

**MIDDLETON SELECT BOARD**  
**MEETING AGENDA**  
**FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER**  
**143 SOUTH MAIN STREET, MIDDLETON, MA 01949**  
**TUESDAY, MARCH 8, 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=aThoMXZlNW50K2hiN3NMaEh2VldNUT09>

7:00 pm    1. Business

- a. Warrants: 2219
- b. Minutes: February 22, 2022
- c. Town Administrator Updates and Reports

7:10 pm    2. Public Comment

7:20 pm    3. Captain Pizza: Review petition for Pledge of Collateral; votes may be taken

7:25 pm    4. Continue discussion of Compensation & Classification Plan, related policy decisions, and implementation decisions; votes may be taken

7:45 pm    5. Review Annual Town Meeting and Annual Town Election Warrant; votes may be taken

8:00 pm    6. Follow up discussion on Operating and Capital Budget summits; votes may be taken

8:10 pm    7. New Business: Reserved for items the Chair did not reasonably anticipate prior to the posting of the agenda

8:20 pm    8. Executive Session pursuant to GL c. 30A, 2. 21 (a) (3) relative to the collective bargaining agreement with the Middleton Benevolent Police Association; and strategy with respect to collective bargaining negotiations; votes may be taken

Upcoming Meetings: March 22  
                          March 31  
                          April 5 & 19

Regular SB Meetings  
Annual Budget Hearing & Warrant Reading  
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.*

2.

## MEETING MINUTES SELECT BOARD

FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER  
143 SOUTH MAIN STREET, MIDDLETON, MA 01949  
TUESDAY, FEBRUARY 22, 2022  
7:00 PM

**This meeting was recorded**

*Present: Chair Brian Cresta, Tim Houten, Kosta Prentakis, Rick Kassiotis, Jeff Garber (via Zoom)*

*Absent: None*

*Others Attending: Town Administrator Andy Sheehan, Assistant Town Administrator/HR Director Jackie Bresnahan, Assistant Assessor Brad Swanson, Paul Pellicelli, Minutes Secretary Judi Stickney, Police Chief William Sampson, Police Officer Kosta Agganis, Town Clerk Ilene Twiss, Conservation Agent Kristin Kent, Deputy DPW Superintendent Ken Gibbons, Building Commissioner Scott Fitzpatrick, Frank Twiss, and others*

**7:03 PM** With all members present, Chair Brian Cresta called the meeting to order.

### ROUTINES

- **Warrant Approval:** Town Administrator Andy Sheehan provided a brief review of Warrant #2218: Payroll: \$735,346; Bills Payable: \$1,436,389; 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 **Houten**, second by **Prentakis**, the Select Board **VOTED** unanimously by roll call vote to approve the warrant as presented.

**Roll Call Called by Clerk Tim Houten:**

Garber	Yes
Prentakis	Yes
Kassiotis	Yes
Cresta	Yes
Houten	Yes

- **Minutes Approval:**
  - **January 25, 2022 Open Session**
  - **January 25, 2022 Executive Session**
  - **February 8, 2022**

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 approve the minutes as presented.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

- **Town Administrator's Report:** Town Administrator Andy Sheehan provided the Board with information and updates on the following:
  - **FY2023 Budget Meetings:** Sheehan reported that the all-day capital budget meeting will take place on March 5<sup>th</sup>, at 8:30AM, at Fuller Meadow.
  - **ARPA Survey:** Sheehan reminded residents that the ARPA survey is still available on the town's website at [www.middletonma.gov](http://www.middletonma.gov), right on the home page. It will be available through the February 28<sup>th</sup>.
  - **Thanks to the Storm Workers:** Sheehan publicly thanked all the DPW and public safety workers who helped Middleton get through the recent storms.
  - **Supplemental Budget Bill:** Sheehan reported that the Governor filed a supplemental budget bill for an extra \$100 million, which will give Middleton approximately \$300K.

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

**7:12 PM Review and Vote on Police Chief William Sampson's Recommendation to Promote Kosta Agganis from Reserve Police Officer to Full-time Police Officer:** Chief Sampson met with the Board to provide the Board with background information on Kosta Agganis, noting that he got high scores in every area, with many recommendations from area law enforcement. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Prentakis**, second by **Houten**, the Select Board **VOTED** unanimously (4-0-1) by roll call vote to appoint Kosta Agganis as a full-time police officer.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Abstain</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

**7:20 PM Review and Vote on Police Chief William Sampson's Proposed MPD Policy #4.02 Computerized Voice Stress Analyzer (CVSA):** Chief Sampson met with the Board to provide them with

information on Policy #4.02 and when it would be used. Sampson noted the policy meets the state standards. After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Prentakis**, the Select Board **VOTED** unanimously (4-0-1) by roll call vote to approve the policy #4.02 as presented.

**Roll Call Called by Clerk Tim Houten:**

Garber	Yes
Prentakis	Yes
Kassiotis	Abstain
Cresta	Yes
Houten	Yes

**7:22 PM Review and Discuss School Resource Officer (SRO) Agreement Between the Towns of Middleton, Boxford, and Topsfield and the Masconomet Regional School District; updates on other Masconomet business; votes may be taken:** Board member Kosta Prentakis provided the Board with information on the Agreement, noting the status of the Agreement with the other member towns. A discussion ensued with Chief Sampson providing information and status on the SRO from Middleton, noting that she's been out on medical leave since last June. Prentakis suggested that the FY22 and FY23 agreements be approved, while they wait for more information and status update on the multi-year agreement proposal.

On a **MOTION** made by **Prentakis**, second by **Houten**, the Select Board **VOTED** unanimously (4-0-1) by roll call vote to approve the FY22 and FY23 SRO Agreements.

**Roll Call Called by Clerk Tim Houten:**

Garber	Yes
Prentakis	Yes
Kassiotis	Abstain
Cresta	Yes
Houten	Yes

After the vote, Prentakis provided the Board with additional status updates from the Masconomet School Committee regarding paraprofessional and teacher contracts. Prentakis added that Masconomet will be asking the towns to place some warrant articles for further amendments to the district agreement, due to DESE and state law requirements, and typo corrections. Prentakis also advised the Board that another warrant article will ask for disbursement back to the towns of the \$495K overage the district is receiving. A lengthy discussion ensued on the proposed warrant articles. After discussion, the Chair requested that Masconomet be more transparent with their projects and spending. Prentakis will take Board's concerns back to the Committee.

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Select Board **VOTED** unanimously by roll call vote to the placement of the district agreement amendments as described by Board member Prentakis.

**Roll Call Called by Clerk Tim Houten:**

*Middleton Select Board  
February 22, 2022*

*Meeting Minutes  
Page 3*

Garber	Yes
Prentakis	Yes
Kassiotis	Yes
Cresta	Yes
Houten	Yes

**7:53 PM Continue Discussion, Review, and Vote on Compensation & Classification Plan, Related Policy Decisions, and Implementation Decisions:** Town Administrator Andy Sheehan provided the Board members with spreadsheets and information on the compensation and classification plan's implementation. Chair Cresta and Sheehan provided a brief history of the compensation and classification plan process. Assistant Town Administrator Jackie Bresnahan reviewed the implementation plan with the Board. After Bresnahan's presentation, the Board had an opportunity to provide feedback and questions. Discussions and votes ensued on the following:

- **Potential Vote on Employee Handbook: New “Appendix F: Cell Phone Reimbursement Policy”**  
On a **MOTION** made by **Houten**, second by **Prentakis**, the Select Board **VOTED** unanimously by roll call vote to add Appendix F to the Employee Handbook, as presented.

**Roll Call Called by Clerk Tim Houten:**

Garber	Yes
Prentakis	Yes
Kassiotis	Yes
Cresta	Yes
Houten	Yes

- **Potential Vote on Employee Handbook: Revision “Appendix E: Travel Reimbursement Policy”**  
On a **MOTION** made by **Kassiotis**, second by **Prentakis**, the Select Board **VOTED** unanimously by roll call vote to amend the Employee Handbook by adding the revision of Appendix E: Travel Reimbursement Policy.

**Roll Call Called by Clerk Tim Houten:**

Garber	Yes
Prentakis	Yes
Kassiotis	Yes
Cresta	Yes
Houten	Yes

- **Potential Vote on Acceptance of Grades and Wage Ranges Based on the Collins Center Recommendation**  
On a **MOTION** made by **Prentakis**, second by **Houten**, the Select Board **VOTED** unanimously by roll call vote to accept the grade and wage ranges as proposed by the Collins Center.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

- **Potential Vote on Phase 1 of Comp. and Class. Implementation: Stipend Clean Up and Minimum Range Adjustment:** A lengthy discussion ensued on stipends, particularly facility stipends and clothing stipends. After discussion, some of the stipends clean-up will take effect on July 1.

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Select Board **VOTED** unanimously by roll call vote to approve the Stipend Clean Up and Minimum Range Adjustment, as presented, with some of the stipend clean up to take effect on July 1<sup>st</sup>, subject to approval of Town Meeting.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

- **Discussion and Feedback on Phases 2 and 3 of Compensation and Classification Implementation:** A lengthy discussion ensued on implementing phases 2 and 3. There was discussion about getting input from the Finance Committee before moving forward.
- **Potential Vote on Draft “One-Time Adjustment” Policy:** There was a lengthy discussion on the various criteria for a one-time adjustment. The Board agreed with the longevity components but wanted more information on the education/expertise component. Assistant Town Administrator Jackie Bresnahan will get more information for the Board for a future meeting.

**9:22 PM Review and Vote to Approve an Amendment: Construction Manager at Risk to the Owner’s Project Management Services Contract with PCA360; the Amendment does not change the dollar amount of the contract:** After a brief discussion, the Board took the following action:

On a **MOTION** made by **Houten**, second by **Kassiotis**, the Select Board **VOTED** unanimously by roll call vote to approve the amendment.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

**9:23 PM Review and Vote to Accept the Following Donation:**

- **Middleton Food Pantry – \$1,000 from the Independent Order of Odd Fellows Bethesda Lodge #30**  
On a **MOTION** made by **Prentakis**, second by **Kassiotis**, the Select Board **VOTED** unanimously by roll call vote to approve the donation with thanks.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

**9:23 PM Discuss and Vote to Close the Annual Town Meeting Warrant:**

On a **MOTION** made by **Houten**, second by **Prentakis**, the Select Board **VOTED** unanimously by roll call vote to close the Town Meeting Warrant.

**Roll Call Called by Clerk Tim Houten:**

<b>Garber</b>	<b>Yes</b>
<b>Prentakis</b>	<b>Yes</b>
<b>Kassiotis</b>	<b>Yes</b>
<b>Cresta</b>	<b>Yes</b>
<b>Houten</b>	<b>Yes</b>

**9:24 PM New Business:**

**Upcoming Meetings:** Chair Cresta reminded everyone of the Board's upcoming scheduled meetings: March 5, 8:30AM, Capital Budget Summit; March 8 & 22, Regular Select Board Meetings; April 5 & 19, Regular Select Board Meetings.

**9:24 PM Adjourn**

With no further business, on a **MOTION** made by **Kassiotis**, the February 22<sup>nd</sup> meeting of the Select Board adjourned at 9:24 PM.

**Upcoming Meetings:**

March 5, 8:30AM:	Capital Budget Summit
March 8 & 22:	Regular SB Meetings
April 5 & 19:	Regular SB Meetings

Respectfully submitted,



Judith A. Stickney, Minutes Secretary

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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: February 22, 2022
- Warrants
  - Warrant #2218: Payroll: \$735,346; Bills Payable: \$1,436,389
- Minutes:
  - January 25, 2022
  - February 8, 2022
- Letter from Police Chief to Town Administrator, re: Letter of Recommendation to Appoint Reserve Police Officer Kosta Agganis to Full-Time Police Officer, 2/18/22
- Middleton Police Department Policy #4.02: Computerized Voice Stress Analyzer (CVSA)
- Intermunicipal Agreement Between Masconomet Regional School District and the Towns of Boxford, Middleton, and Topsfield for Partial Funding of a School Resource Officer
- Memorandum of Understanding Between Masconomet Regional School District and The Boxford Police Department, The Topsfield Police Department, The Middleton Police Department
- Masconomet Teachers Association Collective Bargaining Agreement
- Memo and related documents from the Town Administrator to Select Board, re: Compensation and Classification Implementation Overview, 2/18/22
- Town of Middleton Classification and Compensation Implementation
- Compensation and Classification System: Town of Middleton Non-Union Employees FY 2022-2023\* (Phase 1 ONLY)
- Base OPM Contract Amendment for CM At Risk
- Letter from COA Director to Select Board, re: Middleton Food Bank Donations, 2/15/22
- Client Advisory from Mead, Talerman & Costa to Town Administrator, re: Summary of House Bill No. 4345, 2/15/22

## Compensation and Classification One-Time Adjustment Policy

**Purpose:** The purpose of this policy is to establish written criteria approved by the Select Board to place all current employees into their grade under the new Compensation and Classification schedule.

**Scope:** Employees subject to this policy are those who were employed as of February 22, 2022 in any of the non-union positions listed on the Compensation and Classification Schedule. This is a one-time adjustment to complete the implementation of the Compensation and Classification study and it will have no effect on former or future employees of the Town of Middleton. This policy will sunset on July 2, 2022.

**Grades:** All grades and placement of positions in grades were established by the Collins Center. No action taken to place incumbents within their established grade is meant to undermine or change the placement of any position within a grade. All grades, per the Collins Center recommendation, have a 30% difference between the maximum and the minimum of the grade.

**Current Pay:** No action as a result of this policy will result in a decrease in pay for an employee as part of this one-time adjustment. No employee, as a result of this one-time adjustment, would exceed the current wage range for their grade.

### **Categories of Criteria:**

- **Longevity in position/role**
  - Defined as years spent working full-time in the same or equivalent position, regardless of municipality as of July 1, 2022.
- **Longevity in Middleton**
  - Defined as years spent working full-time or part-time (with time pro-rated) in Middleton in current position as of July 1, 2022. Part-time work can not include a temporary or stipend position.
- **Education/Expertise**
  - Defined as a degree, certification, certificate, etc. in the policy area in which the incumbent currently works and **which is above the requirements listed in the job description** as of July 1, 2022.

### **Longevity in position scale:**

5 years or less = 0% in range

6-10 years = 20% in range

11-15 years = 40% in range

16-20 years = 60% in range

21+ years = 80% in range

Longevity in position in Middleton – add \$ 0.10/hour for every 5 years of service

**Education/Expertise – See next page for options.**

**This policy is effective for these one-time changes only.**

### **Policy Option A**

- **Education/Expertise**
  - Defined as a degree, certification, certificate, etc. in the policy area in which the incumbent currently works and which is above the requirements listed in the job description as of July 1, 2022
- Education/Expertise – add \$ 0.10/hour/degree and/or \$ 0.05/hour/certification above and beyond the job description requirement. Employees cap out at \$ 0.30 cents/hour and cannot exceed the maximum for their grade.

### **Policy Option B**

- **Education/Expertise**
  - Defined as a degree, certification, certificate, etc. in the policy area in which the incumbent currently works and which is above the requirements listed in the job description as of July 1, 2022
- Education/Expertise – add \$ 0.15/hour/degree; add \$ 0.10/hour/certification/license. Employees cap out at \$ 0.50 cents/hour and cannot exceed the maximum for their grade.

#### **Examples**

**Degrees:** Associate's Degree; Bachelor's Degree; Master's Degree – any listed must be in the relevant policy area

**Certification:** Graduate Certificate; MCPPO; 6+ month program/timeline; License with multi-week course with testing component – topic must be relevant to policy area of position

# Town of Middleton

## COMPENSATION AND CLASSIFICATION IMPLEMENTATION

**Proposed Implementation Phases  
and Schedule**

**Updated 3.7.2022**



## **THREE PHASED APPROACH**

- 1. Position Based Phase - Completed**
- 2. Incumbent Based Phase - In progress**
- 3. Ongoing Maintenance - Upcoming**

## 2. INCUMBENT BASED PHASE

- **One Time Adjustment Policy**
  - Longevity in position
  - Longevity in position in Middleton
  - Education/Expertise
- **Based on quantitative criteria**
- We are blind to the individual impacts
- If Board approves overall strategy, we will move forward with costing out for next meeting

## 2. INCUMBENT BASED PHASE

- All Longevity Criteria FY 23 - \$62,000
- Education Criteria Option A
  - FY 23 - \$11,500
  - *\$0.30 cent cap per employee for education*
- Education Criteria Option B
  - FY 23 - \$18,500
  - *\$0.50 cent cap per employee for education*

## 2. INCUMBENT BASED PHASE

Expense Options	Funding Sources
All Longevity and Option A Total \$73,500	Compensation Reserve \$38,595 Excess Levy Capacity \$34,520 Total FY 23: \$73,500
All Longevity and Option B Total \$80,500	Compensation Reserve \$38,595 Excess Levy Capacity \$41,250 Total FY 23: \$80,500

**The Administration strongly recommends fully funding in FY 2023**

# OPEN POLICY QUESTIONS FY 23 BUDGET

- **Feedback on method behind criteria ahead of costing out education**
- **Funding strategies**
- **Conservation Agent – role change**
  - **Move to grade D**
  - **Under \$6,000 to make the change**

# OPEN POLICY QUESTIONS AFTER FY 23 BUDGET COMPLETED

- Personnel Evaluation Policy – March 22
- Ongoing maintenance phase
- Keep the grade ranges relevant & up to date
- Method for employees to move up within their grades
- Merit/Step/Increase program – Fall 2022 so we can incorporate into planning for FY 24

**TOWN OF MIDDLETON  
ANNUAL TOWN MEETING  
THE COMMONWEALTH OF MASSACHUSETTS  
MAY 10, 2022**

5.

ESSEX s.s.

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

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs, to meet at the Howe Manning School Gymnasium, 26 Central Street, on Tuesday, May 10, 2022 at 7:00PM, then and there to act on the following articles:

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

**FY2022 AND PRIOR YEAR FINANCIAL ARTICLES**

**ARTICLE 1.** To hear Committee Reports:

**ARTICLE 2.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to be used to fund the deficit incurred in the Department of Public Works (snow removal and winter road maintenance) budget; or take any other action relative thereto.

**Purpose:** This article will transfer funds to close the deficit for snow and ice removal. The snow and ice deficit is typically funded through a transfer from Free Cash. At the time of printing the snow and ice deficit was \$0. If the deficit remains \$0 no action will be taken on this article.

**ARTICLE 3.** On petition of the Select Board and Finance Committee, to see if the Town will vote to pay prior fiscal year bills; or take any other action relative thereto.

**Purpose:** This article authorizes payment of bills from prior fiscal years. Under General Law c. 44, s. 64, bills from prior fiscal years can only be paid if approved by Town Meeting unless funds were encumbered.

**ARTICLE 4.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from

available funds to supplement the Fiscal Year 2022 operating budget; or take any other action relative thereto.

**Purpose:** This article is to transfer funds and supplement monies, if necessary, to meet departmental expenses in the current fiscal year ending on June 30, 2022.

**ARTICLE 5.** On petition of the Select Board and Finance Committee, to see if the Town will vote to transfer a sum from the Water Enterprise retained earnings to supplement the FY22 Water Department operating budget; or take any other action relative thereto.

**Purpose:** This article will fund costs for the operation of the Water Department from the revenues of the Water Department.

**ARTICLE 6.** On petition of the Select Board and Finance Committee, to see if the Town will vote to fund collective bargaining agreements; or take any other action relative thereto.

**Purpose:** This article will fund costs associated with contracts negotiated with collective bargaining groups (public employee unions).

**ARTICLE 7.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, transfer between and among various accounts, or transfer from available funds to supplement the Fiscal Year 2022 capital budget; or take any other action relative thereto.

**Purpose:** This article is to transfer funds and supplement monies to fund capital appropriations in the current fiscal year ending on June 30, 2022. These include additional funds for the Fire Department pumper truck, funds to undertake a needs assessment for the Council on Aging, vests for the Police Department, and a software upgrade for the Finance Department.

## FY2023 FINANCIAL ARTICLES

**ARTICLE 8.** On petition of the Select Board acting in the capacity of the Personnel Board, to see if the Town will vote to set the salaries of elected officials pursuant to Massachusetts General Law Chapter 41, Section 108; or take any other action relative thereto.

**Purpose:** This article establishes the compensation of elected officials. The Personnel Plan which shows the compensation of all employees is located in the back of the warrant book.

**ARTICLE 9.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to fund the Omnibus Budget for Fiscal Year 2023; or take any other action relative thereto.

**Purpose:** This article requests approval of the Town operating budget for the coming fiscal year beginning on July 1, 2022 and running through June 30, 2023. Detailed descriptions of revenues and expenditures are presented in the warrant book.

**ARTICLE 10.** On petition of the Select Board and Community Preservation Committee, to see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for debt service, and community preservation projects, and other expenses in Fiscal Year 2023 with each item to be considered a separate appropriation; or take any other action relative thereto.

#### **Proposed Fiscal Year 2023 Community Preservation Budget**

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from Fiscal Year 2023 Community Preservation Fund Revenues, unless otherwise specified for Fiscal Year 2023 Community Preservation Purposes with each item considered to be a separate appropriation:

<b><u>Purpose</u></b>	<b><u>Recommended Amount</u></b>	<b><u>Funding Source</u></b>
A) Reserves: Open Space	\$39,135.43	FY 2022 Estimated CPA Receipts
Reserves: Historic Resources	\$39,135.43	FY 2022 Estimated CPA Receipts
Reserves: Community Housing	\$39,135.43	FY 2022 Estimated CPA Receipts
B) Flint Library Debt Service	\$82,500.00	\$39,463.17 from Historic Resources Reserve and \$43,036.83 from Fund Balance
C) 11 South Main St. Debt Service	\$40,800.00	\$39,463.17 from Open Space Reserve And \$1,136.83 from Fund Balance
D) CPA Committee Admin. Expenses	\$1,200.00	From Fund Balance
<b>Community Preservation Total</b>	<b>\$200,832.38</b>	

**Purpose:** Each year the Town Meeting must appropriate or reserve for future appropriation at least 10% of the estimated annual fund revenues for acquisitions and initiatives in each of the following three categories of allowable community preservation purposes:

Open space (excluding recreational uses)  
Historic resources

## Community housing

The term “annual fund revenues” in Fiscal Year 2023 are estimated at \$330,000 and is composed of the estimated receipts from the local surcharge of \$265,000 and monies from the State Trust Fund, which will make its sixteenth payment in October of 2022 providing an additional estimated \$65,000 in matching funds based upon the local share raised in FY 2023

**ARTICLE 11.** On petition of the Select Board and Community Preservation Committee, to see if the Town will vote to appropriate from the Community Preservation Fund annual revenues the following amounts recommended by the Community Preservation Committee for new community preservation projects in Fiscal Year 2023 with each item to be considered a separate appropriation; or take any other action relative thereto.

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
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### Community Preservation Total

**ARTICLE 12.** On petition of the Select Board and Finance Committee, to see if the Town will vote to authorize the spending limits of the following revolving funds established under the Town Bylaw and General Laws Chapter 44, Section 53E ½:

Revolving Fund	Spending Limit
Firearms License and Permits	\$10,000
Council on Aging	\$35,000
Recreation	\$15,000
Recreation Field Use	\$15,000
Stormwater Management	\$5,000

Or take any other action relative thereto.

**ARTICLE 13.**

On petition of the Town Accountant, Select Board, and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Sewer Enterprise receipts to pay expenses and contractual services required to operate the Sewer Enterprise Fund for Fiscal Year 2023; or take any other action relative thereto.

## Direct Costs

SESD Assessment	\$105,436
Expenses	\$100
Extra/Unforeseen	\$1,000
Total Direct Costs:	\$106,536

**Indirect Costs \***

Salaries and Wages	\$4,438
Insurance & Benefits	\$370
Total Indirect Costs:	\$4,808

**Total FY2023 Budget**      **\$111,344**

*\*(to be raised and appropriated in the General Fund Operating Budget)*

Town shall raise the sum of \$106,536 or any other sum from the Sewer Enterprise Revenues and to approve the sum of \$4,808 of indirect costs appropriated in the general fund under Article 9 to be funded from Sewer Enterprise Revenues.

**ARTICLE 14.** On petition of the Town Accountant, Public Works Superintendent, Select Board, and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Water Enterprise receipts to pay expenses and contractual services required to operate the Water Enterprise Fund for Fiscal Year 2023; or take any other action relative thereto.

**Direct Costs**

Salaries and Wages	\$117,983
Capital Outlay	\$50,000
Debt Service	\$10,305
Expenses	\$63,600
Extra/Unforeseen	\$50,000
Total Direct Costs:	\$291,888

**Indirect Costs \***

Salaries and Wages	\$14,446
Insurance & Benefits	\$35,658
Total Indirect Costs:	\$50,104

**Total FY2023 Budget**      **\$341,992**

*\*(to be raised and appropriated in the General Fund Operating Budget)*

Town shall raise the sum of \$291,888 or any other sum from the Water Enterprise Revenues \$50,000 from retained earnings and to approve the sum of \$50,104 of indirect costs

appropriated in the general fund under Article 9 to be funded from Water Enterprise Revenues.

**ARTICLE 15.** On petition of the Electric Light Commissioners, to see if the Town will vote to accept a sum of money from the earnings of the Electric Light Department, said sum to be used for the reduction of taxes; or take any other action relative thereto.

**ARTICLE 16.** On petition of the Superintendent of Public Works, to see if the Town will vote to raise and appropriate such sums of monies as may be received from the Commonwealth of Massachusetts for the fiscal year commencing July 1, 2021 to install drainage, widen, pave, and otherwise improve any public way in accordance with the provisions of Chapter 90 of the Massachusetts General Laws; or take any other action relative thereto.

**ARTICLE 17.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow or transfer from available funds to various reserve and trust funds; or take any other action relative thereto.

**Purpose:** This article transfers funds from Free Cash to various reserve funds, including stabilization funds and the other post-employment benefits (OPEB) trust fund.

**ARTICLE 18.** On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a certain sum to fund the Capital expenditures for Fiscal Year 2023; and to authorize the Town Administrator to sell or trade items rendered surplus by such purchases; or take any other action relative thereto.

<Insert capital budget table>>

**Purpose:** This article requests approval of the capital budget for the coming fiscal year. Capital items are assets that have a useful life of five (5) or more years and a cost of more than \$5,000. Regular capital investment is critical to maintaining the Town's infrastructure, including the vehicle fleet, buildings, equipment, and acquisition of land. Annually, a capital improvement plan (CIP) is developed looking ahead for the next five years. Year one of the CIP is the ensuing year's capital budget. The FY23 Capital Budget is proposed to be funded by \$\_\_\_\_\_ from Free Cash. Note that capital items funded through the Community Preservation Fund are reflected in that warrant article; capital items funded through outside funds are not subject to appropriation.

## CITIZEN PETITIONS, BYLAW ADOPTIONS, AND REAL PROPERTY

**ARTICLE 19.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 13, as follows:

By striking subsection E(3) of Section IV, “Apportionment of Operating Costs” which currently reads:

~~3. For Fiscal Year 2024, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town’s required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district’s net school spending, as defined by G.L. c. 70, § 2, which exceeds the three (3) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.~~

And replacing it with the following:

3. For Fiscal Year 2024, operating costs will be apportioned to member towns using the method outlined in G.L. c. 70, § 6. Operating assessments for each member town shall equal the sum of (i) such member town’s required local contribution to the regional school district as determined by the Commissioner of Elementary and Secondary Education, and (ii) the product of (a) that portion of the regional school district’s net school spending, as defined by G.L. c. 70, § 2, which exceeds *the total required local contribution for all member towns, multiplied by (b) the ratio which such member town’s October 1 pupil enrollment in the regional school district for* the three (3) preceding fiscal years bears to the total pupil enrollment from all member towns during the same period.

**Purpose:** This article amends the Masconomet Regional Agreement by correcting a typographical error that inadvertently left off a clause of Subsection E(3) of Section IV when Amendment 11 was adopted.

**ARTICLE 20.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 14, as follows:

By striking subsection F of Section IV, “Apportionment of Operating Costs” which currently reads:

~~F. Fiscal Year and Times of Payments of Apportioned Costs~~

~~The fiscal year or period of the District shall be the same as the fiscal period of the member towns as provided by law, and the word year or fiscal year or calendar year as it relates in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.~~

~~Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection V (C), of the capital and operating costs. Except as otherwise provided in subsection V (A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:~~

~~August 15~~

~~November 15~~

~~February 15~~

~~May 15~~

And replacing it with:

**F. Fiscal Year and Times of Payments of Apportioned Costs**

The fiscal year or period of the District shall be the same as the fiscal period of the member towns as provided by law, and the word year or fiscal year or calendar year as it relates in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.

Each member town shall pay to the District in each fiscal year its proportionate share, certified as provided in subsection V (B), of the capital and operating costs. Except as otherwise provided in subsection V (A), the annual share of each member town shall be paid in four (4) equal installments quarterly due on or before the following dates each year:

August 15

November 15

February 15

May 15

**Purpose:** The purpose of this amendment is to correct an error in Amendment 12 from 2021, which incorrectly referenced the removal of the second sentence when the third sentence was actually removed. This amendment also corrects an inaccurate reference to Section V(C), which should be renumbered to “V (B)” due to a previous amendment.

**ARTICLE 21.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 15, as follows:

By striking Subsection (B) “Final Maintenance and Operating Budget” of Section V “Budget” which currently reads,

**B. Final Maintenance and Operating Budget**

~~The Committee shall, not later than forty-five (45) days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held (but in any event, not later than March thirty-first (31<sup>st</sup>) in each year) adopt an annual maintenance and operating budget for the ensuing fiscal year, said budget to include debt and interest charges and any other current capital costs as separate items, and shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of subsections IV (D) and IV (E). The amounts so apportioned for each member town shall, within thirty (30) days from the date on which the budget is adopted, be certified by the district treasurer to the treasurers of the member towns, and each town shall be liable for and shall appropriate the amounts so certified to it.~~

And replacing it with the following:

**B. Final Maintenance and Operating Budget**

The Committee shall, not later than forty-five (45) days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held (but in any event, not later than March thirty-first (31<sup>st</sup>) in each year) adopt an annual maintenance and operating budget for the ensuing fiscal year, *by a two-thirds vote of all its members*. Said budget to include debt and interest charges and any other current capital costs as separate items, and shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of subsections IV (D) and IV (E). *The amounts so apportioned to each member town shall, not later than thirty days following adoption of the final annual budget, be certified by the District treasurer to the treasurer of such member town, and each member town shall, at its next annual town meeting, appropriate the amounts so certified to it. Approval of the budget shall require an affirmative vote of the appropriating authorities of two-thirds of the member towns.*

**Purpose:** This amendment affirms the statutory requirements that the School Committee must adopt a budget by a 2/3 majority vote of its members and that each town's annual town meeting must vote to appropriate the amounts certified to it by the regional district treasurer.

**ARTICLE 22.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 16, as follows:

To amend Subsection B "Procedure" of Section VII "Amendments" which currently reads:

**B. Procedure**

A proposal for amendment may be initiated by a majority vote of all the members of the Committee or by a petition signed by 10% of the registered voters of any one of the member towns. In the latter case, said petition shall contain at the end thereof, a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be names on registered voters of said town. Any such proposal for amendment shall be presented to the secretary of the Committee, who shall mail or deliver a notice in writing to the Board of Selectmen of each of the

member towns that a proposal to amend this agreement has been received and shall enclose of copy of such proposal (without the signatures in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the proposal or the substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns, acceptance by each town to be by a majority vote at a town meeting as aforesaid.

By adding the phrase “and approval of the Commissioner of Elementary and Secondary Education.” to the end of last sentence of the section.

**Purpose:** This Amendment clarifies that all amendments to the Regional Agreement must be approved by the Commissioner of Elementary and Secondary Education in order to take effect.

**ARTICLE 23.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 17, as follows:

By striking Section VIII “Admission,” which currently reads:

~~By an amendment of this agreement adopted under and in accordance with Section VII above, any other town or towns may be admitted to the regional school district upon adoption as therein provided of such amendment and upon acceptance by the town or towns seeking admission of the agreement as so amended and also upon compliance with such provisions of law as may be applicable, and such terms as may be set forth in such amendment.~~

And replacing it with:

By an amendment of this agreement adopted under and in accordance with Section VII above, any other town or towns may be admitted to the regional school district upon adoption as therein provided of such amendment and upon acceptance by the town or towns seeking admission of the agreement as so amended and also upon compliance with such provisions of law *and regulations* as may be applicable, and such terms as may be set forth in such amendment. *A new member may be admitted to a regional school district as of July 1 of any fiscal year, provided that all requisite approvals for such admission or withdrawal, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission or withdrawal until July 1 of a subsequent fiscal year.*

**Purpose:** This amendment clarifies the process and timelines through which a new town could be admitted to the Regional School District.

**ARTICLE 24.** To see if the Town will vote to amend the Masconomet Regional School District Agreement by adopting Amendment 18, as follows:

By striking Subsection A “Procedure” of Section IX “Withdrawal,” which currently reads:

A. Procedure

~~Any member town may withdraw from the regional school district by a majority vote of the voters present and voting on the question at an annual or special town meeting called for the purpose, such withdrawal to become effective on June 30 of the year named in the question, provided: (1) that in pursuance of such vote, the withdrawing town gives the regional school district at least one year's written notice of its intention to withdraw, (2) that the said town has paid over to the District any costs which have been certified by the district treasurer to the treasurer of the withdrawing town, including the entire amount so certified for the year in which such withdrawal takes effect, and (3) that the said town shall remain liable to the District for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as if the town had not withdrawn from the District, except that such liability shall be reduced by any amount which such town has paid over at the time of withdrawal and which has been applied to the payment of such indebtedness or interest.~~

And replacing it with:

A. Procedure

Any member town may withdraw from the regional school district by a majority vote of the voters present and voting on the question at an annual or special town meeting called for the purpose, such withdrawal to become effective on June 30 of the year named in the question, provided: (1) that in pursuance of such vote, the withdrawing town gives the regional school district at least one year's written notice of its intention to withdraw, (2) that the said town has paid over to the District any costs which have been certified by the district treasurer to the treasurer of the withdrawing town, including the entire amount so certified for the year in which such withdrawal takes effect, and (3) that the said town shall remain liable to the District for its share of the indebtedness, *including but not limited to Other Post-Employment Benefits (OPEB) and other liabilities* of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as if the town had not withdrawn from the District, except that such liability shall be reduced by any amount which such town has paid over at the time of withdrawal and which has been applied to the payment of such indebtedness or interest. *An existing member may withdraw from the regional school district as of July 1 of any fiscal year, provided that all requisite approvals for such admission or withdrawal, including the Commissioner's approval, shall be obtained no later than the preceding December 31. The authorizing votes may provide for the deferral of said admission or withdrawal until July 1 of a subsequent fiscal year.*

**Purpose:** This amendment clarifies the process through which a member town may withdraw from the regional district.

**ARTICLE 25.** To see if the Town will vote to allocate Middleton's share of the Masconomet excess Massachusetts School Building Authority (MSBA) funding to the Masconomet Stabilization Fund for the limited purpose of planning, design, and/or construction of the next Masconomet bonded project.

**Purpose:** The MSBA's reimbursement lags the debt for the project. In FY 2023 there is no debt service due; however, the final year of MSBA reimbursement will be paid in FY23. This article will allow Masconomet to retain this reimbursement and apply it to planning for a future bonded project. This approval is conditioned upon the other member towns doing the same.

**ARTICLE 26.** To see if the Town will authorize the Select Board to file a Home Rule Petition to the Massachusetts legislature to change the day of the week on which Town elections are held as follows:

3-1-1 The regular election for all Town offices shall be by official ballot held on ~~the third Tuesday in May of each year~~ such date as the Select Board shall determine.

**Purpose:** This article will allow the Select Board to petition the Massachusetts legislature for an amendment to the Charter. The Charter revision would allow the Select Board to set the date of the Annual Town Election. This change would enable the Annual Town Election to be held on a day when school is not in session.

**END OF ANNUAL TOWN MEETING WARRANT**

**TO THE TOWN CONSTABLE:**

You are hereby ordered to notify and warn said qualified voters to meet at the Fuller Meadow School, 143 South Main Street, Middleton, MA on **Tuesday, May 17, 2022**, next for the following purposes, VIZ: To choose by ballot the following Town Officers for the ensuing year and vote on the following referendum:

One Constable for three years  
Two Select Board members for three years  
One Board of Assessors member for three years  
One Board of Assessors member for one year  
Two Elementary School Committee member for three years  
One Regional School Committee member for three years  
One Planning Board member for five years  
One Planning Board member for four years  
One Planning Board member for three years  
One Electric Light Commissioner for three years  
One Library Trustee for three years

**The Polls open at 7:00 a.m. and close at 8:00 p.m. Voting takes place at the Fuller Meadow School, 143 South Main Street, Middleton, MA.**

And you are hereby directed to service this Warrant by posting up attested copies thereof at:

Memorial Hall	Flint Public Library	Ferncroft Towers, and
Post Office	Howe Station Market	Fuller Pond Village

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereof, to the Town Clerk at time and place of meeting aforesaid.

Given under our hands this \_\_\_\_\_ day of \_\_\_\_\_ in the year Two Thousand Twenty Two.

**MIDDLETON SELECT BOARD**

A true copy Attest:

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Constable of the Town of Middleton

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Date Posted

## **Correspondence and informational materials**



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Jamey Tesler, Secretary & CEO



February 17, 2022

Andrew Sheehan, Town Administrator  
Town of Middleton  
48 South Main Street  
Middleton, MA 01949

Dear Andrew Sheehan, Town Administrator

We are pleased to inform you that we anticipate Chapter 90 local transportation aid funding for Fiscal Year 2023 will total \$200 million statewide, pending final legislative approval.

This letter certifies that, pending final passage of the bond authorization, your community's Chapter 90 apportionment for Fiscal Year 2023 is \$310,238.00. This apportionment will automatically be incorporated into your existing 10-year Chapter 90 contract, and will also be listed on the MassDOT website [www.massdot.state.ma.us/chapter90](http://www.massdot.state.ma.us/chapter90).

The Chapter 90 Program is an integral part of maintaining and enhancing your community's infrastructure and is an essential component of our state-local partnership. We look forward to working with you in the coming year to continue the success of this program.

Thank you for all that you do to make the Commonwealth of Massachusetts a great place to live, work and raise a family.

Sincerely,

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor