

MIDDLETON BOARD OF SELECTMEN
MEETING AGENDA
TUESDAY, OCTOBER 20, 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

Join Zoom Meeting

<https://us02web.zoom.us/j/83934991061?pwd=RkEvaY4aVgxOXRoRFIKU3lsZDJldz09>

Meeting ID: 839 3499 1061

Passcode: 560167

One tap mobile: +13126266799,,83934991061#,,,,0#, 560167# US (Chicago)

1. 7:00 PM Warrant: #2109
Minutes: Open Session: October 6, 2020
Town Administrator updates and reports
2. 7:15 PM Public Comment Period
3. 7:20 PM Vote on request to declare surplus two Ricoh multi-function copy machines
4. 7:25 PM Review and vote on application of Serenitee Catering Corp., d/b/a Maggie's Farm, 189 South Main Street (under construction) for a Change of Manager from Anthony Colangelo to Christopher Parmerlee
5. 7:35 PM Review and vote on application of Serenitee Catering Corp., d/b/a Maggie's Farm, 119 South Main Street (under construction) for a Change of Manager from Max Arvidson to Anthony Colangelo
6. 7:45 PM Review the warrant for the Special Town Meeting and review the articles
7. 8:00 PM Continue discussion of composition of the Bylaw Review Committee
8. 8:10 PM Review and vote on inter-municipal agreement with Boxford and Topsfield to provide for shared public health nurse staffing during the COVID-19 pandemic
10. 8:25 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

Upcoming Meetings: November 10 & 24: Regular BOS meetings
December 8 & 22: Regular BOS meetings

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.

1.

MEETING MINUTES
BOARD OF SELECTMEN
Tuesday, October 6, 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 Rick Kassiotis, Tim Houten, Brian Cresta, Kosta Prentakis

Absent: Todd Moreschi

Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator Tanya Shallop, Minutes Secretary Judi Stickney, Paul Pellicelli, Town Accountant/CFO Sarah Wood, Town Clerk Ilene Harris Twiss, Town Moderator Barbara Piselli, Tony Roselli, and others

7:04 PM With a quorum present, Chair Rick Kassiotis called the meeting to order.

ROUTINES

- **Warrant Approval:** Town Administrator Andy Sheehan provided a brief review of Warrant #2108: Payroll: \$695,369, Bills Payable: \$719,588, 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 the warrant as presented.
- **Minutes:** After a brief review of available minutes, the Board took the following action:
On a **MOTION** made by **Houten**, second by **Prentakis**, the Board of Selectmen **VOTED** unanimously by roll call vote to approve the minutes of September 22, 2020.
- **Town Administrator's Report:** Town Administrator Andy Sheehan provided information and updates on the following:
 - **Groundbreaking for Middleton Rail Trail:** Sheehan provided an update on the Middleton Rail Trail, thanking everyone who was part of getting the project started. Sheehan noted that they are scheduled to start construction tomorrow, adding that this leg of the project will be completed in weeks. The cost of the initial component is about \$25,000 to grade and put down crushed stone.
 - **Transfer Station Stickers Sales:** Sheehan advised that the transfer station sticker sales have been going very well. He publicly thanked everyone who was involved in processing the sticker orders.
 - **Zoning Bylaw Review Committee:** Sheehan advised they are looking for a resident to volunteer on the Zoning Bylaw Review Committee. Interested individuals can apply online.
 - Sheehan publicly thanked everyone who has helped to keep things moving forward during this COVID-19 period.
 - **Thanks to DPW:** Selectman Chair Kassiotis thanked the DPW workers for the help they have provided and continue to provide in getting things set up when needed.

7:18 PM Public Comment Period: There were no public comments.

7:19 PM Review Letter to Governor and State House Delegation Regarding COVID Reporting: Town Administrator Andy Sheehan advised he was on a telephone call with the Lt. Governor today regarding the COVID reporting, noting that the Lt. Governor understood the position the town is in with the jail inmates' spike in COVID cases. She will speak with the Governor to see if there is some accommodation that can be made for Middleton. Sheehan provided a draft letter to the Governor and Secretary Sudders for the Board's approval. Selectman Cresta suggested writing to the legislative delegation as well as news outlets.

7:31 PM Continued Discussion of Composition of the Bylaw Review Committee: Sheehan provided the Board with information on the Bylaw Review Committee, noting that the Town Clerk did some research on the what the committee has been composed of over the years. They thought it made sense to discuss what the make-up of the committee should be at this point. Town Clerk Ilene Twiss was also in attendance and contributed to the discussion. She noted that she feels the committee is still necessary to review any proposed changes in the bylaws. She has heard from people who are interested and feels they can put together a committee. A brief discussion ensued. After discussion, the consensus was that the committee consist of five members. The Town Administrator suggested that he work on a charge for the committee as well as membership and report back to the Board with a draft for their review and discussion. There was general agreement.

7:48 PM Vote to Close the November 17, 2020 Special Town Meeting Warrant:

On a MOTION made by Prentakis, second by Houten, the Board of Selectmen VOTED unanimously by roll call vote to close the warrant for the November 17, 2020 Special Town Meeting Warrant.

During discussion, Town Moderator Barbara Piselli advised that she felt it was premature to close the warrant when there may be a reduction in quorum and her concern that significant warrant articles may be determined with a reduced quorum. A lengthy discussion ensued and Selectman Cresta suggested that they could vote to reopen the Warrant if necessary.

8:02 PM FY20 Audit Exit Interview with Tony Roselli of Roselli, Clark & Associates: Tony Roselli of Roselli, Clark & Associates, the Town's audit firm, delivered an exit interview to the Board. He noted the audit has been completed, despite COVID-related delays. He congratulated Middleton's finance team for getting through the audit. Roselli provided a brief overview of the Management Letter. Roselli touched briefly upon the Standard & Poor rating of AA+ for Middleton, noting that the accompanying bond rating was excellent. Roselli continued with his review, including a report on the basic financial statements and the independent auditor's report. After Roselli completed his report, the Town Administrator thanked him, Town Accountant/CFO Sarah Wood, and the finance team for their excellent service to the Town. Selectman Cresta added his thanks as well.

8:33 PM Early Voting: Town Clerk Ilene Twiss provided the Board with an update on early voting for the presidential election. Twiss advised that early voting will begin at the library on October 17th-30th. They are mandated to have weekend hours at the library and those will take place on Saturday, 10/17 and 10/24, and Sunday 10/18 and 10/25, from Noon-4PM. They will have the full community room and will set up both precincts there. More information on early voting days/hours is available on the Town's website. Mail-in voting is going well, with a great response. They may exceed 40%. Ballots came in today

and they hope to have over 3,000 ready to go out tomorrow. Election Day polls will be at the Fuller Meadow School, from 7AM-8PM. She also advised the Board that the election warrant needs to be signed by the Board and urged them to come in at their earliest convenience. The Town Administrator thanked the Library Director for her efforts to accommodate early voting.

8:38 PM Vote to Accept Donations and Grants: \$5,000 from Center for Tech and Civic Life: 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 by roll call vote to accept a grant in the amount of \$5,000 from the Center for Tech and Civic Life to the Middleton Town Clerk for planning and operationalizing safe and secure election administration in 2020.

8:15 PM Update on Regional Information Technology Initiative: Assistant Town Administrator Tanya Shallop provided the Board with a brief update the regional information technology initiative they have been working on, noting that they are currently working in collaboration with six other towns on IT initiatives. They are drafting an intermunicipal agreement that they hope to complete in the coming weeks. One of the main elements includes utilizing Danvers as an option for back-up in disaster recovery and security. A brief discussion ensued.

8:46 PM Adjourn

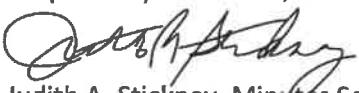
With no further business, on a **MOTION** made by **Cresta**, the Board of Selectmen's meeting of October 6th, 2020 adjourned at 8:46PM.

Upcoming Meetings:

October 20: Regular BOS meeting

November 10 & 24: Regular BOS meetings

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: October 6, 2020
- Warrant:
 - Warrant #2108: Payroll: \$695,369, Bills Payable: \$719,588
- Minutes:

- September 22, 2020
- Draft letter to Honorable Charles D. Baker, Governor, et al, from Middleton Board of Selectmen, Re: COVID-19 Average Dailey Incidence Rate Map Middleton, October 6, 2020
- Memo and related material to Board of Selectmen from Town Administrator and Town Clerk, Re: Bylaw Review Committee, October 6, 2020
- Town of Middleton Special Town Meeting Warrant (Draft)
- Town of Middleton, Massachusetts Management Letter, prepared by Roselli, Clark & Associates, for the Year Ended June 30, 2020
- Copy of Letter from Center for Tech & Civic Life to Town Clerk, Re: Grant, September 23, 2020
- Letter from Director of Veterans Services to Board of Selectmen, Re: Veterans Day, September 25, 2020



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

3.

MEMORANDUM

TO: Board of Selectmen

FROM: Andrew J. Sheehan, Town Administrator

SUBJ.: Ricoh Copiers
Declare Surplus

DATE: October 20, 2020

By this memo I am requesting the Board declare surplus the Ricoh multi-function copiers formerly located in the Town Administrator's Office and at 195 North Main Street.

The Town recently took possession of several new multi-function copiers. These machines were funded in the FY21 operating budget. This has resulted in us retiring the two Ricoh copiers mentioned above.

There is still life in these machines; however, it is difficult to determine a monetary value. We will post their availability and take the highest offer on each.

Thank you for your attention to this matter.

MANN & MANN, P.C.
COUNSELLORS AT LAW

JILL ELMSTROM MANN†*
KURT P. MANN†*
MELISSA GNOZA OGDEN†

†Admitted to practice in Massachusetts
*Admitted to practice in New York

September 29, 2020

4.

VIA HAND DELIVERY

Board of Selectmen Town of Middleton
Attention: Andrew Sheehan, Town Administrator
48 South Main Street
Middleton, Massachusetts 01949

RE: SERENITEE CATERING CORP. d/b/a MAGGIE'S FARM
189 South Main Street, Middleton, MA 01949 – Change of Manager
License No. 05072-RS-0704

Dear Mr. Sheehan:

With reference to the above, please find enclosed a request for a Change of Manager for Serenitee Catering Corp. d/b/a Maggie's Farm which includes three packages of the following documents:

1. Monetary Transmittal Form;
2. Receipt \$200 fee paid to Commonwealth of Massachusetts;
3. Amendment Application for a Change of Manager;
4. Resume – Christopher Parmerlee;
5. Applicant's Statement;
6. CORI Request Form for Christopher Parmerlee;
7. Proof of Citizenship – License and Passport of Christopher Parmerlee;
8. Corporate Vote of Serenitee Catering Corp.; and
9. Local Licensing Review Record.

Please place this on the agenda for the next public hearing of the Board of Selectmen.
Please do not hesitate to contact me if you have any questions.

Thank you for your assistance in this matter.

Very truly yours,
MANN & MANN, P.C.

By:

Jill E. Mann

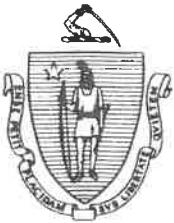
Enclosures

cc: Mr. Mark McDonough

S:\Serenitee 2012-20\Restaurants\Maggie's\189 Maggies\2020 Change of Mgr - Christopher Parmerlee\Ltr to Board of Selectmen.docx

191 South Main Street, Suite 104
Middleton, Massachusetts 01949
Telephone: 978-762-6238
Facsimile: 978-762-6434

Direct Email: jill@mannpc.com
kurt@mannpc.com
melissa@mannpc.com



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDMENT APPLICATION FOR A CHANGE OF MANAGER

The following documentation is required as a part of your retail license application.

ABCC investigators reserve the right to request additional documents as a part of their investigation.

- Monetary Transmittal Form with \$200 fee
You can PAY ONLINE or include a \$200 check made out to the ABCC
- Change of Manager Amendment Application (this packet)
- CORI Authorization Form
For the manager of record AND any individual with direct or indirect interest in the proposed licensee. This form must be notarized with a stamp*
- Proof of Citizenship for proposed manager of record
Passport, US Birth Certificate, Naturalization Papers, Voter Registration
- Vote of the Corporate Board
A corporate vote appointing the manager of record, signed by an authorized signatory for the proposed licensed entity
- Additional Documents Required by the Local Licensing Authority

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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

AMENDMENT-Change of Manager

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

**PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT**

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

05072-RS-0704

ENTITY/ LICENSEE NAME Serenitee Catering Corp.

ADDRESS 189 South Main Street

CITY/TOWN Middleton

STATE MA

ZIP CODE 01949

For the following transactions (Check all that apply):

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

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
TRANSMITTAL FORM ALONG WITH
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

**Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358**

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Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email.



TRANSACTIONS IN THE MARKET FOR FINANCIAL INSTRUMENTS

SEARCH	SEARCH	SEARCH
FILING FEES-RETAIL	05072-RS-0704	\$200.00 \$200.00

Total Convenience Fee: \$4.70

Date Paid: 9/29/2020 9:32:02 AM EDT

Total Amount Paid: \$204.70

Payment On Behalf Of

License Number or Business Name:
05072-RS-0704

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Jill

Last Name:
Mann

Address:
Mann & Mann PC

City:
Middleton

State:
MA

Zip Code:
01949

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

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Serenitee Catering Corp.	Middleton	05072-RS-0704

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Jill Elmstrom Mann	Attorney	jill@mannpc.com	978-762-6238

3A. MANAGER INFORMATION

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

Proposed Manager Name	Christopher William Parmerlee	Date of Birth	09/04/1981	SSN
Residential Address	37 Collins Way, Pelham, NH 03076			
Email	chrisparmerlee@yahoo.com	Phone	515-202-0840	
Please indicate how many hours per week you intend to be on the licensed premises	50+	Last-Approved License Manager	Anthony Vincent Colangelo	

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?*

Yes No *Manager must be U.S. citizen

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

Have you ever been convicted of a state, federal, or military crime?

Yes No

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

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
		See attached resume		

3D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature

Date

9/29/20

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Christopher W. Parmerlee

515-202-0840 *Mobile*
Chrisparmerlee@yahoo.com

37 Collins Way
Pelham, NH 03076

PROFILE

Self motivated problem solver seeks experienced restaurant company with a vision for the future and a commitment to excellence. My passions include training, employee development and building strong teams to accomplish great things. I am in search of a profession where I can utilize my commitment to hospitality while continuing to develop my culinary skills.

COMPETENCIES

- Sales Building & Marketing
- Employee Coaching & Development
- High Volume Experience 9m+
- Banquet & Event Manager
- Daily Restaurant Repair & Maintenance
- Inventory & COGS control
- Guest Relations & Satisfaction
- P&L adherence and Budget Writing
- 3rd Party Operations & Development
- Community & Social Networking
- Bar Management
- Commitment to Standards

EXPERIENCE

Joes American Bar & Grill

General Manager November 2015-March 2020 Boston, MA 02116 781-536-4200p
Areas of responsibility include: Management of all departments and finances. Preparation of all weekly data, budgeting and numbers. Development and training of all new hires including new management and sous chefs.

Bravo Brio Restaurant Group

Manager December 2007-November 2015 Chestnut Hill, MA 02467 617-795-7150p
Areas of responsibility include: Banquet Manager, Service Manager, and Bar Manager. Daily activities include schedule writing, staff training and development, corporate initiatives, sales and guest building, market research, facility R&M, event coordinating, guest recovery and assisting the General Manager with budgets and the P&L.

National Car Rental

Branch Manager April 2003-Aug 2007 Clive, IA 50325 515-402-1622p
Areas of responsibility include: Client relations, account creation and sales building, maintaining a multimillion dollar rental fleet and staffing.

Chili's Bar and Grill

Shift Leader February 2001-April 2003 Traverse City, MI 49684 231-929-0200
Areas of responsibility include: Hosting, Serving, Bartending and Shift Leading.

Red Lobster

Host December 1997-May 2000 Traverse City, MI 49684 231-933-8741
Areas of responsibility: Silverware Roller, Busser, and Host.

EDUCATION Traverse City West Senior High School 2000 Graduate.

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APPLICANT'S STATEMENT

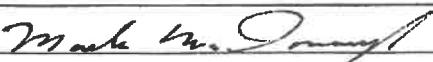
I, Mark McDonough the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of Serenitee Catering Corp.
Name of the Entity/Corporation

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

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

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

Signature:



Date:

9/29/20

Title:

President

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Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

JEAN M. LORIZIO, ESQ.
CHAIRMAN

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

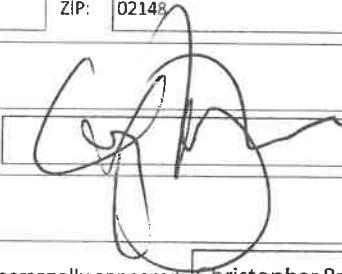
ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSE)	05072-RS-0704	LICENSEE NAME:	Serenitee Catering Corp.	CITY/TOWN:	Middleton
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APPLICANT INFORMATION

LAST NAME:	Parmerlee	FIRST NAME:	Christopher	MIDDLE NAME:	William		
MAIDEN NAME OR ALIAS (IF APPLICABLE):				PLACE OF BIRTH:	Kansas City, MO		
DATE OF BIRTH:	09/04/1981	SSN:		ID THEFT INDEX PIN (IF APPLICABLE):			
MOTHER'S MAIDEN NAME:		DRIVER'S LICENSE #:		STATE LIC. ISSUED:	New Hampshire		
GENDER:	MALE	HEIGHT:	5 9	WEIGHT:	185	EYE COLOR:	brown
CURRENT ADDRESS:	37 Collins Way						
CITY/TOWN:	Pelham	STATE:	NH	ZIP:	03076		
FORMER ADDRESS:	55 Crescent Avenue						
CITY/TOWN:	Malden	STATE:	MA	ZIP:	02148		

PRINT AND SIGN

PRINTED NAME:	Christopher William Parmerlee	APPLICANT/EMPLOYEE SIGNATURE:	
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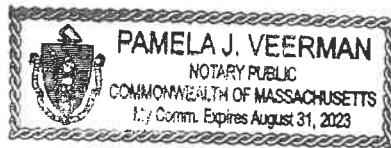
NOTARY INFORMATION

On this <u>September 29, 2020</u> before me, the undersigned notary public, personally appeared <u>Christopher Parmerlee</u>
(name of document signer), proved to me through satisfactory evidence of identification, which were <u>his driver's license</u>
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.

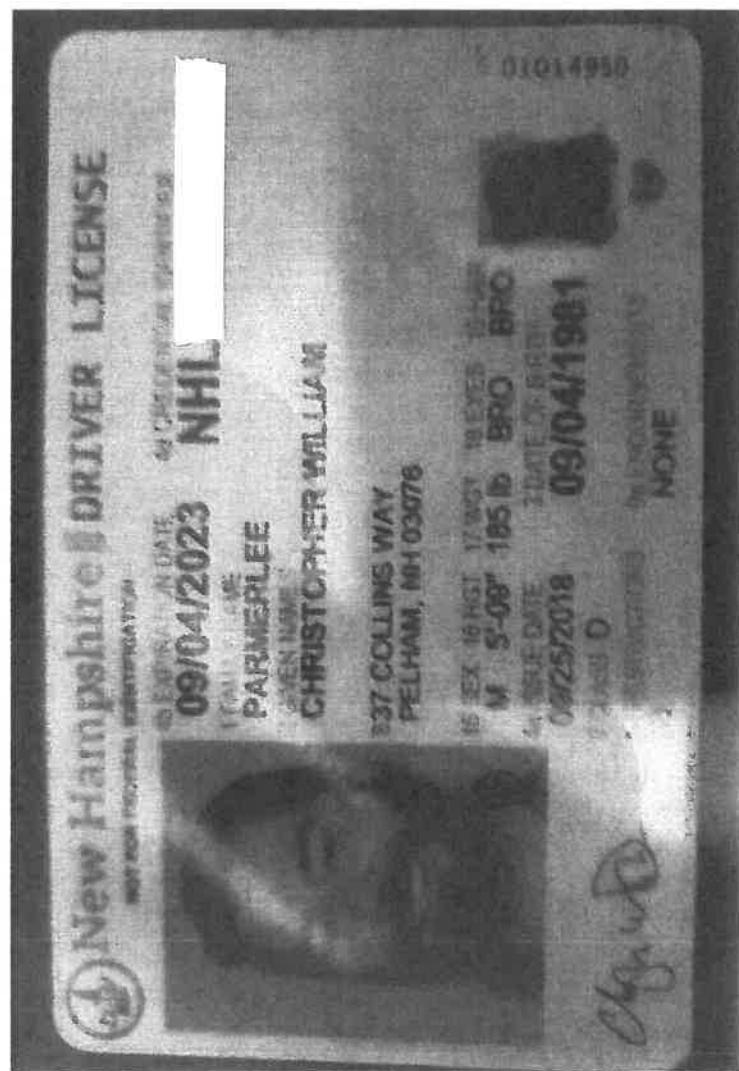
NOTARY

DIVISION USE ONLY

REQUESTED BY:	
SIGNATURE OF CORI AUTHORIZED EMPLOYEE	
The DCJ Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCJ. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCJ via mail or by fax to (617) 660-4614.	



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8

CORPORATE VOTE

The Board of Directors or LLC Managers of

Serenitee Catering Corp.

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

September 29, 2020

Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other

"VOTED: To authorize

Mark McDonough

Name of Person

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

"VOTED: To appoint

Christopher William Parmerlee

Name of Liquor License Manager

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

A true copy attest,



Corporate Officer /LLC Manager Signature

Mark McDonough
(Print Name)

For Corporations ONLY

A true copy attest,



Corporation Clerk's Signature

Mark McDonough
(Print Name)

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*The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission*

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

05072-RS-0704

ABCC License Number

Middleton

City/Town

September 29, 2020

Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

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

APPLICANT INFORMATION

Name of Licensee **Serenitee Catering Corp.**

D/B/A **Maggie's Farm**

ADDRESS: **189 South Main Street**

CITY/TOWN: **Middleton**

STATE **MA**

ZIP CODE **01949**

Manager **Christopher William Parmerlee**

Granted under
Special Legislation? **Yes No**

If Yes, Chapter
of the Acts of (year) **_____**

S12 Restaurant

Annual

All Alcoholic Beverages

Type
(i.e. restaurant, package store)

Class
(Annual or Seasonal)

Category
(i.e. Wines and Malts / All Alcohol)

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the
Local Licensing Authority: **_____**

Please indicate what days and hours
the licensee will sell alcohol:

**Sunday-Tues 10am -12pm
Wed-Saturday 10am-1 am
New Years Eve 10am -**

If Approving With Modifications, please indicate below what changes the LLA is making:

Please indicate if the LLA is
downgrading the License
Category (approving only Wines
and Malts if applicant applied for All
Alcohol):

Changes to the Premises Description

Indoor Area

Total Square Footage **_____**

Floor Number

Square Footage

Number of Rooms

Patio/Deck/Outdoor Area
Total Square Footage **_____**

Number of Entrances **_____**

Seating Capacity **_____**

Number of Exits **_____**

Abutters Notified: Yes No

Date of Abutter
Notification **_____**

Date of
Advertisement **_____**

Please add any
additional remarks or
conditions here:

Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Date APPROVED by LLA

MANN & MANN, P.C.

COUNSELLORS AT LAW

JILL ELMSTROM MANN†*

KURT P. MANN†*

MELISSA GNOZA OGDEN†

†Admitted to practice in Massachusetts

*Admitted to practice in New York

October 2, 2020

VIA HAND DELIVERY

Board of Selectmen Town of Middleton
Attention: Andrew Sheehan, Town Administrator
48 South Main Street
Middleton, Massachusetts 01949

5.

RE: SERENITEE CATERING CORP. d/b/a MAGGIE'S FARM
119 South Main Street, Middleton, MA 01949 – Change of Manager
License No. 00036-RS-0704

Dear Mr. Sheehan:

With reference to the above, please find enclosed a request for a Change of Manager for Serenitee Catering Corp. d/b/a Maggie's Farm which includes three packages of the following documents:

1. Monetary Transmittal Form;
2. Receipt \$200 fee paid to Commonwealth of Massachusetts;
3. Amendment Application for a Change of Manager;
4. Resume – Max Henry Arvidson;
5. Applicant's Statement;
6. CORI Request Form for Max Henry Arvidson;
7. Proof of Citizenship – License and Passport of Max Henry Arvidson;
8. Corporate Vote of Serenitee Catering Corp.; and
9. Local Licensing Review Record.

Please place this on the agenda for the next public hearing of the Board of Selectmen. Please do not hesitate to contact me if you have any questions.

Thank you for your assistance in this matter.

Very truly yours,
MANN & MANN, P.C.

By:

Jill E. Mann

Enclosures

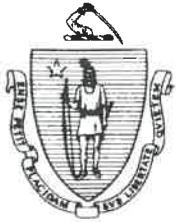
cc: Mr. Mark McDonough

S:\Serenitee 2012-20\Restaurants\Mexican 119 S Main\119 Maggies\2020 Change of Manager - Max Arvidson\Ltr to Board of Selectmen.docx

191 South Main Street, Suite 104
Middleton, Massachusetts 01949
Telephone: 978-762-6238
Facsimile: 978-762-6434

Direct Email: jill@mannpc.com
kurt@mannpc.com
melissa@mannpc.com

1



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

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

AMENDMENT-Change of Manager

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

**PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT**

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

00036-RS-0704

ENTITY/ LICENSEE NAME Serenitee Catering Corp.

ADDRESS 119 South Main Street

CITY/TOWN Middleton

STATE MA

ZIP CODE 01949

For the following transactions (Check all that apply):

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

**THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
TRANSMITTAL FORM ALONG WITH
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:**

**Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358**

2

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email.



Transaction Processed Successfully.

INVOICE #: 7a74e5e0-c196-4416-a281-83e3c65c5c3c

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	00036-RS-0704	\$200.00
		\$200.00

Total Convenience Fee: **\$4.70**

Date Paid: **10/1/2020 10:10:04 AM EDT**

Total Amount Paid: **\$204.70**

Payment On Behalf Of

License Number or Business Name:
00036-RS-0704

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Jill

Last Name:
Mann

Address:
Mann & Mann PC

City:
Middleton

State:
MA

Zip Code:
01949

Email Address:
pamv@mannpc.com

3



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

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Serenitee Catering Corp.	Middleton	00036-RS-0704

2. APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Jill Elmstrom Mann	Attorney	jill@mannpc.com	978-762-6238

3A. MANAGER INFORMATION

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

Proposed Manager Name	Max Arvidson	Date of Birth	07/05/1996	SSN
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Residential Address	10 Summer Street, Beverly, MA 01915
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Email	agm@maggiesfarmmiddleton.com	Phone	508-685-3806
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Please indicate how many hours per week you intend to be on the licensed premises	50+	Last-Approved License Manager	Anthony Vincent Colangelo
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3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? *

Yes No *Manager must be U.S. citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.
Have you ever been convicted of a state, federal, or military crime?

Yes No

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

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
		See attached resume		

3D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature

Date

10/2/2020

4

Max Arvidson

38 East Street, Hadley MA

[\(508\)-685-3806](tel:(508)-685-3806) | [Linkedin.com/in/max-arvidson](https://www.linkedin.com/in/max-arvidson) | marvidson@umass.edu

EDUCATION

University of Massachusetts Amherst

Amherst, MA

Isenberg School of Management

Bachelor of Science in Hospitality and Tourism Management

Candidate, Fall 2019

Cape Cod Community College

Associate of Science in Hospitality and Tourism Management

Hyannis, MA

May 2016

EXPERIENCE

The O's Music Bar

Sunderland, MA

Manager and Bartender

October 2018 - Present

- Implemented new marketing strategies to consistently draw in more customers from the Five Colleges.
- Responsible for the creation of a weekly schedule that best fits both the employees and customers.
- Help organize and run large music events with multiple bands that draw crowds upwards of 400.

Wequassett Resort and Golf Club

Harwich, MA

Bellman

May 2017 – September 2018

- Maintained the highest Forbes rating at Five Stars two summers in a row as part of the front office team.
- Performed out of the way guest specific “Heroic Acts” that create unique memorable experiences.
- Developed extensive communication skills in a fast-paced environment that require communication between numerous departments.

Bluefins Sushi Sake Bar

Chatham, MA

Server

June 2016 - September 2017

- Mastered a POS system that utilized an iPad, which allowed me to communicate with both kitchens simultaneously to consistently lower guest wait time.
- Developed thorough knowledge of exotic foods to reliably increase average check amount by \$5.67.
- Participated in numerous off-site catering events that required adaptability based on changing work conditions and guest needs.

Wild Goose Tavern and Wayside Inn (Wayside Properties)

Chatham, MA

Floor Manager

May 2014 – June 2016

- Delivered daily meetings to staff of up to 15 in order to inform them of specials and energize for upcoming shift.
- Transformed potentially poor guest experiences into positive reviews through meal compensation and special attention.
- Supervised new employees to ensure proper training on food safety, guest expectations, and alcohol service.

Front Desk Night Auditor

- Organized and recorded up to \$20,000 in the previous day's transactions according to company expectations.
- Greeted and orientated late check-ins to the property in order to make them feel comfortable and welcome on the premises.
- Organized all facility services to resolve all customer issues as quickly as possible.

SKILLS

Computer: Microsoft Excel, Word, PowerPoint, Access; Minitab; POS Systems (Square, Rawr)

Certifications: TIPs; SERV Safe; First Aid and CPR

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APPLICANT'S STATEMENT

I, the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of Name of the Entity/Corporation

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

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

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

Signature: 

Date:

Title:

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JEAN M. LORIZIO, ESQ.
CHAIRMAN

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150

CORI REQUEST FORM

The Alcoholic Beverages Control Commission ("ABCC") has been certified by the Criminal History Systems Board to access conviction and pending Criminal Offender Record Information ("CORI"). For the purpose of approving each shareholder, owner, licensee or applicant for an alcoholic beverages license, I understand that a criminal record check will be conducted on me, pursuant to the above. The information below is correct to the best of my knowledge.

ABCC LICENSE INFORMATION

ABCC NUMBER: (IF EXISTING LICENSEE)	00036-RS-0704	LICENSEE NAME:	Serenitee Catering Corp.	CITY/TOWN:	Middleton
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APPLICANT INFORMATION

LAST NAME:	Arvidson	FIRST NAME:	Henry	MIDDLE NAME:	Max
MAIDEN NAME OR ALIAS (IF APPLICABLE):			PLACE OF BIRTH: San Diego, CA		
DATE OF BIRTH:	07/05/	SSN:		ID THEFT INDEX PIN (IF APPLICABLE):	
MOTHER'S MAIDEN NAME:	Olsen	DRIVER'S LICENSE #:	SS8	STATE LIC. ISSUED:	Massachusetts
GENDER:	MALE	HEIGHT:	6	WEIGHT:	224
EYE COLOR:	hazel				
CURRENT ADDRESS: 10 Summer Street					
CITY/TOWN:	Beverly	STATE:	MA	ZIP:	01915
FORMER ADDRESS: 38 East Street					
CITY/TOWN:	Hadley	STATE:	MA	ZIP:	01035

PRINT AND SIGN

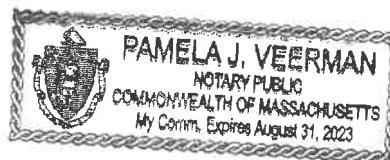
PRINTED NAME:	Max Henry Arvidson	APPLICANT/EMPLOYEE SIGNATURE:	
---------------	--------------------	-------------------------------	--

NOTARY INFORMATION

On this <u>Oct. 2, 2020</u> before me, the undersigned notary public, personally appeared <u>Max Henry Arvidson</u>
(name of document signer), proved to me through satisfactory evidence of identification, which were <u>his driver's license</u>
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose.
NOTARY

DIVISION USE ONLY

REQUESTED BY:	<input type="text"/>
SIGNATURE OF CORI AUTHORIZED EMPLOYEE	
<p>The DCI Identity Theft Index PIN Number is to be completed by those applicants that have been issued an Identity Theft PIN Number by the DCI. Certified agencies are required to provide all applicants the opportunity to include this information to ensure the accuracy of the CORI request process. ALL CORI request forms that include this field are required to be submitted to the DCI via mail or by fax to (617) 660-4614.</p>	



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8

CORPORATE VOTE

The Board of Directors or LLC Managers of

Serenitee Catering Corp.

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

October 1, 2020

Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other

"VOTED: To authorize

Mark McDonough

Name of Person

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

"VOTED: To appoint

Max Henry Arvidson

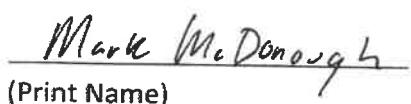
Name of Liquor License Manager

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

A true copy attest,



Corporate Officer /LLC Manager Signature

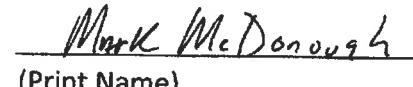

(Print Name)

For Corporations ONLY

A true copy attest,



Corporation Clerk's Signature


(Print Name)

9



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LOCAL LICENSING AUTHORITY REVIEW RECORD

00036-RS-0704

Middleton

October 2, 2020

ABCC License Number

City/Town

Date Filed with LLA

TRANSACTION TYPE (Please check all relevant transactions):

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

APPLICANT INFORMATION

Name of Licensee **Serenitee Catering Corp.**

D/B/A **Maggie's Farm**

ADDRESS: **119 South Main Street**

CITY/TOWN: **Middleton**

STATE **MA**

ZIP CODE **01949**

Manager **Max Henry Arvidson**

Granted under
Special Legislation? Yes No

S12 Restaurant

Annual

All Alcoholic Beverages

Type
(i.e. restaurant, package store)

Class
(Annual or Seasonal)

Category
(i.e. Wines and Malts / All Alcohol)

If Yes, Chapter
of the Acts of (year)

LOCAL LICENSING AUTHORITY DECISION

Please indicate the decision of the
Local Licensing Authority:

Please indicate what days and hours
the licensee will sell alcohol:

**Sunday-Tues 10am -12pm
Wed-Saturday 10am-1 am
New Years Eve 10am -**

If **Approving With Modifications**, please indicate below what changes the LLA is making:

Please indicate if the LLA is
downgrading the License

Category (approving only Wines
and Malts if applicant applied for All
Alcohol):

Changes to the Premises Description

Indoor Area

Total Square Footage

Floor Number

Square Footage

Number of Rooms

Patio/Deck/Outdoor Area

Number of Entrances

Total Square Footage

Number of Exits

Seating Capacity

Abutters Notified: Yes No

Date of Abutter
Notification

Date of
Advertisement

Please add any
additional remarks or
conditions here:

Check here if you are attaching additional documentation

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Date APPROVED by LLA

**TOWN OF MIDDLETON
SPECIAL TOWN MEETING
THE COMMONWEALTH OF MASSACHUSETTS
NOVEMBER 17, 2020**

Le.

ESSEX s.s.

To the Constable of the Town of Middleton in the County of Essex:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs, to meet at the Howe Manning School, 26 Central Street in said Middleton on Tuesday, November 17, 2020 next, at 7:00 p.m., then and there to act on the following articles:

To transact any other business that may lawfully come before this meeting.

FY2021 FINANCIAL ARTICLES

ARTICLE 1. On petition of the Board of Selectmen and Finance Committee, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from available funds to supplement the Fiscal Year 2021 operating budget; or take any other action relative thereto.

Purpose: This article is to transfer funds and supplement monies, if necessary, to meet departmental expenses in the current fiscal year.

ARTICLE 2. On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to amend Article 10 of the Annual Town Meeting held on June 24, 2020 with respect to the Capital Budget for Fiscal Year 2021; or take any other action relative thereto.

Purpose: This article corrects a scrivener's error that misstated the amounts approved under Article 10. The Free Cash amount and the total appropriation amount were higher than they should have been.

ARTICLE 3. On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from available funds the sum of \$ _____ to fund handicap access improvements at Memorial Hall located at 48 South Main Street.

Purpose: This article provides funds to make handicap accessibility improvements to Memorial Hall. The existing handicap ramp is failing and can no longer be counted on to provide reliable and safe access to the building.

ARTICLE 3. On petition of the Finance Committee and Board of Selectmen, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from available funds the sum of \$15,000 to fund improvements to the garage bay door to accommodate the ambulance at the Fire Department at 4 Lake Street.

Purpose: This article provides funds to make improvements to the garage bay door at the Fire Station at 4 Lake Street. The new ambulance that will be delivered in 2021 is longer than the garage bay; this article will provide funds to extend the length of the garage bay for the ambulance.

ARTICLE 5. On petition of the Board of Selectmen and Finance Committee, to see if the Town will vote to transfer from available funds certain sums to the following reserve accounts:

- Stabilization
- Capital Stabilization
- Pension Stabilization
- Special Education Stabilization
- Other Post-Employment Benefits (OPEB) Trust Fund

Or take any other action relative thereto.

Purpose: This article authorizes the transfer of funds to the Town's reserve accounts.

CITIZEN PETITIONS, BYLAW ADOPTIONS, AND REAL PROPERTY

ARTICLE 6. On petition of the Board of Selectmen, to see if the Town will vote to amend Chapter 79 Revolving Funds, of the By-Laws of the Town by inserting a new Revolving Fund, Sidewalks and Pedestrian Improvements, and to further authorize the expenditure of not more than \$30,000 in Fiscal Year 2021:

Revolving Fund	Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	Fees, Charges or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/Reports	Fiscal Years
Sidewalks and Pedestrian Improvements	DPW Superintendent, Town Administrator	Contributions and payments in lieu of construction for developments	Design, construction, and related costs associated with	----	---	Fiscal Year 2021 and subsequent years

		permitted by Planning Board, Zoning Board, and other permitting authorities	construction of sidewalks and pedestrian improvements			
--	--	---	---	--	--	--

Or take any other action relative thereto.

Purpose: This article would establish a new Revolving Fund to be used to hold and spend funds to make sidewalk and pedestrian improvements around Town. The Department of Revenue has recommended that a Revolving Fund is the most appropriate means of accounting for such funds.

ARTICLE 7. On petition of the Board of Selectmen and Finance Committee, to see if the Town will vote to transfer from available funds a certain sum to the Sidewalks & Pedestrian Improvements Revolving Fund; or take any other action relative thereto.

Purpose: This article would transfer funds from Free Cash to the Sidewalks & Pedestrian Improvements Revolving Fund created by Article 4, above. These monies were collected to fund sidewalk and pedestrian improvements. The Department of Revenue has recommended this as the appropriate method of dedicating these funds for the intended use. The current balance is approximately \$128,800.

ARTICLE 8. On petition of the Board of Selectmen, to see if the Town will vote to amend Chapter 68 Personnel, of the By-Laws of the Town by deleting the entire chapter and substituting in its place:

Chapter 68 Personnel

§ 68-1 Purpose and Intent.

The purpose of the Personnel Bylaw is to establish fair and equitable personnel policies and to establish a system of personnel administration based on merit principles that ensure a uniform fair and efficient application of personnel policies. The intent of this bylaw is to provide a method of recruitment, selection, development, and retention of a work force that is skilled and effective in accomplishing the service delivery mission of the Town. Personnel actions are to be made without regard to any criteria established and proscribed by any state or federal law or regulations promulgated pursuant thereto, or political affiliation or other non-job related factors, and shall be based on merit and fitness.

§ 68-2 Applicability

All Town departments and positions shall be subject to the provisions of this bylaw, except elected officers, members of boards and commissions, and employees of the School Department and Light Department. To the extent that the provisions of any collective bargaining agreement conflicts with any provisions of this bylaw or personnel policies adopted pursuant to § 68-5, the provisions of the collective bargaining agreement shall prevail. This bylaw is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and General Law.

§ 68-3 Responsibility of the Town Administrator.

The Town Administrator shall be responsible for the establishment and maintenance of a personnel system based on merit principles. The Town Administrator shall have all the personnel management powers and duties as provided by the Middleton Town Charter and shall formulate personnel policies pursuant to § 68-5 of this bylaw, subject to the approval of the Board of Selectmen.

§ 68-4 Contents of Personnel Policies.

The personnel policies shall establish a personnel system which shall include, but need not be limited to, the following elements:

- A. A method of administration. A system of administration which assigns specific responsibility for all elements of the personnel system, including: maintaining personnel records; implementing effective recruitment and selection processes; maintaining the classification and compensation plans; monitoring the application of policies and periodic reviews and evaluation of the personnel system.
- B. A classification and compensation plan.
- C. A recruitment and selection policy.
- D. A centralized personnel record keeping system, and
- E. Other elements of a personnel system as deemed appropriate or necessary.

§ 68-5 Adoption of Policies.

The Town Administrator is empowered and authorized by this bylaw to prepare personnel policies for adoption by the Board of Selectmen defining the rights, benefits, and obligations of employees subject to this bylaw, provided however. The Town Administrator shall be responsible for the development of personnel policies. Any Board or Committee, department head, or any single employee or group of employees may recommend personnel policies to the Town Administrator for consideration. Such policies shall become effective in accordance with the following procedure:

- A. The Town Administrator shall prepare proposed personnel policies.

- B. The Town Administrator shall consult with employees that may be affected by proposed changes in personnel policies.
- C. The Town Administrator shall finalize personnel policies and transmit in writing any proposed policies to the Board of Selectmen.
- D. The Board of Selectmen shall review said policies and vote to approve, disapprove, or approve with modifications.
- E. Copies of new or amended policies shall be posted and distributed to department heads and employees.

§ 68-6 Severability.

The provisions of this bylaw and any policies adopted pursuant to this bylaw are severable. If any bylaw provision or policy is held invalid, the remaining provisions of the bylaw or policy shall not be affected thereby.

§ 68-7 Effective Date.

This bylaw shall take effect upon passage.

Or take any other action relative thereto.

Purpose: This article proposes changes to the personnel bylaw to make the bylaw consistent with the historic and current practice of personnel management.

ARTICLE 9. On petition of the Board of Selectmen, to see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts for special legislation amending the Town Charter in the form set forth below, with respect to personnel matters, or take any action relative thereto.

Amending Chapter 6, Section 1, Subsection 6-1-1(b) by inserting “and” before “a Treasurer-Collector” and deleting “, all division and/or department heads”;

Amending Chapter 6, Section 3, Subsection 6-3-1(d) by deleting “Personnel Board, a”;

Amending Chapter 6, Section 4, Subsection 6-4-1 by deleting “such individual Town officers and”;

Amending Chapter 6, Section 7, Subsection 6-7-10 by renumbering existing subsection 6-7-10 to “6-7-11” adding the following new subsection as 6-7-10 “He shall appoint, subject to the provisions of any collective bargaining agreements as may be applicable, all other department heads, officers, and employees for whom no other method of selection is provided by this Charter. Such appointments shall become effective on the fifteenth (15th) day following the day on which such notice of appointment is filed with the Board of Selectmen, unless the Board of

Selectmen shall, within that period by a majority of all of its members, vote to reject such appointment, or has sooner voted to affirm it.”

Amending Chapter 9, Section 5, Subsection 9-5-2 by replacing “Personnel Board” with “Town Administrator”, and further by replacing “Town Meeting” with “Board of Selectmen” and further by replacing “except those provided for by General Law” with “except as otherwise provided by law or as may be superseded by collective bargaining agreement(s)”

Provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any action relative thereto.

Purpose: This article would amend the Charter with respect to personnel matters. The changes would make the Charter consistent with the current and historic practice of personnel management and with the changes proposed under Article 6, above. Charter changes require the affirmative vote of Town Meeting followed by approval of the Massachusetts legislature and the Governor.

ARTICLE 10. On petition of the Planning Board to see if the Town will vote to amend the Middleton Zoning Bylaw and Map by amending Section 2.2 “Overlay Districts” by adding the following new Section 8.7 “Groundwater Protection Overlay District” and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton:

1) Add the following to Section 2.2 “Overlay Districts”:

Groundwater Protection Overlay District (GPOD)

2) Add the following Section 8.7 “Groundwater Protection Overlay District”:

8.7. Groundwater Protection Overlay District

8.7.1. **Purpose of District.** The purpose of this Groundwater Protection District is to:

1. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the residents, institutions, and business of the Town of Middleton and adjacent towns;
2. preserve and protect existing and potential sources of drinking water;
3. conserve natural resources in the Town of Middleton; and
4. prevent temporary and permanent contamination of the environment.

8.7.2. **Scope of authority.** The Groundwater Protection District is an overlay district superimposed on the other zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded

uses. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection District.

8.7.3. Definitions.

AQUIFER: A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

CMR: Code of Massachusetts Regulations.

COMMERCIAL FERTILIZER: Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed to have value in promoting plant growth, except un-manipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum, and other products exempted by state regulations.

DISCHARGE: The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or ground waters.

DRY WELL: A subsurface pit with open-jointed lining or holes through which storm-water drainage from roofs, basement floors, foundations or other areas seep into the surrounding soil.

GROUNDWATER PROTECTION DISTRICT: The land area consisting of aquifers and Zone II recharge areas as identified on a map and adopted pursuant to this bylaw.

HAZARDOUS MATERIAL: Any substance in any form which because of its quantity, concentration, or its chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with one or more substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. Hazardous material includes, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as toxic or hazardous under MGL c. 21E. This term shall not include hazardous waste or oil.

HISTORICAL HIGH GROUNDWATER TABLE ELEVATION: A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

HAZARDOUS WASTE: A substance or combination of substances, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported,

used or disposed of, or otherwise managed. This term shall include all substances identified as hazardous pursuant to the Hazardous Waste Regulations, 310 CMR 30.000.

IMPERVIOUS SURFACE: Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

LANDFILL: A facility established in accordance with a valid site assignment for the purposes of disposing solid waste into or on the land, pursuant to the Solid Waste Regulations, 310 CMR 19.006.

MassDEP: Massachusetts Department of Environmental Protection.

MGL: Massachusetts General Law.

PETROLEUM PRODUCT: Includes, but not limited to, fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum product shall not include liquefied petroleum gas including, but not limited to, liquefied natural gas, propane or butane.

NON-SANITARY WASTEWATER: Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage including, but not limited to, activities specified in 310 CMR 15.004(6).

OPEN DUMP: A facility operated or maintained in violation of the Resource Conservation and Recovery Act 42 U.S.C. 4004(a)(b), or state regulations and criteria for solid waste disposal.

RECHARGE AREAS: Land areas, such as a Zone II, where precipitation and surface water infiltrates into the ground to replenish groundwater and aquifers used for public drinking water supplies.

SEPTAGE: The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. This term shall not include any material that is a hazardous waste, as defined by 310 CMR 30.000.

SLUDGE: The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment including wastewater residuals. This term shall not include grit, screening, or grease and oil which are removed at the head-works of a facility

TREATMENT WORKS: Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

UTILITY WORKS: Regulated activities providing for public services, including roads, water, sewer, electricity, gas, telephone, transportation and their associated maintenance activities. This term shall include the installation of detention and retention basins for the purpose of controlling storm water.

VERY SMALL QUANTITY GENERATOR: Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

WASTE OIL RETENTION FACILITY: A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with MGL c.21. s.52A. .6

ZONE II: The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00.7

8.7.4. Establishment and delineation of Groundwater Protection Overlay District. For the purposes of this bylaw, there is hereby established within the Town of Middleton, a certain groundwater protection area consisting of aquifers or recharge areas. This area is delineated on the Middleton Zoning Map and is based on the MassDEP Wellhead Protection Areas (Zone II) layer which is maintained in a MassDEP Enterprise Geodatabase as a polygon feature class named [ZONE2_POLY] and is hereby made part of the Groundwater Protection District Bylaw and is on file in the office of the Town Clerk.

8.7.5. Permitted uses. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. All uses permitted in the underlying zoning district and not specifically prohibited hereby are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained.

8.7.6. Prohibited uses. The following land uses and activities are prohibited unless designed in accordance with the specified performance standards:

1. landfills and open dumps;
2. landfills receiving only wastewater residuals and/or septage, including those approved by MassDEP pursuant to MGL c. 21 s.26 through s.53, MGL c.111 s.17, and MGL c.83 s.6 and s.7; 10
3. automobile graveyards and junkyards as defined in M.G.L. c. 140B, § 1;
4. stockpiling and disposal of snow or ice removed from highways and streets located outside of Zone II that contains sodium chloride, chemically treated abrasives or other chemicals used for snow and ice removal;

5. petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under North American Industry Classification System (NAICS) Codes 424710 and 454311, except for liquefied petroleum gas.
6. non-sanitary wastewater discharges from industrial and commercial facilities, except for:
 - a. replacement or repair of an existing system that will not result in a design capacity greater than the existing system;
 - b. treatment works approved by MassDEP designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13); and
 - c. publicly owned treatment works.
7. facilities that generate, treat, store, or dispose of hazardous waste that are subject to MGL c.21C and 310 CMR 30.000, except for:
 - a. very small quantity generators as defined under 310 CMR 30.000;
 - b. household hazardous waste centers and events under 310 CMR 30.390;
 - c. waste oil retention facilities required by MGL c. 21, s.52A;
 - d. treatment works approved by MassDEP for the treatment of contaminated waters.
8. storage of sludge and septage, unless such storage is in compliance with 310 CMR32.30 and 310 CMR 32.31;
9. storage of sodium chloride, chemically treated abrasives or other chemicals used for the removal of ice and snow on roads, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
10. storage of commercial fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
11. storage of animal manure per (310 CMR 22.21(2)(b)(4)), unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
12. storage of liquid hazardous materials and/or liquid petroleum products unless such storage is above ground level and on an impervious surface and either:
 - a. in container(s) or above ground tank(s) within a building; or
 - b. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either; 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater;however, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements;
13. earth removal, consisting of the removal of soil, loam, sand, gravel, or any other mineral substances within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, unless the substances removed are redeposited within 45 days of removal on site to achieve a final grading greater than four feet above the historical high water mark and except for excavations for the construction of building foundations, roads, utility works or wetland restoration

work conducted in accordance with a valid Order of Condition issued pursuant to MGL c. 131, s.40;15, and

14. land uses that result in rendering impervious any portion of any lot or parcel located within the GWPOD more than 15% or 2,500 square feet of such area located within such GWPOD, whichever is greater; unless in full compliance with the requirements of the Middleton Stormwater Management Bylaw, Chapter 204 (1) of the Town of Middleton General Bylaws.

8.7.7. Nonconforming uses and structures. The Groundwater Protection Overlay District Bylaw shall not apply to structures or uses lawfully in existence or lawfully begun. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure shall be permitted unless authorized in accordance with Section 3.3 "Nonconforming Uses & Structures" of the Bylaw. .

8.7.8. Enforcement. Written notice of any violations of this bylaw shall be given by the Building Commissioner to the responsible person as soon as possible after detection of a violation or a continuing violation. Notice to the assessed owner of the property shall be deemed notice to the responsible person. Such notice shall specify the requirement or restriction violated and the nature of the violation, and may also identify the actions necessary to remove or remedy the violations and preventive measures required for avoiding future violations and a schedule of compliance. A copy of such notice shall be submitted to the Board of Appeals, Conservation Commission, Department of Public Works, Fire Department, and Board of Health. The cost of containment, clean-up, or other action of compliance shall be borne by the owner/operator of the premises.

8.7.9. Severability. If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of this bylaw.

- 3) Add a new Groundwater Protection Overlay District to the Middleton Zoning Bylaw Map: (See next page).

Or take any other action relative thereto.

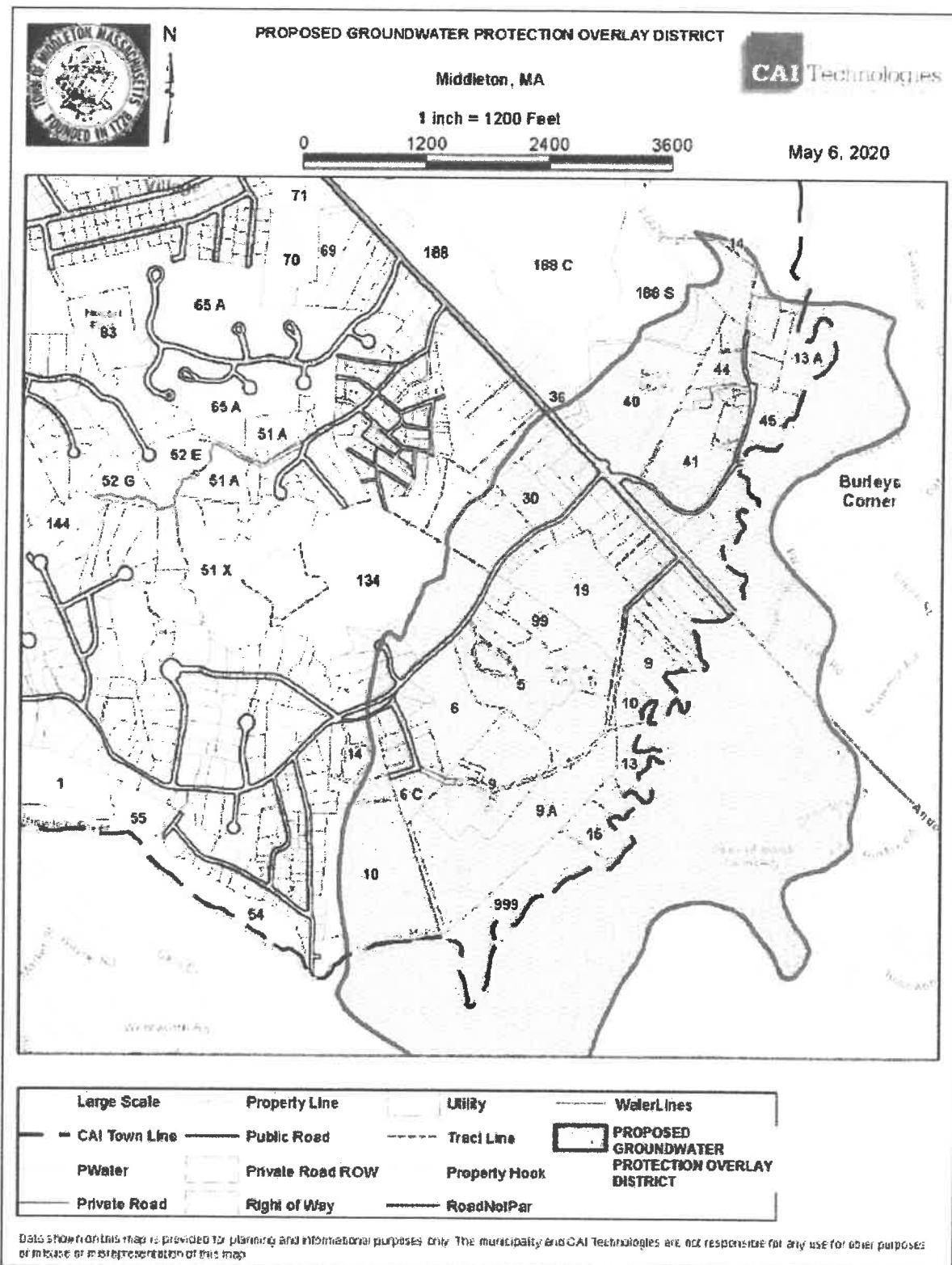
Purpose: Massachusetts Drinking Water Regulations, 310 CMR 22.00, require public water systems (PWS) to protect Zone II recharge areas with municipal controls (bylaws and/or health regulations). Local controls must meet MassDEP Wellhead Protection Regulations 310 CMR 22.21(2), which forbid certain land uses from being sited within the Zone II public water supply well area. The above proposed overlay district bylaw is based on the MassDEP Model Groundwater Protection Overlay District Bylaw. If the Town does not adopt a bylaw that

protects the Zone II Well area according to 310 CMR 22, it would make the town non-compliant, which could jeopardize the town's Water Management Act permit renewal for withdrawal from the Ipswich River Basin. Part of the Zone II Wellhead area falls within the Town of Danvers. Danvers adopted a Groundwater Protection Overlay District to protect the wellhead area in 2001.

Or take any other action relative thereto.

Planning Board Recommendation: The Planning Board voted unanimously to recommend in favor of adoption of the bylaw.

Master Plan Committee Recommendation: The Master Plan Committee voted unanimously to recommend in favor of adoption of the bylaw.



ARTICLE 11. On petition of Eric R. Cudmore and 10 or more registered voters, to see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$20,000 to pay for the costs associated with the acquisition or disposal of real property.

Purpose: The Town has acquired land for public facilities and to sell Town-owned land on Locust Street. The town needs to engage professionals to conduct assessments such as appraisals, environmental assessments, and surveys. Funds appropriated under this article would not be used for the acquisition of any real property.

Master Plan Committee Recommendation: The Master Plan Committee voted 5-1 to recommend against the article.

End of Annual Town Meeting Warrant

Intermunicipal Agreement

8.

Between

The Towns of Boxford, Middleton and Topsfield

for Partial Funding of a Pandemic Response Nurse

This Intermunicipal Agreement ("Agreement"), dated _____, 2020, by and between the Towns of Boxford, Middleton and Topsfield, acting by and through their respective Boards of Selectmen or Select Board (hereinafter "The Towns") is entered into in accordance with the provisions of M.G.L. c. 40 §4A, upon the following terms and conditions:

I. Statement of Purpose

The Towns (hereinafter "parties") agreed to the acquisition of a Pandemic Response Nurse provided by an independent third party temporary staffing agency as a viable resource in providing supplemental staffing support to the parties and schools in their response to public health and safety needs resulting from the COVID-19 pandemic. This Agreement establishes a term of service and reimbursement calculations and procedures.

II. Liability

Each party hereto shall be liable for the negligent or intentional acts and omissions of its employees.

III. Term

This Agreement shall be in effect from the date of execution of this contract through December 31, 2020. If all parties agree to continue the services provided by the Pandemic Response Nurse beyond December 31, 2020, written notice must be given 14 calendar days in advance of the termination date of December 31, 2020. In the event this agreement is extended beyond December 31, 2020 parties may elect to terminate the agreement at any time with 14-day written notice to each of the other parties.

IV. Miscellaneous

A. **Severability.** If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

- B. Governing Law. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the parties hereto submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.
- C. Entire Agreement. This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

V. Costs

The Town of Boxford will provide Human Resource support for the Pandemic Response Nurse. The Town of Boxford will pay the costs associated with the Pandemic Response Nurse to an independent third-party temporary staffing agency and bill Middleton and Topsfield their prorated share of the cost based on one-third from each community.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

Town of Boxford

BY its Board of Selectmen

Dated: _____

Town of Topsfield

BY its Select Board

Dated: _____

Town of Middleton

BY its Board of Selectmen

Dated: _____

Correspondence and informational materials



THE 3 W'S



Wear a Mask:

Everyone should wear a mask/facial covering. Wear face paint instead of a Halloween mask to make it easier to wear a Halloween themed face covering and easier to breath



Wash Hands/Carry Sanitizer:

Avoid eating candy until you get home. Wash hands or sanitize frequently



Watch your distance:

By staying at least six feet apart from others



Brought to you by the
Middleton Health Department

MIDDLETON HALLOWEEN SAFETY MEASURES



Stay home and do not hand out candy if you are sick or have been exposed to someone with COVID-19. Keep your lights Off so people know not to come to your door



Maintain social distancing of at least 6 feet of physical distancing from all other participants who are not members of the same household



Celebrate outdoors! Avoid large gatherings, indoor social gatherings among multiple different households, avoid backyard parties with large #s of people, avoid haunted houses, and haunted hayrides



If you decide to go door to door, stick to your own neighborhood or a quiet neighborhood and don't go to other neighborhoods that are historically attended or overcrowded



If you do not want to participate, please leave your lights Off! Try some other Safe-Halloween Themed Activities such as: Pumpkin carving, Displaying Halloween Decorations on your lawn, Have a Family Halloween Movie Night Encourage One-Way Trick Or Treating to allow one group to move on before the next group arrives



Leave Individually wrapped goodie bags lined up at your door for kids to grab and go. It is discouraged to hand candy out from a bowl or leaving a bowl for kids to put their hands in to grab from. If homeowners wish to hand out candy, proper gloves and facial coverings should be worn

Decorate your own Halloween or fall-themed face masks/facial covering by being creative, letting your child decorate their mask/facial covering so it could go with their costume



All organized Halloween Events/Gatherings must comply with all of the MA Governor's Orders. Visit Mass.gov for information and more safe tips for safe holidays visit

<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/holidays.html>

10/15/20

THE SALEM NEWS

Karen E. Andreas
PUBLISHERDavid Joyner
EXECUTIVE EDITORDavid C. Olson
EDITOR

Town's COVID-19 designation unfair

A single residence in Middleton is a culture of COVID-19 so virulent that it shaded the entire town red on the state's map of coronavirus hot spots. It's not a nursing home or a college dormitory but instead the Essex County Jail on Manning Avenue. And its scarlet numbers are unfairly pinned on the town, freezing Middleton and its population of some 10,110 people on the state's reopening timeline.

Gov. Charlie Baker is resistant to change the label, telling reporters this week the state's job is to "put the data out there as it stands" and work with city and town leaders on how to respond. Until those data are refreshed and the number of new cases drops, the entire town will be forced to abide occupancy limits on outdoor venues and other restrictions associated with earlier phases of reopening from the COVID-19 shutdown.

Numbers get updated Wednesday evenings, so Middleton at this point could still be riding out its fever, or it could be sprung from its COVID-19 timeout with a yellow or green designation indicating a reduced likelihood of spread.

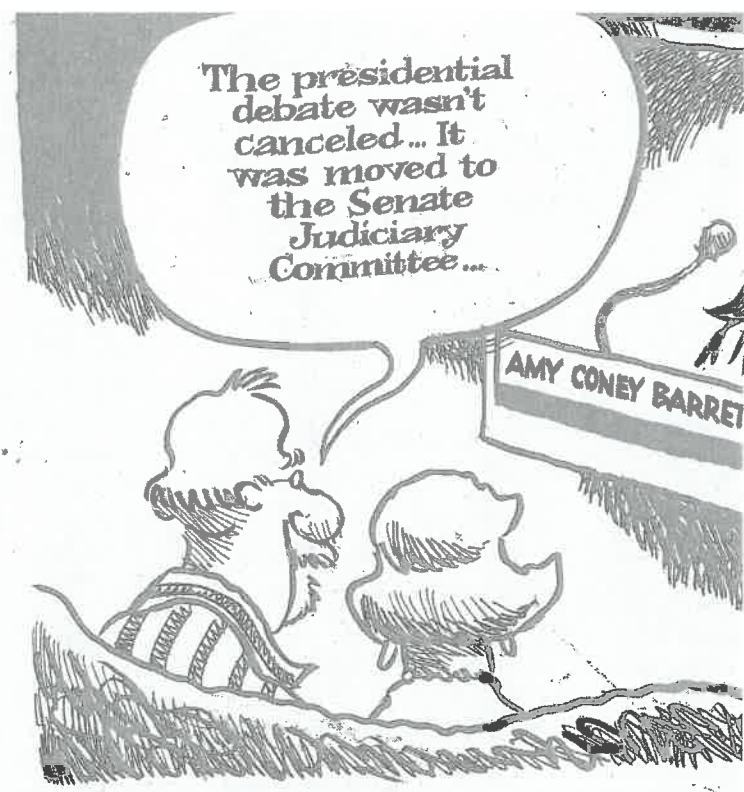
In either case, it should not have been made to wait.

This isn't to minimize the COVID-19 spike at the jail. Last week Sheriff Kevin Coppinger announced 139 prisoners had tested positive, or about 1 in 7 people held in the lockup, as well as 33 employees and vendors. The virus snuck in despite a litany of precautions, said Coppinger, who announced additional steps to contain the coronavirus. The vast number of cases had no symptoms at all, he noted. A more aggressive testing regimen was expected to discover even more cases.

But unlike most any other COVID-19 cluster — college students, for example, with freedom of movement and the inclination to use it — there's little likelihood the inmates of Middleton's jail will stop for a coffee at Dunkin' Donuts or pick up some milk and peanut butter at the market. They're not granted freedom to leave, they're not sharing our space. Jail employees don't necessarily live locally, so their cases wouldn't sway the town's numbers like those of its prisoners.

This is to say nothing for the stigma of a red blot on Middleton, which lends itself more to a reference to Nathaniel Hawthorne than Stephen Crane. It's one Middleton should not have been made to wear.

A final break from



Are hospitals ready for COV

Lionel Laurent

The brutal experience of COVID-19's first wave humbled many rich countries where even generous health care systems were overwhelmed by an unfamiliar virus. Just as past outbreaks taught Asia hard truths about how to deal with pandemics, lessons from this novel coronavirus abound in the West: Italy has ramped up intensive-care capacity, France is paying health workers better and Spain is building a new pandemic hospital.

Thanks to these and other efforts, national lockdowns are being portrayed as a one-off. Yet as cases surge again in Europe, strains on critical-care resources are leading to economic shutdowns on local and regional levels.

COVID-19 patients fill more than a third of intensive-care beds in the Paris region. It's a similar story in Madrid. Blunt, lockdown-style measures — the closure of bars, gyms and other businesses — are being rolled out to slow case growth and hospital admissions. Even though the hospitalization rate is much lower than in the first wave, governments feel they have no alternative but to act now. They're worried



A medical worker wearing personal protective equipment cleans gurneys in the emergency department of a hospital in New York.

without going into the pace of new infections, only serve to worsen the core problem of epidemics. We are sure to continue to see sudden spikes in cases, especially in areas where the core problem of epidemics is not being addressed.

Yet the efficiency of the chaotic situation is not to be overlooked. The core problem of epidemics is not being addressed. The sudden spikes in cases, especially in areas where the core problem of epidemics is not being addressed.

The question is more complex than it seems. Intensive-care beds don't always lend themselves well to cost-benefit analyses in the eyes of government officials. The daily cost of one can be anything from around 2,000 euros to more than double that.

One an



ESSEX NORTH SHORE
AGRICULTURAL & TECHNICAL SCHOOL DISTRICT

Heidi T. Riccio, Ed.D.
Superintendent-Director

October 17, 2020

Middleton of Town
65 N. Main Street
Middleton, MA 01949-1718

To Whom It May Concern:

Thank you for your donation of two (2) 2007 Dodge Chargers 2000, Vehicles Identification Numbers 2B3KA43H57H817471 and 2B3KA43HX7H817479 to the Automotive Technology Program. This donation was accepted by the Essex North Shore Agricultural and Technical School Committee on October 16, 2020.

Vehicles donated to the District cannot ever be licensed, titled, or driven on any road, public or private, nor any component or components of a donated vehicle be used or in any vehicle that is licensed, titled, or driven on any road, public or private.

Our community is fortunate to receive donations from private citizens and businesses to support the agricultural and technical programs that enhance our students' learning experiences.

We appreciate your support of the Essex North Shore Agricultural and Technical School District.

Sincerely,

Heidi T. Riccio, Ed.D.
Superintendent-Director