a quorum of both boards present, Selectmen Chair Tim Houten called the meeting to order. He asked Town Administrator Andy Sheehan to walk the boards through the Town Meeting warrant and operating and capital budgets.

Joint Public Hearing of the Middleton Board of Selectmen and the Middleton Finance Committee:

- **Review and Discuss June 10, 2020 Annual Town Meeting Warrant:** All attendants were provided with a Town Meeting Warrant to view as Town Administrator Andy Sheehan read through the Articles, explaining each Article. Sheehan explained that he had met with the Town Moderator and Town Clerk and they discussed suggested changes to the warrant, in an effort to move things along more quickly:
 - **Article 1:** Reports: Sheehan noted that this will be removed.
 - **Article 2:** Snow and Ice Budget: Sheehan added this will also be removed.
 - **Article 3:** Supplemental Appropriation Article: Sheehan explained that there have been few expenditures that would fall into this category, and none that couldn't come out of FinCom Reserve or other funds, so this one will also be removed.
 - **Article 4:** Compensation of elected officials.
 - **Article 5:** Omnibus operating budget for FY21.
 - **Article 6:** Sheehan advised that in his discussions with the Town Moderator, they discussed a "consent calendar", which lumps together all non-controversial articles and

FISCAL YEAR 2021 BUDGET HEARING AND ANNUAL TOWN MEETING WARRANT

Meeting Minutes

May 7, 2020

vote them all at once. Individual articles can be debated if anyone has a question on any of the individual articles. Article 6 is a candidate for the consent calendar.

- **Article 7:** Sheehan explained this was the only new CPA project this year.
- **Article 8:** Spending authorizations for Revolving Funds. The Sidewalk and pedestrian improvements will be struck from the article and taken up as part of Article 17.
- **Articles 9 and 10:** These are the two enterprise budgets. They are candidates for the consent calendar.
- **Article 11:** The MELD payment in lieu of taxes is another consent calendar item.
- **Article 12:** There really is not a role for the Town Meeting to approve or deny the Light Department budget. Sheehan suggests and Town Counsel agrees that Article 12 can be stricken as unnecessary.
- **Article 13:** Authorization to spend Chapter 90 funds: Another consent calendar item.
- **Article 14:** General Fund Capital Budget: Sheehan noted that the table in the warrant has a couple of errors. One omission and a couple of typos, as well as some changes the school committee voted tonight.
- **Article 15:** Authorizing the school committee and superintendent to enter into a 5-year contract for transportation.
- **Article 16:** OPEB Trust: This is just keeping up with building that balance.
- **Article 17:** Amendment to the Revolving Fund Bylaw, adding a new category for sidewalks and pedestrian improvements.
- **Articles 18 & 19:** Related articles: The first is an overhaul of the Personnel Bylaw, and the second is to petition the legislature to amend the Charter to reflect the change in the Personnel Bylaw.
- **Article 20:** Adoption of an overlay district to protect the groundwater supply. Sheehan advised that the Planning Board is meeting on the 13th of May to vote on the overlay district and he recommends that the warrant be closed pending the recommendation of the Planning Board.
- **Article 21:** A Citizen's Petition article, from a resident representing a developer, to get the town-owned Locust Street property appraised.

After the brief review of the articles, Sheehan advised he is continuing to work with the Town Moderator and Town Clerk on logistics of Town Meeting. This is despite the possibility that they may not be able to gather at that time. A brief discussion ensued on holding a meeting at that time with a reduced quorum, as well as adopting a 1/12th budget and holding a town meeting when it is safe to do so.

- **Review and Discuss Fiscal Year 2021 Operating and Capital Budgets:** Town Administrator Andy Sheehan began the discussion explaining to those present how the COVID-19 pandemic has forced changes to the Operating and Capital budgets, noting that the town's budget was balanced, before the COVID-19 pandemic. Since then, there have been many changes to the budget, and they have modified the anticipated revenues for FY21 downward. He said FY20 is on target, though he does not expect a big free cash number this year.

With no questions on the current budget summary, Sheehan continued with a brief review of the FY21 Operating and Capital Budget, noting that the Finance team recommends adoption of the omnibus budget. Sheehan briefly reviewed each line item in the Capital budget, noting which have been reduced and/or eliminated, as well as additions:

- Fire Department Pumper removed
- Copiers removed and put into the operating budget
- Firefighter training revised
- Carpeting for Memorial Hall added
- Snow and Ice Deficit removed
- School's amended operating budget revised the math curriculum for a reduction of \$83,000.
- Paving to supplement Ch. 90 was put back in

Sheehan noted that there will be \$1,026,000 in free cash carried over. A brief discussion ensued on the proposed operating and capital budgets for FY21. Sheehan offered that two additional vehicles could be bonded rather than acquired with free cash. By consensus, the boards agreed to purchase the vehicles with free cash; the \$34,000 budget adjustment announced tonight by the School Department can be used as a cushion in case revenues lag estimates.

With no further business, on a MOTION made by Prentakis, the meeting of the Board of Selectmen and Finance Committee adjourned.

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:

- MIDDLETON BOARD OF SELECTMEN AND FINANCE COMMITTEE MEETING AGENDA, FISCAL YEAR 2021 BUDGET HEARING AND ANNUAL TOWN MEETING WARRANT READING, MAY 7, 2020, 7:00 PM
- Town of Middleton Massachusetts Annual Town Meeting Warrant
- Town Election Warrant
- Memo from Town Administrator to Board of Selectmen and Finance Committee, Re: FY21 Operating and Capital Budget Update, 5/7/20
- Proposed Debt Service Schedule
- Municipal and Reserve Fund Balances

**MEETING MINUTES
BOARD OF SELECTMEN**
Tuesday, May 19, 2020 7:00 PM
This meeting is being recorded

NOTE: Due to the state of emergency in Massachusetts due to the COVID-19 outbreak, this meeting will be held via ZOOM, an internet-based meeting space. It is the intent that the virtual meeting space will be made accessible to the public; however, if this is not possible despite best efforts, the full and complete transcript of the meeting will be posted on the Town's website as soon as practicable upon the conclusion of the proceedings.

Present: Chair Tim Houten (8:05 PM), Brian Cresta, Kosta Prentakis, Todd Moreschi, Rick Kassiotis

Absent: None

Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator Tanya Shallop, Minutes Secretary Judi Stickney, Paul Pellicelli, Town Moderator Barbara Piselli, Town Clerk Ilene Twiss, Attorney Jill Mann, Dan Greeke, Leslee Crevoiserat, David Turner, Manny Garcia, Roberta Freshman, Sherry Nichols, Wendall Waters, Mike Manson, James Reynolds, Judy Reynolds, Michelle Crugnale, and others

7:05 PM With a quorum present, Acting Chair Rick Kassiotis called the meeting to order.

ROUTINES

- **Warrant #2024 Approval:** Town Administrator Andy Sheehan provided a brief review of Warrant #2024 (Payroll: \$691,439.00 and Bills Payable: \$3,971,494.00), 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 **Prentakis**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously by roll call vote to approve Warrant #2024 as presented.
- **Minutes:** After a brief review of the minutes of May 5, 2020, the Board took the following action:
On a **MOTION** made by **Cresta**, second by **Prentakis**, the Board of Selectmen **VOTED** unanimously by roll call vote to approve the minutes of May 5, 2020, as submitted.
- **Town Administrator's Report:** Town Administrator Andy Sheehan provided information and updates on the following:
 - **Property and Motor Vehicle Excise Taxes:** On April 7th, the Board adopted a grace period for taxes that extended the real estate property tax due date to June 1st, and no late fees or penalties if paid by June 30th. Sheehan added that they will be issuing commitments 2 and 3, and issue demands for commitment 1. Sheehan noted that most people won't be significantly impacted. He reminded residents of the June 30th due date to avoid additional penalties.
 - **Municipal Vulnerability Preparedness Plan:** Kristen Kent is spearheading the Municipal Vulnerability Preparedness Plan. The program helps communities define climate related hazards, understand how they may be impacted by climate change utilizing the latest science, and identify existing and future climate vulnerabilities and strengths. The work on the plan

started in late fall, but COVID delayed progress. There is a link to the draft plan on the town's home page. Anyone who would like to weigh in on the draft plan, can do that from the website until May 25.

- **Grant Applications:** Kristin Kent and Katrina O'Leary have applied for a grant to fund a potential river walk between Peabody Street and Maple Street. The grant will develop a concept plan and feasibility study.
- **DPW Update:** DPW is fully operational with all laborers and drivers back on the job. Some had been kept home, or working on a split shift, but they are back to the mowing schedule and other maintenance schedules. The DPW has also arranged for a contractor to mow 105 South Main Street. The first mowing is expected to take place later this week or next week. The property will be mowed 4-5 times this year.
- **Level III Water Ban with Danvers:** Sheehan reported that the Town is now on a Level III water ban with the Town of Danvers.
- **Memorial Day Activities Cancelled:** The Town Administrator reminded the Board that the Memorial Day activities have been cancelled, but noted that Gary Bent, the town's Veterans Services Officer, put up about 900 American flags all over town for Memorial Day. He enlisted additional support to get the work completed today.
- **Thunder Bridge Beach:** The Town Administrator advised the Board that there is a request to add an item to the agenda tonight to close Thunder Bridge beach indefinitely. With the Governor's reopening plan released yesterday, beaches and public swimming holes are allowed to open up, under certain circumstances, next week. Our public health director does not support opening Thunder Bridge Beach next week. He does not have the authority to close the beach but has asked the Board to take that up tonight. The Board agreed to discuss the item later in the meeting.

7:17 PM Public Comment Period: No public comments

7:18 PM Applications under Massachusetts General Laws Chapter 138, Section 15A: Amendment-Alteration of Premises for the All Alcohol Beverages Restaurant Liquor Licenses for Serenitee Catering Corp. d/b/a Maggie's Farm, by Atty. Jill Mann, located at:

A. 119 South Main Street

Attorney Jill Mann, representing the petitioner, met with the Board of Selectmen. She explained that when Maggie's Farm opens, initially it will be open on a limited basis. She said restaurants cannot function at a 50% capacity. Therefore, they are asking to expand the footprint of the restaurant to use the deck that was previously used by Sol Bean. Mann provided the Board with drawings to view as she made her presentation. She was not able to tell the Board the capacity of the deck area. There were abutters in attendance who had questions and concerns, as well as Board members, regarding the expansion to the restaurant. A lengthy discussion ensued, including discussions on the seating capacity, social distancing guidelines, and parking. After discussion, the Board took the following action:

MOTION by **Prentakis**, second by **Moreschi**, to amend Maggie's Farm All Alcohol liquor license at 119 South Main for the duration of the COVID emergency, which is defined as until the restaurant can use 100% of its inside capacity, that they can serve patrons on the deck, given social distancing guidelines.

Roll Call:

Cresta: NO

Kassiotis: NO

Moreschi: YES

Prentakis: YES

The **MOTION failed**.

B. 189 South Main Street

Attorney Jill Mann, representing the petitioner, met with the Board of Selectmen to discuss the future home of Maggie's Farm. The petitioner requests approval for an outside patio area. She said there would be no entertainment on the patio area. Seating capacity is about 134 inside and about 40 outside. Abutter Dan Greeke objected to the outside seating, citing his young child. A discussion ensued, including discussions on the seating capacity and social distancing. After discussion, the Board took the following action:

MOTION by **Prentakis**, second by **Moreschi**, that the all-alcohol liquor license for 189 South Main Street be altered to provide an outdoor seating area for the duration of the COVID state of emergency, until the interior is able to open at 100% capacity, for service until 9 o'clock PM, and with capacity limited to 25 people.

Roll Call:

Cresta: YES

Prentakis: YES

Kassiotis: YES

Moreschi: YES

The **MOTION carried** unanimously by roll call vote.

8:13 PM Discussion of COVID-19 State of Emergency, Stay-at-Home Order, and Town of Middleton Re-Entry Planning: Town Administrator Andy Sheehan provided the Board with an update on the phasing of the Town of Middleton's reopening plan, noting that the Assistant Town Administrator is heading up the organization of the plans with department heads and other employees. Sheehan briefly reviewed with the Board the phasing of town buildings that will open and when they will open, noting that the Senior Center will likely be the last building to open. He reinforced that the future nature of Town offices is unlikely to look the same as it did before the crisis.

8:33 PM Town Clerk Ilene Twiss to Discuss Annual Town Election on June 20, 2020: Town Clerk Ilene Twiss provided an update on the progress of plans to hold the Annual Town Election. Twiss explained she has mailed out early voting applications to all voters. They have well over 100 requests for absentee ballots. She is trying to get election workers, noting that some are not comfortable working the election, under the circumstances. She is hopeful she will have enough workers by the Fall. The last day to register

to vote is June 10th. Through the emergency legislation, the hours have changed. All applications and all information is up on the town's website. She will be in the office on June 10th, the last day to register to vote. At Selectman Cresta's request, Twiss provided a list of all open slots on the ballot.

8:43 PM Continued Review and Discussion of Annual Town Meeting: Town Administrator Sheehan advised he has been working with the Town Clerk and the Town Moderator discussing whether to keep the date of June 10th and they collectively recommend that the date of the Town Meeting be pushed out another two weeks to June 24th. He also provided information on the current bill to lower the quorum for town meeting. He recommends that the Town Meeting be held at Howe Manning, which has a capacity of 675. They will be able to provide social distancing there. Sheehan also noted that the Warrant is currently at 17 articles, but they may be reducing it by five more articles, bringing the total to 12. A brief discussion ensued, which included passing a 1/12th budget, and the rumors that state aid may be cut further. Sheehan noted that they can make adjustments to the budget at a fall Special Town Meeting, if needed. After discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously by roll call vote to move the date of Town Meeting to June 24th and have Town Counsel petition the court if the quorum requirements have not been amended.

9:05 PM Discussion of Summer Meeting Schedule: Town Administrator Andy Sheehan provided the Board with the regular schedule for Selectmen's meetings, consisting of June 2, 16, and 30; July 14 and 28; and August 11 and 25; with the normal schedule resuming on September 8.

9:07 PM Thunder Bridge Beach: The Town Administrator advised the Board that the Public Health Director does not have the authority to close Thunder Bridge Beach, but the Selectmen do. Due to the current health crisis, he requested that the Board vote to close Thunder Bridge Beach until further notice. The Board took the following action:

On a **MOTION** made by **Houten**, second by **Cresta**, the Board of Selectmen **VOTED** unanimously by roll call vote to close Thunder Bridge Beach until further notice.

9:08 PM Other Business:

- **Graduations:** Selectman Cresta, noting that the class of 2020 has not been able to have a graduation or other celebrations, gave a big shout out to Masconomet's class of 2020, as well as the town's college graduates, and a special second shout out to his graduating son, Armando. Way to go, Armando!
- **Thanks to Town Department Heads:** Selectman Kassiotis publicly thanked all those in Town who have kept the town running as smoothly as possible throughout the past few weeks.

9:09 PM ADJOURN

With no further business, on a **MOTION** made by Houten, the Board of Selectmen's meeting of May 19th, 2020 adjourned at 9:09 PM.

Upcoming Meetings:

June 2: Regular BOS meeting

*Middleton Board of Selectmen
May 19, 2020*

*Meeting Minutes
Page 4*

June 10: Annual Town Meeting

June 16: Regular BOS meeting

June 30: 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: May 19, 2020
- Warrant #2024 (Payroll: \$691,439.00 and Bills Payable: \$3,971,494.00)
- Minutes: May 5, 2020
- Town of Middleton Massachusetts Legal Notice (Salem News, 5/6/20)
- Letter and related materials from Mann & Mann PC to Board of Selectmen, Re: SERENITEE CATERING CORP. d/b/a MAGGIE'S FARM 119 South Main Street, Middleton, MA 01949, Alteration of Premises Application; ABCC License Number 00036-RS-0704, 4/27/20
- Letter and related materials from Mann & Mann PC to Board of Selectmen, Re: SERENITEE CATERING CORP. d/b/a MAGGIE'S FARM 189 South Main Street, Middleton, MA 01949, Alteration of Premises Application; ABCC License Number 05072-RS-0704, 5/1/20
- Town of Middleton Massachusetts Annual Town Meeting Warrant
- Selectmen's Meeting Calendar
- Memo and related materials from Town Accountant/CFO to Board of Selectmen/Finance Committee, Re: FY 2020, 3rd Quarter Highlights, 5/15/20
- Letter from Planning Board to Board of Selectmen, Re: Proposed Groundwater Protection Overlay District Zoning Bylaw & Zoning Map Amendment, 5/14/20
- Max Larkin. MIT Closes Agriculture Project in Middleton After Reports Of Misrepresentation, Unlawful Dumping. WBUR Edify, May 11, 2020
- Letter and related material from National Grid to Board of Selectmen, Re: upcoming sideline vegetation management activities, 5/11/20

How the 2020 Census will invite everyone to respond



What to Expect in the Mail

When it's time to respond, most households will receive an invitation in the mail.

Every household will have the option of responding online, by mail, or by phone.

Depending on how likely your area is to respond online, you'll receive either an invitation encouraging you to respond online or an invitation along with a paper questionnaire.

Letter Invitation

- Most areas of the country are likely to respond online, so most households will receive a letter asking you to go online to complete the census questionnaire.
- We plan on working with the U.S. Postal Service to stagger the delivery of these invitations over several days. This way we can spread out the number of users responding online, and we'll be able to serve you better if you need help over the phone.

Letter Invitation and Paper Questionnaire

- Areas that are less likely to respond online will receive a paper questionnaire along with their invitation. The invitation will also include information about how to respond online or by phone.

WHAT WE WILL SEND IN THE MAIL

On or between	You'll receive:
March 12-20	An invitation to respond online to the 2020 Census. (Some households will also receive paper questionnaires.)
March 16-24	A reminder letter.
	If you haven't responded yet:
March 26-April 3	A reminder postcard.
April 8-16	A reminder letter and paper questionnaire.
April 20-27	A final reminder postcard before we follow up in person.

We understand you might miss our initial letter in the mail.

- Every household that hasn't already responded will receive reminders and will eventually receive a paper questionnaire.
- It doesn't matter which initial invitation you get or how you get it—we will follow up in person with all households that don't respond.

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2020 Census FAQ

What is the census?

The census is a count of every person who lives in the United States and its territories. It happens every 10 years. In early 2020, you will be asked to count everyone who lives in your home as of April 1. Responding to the 2020 Census is a chance to shape your future.

What's in it for me?



Your responses inform where over \$675 billion is distributed each year to communities nationwide for clinics, schools, roads, and more.



Census data gives community leaders vital information to make decisions about building community centers, opening businesses, and planning for the future.



Responding also fulfills your civic duty because it's mandated by the U.S. Constitution. The United States has counted its population every 10 years since 1790.



Your responses are used to redraw legislative districts and determine the number of seats your state has in the U.S. House of Representatives.

Is my information safe?

Your responses to the 2020 Census are safe, secure, and protected by federal law. Your answers can only be used to produce statistics. They cannot be used against you by any government agency or court in any way—not by the FBI, not by the CIA, not by the DHS, and not by ICE.

When can I respond to the census?

In early 2020, every household in America will receive a notice to complete the census online, by phone, or by mail. In May, the U.S. Census Bureau will begin following up in person with households that have yet to respond.

What will I be asked?

You will be asked a few simple questions, like age, sex, and the number of people who live in your home, including children.

What won't be asked?

The census will never ask for Social Security numbers, bank or credit card numbers, money or donations, or anything related to political parties.

For more information, visit:

2020CENSUS.GOV

D-FA-GP-EN-034

Shape
your future
START HERE >

United States
Census
2020

Why We Ask

The 2020 Census is easy. The questions are simple.

NAME

We ask for names to ensure everyone in the house is counted. Listing the name of each person in the household helps respondents include all members, particularly in large households where a respondent may forget who was counted and who was not.

SEX

We ask about the sex of each person to create statistics about males and females. Census data about sex are used in planning and funding government programs, and in evaluating other government programs and policies to ensure they fairly and equitably serve the needs of males and females. These statistics are also used to enforce laws, regulations and policies against discrimination in government programs and in society.

AGE AND DATE OF BIRTH

We ask about age and date of birth to understand the size and characteristics of different age groups and to present other data by age. Local, state, tribal and federal agencies use age data to plan and fund government programs that provide assistance or services for specific age groups, such as children, working-age adults, women of childbearing age, or the older population. These statistics also help enforce laws, regulations and policies against age discrimination in government programs and in society.

HISPANIC, LATINO OR SPANISH ORIGIN

We ask about whether a person is of Hispanic, Latino or Spanish origin to create statistics

about this ethnic group. The data collected in this question are needed by federal agencies to monitor compliance with antidiscrimination provisions, such as under the Voting Rights Act and the Civil Rights Act.

RACE

We ask about a person's race to create statistics about race and to present other statistics by race groups. The data collected in this question are needed by federal agencies to monitor compliance with anti-discrimination provisions, such as under the Voting Rights Act and the Civil Rights Act. State governments use the data to determine congressional, state and local voting districts.

WHETHER A PERSON LIVES OR STAYS SOMEWHERE ELSE

Our goal is to count people once, only once and in the right place according to where they live on Census Day. Keeping this goal in mind, we ask this question to ensure individuals are not included at multiple addresses.

RELATIONSHIP

We ask about the relationship of each person in a household to one central person to create estimates about families, households and other groups. Relationship data are used in planning and funding government programs that provide funds or services for families, people living or raising children alone, grandparents living with grandchildren, or other households that qualify for additional assistance.

Why We Ask

The 2020 Census is easy. The questions are simple.

The census asks questions that provide a snapshot of the nation. Census results affect your voice in government, how much funding your community receives, and how your community plans for the future.

When you fill out the census, you help:

- Determine how many seats your state gets in Congress.
- Guide how more than \$675 billion in federal funding is distributed to states and communities each year.
- Create jobs, provide housing, prepare for emergencies, and build schools, roads and hospitals.

POPULATION COUNT (NUMBER OF PEOPLE LIVING OR STAYING)

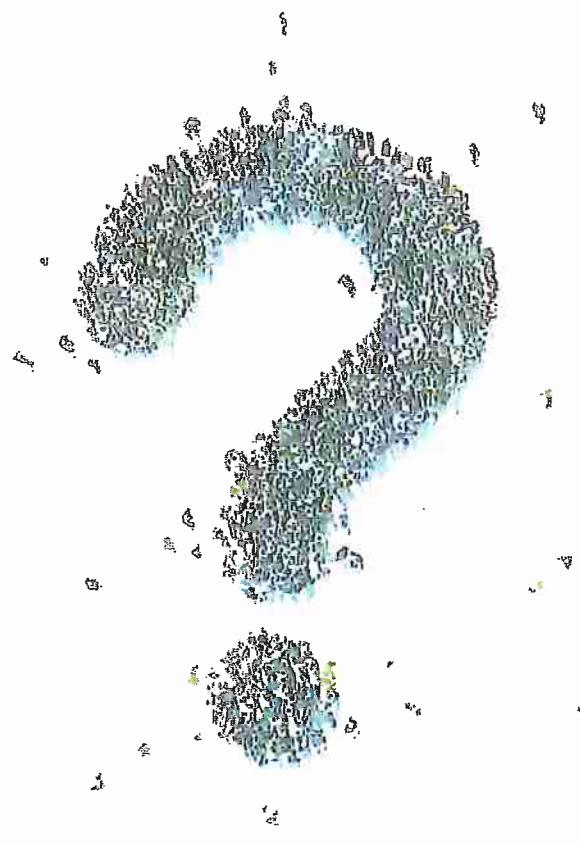
We ask this question to collect an accurate count of the number of people at each address on Census Day, April 1, 2020. Each decade, census results determine how many seats your state gets in Congress. State and local officials use census counts to draw boundaries for districts like congressional districts, state legislative districts and school districts.

ANY ADDITIONAL PEOPLE LIVING OR STAYING

Our goal is to count people once, only once and in the right place according to where they live on Census Day. Keeping this goal in mind, we ask this question to ensure that everyone living at an address is counted.

OWNER/RENTER

We ask about whether a home is owned or rented to create statistics about



homeownership and renters. Homeownership rates serve as an indicator of the nation's economy and help in administering housing programs and informing planning decisions.

PHONE NUMBER

We ask for a phone number in case we need to contact you. We will never share your number and will only contact you if needed for official Census Bureau business.

Revised July 12, 2019

Connect with us
@uscensusbureau

2020CENSUS.GOV

Shape
your future
START HERE >
United States
Census
2020

The 2020 Census and Confidentiality

Your responses to the 2020 Census are safe, secure, and protected by federal law. Your answers can only be used to produce statistics—they cannot be used against you in any way. By law, all responses to U.S. Census Bureau household and business surveys are kept completely confidential.

Respond to the 2020 Census to shape the future.

Responding to the census helps communities get the funding they need and helps businesses make data-driven decisions that grow the economy. Census data impact our daily lives, informing important decisions about funding for services and infrastructure in your community, including health care, senior centers, jobs, political representation, roads, schools, and businesses. More than \$675 billion in federal funding flows back to states and local communities each year based on census data.



Your census responses are safe and secure.

The Census Bureau is required by law to protect any personal information we collect and keep it strictly confidential. The Census Bureau can only use your answers to produce statistics. In fact, every Census Bureau employee takes an oath to protect your personal information for life. Your answers cannot be used for law enforcement purposes or to determine your personal eligibility for government benefits.

By law, your responses cannot be used against you.

By law, your census responses cannot be used against you by any government agency or court in any way—not by the Federal Bureau of Investigation (FBI), not by the Central Intelligence Agency (CIA), not by the Department of Homeland Security (DHS), and not by U.S. Immigration and Customs Enforcement (ICE). The law requires the Census Bureau to keep your information confidential and use your responses only to produce statistics.



The law is clear—no personal information can be shared.

Under Title 13 of the U.S. Code, the Census Bureau cannot release any identifiable information about individuals, households, or businesses, even to law enforcement agencies.

The law states that the information collected may only be used for statistical purposes and no other purpose.

To support historical research, Title 44 of the U.S. Code allows the National Archives and Records Administration to release census records only after 72 years.

All Census Bureau staff take a lifetime oath to protect your personal information, and any violation comes with a penalty of up to \$250,000 and/or up to 5 years in prison.

There are no exceptions.

The law requires the Census Bureau to keep everyone's information confidential. By law, your responses cannot be used against you by any government agency or court in any way. The Census Bureau will not share an individual's responses with immigration enforcement agencies, law enforcement agencies, or allow that information to be used to determine eligibility for government benefits. Title 13 makes it very clear that the data we collect can only be used for statistical purposes—we cannot allow it to be used for anything else, including law enforcement.

It's your choice: you can respond securely online, by mail, or by phone.

You will have the option of responding online, by mail, or by phone. Households that don't respond in one of these ways will be visited by a census taker to collect the information in person. Regardless of how you respond, your personal information is protected by law.

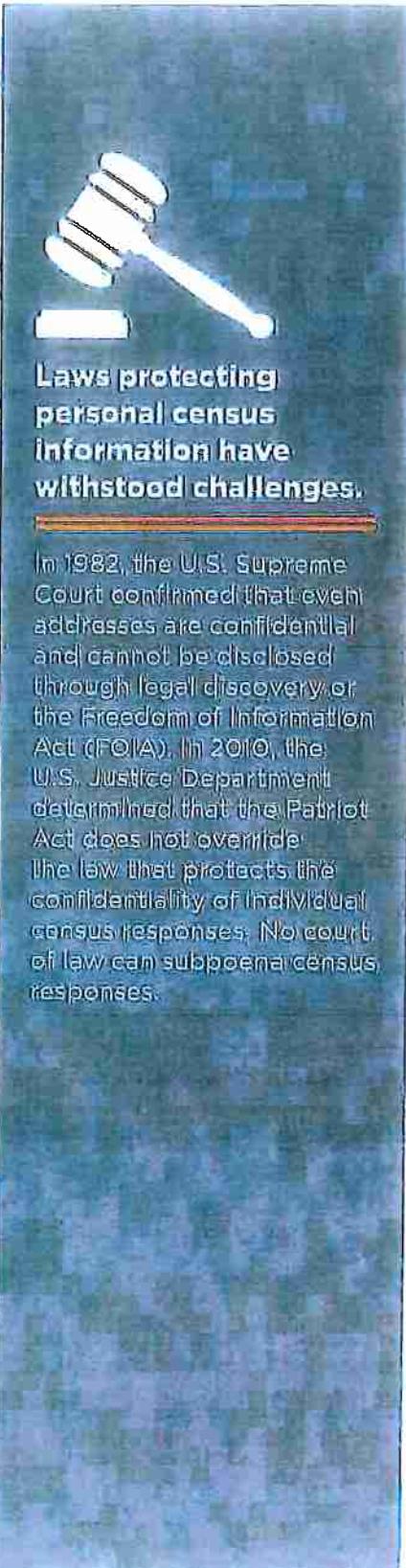
Your online responses are safe from hacking and other cyberthreats.

The Census Bureau takes strong precautions to keep online responses secure. All data submitted online are encrypted to protect personal privacy, and our cybersecurity program meets the highest and most recent standards for protecting personal information. Once the data are received, they are no longer online. From the moment the Census Bureau collects responses, our focus and legal obligation is to keep them safe.

We are committed to confidentiality.

At the U.S. Census Bureau, we are absolutely committed to keeping your responses confidential. This commitment means it is safe to provide your answers and know that they will only be used to paint a statistical portrait of our nation and communities.

Learn more about the Census Bureau's data protection and privacy program at www.census.gov/privacy.



Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Thomas Martinuk
TOWN OF MIDDLETON
48 SO. MAIN STREET
MIDDLETON, MA 01949

EMW-2018-FO-03853



Dear Thomas Martinuk,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2018 Assistance to Firefighters Grant (AFG) funding opportunity has been approved in the amount of \$42,857.14 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00 percent of the Federal funds awarded, or \$ 2,142.86 for a total approved budget of \$ 45,000.00 . Please see the FY 2018 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2018 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink that reads "Bridget Bean".

Bridget Bean
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2018 Assistance to Firefighters Grant

Recipient: TOWN OF MIDDLETON

DUNS number: 160430658

Award number: EMW-2018-FO-03853

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2018 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$45,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Federal	\$42,857.14
Non-Federal	\$2,142.86
Total	\$45,000.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2018 AFG NOFO.

Approved request details:

Equipment

Cutter/Spreader

DESCRIPTION

The units would be Edraulics- cutter, a spreader and a ram with associated equipment to replace a 20 year old gas/hydraulic unit.

QUANTITY	UNIT PRICE	TOTAL
1	\$37,000.00	\$37,000.00

BUDGET CLASS

Equipment

Vehicle Extrication Equipment

DESCRIPTION

The equipment will be an air bag set of five air bags with hoses ,regulators etc. and will replace an unsafe twenty year old set.

QUANTITY	UNIT PRICE	TOTAL
1	\$8,000.00	\$8,000.00

BUDGET CLASS

Equipment

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Office of the Comptroller (CTR), the Executive Office for Administration and Finance (ANF), and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. The Commonwealth deems void any changes made on or by attachment (in the form of addendum, engagement letters, contract forms or invoice terms) to the terms in this published form or to the Standard Contract Form Instructions, Contractor Certifications and Commonwealth Terms and Conditions which are incorporated by reference herein. Additional non-conflicting terms may be added by Attachment. Contractors are required to access published forms at CTR Forms: <https://www.mass.gov/ctr-forms>. Forms are also posted at OSD Forms: <https://www.mass.gov/ctr-forms>

CONTRACTOR LEGAL NAME: (and d/b/a): Town of Middleton		COMMONWEALTH DEPARTMENT NAME: Mass. Department of Conservation and Recreation MMARS Department Code: DCR	
Legal Address: (W-9, W-4): 4 lake Street, Middleton, MA 01949		Business Mailing Address: DCR Bureau of Forest Fire Control, 1048 North Road, Westfield, MA 01085	
Contract Manager: Tom Martinuk	Phone:	Billing Address (if different): DCR Bureau of Forest Fire Control, 251 Causeway St/Ste 600, Boston, MA 02114	
E-Mail: tom.martinuk@midfire.com	Fax:	Contract Manager: Alex Belote	Phone: 857-248-2741
Contractor Vendor Code: VC6000191884		E-Mail: Alex.belote@mass.gov	Fax:
Vendor Code Address ID (e.g. "AD001"): AD_____ (Note: The Address ID must be set up for EFT payments.)		MMARS Doc ID(s): OCTDCR3660FGRAFIR RFR/Procurement or Other ID Number: BD-20-1020-DCRCU-DC250-43602	
<input checked="" type="checkbox"/> NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only)		<input type="checkbox"/> CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: _____, 20_____	
<input type="checkbox"/> Statewide Contract (OSD or an OSD-designated Department)		Enter Amendment Amount: \$ _____, (or "no change")	
<input type="checkbox"/> Collective Purchase (Attach OSD approval, scope, budget)		AMENDMENT TYPE: (Check one option only. Attach details of amendment changes.)	
<input checked="" type="checkbox"/> Department Procurement (includes all Grants - <u>815 CMR 2.00</u>) (Solicitation Notice or RFR, and Response or other procurement supporting documentation)		<input type="checkbox"/> Amendment to Date, Scope or Budget (Attach updated scope and budget)	
<input type="checkbox"/> Emergency Contract (Attach justification for emergency, scope, budget)		<input type="checkbox"/> Interim Contract (Attach justification for Interim Contract and updated scope/budget)	
<input type="checkbox"/> Contract Employee (Attach Employment Status Form, scope, budget)		<input type="checkbox"/> Contract Employee (Attach any updates to scope or budget)	
<input type="checkbox"/> Other Procurement Exception (Attach authorizing language, legislation with specific exemption or earmark, and exception justification, scope and budget)		<input type="checkbox"/> Other Procurement Exception (Attach authorizing language/justification and updated scope and budget)	

The Standard Contract Form Instructions, Contractor Certifications and the following Commonwealth Terms and Conditions document is incorporated by reference into this Contract and are legally binding: (Check ONE option): Commonwealth Terms and Conditions Commonwealth Terms and Conditions For Human and Social Services

COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 615 CMR 9.00.
 Rate Contract. (No Maximum Obligation) Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.
 Maximum Obligation Contract. Enter total maximum obligation for total duration of this contract (or new total if Contract is being amended). \$ 1000.00

PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ____ % PPD; Payment issued within 15 days ____ % PPD; Payment issued within 20 days ____ % PPD; Payment issued within 30 days ____ % PPD. If PPD percentages are left blank, identify reason: agree to standard 45 day cycle statutory/legal or Ready Payments (M.G.L. c. 29, § 23A); only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)

BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: Competitive Volunteer Fire Assistance Grant Funded with Massachusetts DCR's 2019 VFA Grant 19-DG-11420004-124. Total Grant amount to DCR = \$82,919. Funded under CFDA 10.664.

ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations

1. may be incurred as of the Effective Date (latest signature date below); and no obligations have been incurred prior to the Effective Date.

2. may be incurred as of 20 , a date LATER than the Effective Date below and no obligations have been incurred prior to the Effective Date.

3. were incurred as of 20 , a date PRIOR to the Effective Date below, and the parties agree that payments for any obligations incurred prior to the Effective Date are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.

CONTRACT END DATE: Contract performance shall terminate as of 4/30, 2021, with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.

CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor certifies that they have accessed and reviewed all documents incorporated by reference as electronically published and the Contractor makes all certifications required under the Standard Contract Form Instructions and Contractor Certifications under the pains and penalties of perjury, and further agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, this Standard Contract Form, the Standard Contract Form Instructions, Contractor Certifications, the applicable Commonwealth Terms and Conditions, the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in 801 CMR 21.07, Incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.

AUTHORIZING SIGNATURE FOR THE CONTRACTOR:

X: _____ Date: 18.12.2023
(Signature and Date Must Be Handwritten At Time of Signature)

Print Name:

AUTHORIZING SIGNATURE FOR THE COMMONWEALTH:

Date:

(Signature and Date Must Be Handwritten At Time of Signature)

Print Name: Jim Montgomery
Commissioner



Chief Tom Martinuk
4 Lake Street
Middleton, MA 01949

Dear Chief Martinuk,

I am pleased to announce that your application for funding under the 2019 Volunteer Fire Assistance (VFA) Program has been approved for \$1,000.00. VFA Program funding is provided by the United States Department of Agriculture Forest Service and administered by the Department of Conservation and Recreation (DCR) on a 50% reimbursement basis.

This letter serves as official notice that you may begin your project as of the date you receive this letter. Attached is a copy of your signed contract. All work must be completed by April 30, 2021. If you do not believe that you will complete your project or by the DCR completion date, or need to change the details of your project/purchase, a request for an extension or change of project must be submitted by December 31st 2020.

Please submit a final report detailing the expenditure of project funds along with payment documentation to the Bureau of Forest Fire Control's Program Coordinator within 30 days after the completion of your project. Reimbursement instructions are enclosed.

Enclosed is a copy of page 4 from your application. It reflects selected items from your proposed project that your award will honor. Your matched monies and purchases should reflect these same items. Please bear in mind that the 50% reimbursement for this project is available for cash expenditures or in-kind services (donations, volunteer hours, etc.). Reimbursement may not exceed the approved award amount indicated above.

Congratulations on the approval of your award. DCR is committed to providing assistance to rural fire departments to enhance the ability to protect the Commonwealth's forest resources.

Should you have any questions please contact Fire Program Coordinator Alex Belote at 857-248-2741 (cell).

Sincerely,



Jim Montgomery
Commissioner

COMMONWEALTH OF MASSACHUSETTS - EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
253 Causeway Street, Suite 606
Boston, MA 02114-2199
617-626-1250 | 617-626-1311 Fax
www.mass.gov/orgs/department-of-conservation-and-recreation



Charles D. Baker
Governor
Karyn F. Polito
Lt. Governor

Kathleen M.행
Secretary
Executive Office of Energy & Environmental Affairs
Jim Montgomery, Commissioner
Department of Conservation & Recreation

Town Fiscal Information: Catalog of Federal Defense Assistance(CFDA) is 10.664

16. Type of project requested (check all applicable): PPE

Town: 2019 VFA

Cooperative Fire Protection(CFP)

Equipment	X
Training	
Organizing	

- In-kind Labor projects: final paperwork to DCR must show name, pay rate(commiserate to the trade rate of similar worker in your area (not FD position or title pay rate),date, hours worked (from and to & not to include mealtime), work type (ditch digger, laborer, heavy equipment operator ... etc); similar to a payroll sheet
- Dry hydrant projects: Provide Location and Map

PROJECT BUDGET

Proposed Project: List items to be funded. Attach additional sheet if needed.

5.

**TOWN OF MIDDLETON
ANNUAL TOWN MEETING
JUNE 24, 2020**

Dear Resident:

As a result of the COVID-19 pandemic, social distancing, and stay at home advisories, the Annual Town Meeting was postponed from its usual May date. Town Meeting is now scheduled for **Wednesday, June 24, 2020 at 7:00PM at the Howe Manning Gymnasium, 26 Central Street, Middleton, MA.**

We have chosen to communicate to you in a different way this year. Uncertainty over when or if Town Meeting could take place upset our normal printing and mailing schedule. Instead, we have decided send this one page mailer to every household. This mailer includes a summary of the 17 articles on the Town Meeting warrant, as well as where you can view the full warrant book and how to obtain a physical copy.

Our bylaw sets a quorum of 100 voters for Town Meeting. Recently, Annual Town Meetings have drawn only slightly more than the required 100 voters. The Howe Manning Gymnasium has seating capacity for 675. There will be more than enough room to accommodate you while allowing you to maintain social distancing. In addition, the Cafeteria will be available as an overflow room. There is a full audio and visual connection between the Gymnasium and the Cafeteria. *[If applicable, add reduced quorum info]* Additionally, comprehensive measures will be put in place to ensure the safety of all attendees.

We have limited the Town Meeting warrant to include only those items that are necessary to address at this time. This will allow us to get our essential work done in the most expeditious way possible. In addition, Town Moderator, Barbara Piselli, will employ a consent calendar at this year's Town Meeting. A consent calendar takes articles that usually generate little debate and disposes of them in one vote.

As you know, elections allow absentee voting; conversely, Town Meetings must be held in person. There is no provision under the law for remote participation or absentee voting in Town Meetings.

We have strived to do everything to ensure a safe Town Meeting. Please join us in confidence as we take up the Town's legislative business.

The following is a summary of the Annual Town Meeting warrant. The entire warrant book may be viewed at www.middletonma.gov. A link to the warrant is on the homepage.

If you desire a printed copy, please email mcreasi@middletonma.gov and one will be mailed to you. We will have copies at the meeting.

Summary of Annual Town Meeting warrant articles:

Consent calendar items are indicated with *

ARTICLE 1 Set compensation of elected officials

ARTICLE 2 Approve the omnibus (general fund) budget for FY21 beginning July 1, 2020

ARTICLE 3* Appropriate and reserve Community Preservation Act funds

ARTICLE 4* Appropriate money from Community Preservation Fund

ARTICLE 5* Authorize spending limits for revolving funds

ARTICLE 6* Approve the South Essex Sewer District budget for FY21

ARTICLE 7* Approve the Water Enterprise FY21 budget for FY21

ARTICLE 8* Accept funds from the Middleton Electric Light Department

ARTICLE 9* Authorize expenditure of Chapter 90 highway grant funds from the State

ARTICLE 10 Approve the general fund capital budget for FY21

ARTICLE 11 Authorize the Middleton School Committee and Superintendent to enter into school transportation contracts in excess of 3 years

ARTICLE 12* Approve transfer of \$75,000 to Other Post-Employment Benefits (OPEB) Trust Fund

ARTICLE 13 Amend Revolving Fund Bylaw (Chapter 79)

ARTICLE 14 Amend Personnel Bylaw (Chapter 68)

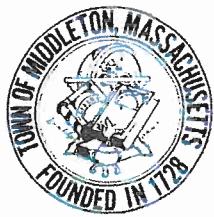
ARTICLE 15 Authorize Selectmen to petition for special act to amend Charter regarding personnel

ARTICLE 16 Amend Zoning Bylaw by inserting Groundwater Protection Overlay District and map

ARTICLE 17 Approve spending \$20,000 for costs associated with acquisition or disposal of real property (by citizen petition)

The entire warrant book may be viewed at www.middletonma.gov. A link to the warrant is on the homepage.

If you desire a printed copy, please email mcreasi@middletonma.gov and one will be mailed to you. We will have copies at the meeting.



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

7.

May 6, 2020

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

Re: Middleton COA Donation / Teresa & Stephen Buono

Please add the following donation to your agenda for acceptance by the Board of Selectmen for the Middleton Council on Aging – Meals on Wheels and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A donation has been made payable to the Town of Middleton:

Date: 4/23/20

Name: Teresa & Stephen Buono

Donation: \$1,000.00

Check Number 9672498

This donor would like to remain anonymous

Yes

XX No



P.O. Box 770001
Cincinnati, OH 45277-0053

SP 01 000103 67563 H 1 ASNGLP
BJHZMPBBBBQZP
TOWN OF MIDDLETON
48 S MAIN ST
MIDDLETON, MA 01949-2253

000183 1/1

April 23, 2020

Dear Sir or Madam:

We are delighted to provide you with the attached check for **\$1,000.00**. This Fidelity Charitable Donor-Advised Fund SM grant was made at the recommendation of the Buono Family Foundation, a donor-advised fund.¹

This grant is made by Fidelity Charitable. Fidelity Charitable's donor recommends the grant be used for the following purpose (which does not constitute a restriction): **Council on Aging - Meals on Wheels**. This grant is to be used exclusively for charitable purposes, and is not made for the purpose of influencing legislation. This grant is also subject to the "Grant Terms" on the next page. If you are unable or unwilling to meet these grant conditions, you must return these funds to Fidelity Charitable.

Should you choose to send a thank-you letter, the donor has requested it be sent to the following address. You should not, however, issue a tax acknowledgement to either the recommending donor(s) or to Fidelity Charitable.

Teresa and Stephen Buono, 25 Dixey Dr., Middleton, MA 01949

¹ Fidelity Charitable is an independent public charity that sponsors a donor-advised fund program. In a donor-advised fund, Donors make irrevocable charitable contributions to Fidelity Charitable, and have the privilege of recommending grants to qualified public charities.

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Page 1 of 2

DCC _CEBJHZMPBBBBQZP_BBBBB 20200423 PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING CHECK FOR PAYMENT

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT

CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM

 **FIDELITY Charitable**
Make more of a difference

P.O. Box 770001
Cincinnati, OH 45277-0053
800-952-4438

PAYABLE AT: THE BANK OF NEW YORK MELLON
EVERETT, MA 02149
53-292/113

9672498

April 23, 2020

PAY TO THE ORDER OF
TOWN OF MIDDLETON

\$1,000.00

DOLLARS

*****One Thousand & 0/100

VOID AFTER 60 DAYS





Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

8.

May 26, 2020

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

Re: Middleton Food Pantry Donation / ECCF Grant

Please add the following donation to your agenda for acceptance by the Board of Selectmen for the Middleton Food Pantry and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A Grant has been made payable to the Town of Middleton Food Pantry: to support staffing, operations, supplies and purchase of food.

Date: 5/18/20

Name: Essex County COVID-19 Response Fund

Donation: \$5,000.00

Check Number 104867

This donor would like to remain anonymous

Yes

XX No



May 21, 2020

Francis J. Leary
Town of Middleton MA
Attn: Middleton Food Pantry
PO Box 855
Middleton, MA 01949

Dear Mr. Leary;

It is my pleasure to announce that the Board of Trustees of the Essex County Community Foundation (ECCF) has approved the enclosed \$5,000.00 grant to the Town of Middleton MA from the Essex County COVID-19 Response Fund, a donor advised fund at ECCF. This grant is to support the Middleton Food Pantry staffing, operations, supplies and purchase of food.

Please acknowledge the receipt of this grant by signing and emailing or faxing the enclosed **Grant Acknowledgement and Acceptance of Terms** form to ECCF.

Please do not issue a tax receipt for this donation, as ECCF is a 501(c)(3) public charity. If you have any questions about this grant or its conditions, please feel free to contact me.

The Essex County Community Foundation is pleased to support your valuable work and we all wish you continued success.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol Lavoie Schuster".

Carol Lavoie Schuster
Vice President for Grants and Services

Enclosure

Essex County Community Foundation
175 Andover Street, Suite 101
Danvers, MA 01923
978-777-8876



DATE 05/18/2020

Essex County COVID-19 Response Fund

PAY	* Five Thousand and no/100 *	DOLLARS	\$ *****5,000.00
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TO THE
ORDER OF

Town of Middleton MA
Attn: Middleton Food Pantry
PO Box 855
Middleton, MA 01949

John Tolengt

Void after 180 days



Essex County Community Foundation
175 Andover Street, Suite 101
Danvers, MA 01923
978-777-8876

This grant was provided by **Essex County COVID-19 Response Fund**.

Essex County Community Foundation is pleased to provide this support. If you have any questions about this grant or its conditions, please feel free to contact us at 978-777-8876.

Grant Description: To support staffing, operations, supplies and purchase of food.

Date: 05/18/2020
Grant Reference #: 20201740
Grant Amount: 5,000.00
Grant Recipient: Town of Middleton MA
Check #: 104867

By accepting this grant, Town of Middleton MA certifies that it will not provide more than an incidental benefit to the fund donors, advisors or any other person in return for this grant. Providing tickets to an event or providing any other substantial benefit could result in significant tax penalties for the donor advisors or the person receiving the benefit.

It is not necessary to send a tax receipt to the donor.



Grant Acknowledgement and Acceptance of Terms

We accept this grant from the **Essex County COVID-19 Response Fund** of the Essex County Community Foundation and agree to abide by the following associated provisions and obligations:

- 1) The purpose of the grant and restrictions on grant funds as summarized in the award letter;
- 2) Any reporting or financial requirements stated in this award letter;
- 3) Funds not used for the express purposes described in the first paragraph of this letter are to be returned to the ECCF;
- 4) The Grantee must receive permission from ECCF for any modification to the project or budget;
- 5) By accepting this check, the organization certifies to the **Essex County COVID-19 Response Fund** and the Essex County Community Foundation that (i) no tangible benefit, goods, or services are received by any individuals or entities connected with the Essex County Community Foundation and (ii) this donation will not be used to satisfy the payment of any pledge or other personal financial obligation on behalf of the named donors of the above-mentioned fund or foundation; nor will it be used for lobbying activities;
- 6) This grant is going to a 501 (c) (3) public charity. The Grantee will inform the Essex County Community Foundation immediately of any change in or proposed or actual revocation of its tax exempt status.
- 7) The Grantee agrees that the Grantor shall be recognized as the **Essex County COVID-19 Response Fund of the Essex County Community Foundation**.

The Grantee's deposit or endorsement of the enclosed check will also constitute its agreement to the terms and conditions set forth above. It is not necessary to issue a tax receipt for this donation as the ECCF is a 501 (c) (3) public charity.

Organization Name: Town of Middleton MA

Award: \$5,000.00

Purpose of the Grant: _____

Authorized Signature: _____

Title: _____

Print Name: _____ Date: _____

Email Address: _____

Please return by email to j.henkels@eccf.org

Joan Henkels
Donor Services Officer
Essex County Community Foundation
175 Andover Street
Danvers, MA 01923

Please use this grant number on all correspondence: #20201740



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

May 26, 2020

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

Re: Middleton Food Pantry Donation / Jason & Brenna Nichol

Please add the following donation to your agenda for acceptance by the Board of Selectmen for the Middleton Food Pantry and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A Donation has been made payable to the Town of Middleton:

Date: 5/10/20

Name: Jason & Brenna Nichol

Donation: \$500.00

Check Number 3029

This donor would like to remain anonymous

Yes

XX No

JASON W NICHOL
BRENNAN L NICHOL
781-648-4370

3-7615/360

3029

IN, MA 01949

DATE 5/10/20

PAY TO THE ORDER OF Middleton Food Pantry \$ 500⁰⁰
Five hundred and No/00

DOLLARS Security Customer
DRAFT - TO BANK

Citizens Bank

MEMO Donation

Kendall MP



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

May 5, 2020

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

Re: Middleton Food Bank Donation / Rotary Foundation

Please add the following donation to your agenda for acceptance by the Board of Selectmen for the Middleton Food Pantry and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A donation has been made payable to the Town of Middleton Food Pantry:

Date: 4/30/20

Name: The Rotary Foundation

Donation: \$600.00

Check Number 2092

This donor would like to remain anonymous

Yes

XX No



30 Apr. 2020

Middleton Council On Aging Fri
Middleton Food Pantry
38 Maple Street
Middleton MA 01949

Dear Frank Leary, Director:

The Rotary Foundation is pleased to present the enclosed grant in the amount of \$600.00 from the The TBM Rotary Foundation to your organization. This grant was recommended from a donor advised fund account within The Rotary Foundation. (In Honor Of Rotary Club of Topsfield, Boxford & Middleton, PO Box 89, Topsfield, MA 01983)

You may contact the donor(s) directly to express your thanks at the address below. Please do not issue a tax receipt, as their gift was previously receipted. There is no need to send any additional acknowledgement or promotional materials to Rotary.

DAF Account Recommending this grant	The TBM Rotary Foundation PO Box 89 Topsfield MA 01983
Amount	\$600.00
Purpose	None

By accepting this grant, your organization certifies to The Rotary Foundation that no tangible benefit, goods or services have been provided to any individual or entities connected with The Rotary Foundation, including the donors.

Congratulations on this grant award and best wishes for continued success in your charitable endeavors.

Sincerely,

The Rotary Foundation of Rotary International
The Donor Advised Fund Team
1560 Sherman Avenue, FN110
Evanston, IL 60201
847-866-3100
planned.giving@rotary.org

2092



BNY MELLON



53-292/113

4/30/2020

PAY TO THE
ORDER OF Middleton Council On Aging Fri

\$ **600.00

Six Hundred and 00/100***** DOLLARS

MEMO

Middleton Council On Aging Fri
Middleton Food Pantry
38 Maple Street
Middleton MA 01949

TWO SIGNATURES REQUIRED OVER \$10,000

110 6 10
9 5
110 6 10

Christopher T. Caw

AUTHORIZED SIGNATURE

100 2092 1011302920 1641057



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org

May 6, 2020

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

Re: Middleton Food Bank Donation / Teresa & Stephen Buono

Please add the following donation to your agenda for acceptance by the Board of Selectmen for the Middleton Food Pantry and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A donation has been made payable to the Town of Middleton Food Pantry:

Date: 4/23/20

Name: Teresa & Stephen Buono

Donation: \$1,000.00

Check Number 9672338

This donor would like to remain anonymous

Yes

xx No



P.O. Box 770001
Cincinnati, OH 45277-0053

SP 01 000102 67563 H 1 ASNGLP
BJHZMPBBBBQPP
TOWN OF MIDDLETON
48 S MAIN ST
MIDDLETON, MA 01949-2253

000102 1/1

April 23, 2020

Dear Sir or Madam:

We are delighted to provide you with the attached check for **\$1,000.00**. This Fidelity Charitable Donor-Advised Fund SM grant was made at the recommendation of the Buono Family Foundation, a donor-advised fund.¹

This grant is made by Fidelity Charitable. Fidelity Charitable's donor recommends the grant be used for the following purpose (which does not constitute a restriction): **Middleton Food Bank**. This grant is to be used exclusively for charitable purposes, and is not made for the purpose of influencing legislation. This grant is also subject to the "Grant Terms" on the next page. If you are unable or unwilling to meet these grant conditions, you must return these funds to Fidelity Charitable.

Should you choose to send a thank-you letter, the donor has requested it be sent to the following address. You should not, however, issue a tax acknowledgement to either the recommending donor(s) or to Fidelity Charitable.

Teresa and Stephen Buono, 25 Dixey Dr., Middleton, MA 01949

¹ Fidelity Charitable is an independent public charity that sponsors a donor-advised fund program. In a donor-advised fund, Donors make irrevocable charitable contributions to Fidelity Charitable, and have the privilege of recommending grants to qualified public charities.

DCC _CEBJHZMPBBBBQPP_BBBBB 20200423

5700

P

OP=DCK

Page 1 of 2

DCC _CEBJHZMPBBBBQPP_BBBBB 20200423 PLEASE FOLD AND DETACH AT PERFORATION BEFORE PRESENTING CHECK FOR PAYMENT

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT

 CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM

 **FIDELITY Charitable**
Make more of a difference

P.O. Box 770001
Cincinnati, OH 45277-0053
800-952-4438

PAYABLE AT: THE BANK OF NEW YORK MELLON
EVERETT, MA 02149
53-292/113

9672338

April 23, 2020

PAY TO THE TOWN OF MIDDLETON
ORDER OF

\$1,000.00

*****One Thousand & 0/100 DOLLARS

VOID AFTER 60 DAYS



Correspondence and informational materials

April 29, 2020

To All First Responders,
We wanted to express our sincere thanks
to all of you for what you are doing during
the Covid-19 pandemic.

We know you are sacrificing so much
and putting your lives at risk for those
in our community. As Ithmark's Utilities
we also are concerned for the welfare of
others and we are thankful we are all in
your capable and willing hands.

Please thank your families as well,
as we know they are sacrificing time with
you, we can only imagine the stress
your job are putting you at the time
and we hope it ends very soon.
Please know we are thinking of you
and appreciate all you are doing for
the people in need of your help.

Most sincerely,
Don and Cheryl O'Leary

12 Lakewood Ave

APPLESEED'S®

35 Village Road, 4th Floor, Middleton, MA 01949

Date: May 19, 2020

To: MDCS Rapid Response Team
State of Massachusetts

VIA E-MAIL TRANSMISSION
warnnotice@detma.org

Andrew Sheehan, Town Administrator
City of Middleton Massachusetts

VIA E-MAIL TRANSMISSION
Andrew.Sheehan@middletonma.gov

RE: WARN Act Notice – Supplement 1

To whom it may concern:

This first supplemental WARN notice amends the conditional WARN notice submitted by Johnny Appleseed's, Inc. (collectively with its affiliates, the “Company”) on April 9, 2020, to include additional employees whose employment will be separated on May 22, 2020.

In light of these unprecedented times, including business closures and stay at home directives issued by local governments to control the spread of the novel coronavirus (“COVID-19”), the Company is issuing this conditional notice under the federal Worker Adjustment and Retraining Notification Act, 29 U.S.C. § 2101 et seq., and any similar state or local law, if applicable (collectively, the “WARN Act”).

The Company is reorganizing its offices at 35 Village Rd Fl 4, Middleton, MA 01949 (the “Facility”). This reorganization will result in the separation of employment of 22 employees (the “Affected Employees”) including 19 that were terminated commencing on April 9, 2020 and 3 that will be terminated on May 22, 2020. Unless further supplemental WARN notices are filed, it is believed that the reorganization will end on May 22, 2020. This action is expected to be permanent. The Facility will remain in operation following this reorganization subject to applicable COVID-19 operating restrictions. The number of workers who hold affected jobs in each job classification and the job titles of the affected positions are shown in Exhibit “A” which is attached hereto and made a part of this notice.

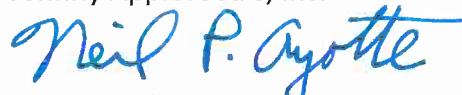
All Affected Employees have been notified of their separation date. There will be no bumping rights. None of the Affected Employees are represented by a labor union or any other collective bargaining representative. We are providing less than 60 days’ notice due to the applicability of the federal WARN exceptions for “faltering company”, “unforeseeable business circumstances”, and the “natural disaster” exceptions.

Johnny Appleseed's, Inc. WARN notice – Supplement 1
May 19, 2020
Page 2

The Company filed for Chapter 11 bankruptcy reorganization under the U.S. Bankruptcy Code on March 8, 2020. Since that date the Company has been attempting to sell its business, refinance its existing debt, and/or otherwise procure additional liquidity. While hopeful of the success of these efforts, the Company does not know with certainty whether it will succeed, particularly in light of the uncertainty added by the COVID-19 pandemic. Should the efforts not proceed as anticipated, the Company does not know how individual remaining employees might be affected. In such case, additional employee separations could occur at the Facility. While every effort is being made to find the best path forward, we are submitting this notice to satisfy any obligation that may exist under the WARN Act. If no obligation exists, this notice is being provided to you voluntarily.

If you have questions, please feel free to contact Neil P. Ayotte, President and Secretary, at 952-656-3805.

Very truly yours,
Johnny Appleseed's, Inc.



By: Neil P. Ayotte
Its: President and Secretary

EXHIBIT A
To Worker Adjustment and Retraining Notification Act
Notification by Johnny Appleseed's, Inc.

Job Title	# Affected Employees 4/9/2020	# Affected Employees 5/22/2020	# Affected Employees Total
Account Manager, Senior	1	0	1
Accounts Payable Specialist	0	1	1
Buyer	1	0	1
Buyer, Assistant	1	0	1
CAD Designer	1	0	1
Engineer, Hosting	1	0	1
Financial Analyst, Senior	0	1	1
Human Resource Generalist	0	1	1
Inventory Planner	2	0	2
Inventory Planner, Senior	1	0	1
Marketing Administrator	1	0	1
Marketing Analytics Director	1	0	1
Marketing Manager	1	0	1
Merchandising Director	1	0	1
Photo Studio Manager, Photographer	1	0	1
Photographer	1	0	1
Print Services Manager	1	0	1
Producer, Photo Operations Manager	1	0	1
Retoucher, Color Supervisor	1	0	1
Sourcing Manager	1	0	1
Technical Designer, Senior	1	0	1