

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, JANUARY 11, 2022
7:00 PM

This meeting is being recorded

This meeting will be a hybrid of in-person and remote via Zoom. To join the meeting remotely, go to:

<https://us02web.zoom.us/j/81838804267?pwd=aThoMXZINW50K2hiN3NMaEh2VldNUT09>

1 7:00 Warrants: 2214 & 2215

Minutes:

- November 30, 2021. Open Session
- December 14, 2021. Open Session
- December 14, 2021. Executive Session
- December 20, 2021 joint meeting with Flint Public Library Trustees. Open Session

Town Administrator updates and reports

2 7:10 Public Comment Period

3 7:15 Review and act on the recommendation of the Police Chief to appoint the following to the Police Department:

- Michael LeColst as a Police Sergeant
- Kosta Agganis as a Reserve Police Officer

4 7:20 227 Maple Street: Review and vote on petition of Scott & Matty Pizza, Inc., d/b/a Captain Pizza for new wine and malt beverages with cordials restaurant license, new manager Scott B. Kugel, and transfer of common victualler and entertainment licenses; transfer from Barney Restaurant Group, LLC

5 7:30 51 Village Road: Review and vote on petition of Aimbridge Hospitality, LLC d/b/a Double Tree North Shore for transfer of all alcoholic inn holder license and change of common victualler and entertainment licenses from Merritt Boston North Operator LLC

6 7:40 Compensation & classification plan: update of plan and discussion of policy decisions; Mary Aicardi of the Collins Center for Public Management

7 7:50 Review, discuss, and vote on participating in a planning/study committee that will evaluate pros and cons of elementary schools regionalization

8 8:00 Discuss traffic and safety concerns on state and local roads in town

9 8:10 Review, discuss, and vote on use of American Recovery Plan Act (ARPA) funds and approve an initial request for a commitment of funds for water infrastructure, public health, and administrative costs

10 8:20 Review, discuss, and vote to adopt revisions to the Senior & Veterans Property Tax Work Off Program

11 8:25 Annual License renewal correction: Alba Auto will continue to hold a class II off premise license for 2022; Auto Export has chosen to decline renewal for 2022.

12 8:30 Review, discuss, and vote to accept the following donations and grant:

- Middleton Food Pantry - \$500 – anonymous
- Middleton Food Pantry - \$1,000 - Torrice Family Charitable Trust
- Middleton Food Pantry - \$500 – Patrick Furnari

>>Over>>

- Middleton COA - \$5,000 – James and Joanne Vining
- Middleton COA - \$1,000 – Gail Sabino
- Middleton Food Pantry - \$600 – George Dow, Sr.
- Middleton Food Pantry - \$1,000 – Margaret Lee
- Middleton Food Pantry - \$5,000 – James and Joanne Vining
- Middleton Food Pantry 0 \$2,500 – Richard & Jean Beck
- Cybersecurity training grant from the Executive Office of Technology Services & Security

- 13 8:35 Review, discuss, and vote to appoint George Cumming to the Cultural Council for a term through June 30, 2024
- 14 8:40 New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

Upcoming Meetings:	January 25	Regular SB Meeting
	February 5, 8:30AM	Budget Summit
	February 8 & 22	Regular SB 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.

Town of Middleton
Summary of Weekly Bills Payable and Payroll Warrants
Office of the Town Accountant

Warrant Date: December 30, 2021

Warrant Number: # 2214

Payroll Warrant Total: \$ 742,878

<u>Department</u>	<u>Amount</u>	<u>Detail of Expenses</u>
Board of Health	\$11,331	
COA	\$10,393	
Election	\$0	
Electric Light	\$74,220	\$13,922 Overtime; \$2,637 Call Out
Fire	\$77,703	\$19,901 Overtime; \$8,365 Part time
Inspections	\$9,379	
Library	\$18,482	
Memorial Hall	\$34,599	
Planning	\$4,087	
Police	\$68,347	\$9,466 Overtime; \$435 Reserves
Police Details	\$15,409	
Public Works	\$33,844	\$1,552 Snow; \$504 Overtime
Recreation	\$0	
Senior Work Off	\$0	
School	\$385,085	
Teacher Balloon Pay	\$0	
Town Officers	\$0	

Bills Payable Warrant Total: \$ 5,007,596

<u>Department</u>	<u>Amount</u>	<u>Detail of Expenses</u>
All Payroll Deductions	\$97,075	
Administrator	\$15,325	\$5,500 Attorney Fees; \$2,517 IT Contractual Services
Accounting	\$547	Miscellaneous Expenses
Assessor	\$0	
Clerk	\$11,437	\$11,400 Voting Machines (2)
Cultural Council	\$0	
COA	\$2,480	\$1,984 Food Pantry
DPW	\$13,566	\$4,900 Water Dept Supplies; \$2,081 Resurface Street
Fire	\$11,775	\$3,183 Clothing; \$2,258 Training; \$1,482 Ambulance Related
Health Director / IT	\$10,485	\$5,450 Pandemic Nurse; \$2,500 Consult Fee; \$2,370 IT Related
Historical Comm.	\$0	
Inspections	\$171	Miscellaneous Expenses
Library	\$16,100	\$7,573 Purchase Books; \$4,000 HVAC Maintenance
MELD	\$407,352	\$360,783 Purchase Power
Planning	\$0	
Police	\$8,963	\$3,301 Fuel; \$1,960 DTS Licensing/Maintenance
Recreation	\$0	
School	\$275,140	\$193,822 Health Ins. Deduct; \$23,960 Café Related; \$8,675 Transp.
Treasurer	\$4,137,138	\$3,772,268 Debt Service; \$130,262 Health Ins. Deductions
Veterans' Agent	\$41	Miscellaneous Expenses

MEETING MINUTES
BOARD OF SELECTMEN
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, NOVEMBER 30, 2021
6:00 PM

This meeting was recorded

Present: Clerk Tim Houten, Kosta Prentakis, Rick Kassiotis, Jeff Garber

Absent: Chair Brian Cresta

Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator/HR Director Jackie Bresnahan, Paul Pellicelli, Claudia Johnson, Pam Hartman, Judy Reynolds, Susan Piccole, Sandy Rubchinuk, Pike Messenger, Kyle Smith Frank Twiss, Paul Armitage, Attorney Anthony Pesci, Anne Cote, Marco Stefanelli, Attorney Jill Mann, Assistant Assessor Appraiser Brad Swanson, and others

CALL TO ORDER

With a quorum present, acting Chair Tim Houten called the meeting to order.

ROUTINES

- **Warrant Approval: 2211:** Town Administrator Andy Sheehan provided a brief review of Warrant 2211: Payroll: \$752,230, Bills Payable: \$1,243,926, noting that the Town Accountant had reviewed the warrant and requested the Board's approval. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously 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 **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to accept the minutes of November 2, 2021, and November 16, 2021, as written.

- **Town Administrator Updates and Reports:** Town Administrator Andy Sheehan provided the Board with updates and information on the following:
 - **Turkey Trot:** Sheehan reported that the Turkey Trot took place on Thanksgiving. This year the weather was in their favor. Turkey Trot organizers will be at the next meeting but reported that they had more participants and more donations than ever.

- **Classification and Compensation Plan:** The Collins Center Classification and Compensation project is moving along well. Some of the communities they are surveying are taking longer than expected to respond. They are tentatively scheduled to come in on January 11th with an update.
- **Charter Review Committee:** Sheehan advised the Board that he extended an invitation to the Charter Review Committee to tonight's meeting to provide an update. They had their organizing meeting on November 17th and their work is not yet underway. They expect to be ready to meet with the Board in January with an update. Select Board member Prentakis advised that their next meeting will be held December 14th. Select Board member Jeff Garber asked what Assistant Town Administrator Jackie Bresnahan's role is on the Charter Review Commission. The Assistant Town Administrator reported that she attended their November meeting and they assigned her the role of working with Town Counsel to review the Town Charter for legal compliance. She has been working with Mead, Talerma, and Costa to ensure that there is a legal compliance review. She assured Garber that she is working only as a liaison.
- **Transferal of DCAMM Parcels:** Sheehan reported that he has been working with the State to transfer the remaining DCAMM parcels, noting that 14 parcels were conveyed earlier this year. They've been waiting for additional legislation which was needed to close on the transfer of the final two parcels. The governor signed the legislation last Wednesday. Counsel is working on finalizing the transfer of the final parcels.
- **MassDOT Maple Street Bridge Project:** Sheehan reported to the Board that MassDOT confirmed that the bridge replacement is still scheduled for 2024. They recently acknowledged they will include a permanent pedestrian bridge as part of the project.
- **Rail Trail:** Select Board member Rick Kassiotis reported that the DPW pushed ahead with efforts on the trail from Maple Street to Highland to Oak. The State bridge project includes Oak to Perkins. The Rail Trail Alliance will work on Perkins to the Danvers line, along with Danvers to finish up to the line, when weather allows. They are working on grant funding with Danvers to complete the trail.
- **Meeting Schedule:** Sheehan advised that the Board is currently scheduled to meet on December 14th and December 28th, adding that there is a full agenda on the 14th. He expects things to quiet down after that and asked the Board if they wanted to keep the meeting on the 28th. After a brief discussion, the Board will keep the 28th as scheduled and cancel it if there is nothing that needs its attention.

Public Comment Period: There were no public comments.

Recognize the Trash Queens so-called for their continuing efforts to keep Middleton clean: Claudia Johnson, Pam Hartman, Judy Reynolds, Susan Piccole: The Town Administrator reported that the women known as the Trash Queens have been working diligently to clean up the trash on Middleton's roadsides, noting that the Board asked that they be invited to a Board meeting to be recognized for their

accomplishments. Acting Chair Tim Houten presented them all with tiaras in recognition of their efforts. One of the Trash Queens read a poem that she wrote about the trash they've picked up. The Board thanked them for their volunteer spirit and continuing efforts to keep Middleton clean and hoped that others would be so inspired.

Review and vote to accept the Curtis Brothers' Sawmill Commemorative from the Middleton Stream Team: Sandy Rubchinuk and Pike Messenger, members of the Middleton Stream Team, met with the Board to formally present the Curtis Brothers' Sawmill Commemorative site to the Town. Pike Messenger provided a brief history of how the site was restored, noting that many residents and organizations of Middleton assisted in the effort. Messenger thanked all the volunteers for their efforts and asked the Board to accept the site on behalf of the Town.

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to accept the Curtis Brothers' Sawmill Commemorative from the Middleton Stream Team.

Review and vote to support the application of the Middleton Historical Commission to adorn traffic control boxes with historic scenes of Middleton: Anne Cote, of the Middleton Historical Commission, met with the Board to request their support to adorn the traffic control boxes with historical scenes of Middleton. Cote explained that she got the idea from the Town of Reading, while driving through the town. Cote provided photos of Reading's control boxes as an example and suggested that Middleton provide something similar on three boxes in town. Cote also provided suggestions for photos to put on the boxes and added that the state requires a \$500 fee to apply. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Garber**, the Select Board **VOTED** unanimously to support and endorse the application of the Middleton Historical Commission to adorn the traffic control boxes with historic scenes of Middleton and to provide the \$500 application fee.

Review and comment on draft Memorandum of Understanding for Establishment and Maintenance of the Essex County Tri-Town Shared Health Initiative between Middleton, Topsfield, and Boxford: The Town Administrator advised the Board that there have been no changes to the draft since the last time they reviewed it on November 2nd. The Board needs to vote to sign the Memorandum:

On a **MOTION** made by **Garber**, second by **Kassiotis**, the Select Board **VOTED 3-1 (Prentakis abstained)** to sign the Memorandum of Understanding for the Establishment and Maintenance of the Essex County Tri-town Shared Health Initiative between Middleton, Topsfield, and Boxford.

Vote to accept the recommendation of the Town Building Committee and Town Administrator to award a contract for owner's project management services to PCA360: The Town Administrator advised that members of the Building Committee were present tonight. The Committee met last night and voted to recommend that the Select Board award the contract for the OPM services to PCA360. Sheehan noted that Town Counsel is currently reviewing the contract, but they don't expect any issues. They respectfully request that the Board vote to award the contract to PCA360. Sheehan added that the contract amount

is for \$1,579,441, which is 3.3% of the construction costs of the project. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to accept the recommendation of the Town Building Committee and award the contract for Owner's Project Manager services to PCA360.

Debt Issuance:

- **Review S&P Global Ratings' action on Town's bond rating:** Town Administrator Andy Sheehan advised the Board that in September of 2020 they received a bond rating of AA+. They had a call with S&P a couple of weeks ago and they confirmed that the AA+ rating is still valid.
- **Review and vote to approve bond results for issuance of \$66,135,000 in debt associated with the public facilities project at 105 South Main Street and the FY22 capital budget:** Sheehan advised the Board that there were 11 bidders for the debt sale of \$66.1M. The low bidder came in just under 2.05%, which is an extraordinary rate. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Kassiotis**, the Select Board **VOTED** unanimously to approve the bond results for the issuance of the debt in the form of the motion that is included in the packet dated November 30, 2021 and posted on the Town's website.

After the vote, the Town Administrator thanked the voters for the town wide effort to get this project approved.

Review and vote to accept the following donations:

- **\$500 from Abhishek Ranjan to the Middleton Food Pantry**
- **\$500 from PTC Custodial IRA on Behalf of David Conley to the Middleton Food Pantry**

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously, with thanks, to approve the two donations.

Review and approve FY2023 Budget and May 10, 2022 Annual Town Meeting calendar: Town Administrator Andy Sheehan provided the Board with a meeting calendar for the annual FY2023 Budget meetings and Annual Town Meeting. Sheehan noted that the schedule may be altered, as needed, adding that no vote was needed at this time.

Review the holiday schedule for 2022: The Town Administrator provided the Board with the holiday schedule for town employees for 2022. There was no discussion.

New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed

- **ARPA Funds:** At Board member Garber's request, Sheehan advised the Board that he hopes to have a list of expenditures for the Board to consider for ARPA funding soon. He added that the Assistant Town Administrator is putting together a survey and hopes to have additional projects

for the Board to consider as a result of the survey. Sheehan also provided the Board with information on the Federal Infrastructure Act money, which will be coming out in the next few months, in various forms, as a 10-year authorization. He added that there may be additional money depending on the House votes.

Review and vote on the petition of MMS Hospitality, Inc. d/b/a Stefanelli for the transfer of the on-premises restaurant all alcohol liquor license, change of manager to Marco Stefanelli, and change of common Victualler and entertainment licenses held by North Shore Cantina, Inc. d/b/a Chanco's at 119 South Main Street: Attorney Anthony Pesci, representing Marco Stefanelli, met with the Board with information on the transfer of the on-premises restaurant all alcohol liquor license, common Victualler, and entertainment licenses currently held by North Shore Cantina, Inc. d/b/a Chanchos, at 119 South Main Street. His client, Marco Stefanelli, a Middleton resident, has plans to open an Italian-Mediterranean style restaurant. Attorney Pesci provided the Board with Stefanelli's background and restaurant experience. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to approve the transfer of the on-premises restaurant all alcohol liquor license, common Victualler, and entertainment licenses currently held by North Shore Cantina, Inc. d/b/a Chanchos, at 119 South Main Street to Marco Stefanelli.

After the vote, the acting Chair requested a 10-minute recess, after which Acting Chair Tim Houten reopened the meeting.

Review and vote on petitions of the Members Lounge, 19th Hole Restaurant, and Halfway House Snack Bar, all located at the Ferncroft Country Club, 8-10 Village Road, for change of manager from Ronald E. Rice to Danielle Arnson Gentile: Attorney Jill Mann, representing the Ferncroft Country Club, met with the Board to discuss the petition of the Members Lounge, 19th Hole Restaurant, and Halfway House Snack Bar, for a change of manager. Mann noted that the prior manager, Ronald E. Rice, left the organization a few months ago, during their transition. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Kassiotis**, second by **Garber**, the Select Board **VOTED** unanimously to approve the petitions of the Members Lounge, 19th Hole Restaurant, and Halfway House Snack Bar, all located at the Ferncroft Country Club, 8-10 Village Road, for change of manager from Ronald E. Rice to Danielle Arnson Gentile.

After the vote, Attorney Jill Mann asked the Board about the transfer fee for the North Shore Cantina, also her client, and if the Board would consider applying the liquor license to the transfer fee, if the transfer goes into the new year, when a new license fee will be due. The Board will consider the request and notify Attorney Mann after the next meeting on December 14th.

FY2022 Tax Classification Hearing

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to open the public hearing for the Fiscal Year 2022 Tax Classification Hearing.

Review of Fiscal Year 2022 final valuations approved by state Department of Revenue; votes required under Massachusetts General Law, Chapter 59, Section 2: Assistant Assessor Appraiser Brad Swanson met with the Select Board to review the FY22 final valuations, the discounts, and exemptions, and requested that the Board vote on the following:

1. To discount up to 25% of Open Space (No, as there are no qualifying parcels)

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to set the open space discount at 0%.

2. To adopt up to a 20% Residential Exemption (Yes or No, and if Yes, at what %)

On a **MOTION** made by **Prentakis**, second by **Kassiotis**, the Select Board **VOTED** unanimously to set the residential exemption at 0%.

3. To adopt up to a 10% Small Commercial Exemption (No, as there are no eligible parcels)

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously to set the small commercial exemption at 0%.

4. To determine the percentage of the tax levy to be borne by the two main property classes: Residential and CIP (Commercial, Industrial and Personal):

1. 100% factor or unity for both classes

2. A CIP factor between 100-150% of Residential factor as shown on options chart: A voter in attendance spoke on the tax levy, thanking the assessors for keeping Middleton's valuations and taxes reasonable and asked that the Board vote to not change the 1:1 ratio. Select Board member Garber suggested that Middleton keep up with surrounding towns and change the 1:1 ratio at this time. Select Board member Prentakis disagreed and suggested that that the 1:1 ratio be maintained. After discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Kassiotis**, the Select Board **VOTED 3-1 (Garber: NO)** to maintain the 1:1 tax levy ratio.

After the vote, Swanson provided the Board with a brief update on subdivisions and other properties coming up in the new year that should provide the town with additional revenues.

Another voter asked to speak on the tax levy ratio, noting that any businesses coming into Middleton are getting a bargain. She felt that businesses should be paying a higher tax rate than residents and will be sure to speak on it next year when this comes up again.

Adjourn

With no further business, on a **MOTION** made by **Prentakis**, the November 30th, 2021 meeting of the Middleton Select Board adjourned.

Upcoming Meetings:

December 14 & 28: Regular SB Meetings

January 11 & 25: Regular SB Meetings

Respectfully submitted,


Judith A. Stickney, Minutes Secretary

Timothy P. Houten, Select Board Clerk

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

- Agenda: November 30, 2021
- Warrant 2211: Payroll: \$752,230, Bills Payable: \$1,243,926
- Minutes
 - November 2, 2021
 - November 16, 2021
- Article by Abby Turpin from Keep America Beautiful publication: *"Meet the 'Trash Queens': Leading the Way in Litter Cleanup on their Daily Walks"*, 2021 September 29.
- Announcement: Middleton Stream Team: Middleton's Curtis Brothers' Sawmill Commemorative, 10/21/21
- MassDOT Policy Directive: State Highway Access Permits for Murals and Artwork
- Memorandum of Understanding for the Establishment and Maintenance of the Essex County Tri-town Shared Health Initiative between Middleton, Topsfield, and Boxford
- S&P Global Ratings: Ratings Direct: Middleton Massachusetts General Obligation, 11/19/21
- Letter and Related Materials from Middleton Board of Assessors to Select Board, re: FY2022 Property Tax Classification Hearing and Departmental Report for the Selectmen, 11/30/21
- Commonwealth of Massachusetts Alcoholic Beverages Control Commission Application for Transfer of License (and related materials): MMS Hospitality, Inc.
- Letter and related Materials from Mann & Mann, PC, to Board of Selectmen, re: Change of Manager, Ferncroft Country Club, 11/19/21
- Donations Received:
 - \$500 donation to the Middleton Food Pantry from Abhishek Ranjan

*Middleton Board of Selectmen
November 30, 2021*

*Meeting Minutes
Page 7*

- \$500 donation to the Middleton Food Pantry from PTC Cust Ira FBO David Conley
- FY2023 Capital and Operating Budgets Meetings Schedule
- 2022 Holiday Schedule
- Letter from 50 Ferncroft (Boston) ESong LLC to Board of Selectmen, re: Doubletree Boston North Shore, 54 Village Road, Danvers, Mass. 01923, 11/2/21
- Metropolitan Area Planning Council October 2021: Priorities for ARPA Expenditures

MEETING MINUTES
BOARD OF SELECTMEN
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, DECEMBER 14, 2021
7:00 PM

This meeting was recorded

Present: Chair Brian Cresta, Tim Houten, Kosta Prentakis, Rick Kassiotis, Jeff Garber

Absent: None

Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator/HR Director Jackie Bresnahan, Minutes Secretary Judi Stickney, Paul Pellicelli, Finance Director Sarah Wood, Town Moderator Barbara Piselli, Town Clerk Ilene Twiss, Chief William Sampson, Sgt. Capt. Matt Armitage, George Dow, and others

6:49 PM With a full board present, Chair Brian Cresta called the meeting to order.

6:49 PM **Executive Session under GL c. 30A, s. 21(a)(3) with respect to negotiations with non-union personnel, namely the Police Captain**

On a **MOTION** made by **Cresta**, the Select Board **VOTED** to enter into Executive Session under GL c. 30A, s. 21(a)(3) with respect to negotiations with non-union personnel, namely the Police Captain.

Roll Call called by Clerk Tim Houten:

Prentakis: YES
Garber: YES
Kassiotis: Abstained
Houten: YES
Cresta: YES

6:55 PM **Return to Open Session**

On a **MOTION** made by **Cresta**, the Select Board **VOTED** unanimously to adjourn Executive Session and return to open session.

Roll Call called by Clerk Tim Houten:

Prentakis: YES
Garber: YES

Kassiotis: Abstained
Houten: YES
Cresta: YES

6:58 PM OPEN SESSION

- **Loss of Bob Aldenberg:** Chair Cresta began the meeting by announcing with sadness the recent death of long-time resident and public servant Bob Aldenberg and asked for a brief moment of silence in his memory.

6:59 PM Review and execute contract with Police Captain Matthew Armitage; the Town Clerk will be present to administer the oath: The Select Board was pleased to meet with Chief William Sampson and Sgt. Matt Armitage to promote Armitage to Captain. The Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Garber**, the Select Board **VOTED** unanimously (**Kassiotis abstained**) to appoint Matt Armitage to the newly created Captain's position, for a term ending 6/30/2022, with the opportunity to renew the Memorandum of Understanding.

Town Clerk Ilene Twiss was present and administered the Oath of Office to Captain Matthew Armitage.

Chair Cresta called for a five-minute recess.

7:07 PM ROUTINES

- **Warrants Approval: 2212 and 2213:** Town Administrator Andy Sheehan provided a brief review of Warrant 2212: Payroll: \$840,494, Bills Payable: \$1,172,917, and Warrant 2013: Payroll: \$813,317, Bills Payable: \$1,031,179, noting that the Town Accountant had reviewed the warrants and requested the Board's approval. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Prentakis**, the Select Board **VOTED** unanimously to approve the warrants 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 Select Board **VOTED** unanimously to accept the minutes of December 7, 2021, as written.

- **Town Administrator Updates and Reports**
 - **FY22 budget received the Distinguished Finance Award:** Sheehan reported that Sarah Wood, Finance Director, was notified that our FY22 budget received the Governments Finance Officers Association Distinguished Budget Award. Sheehan added that he is proud of this achievement and proud to have her on our team.

- **FY22 Recap Approved:** Sheehan reported that the Division of Local Services approved the FY22 Recap. The FY22 tax rate will be \$13.25, which is about what they thought it would be.
- **Budget Instructions Distributed:** Sheehan reported to the Board that the FY23 budget guidelines were sent out to the department heads and committees. He provided a copy of the guidelines in the Board's packet for their review. All day budget meetings will begin on March 5th.
- **\$4B COVID Relief Bill Signed by Governor:** Sheehan reported that \$200M is earmarked for local and regional Boards of Health, \$150M for water and sewer infrastructure, and a series of other categories. He added that Middleton will make the maximum use of all funds coming our way.
- **Meeting Schedule:** Sheehan advised the Board that he has a tentative meeting scheduled for December 28th, but it appears things will quiet down after the holiday and there is nothing pressing at this time, adding that the first meeting in the new year would be January 11th. After a brief discussion, Sheehan will notify the Board on Wednesday if there is anything they need to discuss, and if a meeting is needed, it will be posted.

7:17 PM Public Comment Period

7:17 PM Vote to accept donations to the Middleton Food Pantry and the Veterans Donation

Account from organizers of the Turkey Trot: Courtney Lee and Michelle DiBonis from the Turkey Trot organization, met with the Select Board with donations to give to various town organizations. Lee noted that they doubled the money raised with the outstanding assistance of Michelle DiBonis. They were able to help more organizations in town this year, and, as a result, they are adding the COA and Friends of the Flint Library to their donation list. Lee provided a list of benefactors, as follows:

- Frank Leary of the Food Pantry: \$5,282
- Annie Wilson, Friends of the Flint, and Melissa Gaspar, Flint Library Director: \$2,000
- Gary Bent, Veterans Services, \$2,500
- Jillian Smith, Council on Aging: \$2,000

"Gorgeous" Frank Leary, as he is referred to by Lee and DiBonis, was so excited about the donation that he sang a holiday song for the Board and handed out candy canes. The Chair thanked the Turkey Trot organization and the business community in town for their generosity and the sense of community that is fostered by the annual Turkey Trot. The Board took the following action:

On a **MOTION** made by **Garber**, second by **Prentakis**, the Select Board **VOTED** unanimously to accept \$5,282 for the Middleton Food Pantry, \$2,000 for the Flint Library, \$2,500 for Veteran's Services, and \$2,000 for the Council on Aging from the Turkey Trot Organization.

7:25 PM Review and vote to appoint Madison Alley as Assistant Treasurer-Collector/Payroll & Benefits Coordinator: Nick Federico, Treasurer-Collector, met with the Select Board to request that the Board appoint Madison Alley as Assistant Treasurer-Collector/Payroll & Benefits Coordinator. He provided

the Board with information on the process used to choose Madison to fill the position. Madison Alley was also present and provided the Board with her background and experience. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Kassiotis**, the Select Board **VOTED** unanimously to appoint Madison Alley as Assistant Treasurer-Collector/Payroll & Benefits Coordinator through June 30, 2023.

7:28 PM Review and consider request from Marco Stefanelli to amend the fee with respect to the transfer and renewal of licenses for Chanco's/Marco's at 119 South Main Street: Anthony Pesci, representing Marco Stefanelli, met with the Board to provide information on the transfer and renewal of licenses for Chanco's/Marco's at 119 South Main Street, asking that the \$4100 fee paid by Chanco's be applied to the license for the transferred license to Stefanelli, after approval by the ABCC. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Garber**, second by **Houten**, the Select Board **VOTED** unanimously to grant the request from Stefanelli's to waive the \$4100 fee paid by Chanco's.

7:34 PM Discussion of State-mandated COVID policies in schools: The Chair advised that the Board had previously received a petition from parents advocating to eliminate the mask mandate in schools. The Department of Elementary and Secondary Education has required all schools to abide by the mask mandate at least through January 15th, 2022, noting that schools can apply for a waiver if there is an 80% vaccination rate among students and staff. A petition was distributed and signed by 64 families in Middleton, sent to the Middleton School Committee, requesting that mask mandates in school be left to local decision. A brief discussion ensued. Board members expressed their opinions that the mask mandate should be left to local decision, rather than mandated by the State. After discussion, the Board took the following action:

On a **MOTION** made by **Garber**, second **Kassiotis**, the Select Board **VOTED** unanimously to send a letter to the Department of Elementary and Secondary Education stating that we believe decisions like this should be in the hands of the Town of Middleton, with a cc to the Health Director and Elementary and Masconomet School Committees, including the superintendents.

7:54 PM Review and vote to sign Conflict of Interest disclosure for Natasha Bansfield: Town Administrator Andy Sheehan provided the Board with information on Natasha Bansfield, an employee of the School Department, who has filed a Conflict of Interest disclosure, which the Board needs to vote to approve. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Select Board **VOTED** unanimously to approve the Conflict-of-Interest Disclosure for Natasha Bansfield.

7:56 PM Review and announce that the Massachusetts Department of Conservation & Recreation

may acquire an interest in a parcel of land located in Middleton known as Camp Creighton Pond and vote on DCR's request that the Town waive the 120-day notice period: The Chair announced, as required, that the DCR may acquire an interest in a parcel of land in Middleton, known as Camp Creighton Pond. Town Administrator Andy Sheehan provided the Board with additional information on the request from DCR regarding Camp Creighton Pond, noting that DCR has requested that the Town waive the 120-day notice period. A brief discussion ensued when the Board requested clarification on whether the Boys and Girls Club would still own the parcel (yes). The acquisition price of \$2.7M will ensure that the property continues to be open space with a conservation restriction in place. After discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Houten**, the Select Board **VOTED** unanimously to waive the 120-day notice period as detailed in the request from DCR.

8:03 PM Review and adopt pedestrian summit implementation plan: The Town Administrator provided the Board with an update on the Pedestrian Summit, noting that the summit resulted in an implementation plan which he requested that the Board vote to adopt.

On a **MOTION** made by **Kassiotis**, second by **Garber**, the Select Board **VOTED** unanimously to adopt the pedestrian summit implementation plan, as discussed, with the inclusion of the traffic safety portion.

8:06 PM Review and vote on annual license renewals: The Town Administrator provided the Board with a list of licenses that need to be renewed. After a brief discussion on those that were on the list as declining renewal or no response, the Chair asked the Assistant Town Administrator to locate the license for 227R Maple Street. The Board moved on to the next agenda item while the license in question was located.

8:15 PM Review and vote to accept donations and grants:

- **\$500 donation to the Middleton Food Pantry from Heidi & Jonathan Sawyer**
- **\$7,500 grant to the Town for an electronic sign board from Massachusetts Interlocal Insurance Association**
- **\$500 donation to the Middleton Food Pantry from United Civil, Inc.**

After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Houten**, the Select Board **VOTED** unanimously to accept the donations with thanks.

8:16 PM Continued: Review and vote on annual license renewals: Assistant Town Administrator Jackie Bresnahan provided the Board with the licenses and information on 227R Maple Street, and, after a brief discussion, on the beer and wine license for that location, Chair Cresta requested that the owners be notified that as of January 1st, they will not be allowed to serve beer or wine. After further discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Select Board **VOTED 4-1 (Garber abstained)** to approve all license renewals in Class I, II, III, as presented.

On a **MOTION** made by **Kassiotis**, second by **Prentakis**, the Select Board **VOTED** unanimously to approve all Auctioneer, Common Victualler Alcohol, Common Victualler Non-Alcohol, Gasoline Pumps Only, Golf (with some future clarification on all locations), Precious Metals, and Taxi licenses.

After the vote, Select Board Clerk Houten advised the Board that 227R Maple Street has been sold. The new owners will apply for the necessary licenses.

8:20 PM Adjourn

With no further business, on a **MOTION** made by **Houten**, the December 14th, 2021 meeting of the Select Board adjourned at 8:20 PM.

Upcoming Meetings:

December 28: Regular SB Meeting - tentative
January 11 & 25: Regular SB Meetings

Respectfully submitted,



Judith A. Stickney, Minutes Secretary

Timothy P. Houten, Select Board Clerk

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

- Agenda: December 14, 2021
- Warrants:
 - Warrant 2212: Payroll: \$840,494, Bills Payable: \$1,172,917
 - Warrant 2013: Payroll: \$813,317, Bills Payable: \$1,031,179
- Minutes
 - December 7, 2021
- Turkey Trot 5K Sponsorship Information
- Department of Elementary and Secondary Education: COVID-19 Information and Resources
- Letter/Petition from 64 Middleton families to Middleton School Committee and Town Administrator, re: Mask Mandates in Schools, 11/1/21
- DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT: Natasha Bansfield

*Middleton Board of Selectmen
December 14, 2021*

*Meeting Minutes
Page 6*

- Email from DCR to Board of Selectmen, re: DCR Notification of Proposed Land Acquisition, 11/24/21
- Middleton Pedestrian Summit Implementation Plan
- Donations and Grants Received:
 - \$500 donation to the Middleton Food Pantry from Heidi & Jonathan Sawyer
 - \$7,500 grant to the Town for an electronic sign board from Massachusetts Interlocal Insurance Association
 - \$500 donation to the Middleton Food Pantry from United Civil, Inc.
- Letter from AgeSpan to Town of Middleton, re: change of name from Elder Services to AgeSpan, December 2021
- Letter from Tri-Town Council to Town of Middleton, re: Tri-Town Council Funding, 12/6/21
- Letter from Charter Review Committee to Town Administrator, re: Meeting with Select Board, 12/6/21
- Salem News Obituaries: Robert Morton Aldenberg
- Memo from Town Administrator to Department Heads and Committee Chairpersons, re: Fiscal Year 2023 Operating and Capital Budget Guidelines, 12/9/21
- List of Annual License Renewals for 2022
- Press Release from MMA: Governor signs \$4B COVID recovery bill

The Flint Public Library Board of Trustees *jointly with*
The Town of Middleton Select Board
Monday, December 20, 2021 5:30 pm
Fuller Meadow Elementary School
143 South Main Street, Middleton, MA 01949

NOTE: The meeting of the Flint Public Library Board of Trustees and the Town of Middleton Select Board was held on Monday, December 20, 2021. Due to COVID-19, this meeting was held both in person at the Fuller Meadow School and via ZOOM, an Internet-based meeting space. For those who were not able to attend, minutes of the meeting and the recording will be posted on the library website and the town website after the minutes are approved.

Board of Trustees Present: Melissa Stankus, Chairperson; Donna Bambury, George Cumming, Maria Paikos-Hantzis and Allison Sloan

Select Board Present: Timothy Houten, Kosta Prentakis, Richard Kassiotis and Jeffery Garber.

Others Present: Andy Sheehan, Town Administrator; Jackie Bresnahan, Assistant Town Administrator/HR Director; Shirley Raynard, Annie Wilton, Paul Pellicelli and Paula Fee, Recording Secretary. A number of others joined the Zoom meeting at various points and stayed for different lengths of time.

A. Trustees Call to Order: Ms. Stankus called the meeting to order at 5:40 pm

B. Select Board Call to Order: Mr. Prentakis called the meeting to order at 5:41 pm

C. Review schedule/procedure for the meeting and finalize interview questions - Ms. Stankus and Ms. Bresnahan reviewed the meeting schedule and answered any questions prior to the interviews.

D. Interview for Library Director candidate Jonathan Nichols - The Trustees welcomed Mr. Nichols and asked him a series of 18 questions. Ms. Nichols also asked several questions of the Trustees.

F. Break: *Ms. Bambury made a motion to take a recess before interviewing the second finalist. Mr. Cumming seconded the motion and all were in favor.* The meeting went into recess at 6:38pm. Ms. Stankus called the meeting back to order at 6:58pm.

G. Interview for Library Director candidate Loretta Swift Johnson - The Trustees welcomed Ms. Johnson and asked her a series of 18 questions. Ms. Johnson also asked several questions of the Trustees.

H. Select Board Deliberation and potential recommendation or feedback: Each member of the Board expressed very positive points for both of the candidates. *Mr. Prentakis made a motion to recommend the selection of Ms. Johnson as the new Library Director. Mr. Houten seconded the motion and the other members of the Select Board were all in favor.*

I. Select Board adjournment - *Mr. Prentakis adjourned the meeting of the Select Board at 8:25pm*

J. The Board of Trustees adjournment- *Ms. Bambury made a motion to adjourn the meeting of the Board of Trustees at 8:27pm. Mr. Cumming seconded the motion and all were in favor.*

Respectfully submitted by
Paula Fee, Recording Secretary



MIDDLETON POLICE DEPARTMENT

65 N. MAIN STREET

MIDDLETON, MA 01949

PHONE: (978) 774-4424, FAX (978) 774-4466

<http://www.middletonma.gov>

WILLIAM P. SAMPSON
CHIEF OF POLICE

INTER-OFFICE MEMO

To: Andrew Sheehan, Town Administrator

From: Chief William Sampson

Date: 01/05/2022

Re: Recommendations to the Select Board

I am recommending the following to the Selectboard:

1. Promotion of Police Officer Michael Lecolst to Police Sergeant
2. Appointment of Kosta Agganis as a Reserve Police Officer

Respectfully,

Chief William Sampson

3.



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

4.

APPLICATION FOR A NEW LICENSE

Municipality

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES

On-Premises-12

TYPE

§12 Restaurant

CATEGORY

Wines & Malt Beverages with Cordials/Liquors Permit

CLASS

Annual

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

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

Is this license application pursuant to special legislation?



Yes



No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

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

Entity Name

Scott & Matty Pizza Inc.

FEIN

87-3013958

DBA

Captain Pizza

Manager of Record

Scott B. Kugel

Street Address

227 Maple St., Middleton MA 01949

Phone

978-815-1494

Email

grampy766@gmail.com

Alternative Phone

Website

captainpizzamiddleton.com

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

There will be no changes from last approved description

Total Square Footage: 1400

Number of Entrances: 2

Seating Capacity: 38

Number of Floors: 1

Number of Exits: 2

Occupancy Number: 38

4. APPLICATION CONTACT

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

Name:

Scott B. Kugel

Phone:

978-815-1494

Title:
Title:

President
President

Email:

grampy766@gmail.com

Email:

grampy766@gmail.com

1

1

APPLICATION FOR A NEW LICENSE

5. CORPORATE STRUCTURE

Entity Legal Structure	<div>Corporation</div>	Date of Incorporation	<div>10/7/21</div>
State of Incorporation	<div>Massachusetts</div>	Is the Corporation publicly traded? <input type="radio"/> Yes <input checked="" type="radio"/> No	

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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

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

Name of Principal	Residential Address	SSN	DOB
<div>Scott B. Kugel</div>	<div>77 Barstow St., Salem, MA 01970</div>	<div></div>	<div>10/20/64</div>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<div>President</div>	<div>50</div>	<div><input checked="" type="radio"/> Yes <input type="radio"/> No</div>	<div><input checked="" type="radio"/> Yes <input type="radio"/> No</div>
Name of Principal	Residential Address	SSN	DOB
<div>Matthew S. Rosa</div>	<div>71 Franklin St., Haverhill MA 01830</div>	<div></div>	<div>12/30/88</div>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<div>Treasurer</div>	<div>50</div>	<div><input type="radio"/> Yes <input checked="" type="radio"/> No</div>	<div><input checked="" type="radio"/> Yes <input type="radio"/> No</div>
Name of Principal	Residential Address	SSN	DOB
<div></div>	<div></div>	<div></div>	<div></div>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<div></div>	<div></div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>
Name of Principal	Residential Address	SSN	DOB
<div></div>	<div></div>	<div></div>	<div></div>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<div></div>	<div></div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>
Name of Principal	Residential Address	SSN	DOB
<div></div>	<div></div>	<div></div>	<div></div>
Title and or Position	Percentage of Ownership	Director/ LLC Manager US Citizen	MA Resident
<div></div>	<div></div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>	<div><input type="radio"/> Yes <input type="radio"/> No</div>

Additional pages attached? ☐ Yes ☒ No

CRIMINAL HISTORY

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

☒ Yes ☐ No

APPLICATION FOR A NEW LICENSE

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

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

7. OCCUPANCY OF PREMISES

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

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

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name Paula Johnson

Landlord Phone 978-777-0046

Landlord Email jimpaulamatt@yahoo.com

Landlord Address 227 Maple St., Middleton, MA 01949

Lease Beginning Date 1/1/22

Rent per Month 3182.70

Lease Ending Date 2/28/24

Rent per Year 38192.40

Will the Landlord receive revenue based on percentage of alcohol sales?

☒ Yes ☐ No

APPLICATION FOR A NEW LICENSE

8. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	
B. Purchase Price for Business Assets	\$144,000
C. Other * (Please specify below)	
D. Total Cost	\$144,000

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

SOURCE OF CASH CONTRIBUTION

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

Name of Contributor	Amount of Contribution
North Shore Bank	\$144,000
Total	\$144,000

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
North Shore Bank	\$144,000	Small Business Loan	<input checked="" type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

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

Small Business Loan

9. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☒ No

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

To whom is the pledge being made?

--

10. MANAGER APPLICATION

A. MANAGER INFORMATION

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

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* ☒ Yes ☐ No *Manager must be a U.S. Citizen

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

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

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

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
Jan 1999	March 2016	Owner	Kugel Construction	
Feb 1988	Dec 1998	Laborer	Kugel Construction	Rolf Kugel
2006	2019	Foster Care	Commonwealth of MA	

D. PRIOR DISCIPLINARY ACTION

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

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

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

Manager's Signature Date

11. MANAGEMENT AGREEMENT

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

If yes, please fill out section 11.

☐ Yes ☒ No

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

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

11A. MANAGEMENT ENTITY

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

Entity Name	Address	Phone		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☐ No

11B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 11A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

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

Name	License Type	License Name	Municipality

11C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 11A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

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

Name	License Type	License Name	Municipality

11D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 11A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

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

Licensee Name	License Type	Municipality	Date(s) of Agreement

11E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Has any of the disclosed licenses listed in questions in section 11B, 11C, 11D ever been suspended, revoked or cancelled?

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

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

11F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee?

Yes ☐ No ☐

b. Will the licensee retain control of the business finances?

Yes ☐ No ☐

c. Does the management entity handle the payroll for the business?

Yes ☐ No ☐

d. Management Term Begin Date

e. Management Term End Date

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

☐ \$ per month/year (indicate amount)

☐ % of alcohol sales (indicate percentage)

☐ % of overall sales (indicate percentage)

☐ other (please explain)

ABCC Licensee Officer/LLC Manager

Signature:

Title:

Date:

Management Agreement Entity Officer/LLC Manager

Signature:



Title:

Date:

ENTITY VOTE

The Board of Directors or LLC Managers of

Scott & Matty Pizza Inc.

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

City/Town

and the

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

January 11, 2022

Date of Meeting

For the following transactions (Check all that apply):

- | | | | |
|--|--|---|---|
| <input checked="" 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 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="text"/> | <input type="checkbox"/> Change of DBA |

"VOTED: To authorize

Matthew S. Rosa

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

Scott B. Kugel

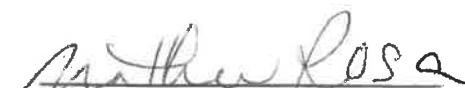
Name of Liquor License Manager

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

A true copy attest,

For Corporations ONLY

A true copy attest,


Corporate Officer / LLC Manager Signature

Corporation Clerk's Signature



(Print Name)

(Print Name)

APPLICANT'S STATEMENT

I, Scott B. Kugel the: ☐ sole proprietor; ☒ partner; ☐ corporate principal; ☐ LLC/LLP manager
Authorized Signatory

of Scott & Matty Pizza Inc.
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: 12/20/21

Title:

President

D

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

FORM MUST BE TYPED

Articles of Organization (General Laws Chapter 156D, Section 2.02; 950 CMR 113.16)

FORM MUST BE TYPED

ARTICLE I

The exact name of the corporation is:

Scott & Matty Pizza, Inc.

ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. Chapter 156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose:

(a) to carry on the operation of a restaurant business and all related services and activities; and (b) to carry on any other business operation or activity which may be lawfully engaged in by a corporation organized under the Business Corporation Law of the Commonwealth of Massachusetts, whether or no not related to the above.

ARTICLE III

State the total number of shares and par value, * if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
common	275,000			

*G.L. Chapter 156D eliminates the concept of par value, however a corporation may specify par value in Article III. See G.L. Chapter 156D, Section 6.21, and the comments relative thereto.

ARTICLE IV

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

None.

ARTICLE V

The restrictions, if any, imposed by the articles of organization upon the transfer of shares of any class or series of stock are:

None. Any restrictions on transfer of shares shall be as determined by separate stockholder agreement and/or as referenced on the shares.

ARTICLE VI

Other lawful provisions, and if there are no such provisions, this article may be left blank.

(a) the directors may make, amend, or repeal the By-Laws of the Corporation, in whole or in part, except with respect to any provision thereof which, by the terms of the By-Laws, require action by the stockholders; (b) the Corporation may be a partner in any business enterprise which the Corporation would have the power to conduct itself; (c) the Board of Directors may consist of one or more individuals, notwithstanding the number of shareholders; (d) no director shall have personal liability to the Corporation for monetary damages for breach of fiduciary duty as a director, notwithstanding any provision of law imposing such liability, provided this provision shall not eliminate or limit the liability of a director for: (i) any breach of the director's duty of loyalty to the Corporation or its shareholders; (ii) acts or omissions not performed in good faith, or which involve intentional misconduct or knowing violation of law; (iii) improper distribution under Section 6.40 of M.G.L., Chapter 158D; or (iv) any transaction from which the director derived an improper personal benefit.

Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.

ARTICLE VII

The effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing:

ARTICLE VIII

The information contained in this article is not a permanent part of the articles of organization.

- a. The street address of the initial registered office of the corporation in the commonwealth:
77 Barstow Street, Salem, MA 01970
- b. The name of its initial registered agent at its registered office:
Scott Kugel
- c. The names and street addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

President: Scott Kugel, 77 Barstow Street, Salem, MA 01970

Treasurer: Matthew Rosa, 71 Franklin Street, Haverhill, MA 01830

Secretary: Scott Kugel, 77 Barstow Street, Salem, MA 01970

Director(s): Scott Kugel, 77 Barstow Street, Salem, MA 01970
Matthew Rosa, 71 Franklin Street, Haverhill, MA 01830

- d. The fiscal year end of the corporation:
December 31
- e. A brief description of the type of business in which the corporation intends to engage:
restaurant
- f. The street address of the principal office of the corporation:
77 Barstow Street, Salem, MA 01970
- g. The street address where the records of the corporation required to be kept in the commonwealth are located is:

77 Barstow Street, Salem, MA 01970, which is
(number, street, city or town, state, zip code)

- ☒ its principal office;
☐ an office of its transfer agent;
☐ an office of its secretary/assistant secretary;
☐ its registered office.

Signed this 7th day of October, 2021 by the incorporator(s):

Signature:

Name: Scott Kugel

Address: 77 Barstow Street, Salem, MA 01970

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are deemed to have been filed with me on:

October 07, 2021 03:10 PM

A handwritten signature in cursive script, reading "William Francis Galvin". The signature is written in dark ink and is centered on the page.

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

We the People

Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do hereby constitute this
Constitution for the United States of America.



SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

3

PASSEPORT
PASAPORTE

USA

UNITED STATES OF AMERICA

Type / Type / Tipo: P Code / Code / Código: USA Passport No. / No. de Pasaporte: 529721085

Sumame / Nom / Apellido: KUGEL SR

Given Names / Prénoms / Nombres: SCOTT BRIAN

Nationality / Nationalité / Nacionalidad: UNITED STATES OF AMERICA

Date of birth / Date de naissance / Fecha de nacimiento: 20 Oct 1964

Place of birth / Lieu de naissance / Lugar de nacimiento: MASSACHUSETTS, U.S.A.

Date of issue / Date de délivrance / Fecha de expedición: 11 Apr 2015

Date of expiration / Date d'expiration / Fecha de caducidad: 10 Apr 2025

Endorsements / Mentions Spéciales / Anotaciones: SEE PAGE 27

Sex / Sexe / Sexo: M

Authority / Autorité / Autoridad: United States

Department of State

USA



F



NORTH SHORE BANK

December 10, 2021

Scott & Matty Pizza, Inc.
227 Maple Street
Middleton, MA 01949

Dear Messrs. Kugel & Rosa:

North Shore Bank (the "Bank") is pleased to inform you that your loan request has been approved subject to the terms and conditions outlined below for your review and acceptance.

Borrower:	Scott & Matty Pizza, Inc.
Guarantor:	This loan shall require the unlimited personal guarantees of Scott B. Kugel, Sr. and Matthew S. Rosa.
Loan Amount:	One Hundred Forty-Four Thousand Dollars and No/Cents (\$144,000.00) SBA Term Loan.
Purpose:	The funds shall be used to purchase the assets of Barney Restaurant Group d/b/a Captain Pizza
Fees:	A non-refundable Loan Documentation fee of \$300.00 shall be collected at the loan closing.
Term:	Five (5) Years
Amortization:	Five (5) Years
Interest Rate:	<p>The interest rate shall be based upon the Wall Street Journal Prime Rate plus 2.00%, adjusting quarterly.</p> <p>The default rate shall equal the prevailing interest rate plus five percent (5.00%).</p>
Repayment Terms:	Payments of Principal and Interest due and payable monthly in arrears.
Prepayment Fee:	Not applicable.
Collateral:	<p>All Business Assets of Scott & Matty Pizza, Inc. including an assignment of the liquor license.</p> <p>A second mortgage and collateral assignment of leases and rents on the property located at 77 Barstow Street, Salem, MA (the "Mortgaged Premises").</p>

December 16,2021

**Kathleen Barrett
Kevin Carney
Captain Pizza
227 Maple St. Rear
Middleton MA.01949**

RE: New ownership of Captain Pizza

We Paula Johnson and Donna Johnson Trustees of 227 Maple St. Middleton Ma.01949

**Give Scott Kugel and Matthew Rosa of Scott & Matty Pizza Inc. consent to proceed with
Purchasing and Leasing said space.**

Signed: Paula Johnson



Signed: Donna Johnson



LEASE RENEWAL

Agreement of Lease Renewal made this the 1st day of March 1, 2019 by and between Paula Johnson Of Middleton, MA and Donna Johnson of North Andover, MA Trustees of the Maple Street Family Trust ("Landlord") and Ekaterine Captain of 22 Davenport Court Lynnfield, MA ("hereinafter referred to as Tenant").

Premises shall mean 227 Maple Street rear Middleton MA. 01949 known as Captain Pizza Restaurant.

The Term of the Lease shall be **Five (5) years** commencing on **March 1, 2019** and ending February 28, 2024.

RENEWAL OPTION:

Provided that Lessee is **not then** in default of his obligations hereunder, Lessee shall have the option To extend the term of **this Lease** for an additional **Five (5) year period**.

RENT:

Tenant agrees to pay to the Landlord without prior demand therefore and without any deduction

Or set-off whatsoever and as fixed rent in the amount of **thirty-six thousand dollars** for the first

Two years of the Lease payable in advance in monthly installments of **three thousand dollars (\$3,000.00)**

Every month commencing March 1, 2019 ending February 28, 2021.

Third year rent increase 3% payable in monthly installments of **three thousand ninety dollars (\$3,090.00)** Commencing March 1, 2021 and ending February 28, 2022

Fourth year 3% increase payable in monthly installments of **\$3,182.70** commencing March 1, 2022

And ending February 28, 2023.

Fifth year 3% increase payable in monthly installments of **\$3,278.00** beginning March 1, 2023 and

Ending February 28, 2024.

Tenant is responsible for maintaining and repairing all equipment in their space and keeping up to date With inspections required by Massachusetts Law.

ASSIGNMENT:


1. Assignment of Lease will be approved by Landlords when the following conditions are met.
2. The Assignee must be financially healthy and conduct a profitable business.
3. The Assignee must have an acceptable business reputation and no illegal activities and a positive Credit history.

4. Assignee must use the space according to the Landlord's rules (Restaurant).

5. The Assignee will maintain, in full force public liability insurance and furnish **Landlord**
With a certificate of such policy.

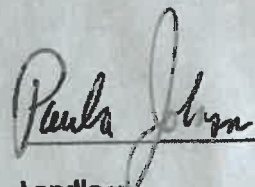
This Agreement shall be governed, construed and interpreted by, through and Under the Laws of
The Commonwealth of Massachusetts.

In WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals the day and year
first above written.



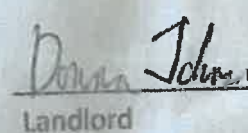
Tenant Date

Ekaterine Captain

 3/1/2019

Landlord Date

Paula Johnson

 3/1/2019

Landlord Date

Donna Johnson

no common area
rent includes garbage removal, in plastic bags
snow removal, septic & water

Copy 1/16/2014

Barney
resp.
for

Grease & recycling
1st & security + last (+3% increase)

LEASE

#3K

AGREEMENT OF LEASE made this 1st day of October, 2001

by and between DONNA JOHNSON of Lynnfield and PAULA JOHNSON, of
Revere, Massachusetts (hereinafter referred to as "Landlord") and
STEPHEN S. CAPTAIN, of 22 Daventry Court, Lynnfield, (hereinafter
referred to as "Tenant").

WITNESSETH:

The parties, for themselves, their heirs, executors,
administrators and legal representatives hereby covenant as
follows:

1. PREMISES:

The Landlord in consideration of the rents covenants and
undertakings hereinafter reserved and contained on the part of the
Tenant to be paid and performed, hereby demises and lets to the
Tenant, 1,600 square feet fronting on left side of building at
227-R MAPLE STREET, MIDDLETON, MASSACHUSETTS.

2. TERM:

The term of this Lease shall be TEN (10) YEARS commencing 30
days after Lessors installation of a standard vanilla box, fit up
to include sheet rock, cement floor, utilities to inside walls,
HVAC system and drop ceiling.

3. RENT:

(A) Tenant agrees to pay to the Landlord, without prior
demand therefore and without any deduction or set-off, whatsoever

and as fixed rent in the amount of TWENTY-FIVE THOUSAND SIX HUNDRED (\$25,600.00) DOLLARS per year for the first two years of the Lease, payable in advance in monthly installments of TWO THOUSAND ONE HUNDRED THIRTY-THREE AND 33/100 (\$2,133.33) DOLLARS, each and every month, TWENTY-EIGHT THOUSAND (\$28,000.00) DOLLARS, per year for the next 3 years of the Lease, payable in advance in monthly installments of TWO THOUSAND THREE HUNDRED THIRTY-THREE AND 33/100, (\$2,333.33) DOLLARS, each and every month and THIRTY THOUSAND EIGHT HUNDRED (\$30,800.00) DOLLARS, per year for the final 5 years of the Lease, payable in advance in monthly installments of TWO THOUSAND FIVE HUNDRED SIXTY-SIX AND 66/100 (\$2,566.66) DOLLARS, each and every month. Payments shall be made at such place as Landlord may from time to time designate.

(B) In addition to the above-mentioned rental payments, the sum of THREE HUNDRED THIRTEEN AND 33/100 (\$313.33) DOLLARS shall be added to each and every monthly rental payment during the entire Lease Term, and any option periods exercised by the Tenant. This amount represents the common area maintenance charge.

(C) In addition, Tenant shall pay 1/5th of all real property ²⁰ taxes, assessments, sewer charges, and water charges which are levied, assessed or imposed upon the leased premises, as well as all taxes on fixtures and personal property, license fees and improvements made by the Tenant on the leased premises. Tenant shall be solely responsible for and promptly pay for all charges for heat, gas, electricity or any other utility used or consumed

or charged to the leased premises.

4. RENEWAL OPTION:

Provided that Lessee is not then in default of his obligations hereunder, Lessee shall have the option to extend the term of this Lease for TWO (2) FIVE (5) YEAR PERIODS. Written notice of the exercise of said option shall be given to the Lessor at least SIX (6) MONTHS prior to the expiration of the Lease term, or the expiration of the first 5 year option period, by certified mail, return receipt requested, addressed to the Lessor at the address to which rent is then being paid. Rent during both option periods shall be THIRTY-THREE THOUSAND EIGHT HUNDRED EIGHTY (\$33,880.00) DOLLARS per year payable in advance in monthly installments of TWO THOUSAND EIGHT HUNDRED TWENTY-THREE AND 33/100 (\$2,823.33) DOLLARS, each and every month. All other terms and conditions hereof shall apply during the option periods.

5. SECURITY DEPOSIT:

Tenant shall pay Landlord upon execution of this Lease the sum of FOUR THOUSAND TWO HUNDRED SIXTY-SIX AND 66/100 (\$4,266.66) DOLLARS, as a security deposit for the faithful performance by the Tenant of all the terms, covenants, and conditions of this Lease. Landlord is permitted to co-mingle said payment, and pay no interest thereon. In the event of the failure of Tenant to keep and perform any of the terms, covenants, and conditions of this Lease, then the Landlord at their option may appropriate and apply said entire deposit to compensate them for loss or damage

2 security deposits

sustained or suffered by Landlord due to such breach on the part of the Tenant.

6. SUBORDINATION:

Upon request of the Landlord, Tenant shall subordinate their rights hereunder to the lien of any mortgage or mortgages, or the lien resulting from any other method of financing or refinancing now or hereafter in force against the land and/or buildings of which the leased premises are a part or against any buildings hereafter placed upon the land of which the leased premises are a part.

7. USE:

Tenant shall use the leased premises for the purpose of operating a take out and eat in full service restaurant. Lessee shall obtain and install, at his expense, all necessary equipment and fixtures to operate said restaurant.

8. REPAIRS AND MAINTENANCE:

(A) The Tenant shall not make any alterations or additions to the leased premises without the Landlord's prior written consent. Said consent shall not be unreasonably withheld. All such allowed alterations shall be in the quality at least equal to the present construction. Tenant shall not permit any mechanic's liens or similar liens to arise or remain upon the leased premises for labor and for materials furnished to Tenant. Any alterations or improvements made by the Tenant shall become property of the

Landlord at the termination of the Lease with no reimbursement for investment of costs that the Tenant incurred.

(B) Tenant shall comply with all orders, regulations, rules statutes and requirements of every kind and nature relating to the premises, now or hereafter in effect of the Federal, State, County, Town or Governmental agencies, whether they be usual or unusual, ordinary or extraordinary, and the Tenant shall pay all costs and expenses incidental to such compliance and will indemnify and save harmless the Landlord from all expenses and/or damages by reason of any notices, violations, orders, assessments or penalties filed against or imposed upon the premises or against the Landlord as owner thereof, due to the Tenant's failure to comply with this covenant.

9. INSPECTION:

The Landlord shall be entitled during reasonable hours and upon reasonable request and notice to gain access to the leased premises for the purpose of inspecting the premises, or in the event that the Tenancy is terminating, to show the premises to prospective Tenants or Buyers.

10. HAZARDOUS WASTE:

The Tenant acknowledges that he is familiar with Massachusetts General Laws, Chapter 21E, referred to as the "Massachusetts Oil and Hazardous Material Release Prevention Act", and the Tenant covenants and agrees that neither it, nor anyone acting under its direction or control, directly or indirectly shall allow a release or oil or hazardous material as defined in said Chapter 21E,

Section 2, on the premises, nor shall it allow storage or disposal of any hazardous material(s) upon the same.

11. INDEMNITY INSURANCE:

(A) Indemnity of the Landlord:

The Tenant will save, hold and keep the Landlord safe, harmless and indemnify from and against any and all claims, demands actions, causes of actions, penalties, judgements, court costs, reasonable attorney's fees and liabilities of every kind and description for injury to and death of persons and damage to and loss of property which are in any way caused by, arise from, or grow out of, the Tenant's use or occupancy of the leased premises, or any act or omission of the Tenant's, its employees, agents, invitees, or licenses, if the same are not caused by the negligence of the Landlord, his employees or agents.

(B) Liability Insurance:

The Tenant will maintain, in full force and effect, at all times during the term of this Lease, public liability insurance with policy limits for personal injury or death of not less than ONE MILLION (\$1,000,000.00) DOLLARS and with a policy limit for damages to destruction of property of not less than ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS.

Tenant may maintain the above insurance under its blanket insurance policy. Tenant will furnish Landlord with a certificate of such policy, which will provide that the insurance required by

this paragraph will not be canceled or subsequently changed without at least thirty (30) days prior written notice to the Landlord.

12. DEFAULT:

If rent or any other payment required to be made hereunder shall not be paid for more than TEN (10) DAYS after the Tenant shall have received notice from the Landlord of failure of payment thereof; or if there shall be a failure in the performance or observance of any other agreement or condition herein on the part of the Tenant to be performed or observed and such failure shall not be corrected within thirty (30) days after Tenant shall receive notice from the Landlord for such failure, the Landlord shall have the right, at his election, to terminate the term of this Lease by giving written notice to Tenants of the exercise of said election, and in the event of Landlord giving such notice to terminate, the terms of this Lease shall terminate on the date designated therefor in said notice, which date shall not be less than three (3) days after the receipt of such notice by Tenants, and thereupon, or at any time thereafter, and without any further notice or demand, Landlord may re-enter the demised premises, by force or otherwise and have possession thereof as of its former estate and/or may recover possession thereof.

In case of such termination, Tenants will indemnify Landlord against all loss of rent and other payments provided herein to be

paid by Tenant to Landlord between the time of termination and the expiration of the term of this Lease. It is understood and agreed that at the time of the termination or at any time thereafter, Landlord may rent the demised premises, and for a term which may expire after the expiration of the term of this Lease, without releasing Tenant from any expenses incurred by Landlord in connection with any reletting, including but without limitation, reasonable attorney's fees and reasonable broker's fees, and that any monies collected from any reletting shall be applied first to the foregoing expenses and then to payment of rent and all other payments due from Tenant.

It is expressly understood and agreed that no action or proceeding to oust Tenant from possession or to terminate the term of this Lease shall be taken or brought by the Landlord unless the notice herein specified be first given and the time to cure defaults herein above specified have expired without such defaults having been cured.

13. EMINENT DOMAIN:

In case of said premises, or any part thereof, or the whole or any part of the buildings of which they are a part, shall be taken in such manner that the premises cannot operate as it has in the past and obtain similar revenue, for any street or other public use, or the buildings and/or improvements on the leased premises shall be substantially destroyed or damaged by fire or other unavoidable casualty, or by the action of the City of other

authorities, shall receive any direct or consequential damage for which Landlord or Tenant shall be entitled to compensation by reason of anything lawfully done in pursuance of any public authority, after the execution hereof and before the expiration of the said term, then this Lease and the said term shall terminate at the election of either the Landlord or the Tenant. Such election may be made in case of any such taking; notwithstanding the entire interest of the Landlord may have been divested by such taking, and if they shall not so elect, then in case of taking or destruction of, or damage to the demised premises, rendering the same, or any part thereof unfit for the use and occupation, a just proportion of the rent herein before reserved, according to the nature and extent of the injury sustained by the demised premises, shall be suspended or abated until the demised premises, or in case of such taking what may remain thereof, shall have been put in proper condition for use and occupation.

Landlord reserves to themselves all rights to damages occurring on account of any taking or condemnation as described in this paragraph to which the Landlord is entitled, except that nothing herein contained shall be deemed to affect the condemning authority to claim or recover damages or its expenses or removal or relocation resulting from any condemnation or taking and for damages to Tenant based upon this Lease and the loss thereof.

14. SURRENDER:

The Tenant shall vacate the leased premises in good order and

repair, ordinary wear and tear excepted, in its original vanilla box condition, and in broom clean condition. The Landlord shall have the same rights to enforce this covenant by ejectment and for damages or otherwise as for the breach of any other condition or covenant of this Lease.

15. ASSIGNMENT:

This Lease is not assignable and Tenant shall not sublet any part of the leased premises, without the express written consent of the Landlord. Said consent shall not be unreasonably withheld.

16. SCOPE OF AGREEMENT:

This Lease contains all of the representations and agreements between the Parties hereto with respect to the leased premises, and supersedes any and all previous or other arrangements or undertaking, verbal or in writing, regarding same.

17. MODIFICATIONS:

No modification of any of the provisions of this Lease shall be effective unless the same be in writing and signed by the Landlord and Tenant.

18. GOVERNING LAW:

This Lease shall be governed and construed in accordance with the applicable laws of the Commonwealth of Massachusetts.

19. PARTIAL INVALIDITY:

If any term or provision of this Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the

application of such term or provisions to persons or circumstances other than those or to which it is held invalid or unenforceable, shall be valid and be enforced to the fullest extent permitted by Law.

20. NO JOINT VENTURE:

Nothing herein contained constitute the Landlord a partner of the Tenant in its business or otherwise, or a joint venture, or a member of a joint enterprise with the Tenant.

21. ARBITRATION:

Any and all disputes between the Parties on account of the provisions of this Lease shall be submitted to arbitration under the auspices of the American Arbitration Association, in accordance with its rules.

IN WITNESS WHEREOF, the Parties hereto have hereunder set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

James Martin
WITNESS

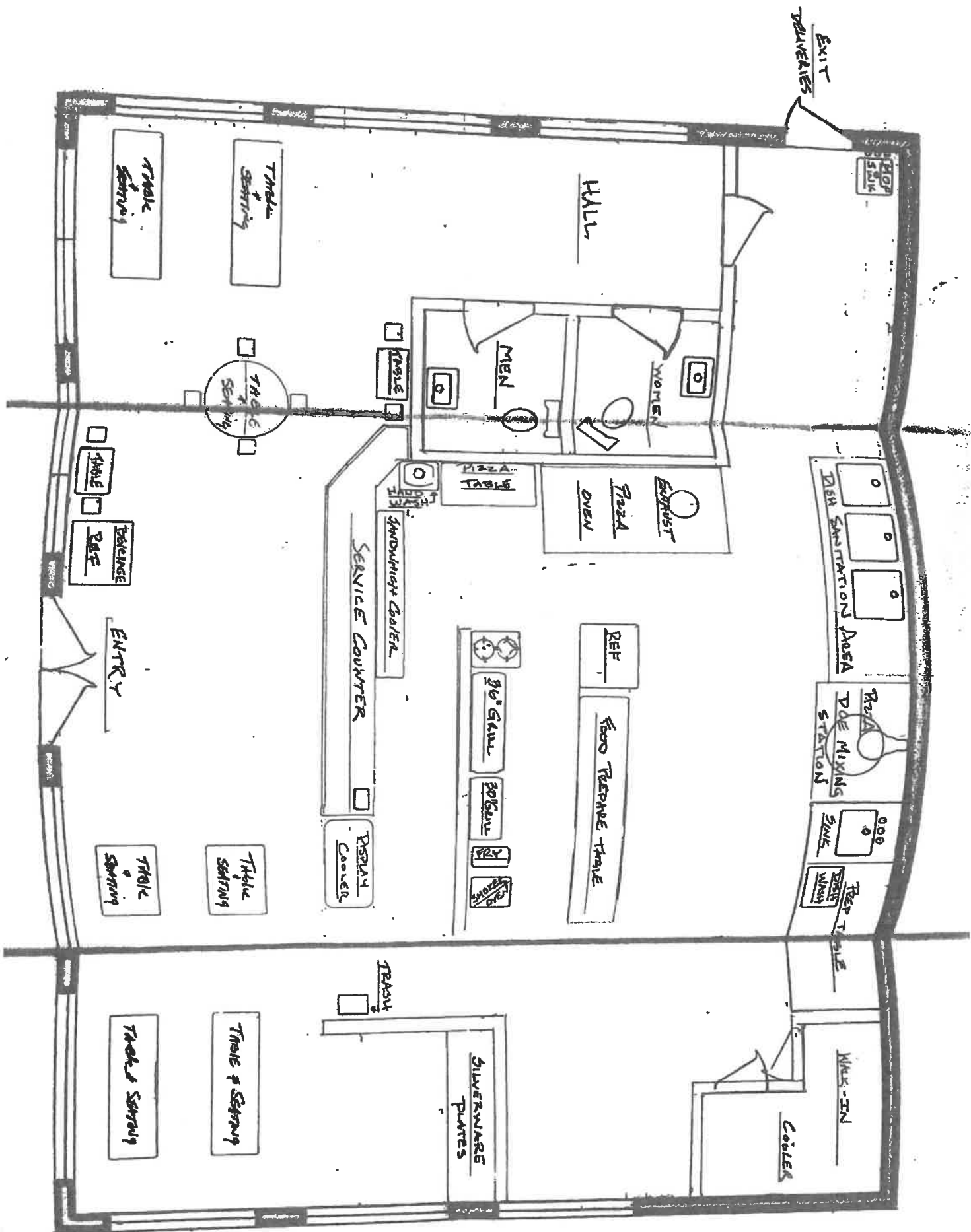
James Johnson
WITNESS

Linda Couture
WITNESS

Donna Johnson
DONNA JOHNSON
LANDLORD

Paula Johnson
PAULA JOHNSON
LANDLORD

Stephen S. Captain
STEPHEN S. CAPTAIN
TENANT





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

Common Victualler/General License Application

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

1. Licensee Name: Scott B. Kugel
2. Name of Manager: Scott B. Kugel
3. Social Security Number/FID Number: 015-60-2633
4. Business Address: 77 Barstow St Salem MA 01970
5. Home Address: 77 Barstow St Salem MA 01970
6. Telephone Numbers (Please provide all numbers by which you can be reached):
Business Phone: _____
Cell Phone: 978-815-1494
Home Phone: _____
7. Email Address: grampy766@gmail.com
8. Registered Voter? ☒ Yes ☒ No
9. Are you a U.S. Citizen? ☒ Yes ☐ No
10. Court and Date of Naturalization (if applicable) _____
(Submit proof of citizenship and/or naturalization such as Voter's Certificate, Birth Certificate or Naturalization Papers)
- 10a. Where? _____
11. Identify your criminal record: (Massachusetts/Any other state/Federal): Have you had any arrests or appearance in a criminal court or have you been charged with a criminal offense regardless of final disposition; (Must check either Yes or No)
☐ Yes ☒ No

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



Town of Middleton

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

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

my business partner Matthew Rosa grew up in the restaurant/pizzeria business as his mom owned a few Giovanni's. also matt worked with Captain family @ Captain Pizza for 7 years & w/ current owners as manager for last 2 years.

12. List all employment for the last five years:

Jan 1999 - March 2016 - Owner & Operator of Kugel Const
Feb 1988 - Dec 1988 - worked for Rolf Kugel of Kugel construction
2006 - 2019 Foster Care - Commonwealth of MA

13. Hours per week to be spend on the licensed premises: 55

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

15. Seating Capacity: 38

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

If Leased:

- 16a. If Yes, From Whom? Paula Johnson

- 16b. Terms of Lease? attached

(Please provide a copy of lease agreement)

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

Scott B Kugel
Printed Name of Owner

By: Scott B Kugel

(Signature)

Date: 12/21/21

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

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

Name of Company: Scott & Mally Pizza Inc

Address: 77 Barstow St Salem MA 01970

Title of Person Signing: President

Signature of Individual or Corporate Name: Scott B Kugel

Printed Name of Above: Scott B Kugel

Contact Telephone Number: 978-815-1494

Date: 12/21/21

Social Security Number or Federal Identification Number: 015-60-2633

Email Address: grampy764@gmail.com

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention ProcedureS) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.



Sincerely,

Adam F. Chafetz
Adam F. Chafetz
HCI President

ID#: 5595673 Name: Scott Brian Kugel

Exam Date: 11/13/2021 Expiration Date: 11/13/2024

TIPS eTIPS On Premise 3.1
Issued: 11/13/2021 Expires: 11/13/2024
ID#: 5595673

Scott Brian Kugel
Captain Pizza
227 Maple St
Middleton, MA 01949-2219

For service visit us online at www.gettips.com

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention ProcedureS) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.



Sincerely,

Adam F. Chafetz
Adam F. Chafetz
HCI President

ID#: 5586485 Name: Matthew S Rosa

Exam Date: 11/1/2021 Expiration Date: 11/1/2024

TIPS eTIPS On Premise 3.1
Issued: 11/1/2021 Expires: 11/1/2024
ID#: 5586485

Matthew S Rosa
Captain Pizza
227 Maple St
Middleton, MA 01949-2219

For service visit us online at www.gettips.com



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

APPLICATION FOR A NEW LICENSE

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)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input checked="" 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 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="text"/> | <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

Rigid Portable Generator Model # RD906812
Elec start 6800 watts \$700
Call (978) 376-5753

Snowblower, YARDMAN, gas, 8.5 hp, 28" pass, serviced, heated handles, power elec. shute, elec. start directional wheels \$395.00
Call (508) 451-0515

WARNING

If you get an email or cashiers check for more then the asking price for your pet, vehicle or merchandise asking you to refund the difference it is likely a scam. Seller Beware!

PETS & FREE PETS



AKC GOLDEN RETRIEVER PUPPIES
Family raised and loved. First shots, vet checked and health guarantee. Ready to go to their forever home Jan 4th. 2 Females 11 Males \$2000 please call 518-669-4521

ATTENTION! ATTENTION!

Beware of anyone replying to your ad offering to send you a check for shipping and you sending them back the difference.
Also beware when responding to classified ads that ask you to send shipping cost.
Possible scam!



BERNEADOODLE PUPS FOR CHRISTMAS Family raised, Beautiful, Calm and Loyal pups to bless your Christmas! Their Hypoallergic coats make them ideal inside pets. They love children and the outdoors and love to cuddle. "Hi I have brothers and sisters too, but I know I am the best! I would love to be adopted and come cuddle with you!" Just call Melvin at 413-265-6737 or email melvinhess93@gmail.com Located in Western MA.
Parents on site



BERNEADOODLE PUPS FOR CHRISTMAS Family raised, Beautiful, Calm and Loyal pups to bless your Christmas! Their Hypoallergic coats make them ideal inside pets. They love children and the outdoors and love to cuddle. "Hi I have 8 brothers, and sisters too, but I know I am the best! I would love to be adopted and come cuddle with you!"

Contact Melvin Hess 413-265-6737 - no Sunday calls please

PUBLIC NOTICES

PUBLIC NOTICES

TOWN OF MIDDLETON, MA. LEGAL NOTICE

The Middleton Select Board will hold a public hearing at 7:20 PM on January 11, 2022, in the Nathan Media Center, Fuller Meadow School, 143 So. Main St, Middleton on the petition of Scott & Matty Pizza Inc. d/b/a Captain Pizza for:

- 1) A New Wine & Malt Beverages with Cordials, Restaurant Annual Liquor License;
 - 2) New Manager Scott B. Kugel
 - 3) Transfer of Common Victualer License and Entertainment License.
- Licenses currently held by Barney Restaurant Group, LLC d/b/a Captain Pizza, 227 Maple ST, Middleton MA 01949.

Andrew J. Sheehan
Town Administrator

SN - 12/29/21

REQUEST FOR PROPOSALS FOR THE SALE OF 14 SIMON STREET BEVERLY, MASSACHUSETTS BY THE BEVERLY HOUSING AUTHORITY

The Beverly Housing Authority (BHA), acting through its Purchasing Agent and Board of Commissioners, is offering for sale one (1) lot of real estate known and numbered as 14 Simon Street, Beverly, Massachusetts.

The real estate consists of one (1) parcel of land shown as Lot 186 on Assessor's Map 30 containing approximately 3,839 square feet of land area, and 60 feet of frontage on Simon Street. The lot is rectangular in shape, is unimproved, partially paved and fenced, and is located in the Multifamily Residential Zoning District (RMD). Present RMD zoning at this location requires a minimum lot area of 8000 square feet and 65 feet of frontage for single or 2 family use. This lot has neither the required area, nor frontage, to comply with existing zoning requirements.

Request for Proposals (RFP) documents are available by contacting Dawn Goodwin, Deputy Director at 978-922-3100 x112, or via email at dgoodwin@beverlyhousing.net, or at www.beverlyhousing.net on November 8, 2021. No RFP will be mailed out within five days of the proposal deadline.

The Beverly Housing Authority reserves the right to consider proposals for a period of thirty (30) days after receipt thereof. The BHA further reserves the right to reject any and all proposals; waive any defects, informalities, and minor irregularities; and make such award or act otherwise as deemed in its best interest.

Addenda can be found at www.beverlyhousing.net. The deadline for submission of proposals has been extended until is Wednesday, January 12, 2022, at 12:00 p.m. Mailed proposals must be received at the BHA Office, 137 Rear Bridge Street, Beverly, MA 01915 on or before the said time and date. Facsimile (fax) proposals will not be accepted.

NOTICES

PUBLIC NOTICES

TOWN OF MIDDLETON, MA. LEGAL NOTICE

The Middleton Select Board will hold a public hearing at 7:30 PM on January 11, 2022, in the Nathan Media Center, Fuller Meadow School, 143 So. Main St, Middleton on the petition of Aimbridge Hospitality, LLC d/b/a DoubleTree, Boston North Shore, for the: 1) Transfer of the All Alcoholic Inn Holder Liquor License; 2) Change of Common Victualer License and Entertainment License. Licenses currently held by Merritt Boston North Operator LLC d/b/a DoubleTree, Boston North Shore, 51 Village Rd, Middleton MA 01949.

Andrew J. Sheehan
Town Administrator

SN - 12/29/21

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT

PROBATE AND FAMILY COURT

Essex Probate and Family Court
36 Federal Street
Salem, MA 01970
(978) 744-1020
Docket No. ES21P3639EA

Estate of:

Philip Lowe

Date of Death:

01/06/2021

CITATION ON PETITION FOR FORMAL ADJUDICATION

To all interested persons:

A Petition for Formal Probate of Will with Appointment of Personal Representative has been filed by Sandra Lowe of Beverly, MA, requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition. The Petitioner requests that Sandra McIntyre Lowe of Beverly, MA, be appointed as Personal Representative(s) of said estate to serve Without Surety on the bond in an unsupervised administration.

IMPORTANT NOTICE

You have the right to obtain a copy of the Petition from the Petitioner or at the Court. You have a right to object to this proceeding. To do so, you or your attorney must file a written appearance and objection at this Court before 10:00 a.m. on the return day of 02/01/2022.

This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an affidavit of objections within thirty (30) days of the return day, action may be taken without further notice to you.

UNSUPERVISED

ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)

A Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration.

WITNESS, Jennifer M R Ulwick,
First Justice of this Court.

Date: December 21, 2021.

Pamela Casey O'Brien
Register of Probate

Commission reserves the right to reject any or all Proposals as authorized by law.

PEABODY MUNICIPAL LIGHT

PLANT

CHARLES J. ORPHANOS,

MANAGER

SN - 12/29/21

lose the opportunity foreclosure on the compliance with the

Witness, Gordon:

Justice of this Court:

Attest:

Debora

Record

SN - 12/29/21

NOTICE OF MORTGAGEE'S SALE OF REAL E

Premises: 5 Howard Street, Wenham, Massachusetts

By virtue and in execution of the Power of Sale contained in a mortgage given by Amy P. Waterman and James W. Waterman to NewRez LLC, said mortgage dated December 19, 2019 and recorded in the Essex County (Southern District) Registry of Deeds in Book 32210 at Page 571 and now held by NewRez LLC Mortgage Servicing by virtue of an assignment from NewRez LLC to NewRez LLC, F/K/A New Penn Financial Mortgage Servicing dated March 31, 2020 and recorded in the Essex County (Southern District) Registry of Deeds in Book 38274, Page 102, previously assigned by Ditech Financial LLC F/K/A Grindstone LLC to New Residential Mortgage LLC by virtue of an assignment dated February 19, 2020 and recorded in the Essex County (Southern District) Registry of Deeds in Book 32901, Page 304, previously assigned by Essex County Electronic Registration Systems, Inc. to BAC Home L.P. by virtue of an assignment dated July 8, 2009 and recorded in the Essex County (Southern District) Registry of Deeds in Book 522, previously assigned by Mortgage Network, Inc. to Mortgage Registration Systems, Inc. ("MERS") by virtue of an assignment dated December 19, 2003 and recorded in the Essex County (Southern District) Registry of Deeds in Book 28772, Page 521, previously assigned by Mortgage Corporation to Mortgage Network, Inc. by virtue of an assignment dated December 19, 2003 and recorded in the Essex County (Southern District) Registry of Deeds in Book 22210, Page 587, for breach of the mortgage and for the purpose of foreclosing thereon, sold at Public Auction on January 13, 2022 at 12:00 PM at the premises, all and singular the premises described in said mortgage.

THE FOLLOWING DESCRIBED PREMISES: WENHAM, MASSACHUSETTS:

PARCEL ONE:

THE LAND, WITH THE IMPROVEMENTS THEREON, LOTS D AND C ON A PLAN OF LAND IN WENHAM, MASSACHUSETTS, BEING THE LAND OF EFFIE B. WITHAM, DATED AUGUST 1934, BY A.B. HEALING, ENGINEER, AND RECORDED AT THE ESSEX COUNTY DISTRICT OF DEEDS IN BOOK 3009, PAGE 272, MORE PARTICULARLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT THE JUNCTION OF LOT A AND LOT B STREET, THENCE RUNNING NORTHERLY BY HOWARD STREET, THENCE TURNING NORTHERLY BY HOWARD STREET, THENCE TURNING WEST AND RUNNING WEST, LAND OF MORSON; ONE HUNDRED FOUR AND 68/100 FEET TO A RIGHT OF WAY; THENCE SOUTHERLY BY SAID RIGHT OF WAY, THENCE TURNING WEST AND RUNNING WEST, LAND OF MORSON; ONE HUNDRED FOUR AND 68/100 FEET TO A RIGHT OF WAY; THENCE SOUTHERLY BY SAID RIGHT OF WAY, SIXTEEN AND 53/100 (16.53) FEET, NOW OR FORMERLY OF E.W. SEARS; THENCE SOUTHERLY BY SAID RIGHT OF WAY, FIFTY-THREE AND 51/100 (53.51) FEET, THENCE CONTINUING IN THE SAME POINT OF BEGINNING.

PARCEL TWO:

THE LAND BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EASTERLY SIDE OF LOT B STREET, WHICH POINT IS S 8°12'40" E, ONE HUNDRED AND 64/100 (182.64) FEET, FROM A STONE BOUND, AT 77°50' 54" E, SIXTEEN AND 05/100 (16.05) FEET, BY FORMERLY OF FOSTER TO THE DIVIDING LINE BETWEEN PARCELS I AND II; THENCE TURNING WEST AND RUNNING WEST, LAND OF MORSON; ONE HUNDRED FOUR AND 68/100 FEET TO A RIGHT OF WAY; THENCE SOUTHERLY BY SAID RIGHT OF WAY, SIXTEEN AND 53/100 (16.53) FEET, NOW OR FORMERLY OF E.W. SEARS; THENCE SOUTHERLY BY SAID RIGHT OF WAY, FIFTY-THREE AND 51/100 (53.51) FEET, THENCE CONTINUING IN THE SAME POINT OF BEGINNING.

The description of the property that appears in the mortgage shall control in the event of a typographical error in the mortgage. For Mortgages: Title see deed dated December 19, 2019 in Book 22210 at Page 567 with the Essex County (Southern District) Registry of Deeds.

TERMS OF SALE: Said premises will be sold and conveyed subject to all liens, encumbrances, unpaid taxes, tax titles, municipal assessments, if any, which take precedence over the said premises.

FIVE THOUSAND (\$5,000.00) Dollars of the purchase price shall be paid by a certified check, bank treasurer's or cashier's check, or place of the sale by the purchaser. The balance of the purchase price shall be paid in cash, certified check, bank treasurer's or cashier's check, or place of the sale by the purchaser, within sixty (60) days after the date of sale.

Other terms to be announced at the sale.

BENDETT

270 Fa

Farm

Present Holder

Attorney for NewRez LLC d/b/a Shellpoint Mortgage

SN - 12/29/21 11/22



5.

Via FedEx 775400042564 & email
December 6, 2021

Andrew Sheehan
Middleton - Town Administrator
48 S. Main St.
Middleton, MA 01949

RE: DoubleTree by Hilton Boston North Shore
50 Village Drive
Danvers, MA 01923

Dear Andrew :

Enclosed please find the following application and supporting documentation for a transfer of the liquor license for the above referenced hotel. The license will be transferring from Merritt Boston North Operator, LLC to Aimbridge Hospitality, LLC. There is no change in the ownership of the hotel.

1. ABCC Monetary Transmittal
2. Receipt for State fees
3. Gift Affidavit
4. Application for a Transfer of a License w/ Applicant Statement
5. CORI Request forms for Corporate Officers
6. Business Entity
7. Corporate Vote
8. Diagram of Property
9. Legal Right to Occupy for Aimbridge Hospitality, LLC
10. DUA Clearance for Merritt Boston North Operator, LLC

Please note a general manager for the property has not yet been identified and we will supplement the application with the manager's information once confirmed. Also, given the timing required to file this application and the Thanksgiving Holiday the DOR clearance for Merritt Boston North Operator, LLC have not yet been received; we will supplement these items when received.

Please let me know if you have any questions.

Sincerely,

Whitney Anderson Gillings
972-354-6472
wgillings@bluebonnetconsulting.com



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**

APPLICATION FOR A TRANSFER OF LICENSE

**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)

03801-HT-0264

ENTITY/ LICENSEE NAME

DoubleTree Boston North Shore

ADDRESS

51 Village Drive

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 checked="" 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 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

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 #: f329d2a0-2f1b-433d-a2e0-30a25e7228e8

Description	Amount	Balance Due
FILING FEES-RETAIL	03801HT0264	\$200.00
		\$200.00

Total Convenience Fee: **\$4.70**

Date Paid: **12/6/2021 3:12:41 PM EDT**

Total Amount Paid: **\$204.70**

Payment On Behalf Of

License Number or Business Name:
03801HT0264

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Elise

Last Name:
Turner

Address:
12700 Hillcrest Rd., Suite 220

City:
DALLAS

State:
TX

Zip Code:
75230

Email Address:
WGILLINGS@BLUEBONNETCONSULTING.COM

AFFIDAVIT

Aimbridge Hospitality, LLC, a Delaware limited liability company (the "Company"), has filed Transfer Applications regarding the alcoholic beverage licenses issued by the towns of Danvers and Middleton, and the State of Massachusetts (the "Licenses"), for the Doubletree Boston North Shore, located at 50 Village Drive, Danvers and Coco Key Water Park Boston North Shore, located at 51 Village Road, Middleton (collectively, the "Premises"). In connection with the Company's Transfer Applications, the undersigned officer hereby makes the following representation and certification:

1. That, the Licenses are gifted to the Company in accordance with the cessation of Merritt Boston North Operator, LLC's management of the licensed premises.

Executed this ____ of November 2021.



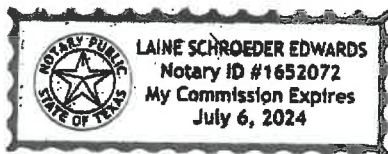
Karen L. Kovach
Vice President

STATE OF TEXAS

§
§
§

COUNTY OF COLLIN

Before me, on this 10th day of November 2021, the undersigned personally appeared and duly sworn by me stated that he has read this Affidavit and to the best of his knowledge, the facts contained herein are true and correct.





Notary Public

GENERAL MANAGER SUPPLEMENTAL INFO

12. MANAGER APPLICATION

A. MANAGER INFORMATION

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

Proposed Manager Name Date of Birth SSN

Residential Address

Email Phone

Please indicate how many hours per week you intend to be on the licensed premises

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?*

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

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

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

☐ Yes ☒ No

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

Date	Municipality	Charge	Disposition
	n/a		

C. EMPLOYMENT INFORMATION

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

Start Date	End Date	Position	Employer	Supervisor Name
07/2007	12/2021	Regional Operations	Aimbridge Hospitality, LLC	Karen Kovach

D. PRIOR DISCIPLINARY ACTION

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

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

COMMONWEALTH OF MASSACHUSETTS
NOTARY PUBLIC
OSAMA ENSAN, Notary Public
My Commission Expires December 16, 2027

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

MASSACHUSETTS DRIVER'S LICENSE

07/08/2019
06/15/2024
06/15/1962

DM B NONE

FROTTEN
MICHAEL JOHN
48 CHESTNUT AVE
AUBURN, MA 01501-1729

06/15/62

Application for a Transfer of License
With Applicant's Statement



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

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- ☒ Transfer of License
☐ Alteration of Premises
☐ Change of Location
☐ Management/Operating Agreement
- ☐ Pledge of Inventory
☐ Pledge of License
☐ Pledge of Stock
☐ Other
- ☐ Change of Class
☐ Change of Category
☐ Change of License Type
(\$12 ONLY, e.g. "club" to "restaurant")

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

This is a transfer of the current liquor license for the DoubleTree Danvers, an eight (8) story hotel, with ballroom, dining room, lounge, and water park facility located at 50 Village Drive. The new licensee will be Aimbridge Hospitality, LLC.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
<input type="text" value="On-Premises-12"/>	<input type="text" value="\$12 Hotel"/>	<input type="text" value="All Alcoholic Beverages"/>	<input type="text" value="Annual"/>

3. BUSINESS ENTITY INFORMATION

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

Current or Seller's License Number FEIN

Entity Name

DBA Manager of Record

Street Address

Phone Email

Add'l Phone Website

4. DESCRIPTION OF PREMISES

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

DoubleTree Danvers is an eight (8) story hotel, with ballroom, dining room, lounge, and water park facility located at 50 Village Drive.

See attached plans.

Total Sq. Footage	<input type="text" value="see attached"/>	Seating Capacity	<input type="text" value="see attached"/>	Occupancy Number	<input type="text" value="see attached"/>
Number of Entrances	<input type="text" value="see attached"/>	Number of Exits	<input type="text" value="see attached"/>	Number of Floors	<input type="text" value="see attached"/>

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name <input style="width: 90%;" type="text" value="HEI"/>	By what means is the license being transferred? <input style="width: 90%;" type="text" value="Gift"/>
---	---

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
<input style="width: 95%;" type="text" value="Stephen Rushmore"/>	<input style="width: 95%;" type="text" value="Member"/>	<input style="width: 95%;" type="text" value="3.72%"/>
<input style="width: 95%;" type="text" value="The Gary M Mendell Revocable Trust"/>	<input style="width: 95%;" type="text" value="Managing Member"/>	<input style="width: 95%;" type="text" value="57.77%"/>
<input style="width: 95%;" type="text" value="The Stephen Mendell Revocable Trust"/>	<input style="width: 95%;" type="text" value="Member"/>	<input style="width: 95%;" type="text" value="38.51%"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

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

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

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text" value="see attached Exhibit A"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Aimbridge Hospitality
Liquor License Transfer Application
Exhibit A
6. Proposed Officers & Ownership Interest

Aimbridge Hospitality Holdings, LLC

5301 Headquarters Dr.
Plano, TX 75024
EIN: 46-3701803
Title: Managing Member
Ownership: 100%

Name: Elie I. Khoury

Address: 16016 Garriland Dr., Leesburg VA
20176-5838
SSN: 593-24-0388
DOB: 04-11-1967
Title: President
Ownership: 0%
Director/LLC Manager: No
US Citizen: Yes
MA Resident: No

Name: Kevin J. Detz

Address: 6911 Norway Place, Dallas TX 75230
SSN: 589-28-0175
DOB: 07-23-1979
Title: VP & Treasurer
Ownership: 0%
Director/LLC Manager: No
US Citizen: Yes
MA Resident: No

Name: Gregory J. Moundas

Address: 6023 Lupton Drive, Dallas TX 75225-
1918
SSN: 105-50-6930
DOB: 07-07-1972
Title: VP & Secretary
Ownership: 0%
Director/LLC Manager: No
US Citizen: Yes
MA Resident: No

Name: Robert P. Smith

Address: 7300 Swanson Drive, Plano TX
75025-2235
SSN: 266-99-0406
DOB: 02-14-1966
Title: VP
Ownership: 0%
Director/LLC Manager: No
US Citizen: Yes
MA Resident: No

Name: Karen K. Kovach

Address: 8224 Paisley, The Colony TX 75056-
6498
SSN: 167-54-7094
DOB: 07-03-1961
Title: VP
Ownership: 0%
Director/LLC Manager: No
US Citizen: Yes
MA Resident: No

APPLICATION FOR A TRANSFER OF LICENSE

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

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached?

☒ Yes ☐ No

CRIMINAL HISTORY

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

☐ Yes ☒ No

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

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

Name	License Type	License Name	Municipality
Aimbridge Hospitality, LLC	Innholder	Embassy Suites Logan	Boston

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒

If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	
n/a			

APPLICATION FOR A TRANSFER OF LICENSE

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

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

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

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

7. CORPORATE STRUCTURE

Entity Legal Structure

LLC

Date of Incorporation

10/08/2013

State of Incorporation

DE

Is the Corporation publicly traded? ☐ Yes ☒ No

8. OCCUPANCY OF PREMISES

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

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

Please indicate by what means the applicant will occupy the premises

Landlord Name

50 Ferncroft (Boston) ESONG LLC

Landlord Phone

213-880-5033

Landlord Email

michael.tan@usocg.com

Landlord Address

350 S Grand Ave., Suite 3310, Los Angeles, CA

Lease Beginning Date

n/a

Rent per Month

n/a

Lease Ending Date

n/a

Rent per Year

n/a

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No

9. APPLICATION CONTACT

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

Name:

Whitney Gillings

Phone:

972-354-6472

Title:

Consultant

Email:

wgillings@bluebonnetconsulting.com

APPLICATION FOR A TRANSFER OF LICENSE

10. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	0
B. Purchase Price for Business Assets	0
C. Other* (Please specify)	0
D. Total Cost	0

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

SOURCE OF CASH CONTRIBUTION

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

Name of Contributor	Amount of Contribution
Total	

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
n/a			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

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

--

11. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☒ No

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

To whom is the pledge being made?

--

APPLICANT'S STATEMENT

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

of Almbridge Hospitality, LLC
Name of the Entity/Corporation

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

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

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

Signature:

Karen L Kovach

Date: 11/16/2021

Title:

Vice President

Business Entity



William Francis Galvin
Secretary of the
Commonwealth

The Commonwealth of Massachusetts
Secretary of the Commonwealth
State House, Boston, Massachusetts 02133

November 20, 2015

TO WHOM IT MAY CONCERN:

I hereby certify that a certificate of registration of a Foreign Limited Liability Company was filed in this office by

AIMBRIDGE HOSPITALITY, LLC

in accordance with the provisions of Massachusetts General Laws Chapter 156C on **October 10, 2013**.

I further certify that said Limited Liability Company has filed all annual reports due and paid all fees with respect to such reports; that said Limited Liability Company has not filed a certificate of cancellation or withdrawal; and that, said Limited Liability Company is in good standing with this office.

I also certify that the names of all managers listed in the most recent filing are: **NONE**

I further certify that the name of persons authorized to act with respect to real property instruments listed in the most recent filings are: **LESLIE V BENTLEY**



In testimony of which,
I have hereunto affixed the
Great Seal of the Commonwealth
on the date first above written.

William Francis Galvin

Secretary of the Commonwealth

Corporate Vote

CORPORATE VOTE

The Board of Directors or LLC Managers of

Aimbridge Hospitality

Entity Name

duly voted to apply to the Licensing Authority of

Middleton

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

Date of Meeting

For the following transactions (Check all that apply):

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

"VOTED: To authorize

Mike Frothen

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

Mike Frothen


Name of Liquor License Manager

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

A true copy attest,

For Corporations ONLY

A true copy attest,



Corporate Officer /LLC Manager Signature

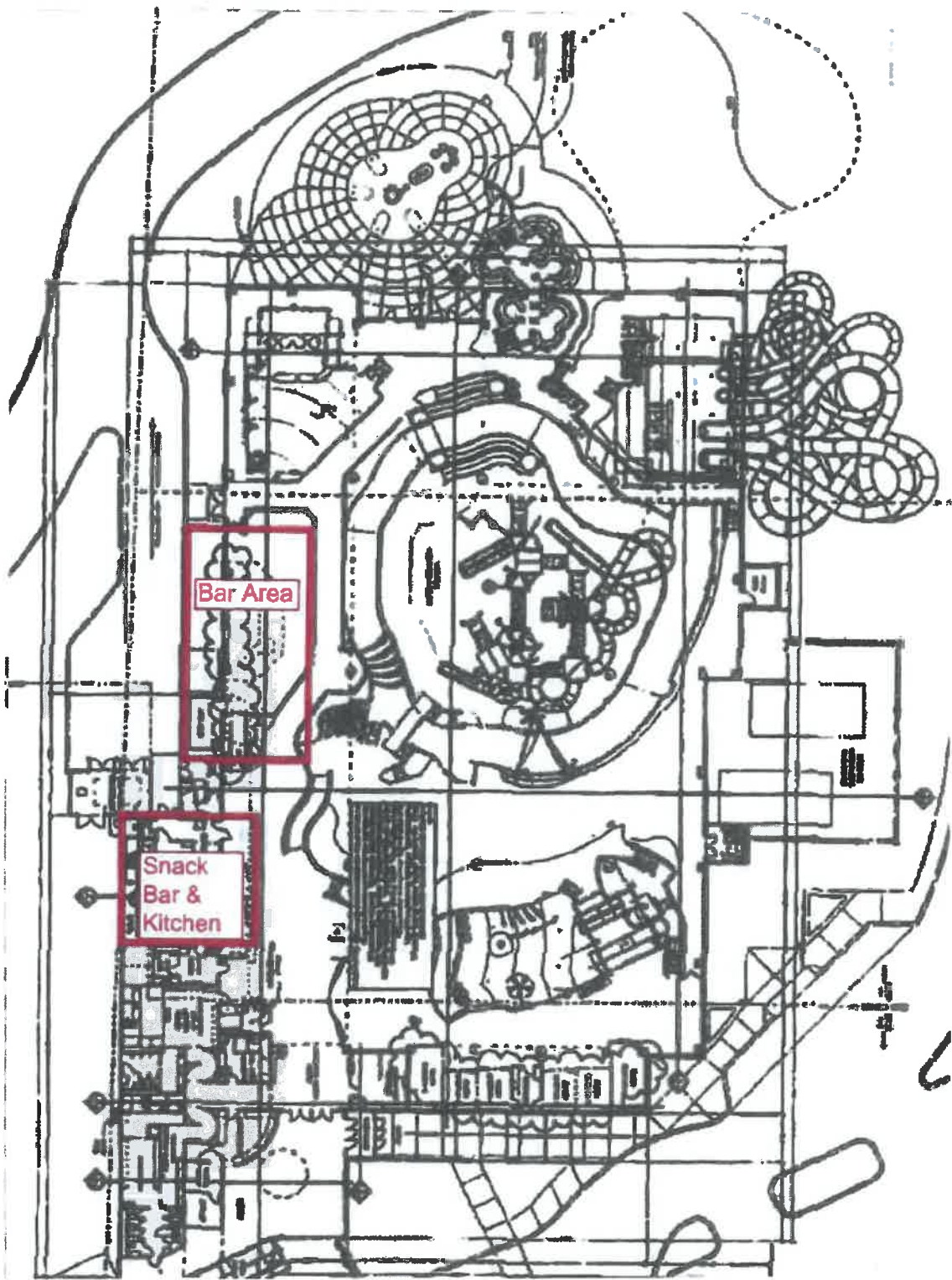
Karen L Karch

(Print Name)

Corporation Clerk's Signature

(Print Name)

Diagrams of Hotel



Coco Key Water Park

DoubleTree
by Hilton
Boston North Shore



Attachment A

Description of Premises

Floor Number	Square Footage	Number of Rooms
1	18,660	30
2	18,660	30
2 (Mezzanine)	21,808	17 breakout rooms
3	21,808	51
4	21,808	52
5	21,808	52
6	21,808	52
7	21,808	48
8	21,808	48
Patio/Deck/Outdoor Area	6,080	
TOTAL Indoor Square Footage	467000	

Number of Entrances	5
Number of Exits	17

Seating Capacity (Lounge)	85
Seating Capacity (Outdoor Area)	37

Total Occupancy	2,000
-----------------	-------

Legal Right to Occupy

CERTIFICATE OF 50 FERNCROFT (BOSTON) ESONG, LLC

OWNER: 50 FERNCROFT (BOSTON) ESONG, LLC
LICENSEE: AIMBRIDGE HOSPITALITY, LLC
RE: LEGAL RIGHT TO OCCUPY
50 FERNCROFT Rd.
DANVERS, MA 01923

This Certificate is an acknowledgement of an agreement between the undersigned, 50 FERNCROFT (BOSTON) ESONG, LLC, a Delaware limited liability company (the "Owner") and AIMBRIDGE HOSPITALITY, LLC, a Delaware limited liability company (the "Licensee") with respect to the premises located at at 50 Ferncroft Road, Danvers, MA 01923, more fully described as the following: an eight (8) story multilevel hotel with lobby with market pantry, three hundred sixty three (363) guest rooms, and breakfast dining room (the "Premises").

The undersigned hereby ratifies the agreement and certifies that:

1. The undersigned Owner owns good and marketable title to the Premises and has the full power and authority to enter into an agreement with Licensee.
2. The undersigned Licensee is or will shortly be the holder of an Innholder All Alcoholic Beverages Restaurant License issued by the Town of Bedford and the Massachusetts Alcoholic Beverages Control Commission, exercised at the Premises.
3. Owner acknowledges that Licensee has the right to lawful possession of the Premises, free from interference, interruption or disturbance, in all matters relating to the management and operation of the hotel.
4. In consideration for Licensee's right to occupy the Premises, Licensee agrees and Owner acknowledges that Licensee shall pay all taxes, assessments and other governmental impositions levied against the Hotel or the operation and management thereof.
5. Owner grants Licensee the right to occupy the Premises for a three (3) year period commencing on the date hereof, unless otherwise agreed upon by the parties hereto.

Executed as an instrument under seal as of November 16, 2021.

Signatures appear on the following page

OWNER:

50 FERNCROFT (BOSTON) ESONG, LLC,
A Delaware limited liability company

By: 
Name: Taihang Tan
Title: Manager

LICENSEE:

AIMBRIDGE HOSPITALITY, LLC,
A Delaware limited liability company

By: _____
Karen L. Kovach
Vice President

OWNER:

50 FERNCROFT (BOSTON) ESONG, LLC,
A Delaware limited liability company

By: _____
Name:
Title:

LICENSEE:

AIMBRIDGE HOSPITALITY, LLC,
A Delaware limited liability company

By:  _____
Karen L. Kovach
Vice President

Department of Unemployment Assistance
Certificate of Compliance

Whitney Anderson Gillings

From: Sacramone, Ralph (TRE) <ralph.sacramone@state.ma.us>
Sent: Monday, December 6, 2021 12:28 PM
To: Meghan Caccavelli-Tucker; Whitney Anderson Gillings
Subject: RE: DUA Compliance - Merritt Boston North Operator, LLC

Thanks Meaghan.

From: Caccavelli, Meaghan (EOL) <Meaghan.Caccavelli@DETMA.ORG>
Sent: Monday, December 6, 2021 1:25 PM
To: Whitney Anderson Gillings <wgillings@bluebonnetconsulting.com>
Cc: Sacramone, Ralph (TRE) <rsacramone@tre.state.ma.us>
Subject: RE: DUA Compliance - Merritt Boston North Operator, LLC

Hi Whitney,

DUA has verified that Merritt Boston North Operator, LLC does not have any unemployment obligations at this time and is not required to register. DUA has verified that all payroll is reported under Merritt Hospitality, LLC and all obligations are current. Please allow this email to serve as DUA clearance for the liquor license transaction.

Thank you,

Meaghan Tucker, CFE | Revenue Enforcement & Audit Manager
Department of Unemployment Assistance
Tel: 857-263-0257
Email: Meaghan.caccavelli@detma.org



This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is strictly prohibited and may be the subject of legal action. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you

From: Whitney Anderson Gillings <wgillings@bluebonnetconsulting.com>
Sent: Wednesday, December 1, 2021 5:04 PM
To: Caccavelli, Meaghan (EOL) <Meaghan.Caccavelli@DETMA.ORG>
Cc: Sacramone, Ralph (TRE) <rsacramone@tre.state.ma.us>
Subject: DUA Compliance - Merritt Boston North Operator, LLC

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Meaghan, Merritt Boston North Operator, LLC is transferring their liquor license for Doubletree Boston North Shore located in Danvers and Middleton, MA. I need the DUA Certificate of Compliance, however, it is my understanding that

this entity is not the employer and is not required to register with your office. Merritt Hospitality, LLC employs all employees at this hotel so payroll should be reported under this entity.

Can you please review and send a confirmation email to myself and Ralph Sacramone for ABCC, who is also copied on this email. Please let me know if you have any questions.

Whitney Anderson Gillings | Bluebonnet Consulting, Inc.

12700 Hillcrest Rd. | Suite 220 | Dallas, TX 75230 | USA

direct: 972-354-6472 | main: 972-960-0033

cell: 512-417-1047 | fax: 972-960-1511 | toll free: 855-266-1836

wagillings@bluebonnetconsulting.com | www.bluebonnetconsulting.com

Celebrating 24 years in business!

 bluebonnet consulting

Whitney Anderson Gillings | Bluebonnet Consulting, Inc.

12700 Hillcrest Rd. | Suite 220 | Dallas, TX 75230 | USA

direct: 972-354-6472 | main: 972-960-0033

cell: 512-417-1047 | fax: 972-960-1511 | toll free: 855-266-1836

wagillings@bluebonnetconsulting.com | www.bluebonnetconsulting.com

Celebrating 24 years in business!

 bluebonnet consulting

Ridgid Portable Generator Model # RD906812
Elec start 6800 watts \$700
Call (978) 376-5753

Snowblower, YARDMAN, gas, 8.5 hp, 28"
pass, serviced, heated handles, power elec.
shute, elec. start directional wheels \$395.00
Call (508) 451-0515

WARNING

If you get an email or cashiers check for more
then the asking price for your pet, vehicle or
merchandise asking you to refund the difference
it is likely a scam. Seller Beware!

PETS & FREE PETS



AKC GOLDEN RETRIEVER PUPPIES
Family raised and loved. First shots, vet
checked and health guarantee. Ready to go to
their forever home Jan 4th. 2 Females 11
Males. \$2000 please call 518-669-4521

ATTENTION! ATTENTION!

Beware of anyone replying to your ad offering to
send you a check for shipping and you sending
them back the difference.
Also beware when responding to classified ads
that ask you to send shipping cost.
Possible scam!



BERNE DOODLE PUPS FOR CHRISTMAS Family
raised, Beautiful, Calm and Loyal pups to bless
your Christmas! Their Hypoallergic coats make
them ideal inside pets. They love children and
the outdoors and love to cuddle. "Hi I have
brothers and sisters too, but I know I am the
best! I would love to be adopted and come
cuddle with you!" Just call Melvin at
413-265-6737 or email melvinhess93
@gmail.com Located in Western MA.
-Parents on site



BERNE DOODLE PUPS FOR CHRISTMAS
Family raised, Beautiful, Calm and Loyal pups
to bless your Christmas! Their Hypoallergic
coats make them ideal inside pets. They love
children and the outdoors and love to cuddle.
"Hi I have 8 brothers, and sisters too, but I
know I am the best! I would love to be
adopted and come cuddle with you".

Contact Melvin Hess 413-265-6737 -
no Sunday calls please

PUBLIC NOTICES

PUBLIC NOTICES

TOWN OF MIDDLETON, MA. LEGAL NOTICE

The Middleton Select Board will
hold a public hearing at 7:20 PM
on January 11, 2022, in the Na-
than Media Center, Fuller Meadow
School, 143 So. Main St, Middleton
on the petition of Scott & Matty Pizza
Inc. d/b/a Captain Pizza for:

1) A New Wine & Malt Beverages
with Cordials, Restaurant Annual Li-
quor License;

2) New Manager Scott B. Kugel

3) Transfer of Common Victualler
License and Entertainment License.

Licenses currently held by Barney
Restaurant Group, LLC d/b/a Cap-
tain Pizza, 227 Maple ST, Middleton
MA 01949.

Andrew J. Sheehan
Town Administrator

SN - 12/29/21

REQUEST FOR PROPOSALS FOR THE SALE OF 14 SIMON STREET BEVERLY, MASSACHUSETTS BY THE BEVERLY HOUSING AUTHORITY

The Beverly Housing Authority
(BHA), acting through its Purchasing
Agent and Board of Commissioners,
is offering for sale one (1) lot of real
estate known and numbered as 14
Simon Street, Beverly, Massachu-
setts.

The real estate consists of one
(1) parcel of land shown as Lot 186
on Assessor's Map 30 containing
approximately 3,839 square feet of
land area, and 60 feet of frontage on
Simon Street. The lot is rectangular
in shape, is unimproved, partially
paved and fenced, and is located in
the Multifamily Residential Zoning
District (RMD). Present RMD zoning
at this location requires a minimum
lot area of 8000 square feet and 65
feet of frontage for single or 2 family
use. This lot has neither the required
area, nor frontage, to comply with
existing zoning requirements.

Request for Proposals (RFP) docu-
ments are available by contacting
Dawn Goodwin, Deputy Director at
978-922-3100 x112, or via email at
dgoodwin@beverlyhousing.net, or at
www.beverlyhousing.net on Novem-
ber 8, 2021. No RFP will be mailed
out within five days of the proposal
deadline.

The Beverly Housing Authority
reserves the right to consider pro-
posals for a period of thirty (30) days
after receipt thereof. The BHA further
reserves the right to reject any and
all proposals; waive any defects, in-
formalities, and minor irregularities;
and make such award or act other-
wise as deemed in its best interest.

Addenda can be found at
www.beverlyhousing.net. The
deadline for submission of proposals
has been extended until is Wednes-
day, January 12, 2022, at 12:00
p.m. Mailed proposals must be re-
ceived at the BHA Office, 137 Rear
Bridge Street, Beverly, MA 01915
on or before the said time and date.
Facsimile (fax) proposals will not be
accepted.

NOTICES

PUBLIC NOTICES

TOWN OF MIDDLETON, MA. LEGAL NOTICE

The Middleton Select Board will
hold a public hearing at 7:30 PM on
January 11, 2022, in the Nathan Me-
dia Center, Fuller Meadow School,
143 So. Main St, Middleton on the
petition of Aimbridge Hospitality, LL-
Cd/b/a DoubleTree, Boston North
Shore, for the: 1) Transfer of the All
Alcoholic Inn Holder Liquor License;
2) Change of Common Victualler Li-
cense and Entertainment License.
Licenses currently held by Merritt
Boston North Operator LLC d/b/a
DoubleTree, Boston North Shore, 51
Village Rd, Middleton MA 01949.

Andrew J. Sheehan
Town Administrator

SN - 12/29/21

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT

PROBATE AND FAMILY COURT

Essex Probate and Family Court
36 Federal Street
Salem, MA 01970
(978) 744-1020

Docket No. ES21P3639EA

Estate of:

Philip Lowe

Date of Death:

01/06/2021

CITATION ON PETITION FOR FORMAL ADJUDICATION

To all interested persons:

A Petition for Formal Probate
of Will with Appointment of Per-
sonal Representative has been
filed by Sandra Lowe of Beverly,
MA, requesting that the Court enter
a formal Decree and Order and for
such other relief as requested in the
Petition. The Petitioner requests that
Sandra McIntyre Lowe of Beverly,
MA, be appointed as Personal Rep-
resentative(s) of said estate to serve
Without Surety on the bond in an
unsupervised administration.

IMPORTANT NOTICE

You have the right to obtain a
copy of the Petition from the Petition-
er or at the Court. You have a right
to object to this proceeding. To do
so, you or your attorney must file a
written appearance and objection at
this Court before 10:00 a.m. on the
return day of 02/01/2022.

This is NOT a hearing date, but
a deadline by which you must file a
written appearance and objection if
you object to this proceeding. If you
fail to file a timely written appearance
and objection followed by an affidavit
of objections within thirty (30) days of
the return day, action may be taken
without further notice to you.

UNSUPERVISED

ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)

A Personal Representative ap-
pointed under the MUPC in an un-
supervised administration is not re-
quired to file an inventory or annual
accounts with the Court. Persons in-
terested in the estate are entitled to
notice regarding the administration
directly from the Personal Repre-
sentative and may petition the Court
in any matter relating to the estate,
including distribution of assets and
expenses of administration.

WITNESS, Jennifer M R Ulwick,
First Justice of this Court.

Date: December 21, 2021.

Pamela Casey O'Brien
Register of Probate

Commission reserves the right to
reject any or all Proposals as autho-
rized by law.

PEABODY MUNICIPAL LIGHT
PLANT
CHARLES J. ORPHANOS,
MANAGER

SN - 12/29/21

NOTICE OF MORTGAGEE'S SALE OF REAL E

Premises: 5 Howard Street, Wenham, Massachusetts

By virtue and in execution of the Power of Sale contain-
mortgage given by Amy P. Waterman and James W. W
Moves Mortgage Corporation, said mortgage dated Dece
and recorded in the Essex County (Southern District) Re
in Book 22210 at Page 571 and now held by NewRez LLC
Mortgage Servicing by virtue of an assignment from for-
tial Mortgage LLC to NewRez LLC, F/K/A New Penn Finan
Shellpoint Mortgage Servicing dated March 31, 2020 and
Essex County (Southern District) Registry of Deeds in Bo
242, previously assigned by Ditech Financial LLC F/K/A Gr
ing LLC to New Residential Mortgage LLC by virtue of an a
February 19, 2020 and recorded in the Essex County (S
Registry of Deeds in Book 38274, Page 102, previously as
of America, N.A. to Green Tree Servicing LLC by virtue o
dated August 19, 2013 and recorded in the Essex County (S
Registry of Deeds in Book 32901, Page 304, previously as
age Electronic Registration Systems, Inc. to BAC Home I
L.P. by virtue of an assignment dated July 8, 2009 and
Essex County (Southern District) Registry of Deeds in Bo
522, previously assigned by Mortgage Network, Inc. to Mor
Registration Systems, Inc. ("MERS") by virtue of an assign
15, 2009 and recorded in the Essex County (Southern Dis
Deeds in Book 28772, Page 521, previously assigned by
Mortgage Corporation to Mortgage Network, Inc. by virtue c
dated December 19, 2003 and recorded in the Essex C
District) Registry of Deeds in Book 22210, Page 587, for br
ditions in said mortgage and for the purpose of foreclosing l
sold at Public Auction on January 13, 2022 at 12:00 PM L
the premises, all and singular the premises described in s
wit:

THE FOLLOWING DESCRIBED PREMISES: WENHAM, MASSACHUSETTS:

PARCEL ONE:

THE LAND, WITH THE IMPROVEMENTS THEREO
LOTS D AND C ON A PLAN OF LAND IN WENHAM E
EFFIE B. WITHAM, DATED AUGUST 1934, BY A.B. HEI
GINEER, AND RECORDED AT THE ESSEX SOUTH DI
TRY OF DEEDS IN BOOK 3009, PAGE 272, MORE PAR
SCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT THE JUNCTION OF LOT A AND LOT
STREET, THENCE RUNNING NORTHERLY BY HOWARD
HUNDRED (100) FEET TO LAND NOW OR FORMER
MORSON; THENCE TURNING AND RUNNING WEST
LAND OF MORSON; ONE HUNDRED FOUR AND 68/100
TO A RIGHT OF WAY; THENCE SOUTHERLY BY SAID
EIGHTEEN AND 27/100 (18.27) FEET; THENCE WESTER
OF SAID RIGHT OF WAY, SIXTEEN AND 53/100 (16.53)
NOW OR FORMERLY OF E.W. SEARS; THENCE SOUTH
LAND OF SEARS TO LOT B AT A POINT MARKED D
THENCE EASTERLY BY LOT B ON SAID PLAN, FIFTY-T
(52.13) FEET; AND THENCE CONTINUING IN THE SAM
THE POINT OF BEGINNING.

PARCEL TWO:

THE LAND BOUNDED AND DESCRIBED AS FOLLO
BEGINNING AT A POINT IN THE EASTERLY SIDE LI
STREET, WHICH POINT IS S 8°12'40" E, ONE HUNDRE
AND 64/100 (182.64) FEET, FROM A STONE BOUND, A
77°50' 54" E, SIXTEEN AND 05/100 (16.05) FEET, BY
FORMERLY OF FOSTER TO THE DIVIDING LINE BETW
ELDRED AND PARCEL I; THENCE TURNING AND RUNI
E, BY PARCEL I, EIGHTEEN AND 30/100 (18.30) FEE
THENCE TURNING AND RUNNING S 84°37'25" W, BY P
TEEN AND 94/100 (14.94) FEET, TO A POINT IN THE E
LINE OF FOSTER STREET; AND THENCE TURNING A
9°52'50", SIXTEEN AND 46/200 (16.46) FEET, BY FOST
THE POINT OF BEGINNING.

The description of the property that appears in the mor-
closed shall control in the event of a typographical error in
For Mortgages' Title see deed dated December 19, 20
in Book 22210 at Page 567 with the Essex County (South
istry of Deeds.

TERMS OF SALE: Said premises will be sold and con-
all liens, encumbrances, unpaid taxes, tax titles, municip
assessments, if any, which take precedence over the said
described.

FIVE THOUSAND (\$5,000.00) Dollars of the purchas
paid by a certified check, bank treasurer's or cashier's c
and place of the sale by the purchaser. The balance of t
shall be paid in cash, certified check, bank treasurer's o
within sixty (60) days after the date of sale.

Other terms to be announced at the sale.

BENDETT

270 Fa

Farmir

Attorney for NewRez LLC d/b/a Shellpoint Mc

Present Holder

SN - 12/22 12/29/21 1/5/22




OFFICE OF THE TOWN ADMINISTRATOR

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

9.

MEMORANDUM

TO: Middleton Select Board

FROM: Andrew J. Sheehan, Town Administrator 

SUBJ.: American Rescue Plan Act (ARPA) Funding Recommendation Request #1

DATE: January 11, 2022

On March 11, 2021, the United States Congress passed and the President signed the American Rescue Plan Act (ARPA). Under ARPA Middleton will receive \$3,021,948 in Federal funding. Of this total, \$1,058,199 is direct to non-entitlement communities and \$1,963,749 is redistributed to communities located in non-functional counties. Half the funds were wired to the Town last year: on June 22, 2021, we received \$529,099 and on August 17, 2021, we received \$981,874. The balance of the funds will be wired to the Town approximately 12 months after the first distributions. ARPA funds must be committed by December 31, 2024 and spent by December 31, 2026.

Since ARPA's passage last year we have been working to identify appropriate projects and uses of the funds. We have also been doing our best to understand the limitations on funding so we do not utilize funds for ineligible projects. The United States Treasury has identified the following eligible expenses:

- Invest in water, sewer, and broadband infrastructure
- Replace lost public sector revenue
- Address negative economic impacts caused by the pandemic
- Support public health expenditures
- Provide premium pay for essential workers
- Administrative costs related to managing ARPA funds is also allowed.

As I mentioned previously, we will bring forth several rounds of recommendations for the Board's review and approval. This first round allows us to commence work on several identified priorities. We will return to the Board with subsequent rounds of requests. This week we distributed a survey to get public input and direction. This data will be helpful as we develop requests for future allocations.

At this time we request the Board's vote to allocate the following funding for the following eligible activities:

ELIGIBLE EXPENSE CATEGORY	FUNDING REQUEST
Water Infrastructure that improves access to clean drinking water	\$250,000
Supporting Public Health	\$135,000
Administrative costs	\$50,000
Total	\$435,000

This leaves a balance of \$2,586,948.

ARPA provides great opportunities for us to make investments and maximize our response to the COVID pandemic. We are grateful for the funds and will strive to apply them for the greatest impact.

I look forward to discussing this allocation request in greater detail.



OFFICE OF THE TOWN ADMINISTRATOR

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

10

MEMORANDUM

TO: Middleton Select Board

FROM: Andrew J. Sheehan, Town Administrator

SUBJ.: Senior & Veterans Property Tax Work-Off Program
Adjustments to Age Criteria

DATE: January 11, 2022

As Board members will recall we have been evaluating changes to the age criteria of the Senior & Veterans Property Tax Work-Off Program. On December 21, 2021, the Board of Assessors voted the following:

Seniors

Applicant must be at least 60 years of age as of the annual eligibility date. Preference will be given to eligible residents who are 65 and older. Residents between the ages of 60 and 64 will be placed on a waiting list and will only be considered after all eligible residents over the age of 65 have been placed.

We believe the language adopted by the Board of Assessors supports the intent of the program. It makes more residents eligible without excluding those who are already 65 years of age.



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

12.

December 21, 2021

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

Re: Middleton Food Bank Donations

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

Thank you,

Jillian Smith

Jillian Smith
COA Director

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

Date: 12/15/2021

Name: Torrice Family charitable Trust

Donation: \$1,000.00

Check Number 163

This donor would like to remain anonymous

Yes

xx No

Date: 12/15/2021

Name: Patrick Furnari

Donation: \$500.00

Check Number 594

This donor would like to remain anonymous

Yes

xx No

TORRICE FAMILY CHARITABLE TRUST

163
51-7218/2211
561
CHECK AMOUNT
\$1,000.00

DEC. 15, 2021
date

pay to the
order of Middleton Food Pantry \$ 1,000.00
one thousand and 00/100 ~~~~~ dollars

People's United Bank
peoples.com

SOCIALLY RESPONSIBLE BANKING

for Elizabeth Anne Drachey

Photo Safe Deposit Details on back

ECOSCREEN

Harvard Clerk

Patrick J. Furnari

594
63-7056/2113

12/15/21
Date

Pay to the
Order of Middleton Food Pantry \$ 500.00
Five hundred and 00/100 ~~~~~ Dollars

TD Bank

For Donation R. J. Furnari

Photo Safe Deposit Details on back



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

December 29, 2021

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

Re: Middleton COA Donation

Please add the following 2 donations to your agenda for acceptance by the Board of Selectmen for the Middleton Council on Aging and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A Donation has been made payable to the Middleton Council on Aging:

Date: 12/18/21

Name **Gail Sabino**

Donation: \$1,000.00

Check Number 658

This donor would like to remain anonymous

No ☒ XX

Date: 12/27/21

Name **James & Joanne Vining**

Donation: \$5,000.00

Check Number 190

This donor would like to remain anonymous

No ☒ XX

GAIL M SABINO

658

52-38/112 ME
78435

12/18/21

Date

Pay to the
Order of

Middleton Community League \$ 1000.00
One Thousand 00/100 Dollars



Bank of America

Bank of America Advantage®

ACH (NT) 011200385

For Charles E Watson

Gail M Sabino



JAMES E. VINING
JOANNE R. VINING

53-7054/2113

SECURED BY
EXSHIELD

190

12/27/2021

PAY TO THE
ORDER OF

Middleton Council on Aging \$ 5,000⁰⁰/₁₀₀
Five Thousand and ⁰⁰/₁₀₀ DOLLARS

EXECUTIVE COPY

TD BANK

FOR

COA

James Vining

MP



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

December 28, 2021

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

Re: Middleton Food Pantry Donation

Please add the following 3 donations to your agenda for acceptance by the Board of Selectmen for the Middleton Food Pantry and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A Donation has been made payable to the Middleton Food Pantry:

Date: 12/21/21

Name **George Dow, Sr**

Donation: \$600.00

Check Number 3615

This donor would like to remain anonymous

No XX

Date: 12/17/21

Name **Margaret Lee**

Donation: \$1,000.00

Check Number 3148

This donor would like to remain anonymous

No XX

Date: 12/27/21

Name **James & Joanne Vining**

Donation: \$5,000.00

Check Number 189

This donor would like to remain anonymous

No XX



MARGARET S LEE OR
CHRISTOPHER R SANSOUCIE

9-2101



3148

53-13/110 MA
26665

17 Dec 2021

Date

Pay To The
Order Of

Middleton Food Pantry

\$ 1000.00

One thousand 00/100

Dollars



Photo
Safe
Deposit
Details on back

BANK OF AMERICA

ACH R/T 011000138

For

Margaret S. Lee



JAMES E. VINING
JOANNE R VINING

53-7054/2113



189

12/27 2021

PAY TO THE
ORDER OF

Middleton Food Pantry

\$ 5,000.00

Five Thousand and 00/100

DOLLARS



Security Features
Included
Details on Back

TD BANK

FOR

Food Pantry

Joanne Vining

GEORGE E. DOW, SR.

3615

53-8644/2113

December 21, 2021

Date

Pay to the
Order of

Middleton Food Pantry

\$ 600.00

Six Hundred and 00/100

Dollars



Photo
Safe
Deposit
Details on back



600 Main Street, Waltham MA 02452

For

George E. Dow Sr.



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

January 4, 2022

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

Re: Middleton Food Bank Donations

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

Thank you,

Jillian Smith

Jillian Smith
COA Director

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

Date: 12/17/2021

Name: Richard & Jean Beck

Donation: \$2,500.00

Check Number 7396

This donor would like to remain anonymous

Yes

xx No

CASH ONLY IF ALL CHECK-BOOK SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COUNTERFEITING


RICHARD E. BECK 09/93
JEAN G. BECK


EASTERN BANK
ANDOVER, MA 01810
63-178/113

7396


Date **12/17/2021**

PAY TO THE ORDER OF **MIDDLETON FOOD PANTRY**
Two Thousand Five Hundred and 00/100 ***** \$*****

MIDDLETON FOOD PANTRY DOLLARS 
38 MAPLE ST
MIDDLETON MA 01949

 *Richard E. Beck*

Memo **MIDDLETON FOOD PANTRY FRIENDS IN NEE**



Details on Back

Intuit CheckLock™ Secure Check



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

13

TOWN OF MIDDLETON TALENT BANK APPLICATION

The Board of Selectmen maintains a Talent Bank of names of citizens of Middleton willing to serve on boards, commissions and committees. Names in this file are available for use by all Town Departments.

Names: George Cumming Telephone: 857 253-1129
Address: 5 Fuller Pond Road Bus. Telephone: _____
Email Address: cumming.george@gmail.com
Occupation: retired
Background Experience: Librarian - 25 years at Boston Public Library 10 years - Harvard University Center for European Studies

I am interested in serving on Town Boards and Committees involved in the following areas:
(Please check all that apply. The Board encourages you to attach a recent resume if available.)

<input type="checkbox"/> Board of Health	<input type="checkbox"/> Recreation Commission
<input type="checkbox"/> Council on Aging	<input type="checkbox"/> Historical Commission
<input type="checkbox"/> Finance Committee	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Charter Review Committee
<input type="checkbox"/> Master Plan Committee	<input type="checkbox"/> Library Services
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Industrial Commercial Development Review Committee
<input checked="" type="checkbox"/> Cultural Council	<input type="checkbox"/> Zoning Bylaw Review Committee

Amount of Time Available: retired - no commitments

Are you available year round for committee meetings? Yes ☒ No ☐
If not, when are you available?

☐ Winter ☐ Spring ☐ Summer ☐ Autumn

Are there any Boards or Committees in which you are particularly interested?

Cultural Council

George Cumming

Signature

4 DEC 2021

Date

Please submit all responses to the Town Administrator's Office via the mailing address above or via email at:
michelle.creasi@middletonma.gov