

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, MAY 30, 2023
6:00 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/88446830179?pwd=WHBJbjY0Z01rYmNiREVHRDE5dXRVdz09>*

- 6:00 pm 1. Reorganization: Elect Chair, Clerk; votes may be taken
- 6:10 pm 2. Business
 - a. Warrant: 2324
 - b. Minutes: May 2, 2023; May 16, 2023
 - c. Town Administrator Updates and Reports
- 6:20 pm 3. Update on 49 S. Main St/10-18 Boston St Project, if needed; votes may be taken
- 6:25 pm 4. Public Comment
- 6:35 pm 5. Public Hearings
 - a. Liquor License Public Hearing under MGL Chapter 138, Section 15A
170 N Main Street: Application of Mahin Corporation, DBA Dave's Liquors by President Samirkumal Patel for Transfer of License, Pledge of Collateral and Pledge of Inventory of the All Alcohol Package Store currently held by J & J Paikos DBA Dave's Liquors.
 - b. Flammable & Combustible Public Hearing under MGL Chapter 148, Section 13
15 Sharpners Pond Road: Amendment of NOMID LLC (formerly licensed via AGP LLC) Flammable & Combustible License to store flammables, combustibles or explosives on land or structures at 15 Sharpners Pond Road, Buildings A-G.
- 6:50 pm 6. Follow up from Annual Town Meeting on May 9th
 - a. Review of timeline for discussion on disposition of town lands (Locust St, 65 N. Main, and 40 School St); votes may be taken
- 7:00 pm 7. Review following (re)Appointments; votes may be taken (see below)
- 7:10 pm 8. Follow Up on Central St/Washington St Traffic Study; votes may be taken
 - a. Traffic Calming Policy

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.

7:20 pm 9. Acceptance of Grants and Donations

- a. \$1,000 from Martha Fucarile for the Middleton Food Pantry
- b. \$1,000 from Martha Fucarile for the Middleton Council on Aging

7:25 pm 10. Updates & Announcements

7:30 pm 11. Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining negotiations with all units

Upcoming Meetings:

June 13
July 11
August 8

Regular Select Board Meeting
Regular Select Board Meeting
Regular Select Board Meeting

Re-appointments:

- Affordable Housing Trust (2 seats) (2 year terms through 2025): William Renault; Beth Andres-Beck
- Board of Registrars (1 seat) (3 year term through 2026): Sarah George
- Board of Registrars (1 seat) (2 year term through 2025): Justin Bingham
- Bylaw Review Committee (2 seats) (1 year term through 2024): John Dimino; Jeffrey Garber
- Conservation Commission (2 seats) (3 year term through 2026): Anthony Pesce; Andrea Nelson
- Council on Aging (3 seats) (3 year term through 2026): Herman Learmand-Criqui; Barbara Sanborn; Ellen Strobel
- Historical Commission (2 seats) (2 year term through 2025): Sarah George; Anne LeBlanc-Snyder
- Patriotic Observances Committee (1 seat) (3 year term through 2026): Robert Wahl
- Rails to Trails Committee (2 seats) (2 year term through 2025): Rick Kassiotis, Richard Gilman
- Zoning Board of Appeals (1 seat) (5 year term through 2028): William Renault
- Zoning Board of Appeals – Alternate (1 seat) (1 year term through 2024): Anne LeBlanc-Snyder

MEETING MINUTES

1b.

MIDDLETON SELECT BOARD
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY MAY 2, 2023
6 PM

This meeting was recorded and live on Zoom and Cable TV.

Present: Chair Kosta Prentakis; Brian Cresta (A- 6:15pm); Jeff Garber, Rick Kassiotis; Debbie Carbone, via Zoom

Others Attending: Interim Town Administrator (ITA) /Human Resource Director Jackie Bresnahan; and others as noted.

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.

6 PM With a quorum present, Chair Prentakis called the meeting to order and identified those present. With Member Cresta having notified the Chair he would be late, the agenda was taken out of order.

- Minutes*
- Donations*
- Updates on COA*

Business

Warrant Approval 2322: ITA Bresnahan provided a brief overview of **Warrant #2322**.

The Town Accountant/Finance Director has reviewed the warrant and requested the Board's approval.

On a MOTION made by Cresta second by Garber, the Select Board VOTED unanimously to approve warrant # 2322 as presented.

***Minutes Approval: April 12, 2023 (OS & ES), April 18, 2023**

On a MOTION made by Kassiotis second by Garber, the Select Board VOTED unanimously to approve the April 12, 2023 (OS & ES), April 18, 2023 minutes as presented.

Town Administrator Updates and Reports – ITA Bresnahan

- Change in upcoming Select Board meetings: May 16 at Flint public library; The June 27 meeting was cancelled. The Board will meet June 13, July 11, August 8. The regular meeting schedule will resume September 5
- The pre town meeting presentation is on Thursday May 4.
- May 16 – Annual Town Meeting; Town Meeting Warrants are available at Memorial Hall.
- Monday, May 8 - Thursday May 11 is early voting. *Additional information is on the town website.*
- May 16 - Annual Town Elections.
- May 17 - Building Committee public presentation.
- The ramp at Memorial Hall is complete.

Update on 49 S. Main St/10-18 Boston St Project; votes may be taken

Chair Prentakis gave a brief update on the site visit at 49 S. Main St/10-18 Boston Street held last week attended by Mass Housing, the developer, and town departments/staff. He referenced the information Mass Housing provided regarding the seven general requirements which would be posted on the town website.

Although closely intertwined, the proposed 40B housing project is separate from the proposed commercial project and two different processes need to be followed; the developer has full discretion on which project is filed first. Mass Housing's jurisdiction is limited to the housing project.

Pending approval from the Mass Housing, the developer has 90 days to submit an application to the Board of Appeals for a Comprehensive Permit. If issued, the project goes back to Mass Housing for a final determination for financial liability. ITA Bresnahan noted the Town has until June 15,2023 to submit comments on the site eligibility process; residents may also submit comments in accordance with the guidelines. The Board will review/approve the final document at the June 13 meeting. Town Counsel is providing guidance to the town during this process.

Noting abutters to the project in the audience, the Chair opened the meeting for comments/questions. Diane Anderson, Boston Street, noted her support of affordable housing but voiced her disappointment in the proposed conceptual design as presented and opined it did not represent the character of Middleton but looks like a large hotel. She mentioned other well designed similar projects in town that are large but have a residential appearance.

Fred Feldman, Blue Haven, voiced his concern with water runoff from the project further impacting his home, especially with the septic design so close to his neighborhood. He asked the developer be cognizant of the water tables as the design process continues.

Update on investment income/strategies with Treasurer/Collector Nick Federico

Nick Federico was present to address concerns and questions raised at a previous Select Board meeting regarding the town's financial accounts.

Mr. Federico informed the Board he is working with the Finance Director to consolidate banking accounts and review strategizing investments. Larger balance accounts (\$8.5 million) in low earning money markets were switched to ICS (Insured Cash Sweep) accounts for a better return rate; this is a safer investment for the town. Hilltop Investment advisors are providing guidance to the Town on investments, specifically for the new facility project (\$60 million) borrowed funds at a low rate for the new town facilities, currently earning interest, to avoid regulatory arbitrage.

There is a plan to move smaller funds into a Municipal Depository.

This information prompted additional questions on investments from the Board.

Cresta arrived 6:15pm.

***Update on new programming and initiatives at the Council on Aging with Director Jillian Smith**

Jillian Smith was present and spoke on recent events sponsored by the Friends of the COA, specifically the success on the dance party. With all the fund raising, programs are offered to seniors free of charge e.g. art & fitness programs, lifelong learning programs, veterans trips, health related events, games, support groups, meals, and special monthly events, etc. Director Smith recognized various departments, and staff for their support of the COA.

The COA is holding their second annual yard sale on June 17.

7:07 PM – Executive Session

The Board **voted** unanimously by roll call to enter into Executive Session in accordance with G.L. c. 30A, s. 21(a)(2) to discuss strategy relative to Town Administrator Justin Sultzbach and return to open session.

The Board returned to open session at 7:15 PM.

Review & discuss Town Administrator contract for Justin Sultzbach; votes may be taken

The new Town Administrator will begin in Middleton on July 10, 2023, to allow him to provide a 60 day notice to his current Board.

On a **MOTION** made by **Cresta** seconded by **Garber**, the Select Board **VOTED** unanimously to approve the Employment Agreement between the Town of Middleton and Justin Sultzbach for the role of Town Administrator, to be entered into May 2, 2023 for period through June 30, 2026.

Review & discuss Comcast Cable License Renewal Agreement; votes may be taken

The Cable Advisory Committee and Cable Counsel, KP Law has reviewed the (10 year) Cable Agreement with Comcast. The new agreement provides an HD option to the Town. The rate impact increase to subscribers is \$.98.

A new Verizon Agreement is forthcoming.

On a **MOTION** made by **Cresta** seconded by **Garber**, the Select Board **VOTED** unanimously to approve the renewal of the Cable TV License Agreement for the Town of Middleton and Comcast for a period of May 1 2023 through April 30, 2033.

***Acceptance of grants & donations**

Grant in the value of \$25,000 from Metropolitan Area Planning Council for the Affordable Housing Trust Five Year Action Plan

On a **MOTION** made by **Kassiotis**, seconded by **Garber**, the Select Board **VOTED** unanimously to accept the grant of \$25,000 from Metropolitan Area Planning Council for the Affordable Housing Trust Five Year Action Plan.

***Review & Discuss Donation Account Request for Wreaths Across American for the Patriotic Observances Committee.**

The request before the Board was to establish a revenue account for Wreaths Across American (WAA) to allow the Patriotic Observances Committee to solicit and accept donations specifically for, and limited to, the purchase of Wreaths for WAA, as recommended by Finance Director.

WAA is a non-profit charity whose mission is to distribute wreaths for placement on veteran's graves each December.

Veteran Service Officer (VSO) Kevin Welch was present and spoke briefly on National Wreaths Across America Day, held annually in December (December 16, 2023) to remember, honor, and teach by coordinating wreath-laying ceremonies at Arlington National Cemetery, and across the United States, at sea, and abroad. Donations are sought for the cost of the wreaths.

There are (about) 470 veterans graves in Oakdale Cemetery; to date 430 wreaths have been donated.

On a **MOTION** made by **Garber**, seconded by **Kassiotis**, the Select Board **VOTED** unanimously to authorize the account under MGL Ch 44, § 53 A for the Wreaths Across America funds.

Updates & Announcements

Chair Prentakis announced the League of Women Voter is holding a candidates night on May 10, at the Flint Library.

Chair Prentakis asked the public to respect candidate's campaign signs.

Member Kassiotis thanked those that attended Earth Day making it a successful event.

Upcoming Meetings:

- May 9 Annual Town Meeting – Howe-Manning
- May 16 Annual Town Election – Fuller Meadow
- May 16 Regular Select Board Meeting (Flint Public Library)
- May 30 Regular Select Board Meeting
- June 6 Open Meeting Law Training
- June 13 Regular Select Board Meeting

Adjourn – *The Board voted unanimously to adjourn at 7:30 pm.*

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

Jeff Garber, Select Board Clerk

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

- Agenda: May 2, 2023
- Warrant #2322: Payroll \$ 805,971; Bills Payable \$ 3,229,800; Masco Regional fourth quarter assessment \$ 2,619,398
- Minutes: April 12, 2023 (OS & ES), April 18, 2023
- Memo from Treasurer/Collector Re: Questions about Investment Income & Banking Strategies, 5/2/23
- Middleton Council on Aging – May/June 2023 Newsletter
- Renewal Cable Television License Agreement for Town of Middleton May 1, 2023 – April 30, 2033
- MAPC Projects Update
- Email from K. Welch Re: Wreath Across America Revenue Account Request, April 26, 2023
- Employment Agreement Between the Town of Middleton, Massachusetts and Just Sultzbach, Town Administrator

MEETING MINUTES
MIDDLETON SELECT BOARD MEETING AGENDA
FLINT PUBLIC LIBRARY MEETING ROOMS A & B
1SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, MAY 16, 2023
6:00 PM

This meeting was recorded and live on Zoom and Cable TV.

Select Board Present: Chair Kosta Prentakis; Brian Cresta (via Zoom); Jeff Garber, Debbie Carbone.

Not present: Rick Kassiotis

Others Attending: Interim Town Administrator (ITA) /Human Resource Director Jackie Bresnahan; and others as noted.

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.

6 PM With a quorum present, Chair Prentakis called the meeting to order and identified those present.

Business

Warrant Approval 2323: ITA Bresnahan provided a brief overview of **Warrant #2323**.

The Town Accountant/Finance Director has reviewed the warrant and requested the Board's approval.

*On a **MOTION** made by **Garber** second by **Carbone**, the Select Board **VOTED** unanimously by roll call to approve warrant # 2323 as presented.*

Town Administrator Updates and Reports – ITA Bresnahan

- Additional information is on the Town Website.
- Residents were recognized for attending the Annual Town Meeting.
- Election Polls are open tonight until 8pm at the Fuller Meadow School.
- The Design Review Group met to review the Public Facilities project with the Architect and Project Manager to review the permitting process. The Building Committee is holding a public presentation on May 17 at the Fuller Meadow Café. This is the first presentation in series a planned presentations to the public.
- Memorial Day Services are Monday May 29.
- The Employee Handbook , including policies, will be updated over the summer.
- Reminders for reappointment have been issued. The deadline to respond is Monday May 22.
- The full list of board/committee openings is on the Town website.
- June 1 & 2 Ms. Bresnahan will attend a conference and be aware from the town.
- The Administrative Assistant continues to work on the backlog of Annual Town Reports. The 2021 and 2022 Annual Reports have been completed and posted on the Town website; the 2023 Annual Report is in progress and will be posted upon completion.

Update on 49 S. Main St/10-18 Boston St Project*; votes may be taken

A new application for a Comprehensive Permit Site Approval Application was filed with MassHousing in early April, 2023 by Villebridge Acquisitions, LLC for the former Angelica's property. The project site is 3.05 acres, including 10 Boston Street, a portion of 49 S. Main Street, and a portion of 18 Boston Street.

*The proposed project includes 60 rental units, of which 10 percent affordable under 40B, with commercial space.

Town Departments continue to prepare the Towns' response of Site Eligibility for MassHousing on the proposed plan. A full review will be on the June 13 Select Board meeting agenda. All information to date is on the Town website. Ms. Bresnahan asked the Board to consider if they want a negotiations team put together to mitigate impact to the project before it is submitted to the Zoning Board.

The Chair responded to general questions from the audience regarding 40B developments.

Quarter 3 Report from Finance Director/Town Accountant Sarah Wood; votes may be taken

Finance Director Sarah Woods was present and reviewed the Quarter 3 report. This included a summary of the 3rd quarter results as of March 31 (FY 2023) for the General Fund, CPA Fund, Water Enterprise Fund, Appropriation Funds and Revolving Accounts.

The General Fund accounts for the Town's annual operating budget and the majority of the capital budget. Exceptions include MELD and SESD assessments, which are accounted for as enterprise funds and capital budget items that are for another fund (i.e. CPA Fund, capital project funds and water enterprise fund). As of March 31, 2023, 71.3% of the FY 2023 General Fund budget had been expended and year end transfers are anticipated.

The Board requested an update from Public Works on Capital Projects be on the next agenda.

Review and discuss liquor license fees to add an application fee of \$200 for all applications for liquor licenses, to be deducted from the total cost of the license once issued by the Select Board and Alcoholic Beverages Control Commission (ABCC); vote to authorize refund of local licensing costs, minus \$200 application fee for any home rule license petitioners who are not granted the license by either the Select Board or ABCC; votes may be taken

The Chair acknowledged applicant paid for a license that may not be granted and this addresses a refund of the application fee with the exception of \$200 to cover the initial administrative cost of processing the application.

Member Garber suggested as a one-time situation, the entire application fee (including the proposed \$200) be refunded and the Board discuss future application fees separately to cover time spent on applications. Member Cresta concurred.

On a MOTION made by Garber second by Carbone, the Select Board VOTED unanimously by roll call to a non-refundable application fee of \$200 be included in the (\$2,000) licensing fee for all Liquor License applications effective May 30, 2023.

On a MOTION made by Garber second by Carbone, the Select Board VOTED unanimously by roll call to authorize a total refund of all local licensing costs plus the \$200 application fee for unsuccessful home rule license petitioners who are not granted the Liquor license, by either the Select Board or ABCC, the town is currently in receipt of.

Applicants who do not receive a license and want a refund, were directed to go to town hall to start the refund process.

Liquor License Public Hearings under MGL Chapter 138, Section 15A:

Liquor License approved by the Select Board, applicants still must move forward with the ABCC process in parallel with approvals with other the Town departments e.g. Building Commissioner, Zoning Board, Fire, etc. The Board has the discretion to not award a license.

6:40 pm - On a **MOTION** made by **Carbone**, second by **Cresta**, the Select Board **VOTED unanimously by roll call to open the public hearing for All Alcohol, off Premise at Maple Street.**

A. All Alcohol, Off Premise at Maple Street (1 license available/2 applications)

1. 229 Maple Street: Review and vote on petition of Luv Kush Marketing, Inc. d/b/a Howe Station Market for new all alcohol off premise liquor license; manager Dipak Karia

Applicant and Manager Dipak Karia was present and introduced the those present who assisted him with the application process: Attorney Neil Mooney, Bayside Engineering, his father and previous owner, and his partner/brother. He read a prepared statement requesting a change of license type from the sale of wine and malt beverages to an all alcohol license. If awarded the license, the hours of this store would not change and the store will still close at 9pm.

The hearing was open for questions/comments.

Member Carbone questioned adding more shelf space and was told storage space, cooler space, and estimated 500 to 700 sq. ft of existing space would be dedicated for this license.

Member Cresta asked if the owners would remove anything from current display areas and was told those displays doubled would be used. There are nine parking spaces for this business.

2. 223 Maple Street: Review and vote on petition of JU, Inc., d/b/a Town Liquors for a new all alcohol off premise liquor license; manager Dharmesh Patel

Dharmesh Patel, owner/manager was present with his Attorney Jon Aieta, of McDermott, Quilty & Miller provided the board with plans including floor, site, security and parking and abutter notifications. This applicant has two liquor stores in Massachusetts, Dharmesh Patel would manage the Middleton Store. The entire left side of the building (including the two garage bays) 2,500sq ft was proposed to be remodeled as a dedicated package store with additional safe guards as a stand-alone liquor store. The store would be designed specifically for the safe sale of liquor with state of the art identification scanners. The current tenants would move out upon the approval of the license for this location. A convenience store occupies the other side of the building. There is space for 30 car parking. Attorney Aieta stressed this location meets the intention of the Town to offer these additional licenses to maximize and utilize license.

Regarding trash on site the owner was present and stated he was aware of the trash, as a constant issue and would clean up the site within seven days.

The hearing was open for comments/questions.

Luv Kush addressed the Board and reiterated he was a current license holder and would make use of the license. He also noted they were told this type of business would not be allowed in this area.

The owner of Mikes Discount Liquor, 21 South Main Street spoke against the town providing additional liquor licenses.

Abutters to 223 Maple Street, Steve and Sharon Bonia, Bouchard Drive, submitted their concerns in writing and summarized them to the Board. Not only did they confirm there is an ongoing issue with trash but any additional lighting, traffic and extended hours would impact their life style.

Residents from Perkins Road echoed the same concerns which would also be detrimental to their property value.

Member Carbone noted the trash is visible and should be picked up and not left behind. She noted a business should not impede the residents/neighbors. The applicant was amenable to limiting the parking in the rear and using motion lighting.

Another abutter suggested the store hours be limited to 9 PM.

On a **MOTION** made by **Carbone**, second by **Garber**, the Select Board **VOTED** unanimously by roll call to close public hearing at 7:10 pm.

On a **MOTION** made by **Cresta**, seconded by **Carbone**, the Board voted unanimously by roll call to approve an All Alcohol, Off Premise liquor license pursuant to all other (required and necessary) approvals including the requirement of a 9 pm to JU, Inc., d/b/a Town Liquors, 223 Maple Street, Middleton, MA.

In exiting the meeting there were a number of disparaging comments made against the Select Board's decision.

B. All Alcohol Off Premise at South Main Street (1 license available/3 applications)

ITA Bresnahan informed the Board the Attorney for JRS Business LLC, d/b/a Middleton Beer, Wine, Tobacco, and More sent notification they could not attend the hearing due to an emergency and submitted a written request for a continuance. The Chair noted the hearing was for multiple applicants who were present and proceeded with the hearing.

*7:15 pm - On a **MOTION** made by **Garber**, second by **Carbone**, the Select Board **VOTED** unanimously by roll call to open the public hearing for All Alcohol, off Premise at South Main Street (Route 114).*

1. 265 South Main Street: Review and vote on petition of J & A Convenience d/b/a Fast Freddie's for new all alcohol off premise liquor license; manager Ritaben Patel.

Ritaben Patel was present with his Attorney Jill Elmstrom Mann, who spoke on the request for the All Alcohol off premise liquor license. Ritaben Patel has held a Malt and Wine license without issue for many years.

The store is about 1500 Sq. Ft. and sections of existing shelving, currently used for beer and wine, would be used for the sale of alcohol. The intention is not to be a liquor store but to expand their service for the convenience of their customers. This location is not near residential homes and is well positioned as a retail store.

The hearing was open for comments/questions.

2. 251 South Main Street: Review and vote on petition of JRS Business LLC, d/b/a Middleton Beer, Wine, Tobacco, and More for a new all alcohol off premise liquor license; manager Sukantho Halder.

Sukantho Halder was present and acknowledged his Attorney was unable to be present. The Board had the application as submitted; abutters notices were not provided by the applicant at this time.

The hearing was open for comments/questions.

3. 232-B South Main Street: Review and vote on petition of Vinum Wine Shop for a new all alcohol off premise liquor license; manager John Miller.

Samantha Miller and John Miller were present and spoke on the application for a new all alcohol off premise liquor license. Samantha Miller noted the store relocated three years ago to the Market Basket Plaza and

have more than 2,000 sq. ft in the new location with ample space for the liquor. Parking in the plaza is no issue and there is a traffic light for the plaza.

Miller stated on average, they turn away 10-15 customers a day looking to purchasing liquor and opined they take that business out of town i.e. Danvers.

The focus of Vinum Wine Shop carries artisan, small batch beer/wine and would continue with this approach with spirits, which is lacking in town. Owner John Miller has 20-years' experience in the spirit industry and would use this experience on the products they would bring in.

The hearing was open for comments and questions.

Chair Prentakis questioned all applicants for this license if they would sell "nips".

Both Fast Freddie's and Middleton, Beer, Wine and More stated they would sell nips. Samantha Miller responded they would love not to and focus on artisan spirits as this is not the customer base they are looking for and if they can avoid it, they will, pending the number of customers that "walk out the door".

The owner of Mikes Discount Liquor, 21 South Main Street spoke again against the town providing additional liquor licenses, specifically in the area of South Main Street.

On a MOTION made by Cresta, second by Carbone, the Select Board VOTED unanimously by roll call to close public hearing at 7:28 pm.

On a MOTION made by Garber, seconded by Carbone, the Board voted unanimously by roll call to approve an All Alcohol, Off Premise liquor license pursuant to all other (required & necessary) approvals, to Vinum Wine Shop, 232-B South Main Street, Manager John Miller.

Member Garber cited his reason being this is a dedicated store to beer, wine, alcohol and offers something different to compliment the town.

C. Wine and Malt Off-Premise at South Main Street (1 license available/1 applicants)

7:31 pm- *On a MOTION made by Carbone, second by Garber, the Select Board VOTED unanimously by roll call to open the public hearing for a Wine and Malt Off-Premise at South Main Street*

1. 152 South Main Street: Review and vote on petition of Middleton Shreeji, Inc., d/b/a Richdale for a new wine and malt off premise liquor license; manager Sureshkumar Patel

Attorney Jill Elmstrom Mann was present with the applicant/ Manager Sureshkumar Patel and spoke on the Wine and Malt license application. This Richdale convenient store is on the Richardson's Ice Cream property and has endorsed this license. A floor plan was submitted to identify the area dedicated for beer and wine. This is a spacious area and can easily accommodate the new product.

The hearing was open for comments/questions. There were none.

On a MOTION made by Cresta, second by Carbone, the Select Board VOTED unanimously by roll call to close the public hearing for a Wine & Malt Off-Premise at South Main Street at 7:36 pm.

On a MOTION made by Garber, seconded by Carbone, the Board voted unanimously by roll call to grant a new Malt & Wine off premise liquor license, pursuant to all other (required & necessary) approvals, to Middleton Shreeji, Inc., d/b/a Richdale 152 South Main Street, (Unit A) manager Sureshkumar Patel.

D. All Alcohol On Premise (3 licenses available/1 application)

7:40 pm - *On a MOTION made by Carbone, second by Garber, the Select Board VOTED unanimously by roll call to open the public hearing for an All Alcohol On Premise license.*

1. 209 South Main Street: Review and vote on petition of Mercato Magia Corp. for a new all alcohol on premise liquor license; manager Adriana Ioana Travaglione; for a new common victuallers license; for a new entertainment license

The applicant, Mr. Travaglione was present and represented by Attorney Jill Elmstrom Mann who spoke on behalf of Mercato Magia Corp for the *All Alcohol On Premise* license application for a new Italian Deli / Restaurant at 209 South Main Street. It was noted the renovation plans for the building were approved by the Zoning Board of Appeals; a rendering was provided to the Board. This new establishment will have nine seats inside the restaurant for a maximum of 24 seats combined in/outside.

The hearing was open for questions/comments.

In response to the question if an all Alcohol license was worth it, Attorney Elmstrom Mann explained the dynamic to offer specific tastings, and specialty drinks with dinner.

An Entertainment license is required for a television inside. There is no entertainment planned and no TV outside. Estimated hours of closing is 9 – 10 pm. Attorney Elmstrom Mann asked the hours on the license not be limited to 9 pm. The opening is anticipated for September/October 2023.

7:45 pm - *On a MOTION made by Garber, second by Carbone, the Select Board VOTED unanimously by roll call to close the public hearing for an All Alcohol On Premise license.*

On a MOTION made by Carbone, seconded by Garber, the Board VOTED unanimously by roll call to approve an All Alcohol, on Premise liquor license pursuant to all other (required & necessary) approvals, to Mercato Magia Corp. 209 South Main Street, pending the receipt of an occupancy permit granted from the Fire Department and Building Commissioner.

On a MOTION made by Carbone, seconded by Garber, the Board VOTED unanimously by roll call to approve the Manager Adriana Ioana Travaglione; a new Common Victuallers License; a new Entertainment License, pending the receipt of an occupancy permit granted from the Fire Department and Building Commissioner.

Review and discuss approving the Construction Manager At Risk Contract, effective June 1, 2023, with W.T. Rich Company, for pre-construction phase (not to exceed \$124,910); and to authorize the Clerk of the Select Board to sign on the Board's behalf; votes may be taken

This contract includes work during the pre-construction phase including working with the Architect on the design, materials, quotes, bidding and pre construction process i.e. file sub-bidders, etc.

This contract has been reviewed by Town Counsel and the Town's insurer.

The next phase for full construction will be a separate contract.

On a MOTION by Cresta, seconded by Carbone, the Select Board voted unanimously by roll call to approve the Construction Manager At Risk Contract, effective June 1, 2023, with W.T. Rich Company, for pre-construction phase (not to exceed \$124,910); and to authorize the Clerk of the Select Board to sign on the Board's behalf.

Follow up from Annual Town Meeting on May 9th; votes may be taken

The Board members concurred Town Meeting went well.

ITA updated the Board the new ambulance and DPW equipment has been ordered and preparing procurement for capital projects for July 1.

June 13 meeting agenda will include a discussion on old projects approved not completed.

Review Special Act re: Charter Amendments as approved by Annual Town Meeting and vote to submit to the Legislature for approval; *votes may be taken*

On a MOTION by Cresta, seconded by Carbone, the Select Board VOTED unanimously by roll call to approve the request to our delegation to the general court for the approval the Special Act based on the approval of town meeting warrant article to make appropriate changes to the charter.

Acceptance of grants & donations

Donation in the value of \$1,200 of Lot No. 1117 (two 3'x10' sized lots) located in Oak Dale Cemetery from Patricia Gregoire, Judith Daniels, Jeanne Lomelis, and Linda Higson.

Member Cresta recognized the generosity of this family and suggested the Board discuss not reselling these plots but designating them as a way to assist a family with the financial costs of burring a loved one. The Board members agreed and decided to continue the discussion on the process to use these plots at the May 30 meeting. The Board thanked the donors for gifting the plots back to the town.

On a MOTION made by Carbone, seconded by Garber, the Select Board VOTED unanimously by roll call to accept the donation of the burial plots in Oakdale Cemetery to be regifted to a town taxpayer, resident in need.

Extension of Interim Town Administrator Contract through July 9, 2023; votes may be taken

The new Town Administrator begins on July 10, therefore, the contract with the ITA needs to be extended from June 30, 2023 to July 9, 2023.

On a MOTION by Garber, seconded by Cresta, the Select Board VOTED unanimously by roll call to extend the Interim Town Administrator Contract with Jackie Bresnahan to July 9, 2023.

Updates & Announcements

Saturday June 17 is Chief Wills Day

Upcoming Meetings:

May 29 – Memorial Day Parade/Ceremonies

May 30 Regular Select Board Meeting

June 6 Open Meeting Law Training

June 13 Regular Select Board Meeting

July 11 Regular Select Board Meeting

Adjourn – The Board voted unanimously to adjourn at 8:03 pm.

Respectfully submitted by,

Catherine E. Tinsley

Middleton Select Board
May 16, 2023

Meeting Minutes
Page 7/9

Catherine Tinsley, Recording Secretary

Jeff Garber, Select Board Clerk

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

1. Agenda: May 16, 2023
2. Warrant #2323: Payroll \$ 818,903 ; Bills Payable \$ 986,611 Municipal Facilities Project: \$ 168,918
3. Employment Agreement Between the Town of Middleton, Massachusetts and Just Sultzbach, Town Administrator, 5.2.23
4. Memo from S. Wood – FY 2023, 3rd Quarter Highlights, Summary 5.8.23
 - a. FY23 Expenditures (unaudited)
 - b. FY23 Warrant Articles Expenditures (unaudited)
 - c. FY23 Encumbrances (unaudited)
 - d. FY23 Revenues (unaudited)
 - e. Revolving Funds (unaudited)
 - f. Appropriation Funds (unaudited)
5. Alcoholic Beverage/Common Victualler License Renewal Form for 2024
6. Liquor License Public Hearing Notices as published Salem News May 1 & 8, 2023
7. Liquor License Applications submitted deemed complete including abutter notifications (unless noted) for the following Special Legislation Home Rule licenses 2023:
 - a. All Alcohol, Off Premise at Maple Street
 - i. Howe Station: 229 Maple Street , April 3, 2023
 - ii. Town Liquors: 223 Maple Street, April 13, 2023
 - iii. RE 223 Maple Street - Abutter letter of concern /photos, Bonia, Bouchard Dr.
 - b. All Alcohol Off Premise at South Main Street Applications:
 - i. J & A Convenience d/b/a Fast Freddie's: 265 South Main Street
 - ii. JRS Business LLC, d/b/a Middleton Beer, Wine, Tobacco: 251 South Main Street
 - iii. Vinum Wine Shop: 232-B South Main Street
 - c. Wine and Malt Off-Premise at South Main Street
 - i. Richdale: 152 South Main Street Unit 2
 - d. All Alcohol On Premise; Entertainment; Common Victuallers
 - i. Mercato Magia Corp: 209 South Main Street
8. MIDDLETON MUNICIPAL COMPLEX PROJECT Town Of Middleton, Massachusetts
9. CONSTRUCTION CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES
10. OWNER - CONSTRUCTION MANAGER AGREEMENT

11. Draft Special Legislation: AN ACT FURTHER AMENDING THE CHARTER OF THE TOWN OF MIDDLETON.
12. Exhibit A- Article 22
13. Email from A. Garber to J. Bresnahan RE: 2-Grave Lot Donation. (\$1,200) 5.5.23 with Notarized Statements as requested
14. EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF MIDDLETON, MASSACHUSETTS and JACKIE BRESNAHAN, INTERIM TOWN ADMINISTRAOR 1.10.23

2023 Re-Appointments and New Appointments

Select Board Appointees	How many people needed?	Seeking (re)appointment	not interested in re-appointment	appointments completed
Affordable Housing Trust	2 year term	2 seats (2025)	2	Beth Andres-Beck; William Renault
Board of Health	3 year term	2 seats (2026)	2	George Demerit; Judy Schneider; Laura Vlasuk
Board of Registrars	3 year term	1 seat (2026)	1	Sarah George
Board of Registrars	2 year term	1 seat (2025)	1	Justin Bingham
Bylaw Review Committee	1 year term	2 seats (2024)	2	John Dimino; Jeffrey Garber
Conservation Commission	3 year term	2 seats (2026)	2	Andrea Nelson; Anthony Pesce
Council on Aging	3 year term	3 seats (2026)	3	Herman Learmand-Criqui; Barbara Sanborn; Ellen Strobel
Cultural Council	3 year term	2 seats (2026)	2	Dianna Jackson (no); Judy Schneider (no)
Cultural Council	2 year term	1 seat (2025)	1	Tamara Gaydos
Historical Commission	2 year term	2 seats (2025)	2	Sarah George; Anne LeBlanc-Snyder
Industrial and Commercial Design Review Committee	3 year term	1 seat (2026)	1	Sarah Luscomb (no)
Industrial and Commercial Design Review Committee	1 year term	2 seats - Alternate (2024)	2	
Municipal Property Tax Relief Committee	3 year term	1 seat (2026)	1	Robert Murphy
Patriotic Observances Committee	3 year term	1 seat (2026)	1	Robert Wahl
Planning Board	1 year term	2 seats - Alternate (2024)	2	Nick Bonugli
Rails to Trails Committee	2 year term	2 seats (2025)	2	Richard Gilman; Richard Kassiotis
Recreation Commission	2 year term	1 seat (2025)	1	Michaela Anderson
Scholarship Committee	3 year term	1 seat (2026)	1	Claudia Johnson (awaiting response)
Zoning Board of Appeals	1 year term	1 seat - Alternate (2024)	1	Anne LeBlanc-Snyder
Zoning Board of Appeals	1 year term	1 seat (2024)	1	William Renault

4

TRAFFIC CALMING POLICY

TOWN OF MIDDLETON, MA

Adopted by the Select Board

-DATE-

S.

I. PURPOSE

This policy has been developed in order to establish a structured process and consistent criteria through which the Town can respond to and address residents' requests for traffic calming measures on Town maintained roads. All requests shall be evaluated on a case-by-case basis to determine whether traffic calming in the requested location is warranted.

II. INTRODUCTION

"Traffic calming" measures are physical road design elements intended to reduce vehicle speeds and improve driver attentiveness. The Institute of Traffic Engineers defines traffic calming as, "the combination of mostly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users." When used in the appropriate settings, the reduction in vehicle speeds obtained through traffic measures reduces both the frequency and severity of collisions and improves the safety of both pedestrians and bicyclists.

Put simply, traffic calming is building and redesigning roadways with certain features and characteristics to induce drivers to slow down and pay more attention to their surroundings. This policy does not address changing speed limits.

Limitations on Traffic Calming Measures. Traffic calming measures are prohibited on town roads except as provided by the NFPA 1 Fire Code, Section 18.2.3.5.7 which states that the Fire Chief will review the placement, the size, and other factors of traffic calming devices to ensure response time is not reduced and fire apparatus can navigate the installed devices.

Applicants may seek an exemption to the prohibition on traffic calming measures on Town Roads for locations that are within 300 ft. of a public school through the application process (Appendix B).

For private roads, residents are encouraged to contact the Fire Chief for review and assessment.

III. HOW IS TRAFFIC CALMING ACHIEVED?

Successful traffic calming requires a comprehensive approach that does not rely on any single solution or strategy. While there are various techniques available, a sound approach includes one or more of the following: **Education, Enforcement, and Engineering**.

Education: Informs motorists how they can ease traffic impact through behavioral changes, and advises them about traffic management activities and opportunities for involvement.

Enforcement: Engages the Middleton Police Department to focus traffic and speed enforcement efforts in areas of particular concern.

Engineering: Physical measures to reduce the negative impact of motor vehicles, alter driver behavior, and improve conditions for pedestrian and non-motorized street traffic.

See Description of Traffic Calming Measures Appendix A for a more detailed discussion of traffic calming measures.

IV. PROCESS FOR INITIATING A TRAFFIC CALMING REQUEST

For Middleton, the Traffic Calming Policy is designed to provide a strong, consistent framework to guide traffic calming efforts in school neighborhoods, and to ensure a formal and consistent process for evaluation requests for traffic calming.

Transportation Task Force.

The Traffic Calming Policy will be overseen by Middleton's Transportation Task Force, composed of representatives from the following departments:

- Town Administrator's office
- Fire Department
- Police Department
- Department of Public Works
- Planning Department

Criteria.

Traffic calming measures will only be considered for locations on public roads:

- within 300 feet of a public school
- where the beneficial impact of traffic calming measures may outweigh the reduction in emergency response time

Application Process.

1. An application shall be made to the Town of Middleton Department of Public Works (DPW). Please see Appendix B for application.

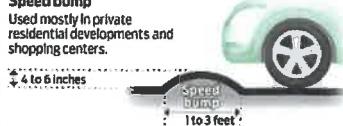
2. The application shall be reviewed at a meeting of the Transportation Task Force, who will determine if the application meets the minimum criteria necessary for Traffic Calming measures. If it is decided that the application does meet the criteria described above, the Fire Chief will use his authority under the International Fire Code (IFC) Section 503.4.1, to make a final decision on whether the beneficial impact of traffic calming measures outweigh the reduction in emergency response time.
Recommendations may include one or more of the following:
 - a. Education (engage residents to make behavioral changes)
 - b. Enforcement (focused traffic and speed enforcement)
 - c. Engineering (Traffic Study and/or physical Traffic Calming measures)
 - d. For locations within a State Highway Layout: the Town will contact MassDOT to alert them of the issue
3. The DPW will formally notify the applicant(s) of a decision within 45 (forty-five) days.
All recommendations for action are subject to available funding.
4. The applicant may appeal a decision to the Select Board.

Appendix A

TRAFFIC CALMING METHODS

Devices & Techniques	Descriptions	Photos
Bulbouts/Neckdowns/Chokers	Curb extensions at intersections that reduce curb-to-curb roadway travel lane widths.	
Center Islands	Raised islands located along the centerline of a roadway that narrow the width at that location.	
Chicanes/Lateral Shifts	Curb extensions that alternate from one side of the roadway to the other, forming s-shaped curves.	
Education	Instructions given to the residents on safe on-street vehicle travel.	
Police Enforcement	Involve employing the services of law enforcement agencies to impose the local safe vehicle laws, including those for posted speeds and traffic signal/signs.	

Appendix A TRAFFIC CALMING METHODS

Realigned Intersections	Changes in alignments that convert T-intersections with straight approaches into curving roadways meeting at right angles.	
Roundabouts	Barriers placed in the middle of an intersection, directing all traffic in the same direction.	
Speed Bumps	A ridge or bump set in a road surface, typically at intervals, to control the speed of vehicles.	<p>Speed bump Used mostly in private residential developments and shopping centers.</p> 
Speed Humps	Rounded raised pavement devices placed across roadways to slow and/or discourage traffic.	<p>Speed hump Used mostly on residential streets with speed limits up to 25 mph.</p> 
Speed Tables/ Textured Pavement/ Raised Crossings	Flat-topped speed humps often constructed with a brick or other textured material to slow traffic.	<p>Speed table Used on more traveled residential streets with speed limits up to 30 mph.</p> 

Appendix B

TRAFFIC CALMING APPLICATION

This form is used to request traffic calming measures on a Town maintained road or to initiate a request to MassDOT for state roadway layouts. For private ways, please contact the Fire Chief for review and assessment. After this form is submitted, the Transportation Task Force will meet and vote on whether the Town intends to take one or more forms of action, as described in the Traffic Calming Policy.

Application to be submitted to the Middleton DPW, 195 N Main Street, Middleton, MA 01949

APPLICANT:

Name (please print) _____

Mailing Address _____

Phone Number _____ Email _____

TRAFFIC PROBLEM LOCATION: Please describe the requested traffic calming location and the limits of the neighborhood affected by the traffic problem. Attach a map or picture, if necessary:

TRAFFIC PROBLEM DESCRIPTION: Please describe the nature of the perceived neighborhood traffic problem and why it may be beneficial to institute traffic calming measures (attach additional sheet if necessary):



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

9

May 16, 2023

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: 5/8/23

Name: Martha Fucarile
Donation: \$1,000.00

Check Number 3067

This donor would like to remain anonymous

Yes

xx No

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



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

May 16, 2023

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

Re: Council on Aging Donations

Please add the following donation 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 for the following:

Date: 5/8/23

Name: Martha Eucarile

Donation: \$1,000

Check Number: 0000

This donor would like to remain anonymous.

Yes

xx No

Correspondence and informational materials



NOTICE OF EMERGENCY CONDITION

Subject: Unsafe Condition of Mill Pond Dam
National ID No.: MA03006
Location: Middleton
Owner: Michael J. & Jill E. Kennedy
Middleton Assessor's Reference: 0013-0000-015
Essex South Registry of Deeds: Deed: Bk 7806, Pg 532

The Department of Conservation and Recreation (DCR) Office of Dam Safety (ODS) has determined that the current condition of the above-referenced dam poses a threat to public safety and property and that immediate remedial action is necessary.

The record owner of Mill Pond Dam has failed to respond to the owner's obligations under sections 44-48 of chapter 253 of the Massachusetts General Laws (M.G.L.).

On May 3, 2023, an inspection of the Mill Pond Dam in Middleton showed that the dam was actively overtopping, further deteriorating previously identified structural deficiencies and significantly raising the risk of failure if conditions are not immediately addressed.

WHEREAS, pursuant to M.G.L. chapter 253, section 47, the DCR Commissioner has the authority, if the dam owner fails to take corrective action, to take such action as the Commissioner deems necessary to repair or mitigate a dam's Unsafe condition and put the dam in an acceptable structural and operational condition; and,

WHEREAS it is anticipated that Mill Pond Dam will continue to overtop, contributing to the further deterioration of the structure unless the impoundment level is immediately lowered to a safe operating level; and,

WHEREAS, DCR has determined that the Unsafe condition of Mill Pond Dam requires immediate attention to mitigate the Unsafe condition for the protection of property and public safety;

NOW, THEREFORE, I, Brian Arrigo, Commissioner of DCR, pursuant to the authority of M.G.L. chapter 253, section 47, issues this Notice of Emergency Condition at the Mill Pond Dam located in Middleton, Massachusetts due to the existing conditions at the dam that continues to pose a threat to public safety and property.

Pursuant to the authority of M.G.L. chapter 253, section 47, 302 CMR 10.08 and 10.09, DCR ODS is hereby authorized to forthwith execute the following:

COMMONWEALTH OF MASSACHUSETTS • EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
180 Beaman Street
West Boylston, MA 01583
508-792-7423 508-792-7805 Fax
www.mass.gov/dcr



Maura T. Healey Governor	Rebecca L. Tepper, Secretary Executive Office of Energy & Environmental Affairs
Kimberley Driscoll Lt. Governor	Brian Arrigo, Commissioner Department of Conservation & Recreation



CYBERSECURITY

Massachusetts Towns Team Up for Cybersecurity Support

Seven jurisdictions have formed the North Shore IT Collaborative, hoping to overcome limited budgets and other challenges by joining together for bulk purchasing, support and info sharing.

May 05, 2023 • Jule Pattison-Gordon



A group of small towns in coastal Massachusetts have formed a regional partnership to better tackle their IT and cybersecurity needs.

It's called the North Shore IT Collaborative, and it's made up of seven communities — some with just a few thousand residents. Formed in 2021, it's already yielding results, enabling participants to punch above their individual IT weights, doing things like making bulk purchases and getting town-to-town support, among other benefits. They are, essentially, stronger together.

Buying as a collective, for example, can put otherwise-pricey services within the reach of small community budgets. As a result, the towns of the North Shore IT Collaborative have sped up their timelines for adopting new cybersecurity measures, sometimes beating out insurance provider requirements. Another benefit is that larger jurisdictions help the smaller communities. The most populous town is Danvers, Mass., home to 27,000, and it has a more-established IT setup, including a full-time IT director, which many of the smaller towns lack.



The advertisement features a blue background with a white circular logo on the left containing a stylized 'a'. To the right of the logo, the word 'adlumin' is written in a lowercase, sans-serif font. Below this, a large white text block reads: 'Adlumin Empowers Government Agencies Cyber Security Defenses and Improves Visibility to Threats by 65%'. To the right of the text, there is a graphic of a white computer monitor displaying a blue interface. A large green circle is overlaid on the monitor, containing the white text '65%'. At the bottom left, a dark button with white text says 'Learn More'.

That director is Colby Cousens, who said he gives each municipality an hour of his time per week, focusing on its specific IT needs. Participants turn to Danvers for strategic IT

management, space in its data center, or help deploying and managing new tech. Danvers then benefits because the other towns pay it fees to defray its own costs.

“[Small towns] have a bunch more confidence moving forward with a purchase or a plan or investing in their infrastructure when they have someone like [Cousens] who’s a municipal employee in a different town, who’s really ingrained in internal infrastructure,” said Brian Luther, who works for the Metropolitan Area Planning Council, a nonprofit that assists the collective. “He knows what’s going on in their network and can make recommendations that they can trust. That’s not a vendor who’s making more money off advice.”

While Danvers takes point in the collaborative, it doesn’t dictate the group’s work or aims. The smaller jurisdictions keep their own local control, and the collaborative also defines its annual goals as a group, with members having equal voting rights in decision-making.



It all adds up to an arrangement that many of the participants said is greatly beneficial, and one that could be a model for other areas of the United States.

“Considering shared services, or regionalization, can often be daunting ... but I found with this collaborative in particular, I can much better serve my employees, and thus our residents, with the use of the collaborative than I could have on our own,” said Jackie Bresnahan, interim town administrator for Middleton, Mass.

While the group was officially formed about two years ago, the roots of their cooperation date back further.

The initiative perhaps grew out of a smaller collaboration in April 2011, when Essex, Mass. — home to about 3,600 residents — began direct computing out of the data center of Melrose, Mass., home to nearly 30,000.

Brendhan Zubricki is town administrator for Essex, handling the jurisdiction's IT as well. Zubricki said the partnership meant Essex didn't need to buy its staff PCs, but it could instead purchase less expensive thin client devices that just needed to be able to connect to Melrose's data center, where the actual processing would occur.

The setup was compelling from both a cost-savings and disaster recovery and resilience perspective, Zubricki said.

“Everything’s centralized, everything gets backed up … [and it] saves us primarily on life cycle costs on both PCs and servers,” Zubricki said. “We’re just renting space on a large data center. And the data center has budgets that replace equipment on a regular schedule … and we just benefit from their economy of scale.”

That relationship ended in 2018, however, when Melrose got a new IT director who chose to discontinue regional services, Zubricki said. But many staff who'd been involved in that project on the Melrose side moved to Danvers, where they continued the relationship with Essex.

Danvers began providing Essex with direct computing and data backups. The arrangement was similar, except that Essex aimed to connect to Danvers via fiber-optic cable, a change from before where it'd connected to Melrose over the Internet, via multiprotocol label switching (MPLS) circuit. That earlier approach had some resiliency limitations.

“Back when we were with Melrose, if we lost the MPLS circuit — which never happened by the way — [but] if we did, we would be kind of dead in the water,” Zubricki said.

Connection via municipally owned fiber makes remote computing fast and “extremely

inexpensive," Zubricki said. The current setup is also more resilient: "If we lose the municipally owned fiber, there's an automatic back channel now over the Internet, which means we would compute more slowly, but we're still up."

Getting to this point required first laying fiber, with the path between Danvers and Essex going through two other towns, said Cousens. That drew more attention to this partnership from other nearby communities, and both intermediate towns would ultimately join the collaborative.

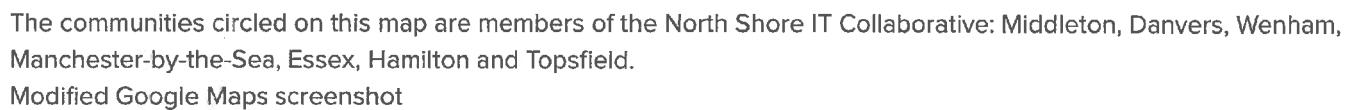
The team in Danvers had started meeting with neighboring communities, and it discovered that many lacked internal IT departments. Those towns were instead relying on consultants and managed service providers for help, but the third-party assistance only went so far, Cousens said.

"That consultant approach was more of a break/fix approach than a strategic approach to IT," Cousens said.

Danvers was significantly larger than many of the surrounding municipalities and better-resourced in IT. It had Cousens as IT lead, its own enterprise data center and a fiber-optic network throughout the town. Empowered by grant funding, Danvers began extending its fiber network to other communities and started hosting duplicate copies of neighboring communities' servers in its data center as a disaster recovery measure, Cousens said.

But there was eagerness to see intermunicipal cooperation go further, and Danvers applied for grant monies to fund a feasibility study on regional IT. That study wrapped up in December of 2019.

Having the research in hand helped "solidify" the partnerships and approach, Cousens said. Next up: making the collaboration more official. Danvers turned to the Metropolitan Area Planning Council (MAPC) for assistance with administrative support, including with communications and running meetings. The MAPC also helped craft a formal memorandum of understanding among Danvers and the other towns. Cousens said this more official approach prompted one town, Marblehead, to drop out of the collaboration. Six other towns, however, were ready to commit.



The communities circled on this map are members of the North Shore IT Collaborative: Middleton, Danvers, Wenham, Manchester-by-the-Sea, Essex, Hamilton and Topsfield.

Modified Google Maps screenshot

The shift to remote work during the pandemic expanded towns' attack surfaces and upended traditional approaches to network security. That inspired the collaborative to make cybersecurity one of its first focuses, Cousens said.

The group entered into a joint purchasing agreement for a suite of cybersecurity products, including endpoint detection and response (EDR), multifactor authentication and other defenses, Cousens said. Danvers deployed the tools across communities to bring them all to a baseline of protection.

Towns that might otherwise have struggled to afford the suite of cyber tools had an easier time acquiring them through the collaborative. For one, Danvers put down the capital for the purchase, with a grant covering half that cost. The bulk purchasing deal also saw each town save 25 percent on annual renewal costs compared to what they'd face if paying for renewals individually, Cousens said.

Plus, tech assistance from Danvers has meant that communities without IT departments could hand off much of the work of managing the tools.

“I don’t need to worry about it: We pay the collaborative, they run the [cybersecurity] fabric, they update it, they keep it in place,” Zubricki said. “We are the smallest player. We only have 3,600 people in this whole town. But we are benefiting from IT hosting and a regional security fabric as if we’re a giant in the industry, because we’re participating in something that’s much bigger than ourselves.”

The cyber bulk purchase was also particularly timely: Around that time, the nonprofit insurance provider serving many Massachusetts local governments announced that cyber insurance applicants would soon need to have EDR, Cousens said.

Cybersecurity isn’t the only procurement area, either. The collaborative is also purchasing IT help desk services, as well as looking to acquire physical security devices like cameras and door access control tools, Cousens said.

And, of course, another main benefit is the IT support Danvers offers its smaller partners.

Middleton’s Bresnahan said that the collaboration has essentially let her town “utilize [Danvers’] IT department as our IT department,” and get advice in thinking through projects, such as considering IT systems for Middleton’s forthcoming municipal complex.

“That expertise and guidance alone has been invaluable,” Bresnahan said.

Her town can call up Danvers’ team for troubleshooting and to talk through ideas. The collaborative has also made it easier to learn about how other participants are responding to similar challenges, Bresnahan said.

Danvers is continuing to expand its work for the collaborative and is now taking on two local university students as cybersecurity interns. The interns will spend six months assisting with external attack surface scanning for the collaborative, while a vendor will offer a vulnerability assessment of the collaborative’s internal attack surface, Cousens said.

Other collaborative participants have been able to offer support, too: Middleton can use Danvers’ fiber network to connect other members to its regional 911 dispatch center, for example, Bresnahan said.

Zubricki believes a regional IT model like this could benefit other municipalities throughout the country.

Making a group like the North Shore IT Collaborative work requires an anchor town like Danvers that has the IT capacity and in-house knowledge to offer support and take point on projects, Luther said. That town's leadership also must be willing to make its staff available to help other communities, a nontraditional approach.

There's always a risk that the anchor town might eventually pull out of the initiative, but the fact that the North Shore IT Collaborative has an official agreement adds stability and indicates Danvers intends this project to last, Zubricki said.

A collaborative like this is "a lot of work," Cousens noted, but it's rewarding, too.

"I've made lot more progress at my main job in Danvers because of all the interaction I've had with other communities [and] the insights I've had on different IT environments and different ways of doing things," Cousens said. He's become connected with regional advisory groups and the like through his work with the collaborative, too.

To get a project like this off the ground, start small, Cousens advised. Once a regional IT collaboration has a solid handle on delivering some offerings, it can always expand its scope.

Goals and needs will also change over time, and it's important for the work to evolve, Bresnahan said. Middleton hadn't initially expected to receive strategic IT management from Danvers, but proposed the idea when Middleton's needs changed. Communities interested in regional partnerships shouldn't feel locked into maintaining the same setup they start with, and can revisit the arrangement to adjust.

"The best advice I can give is that you have to be thinking in the beginning that it's OK if this is not the final version. You have to kind of prepare to evolve with the program as your needs change [and] as your fellow collaborators' needs change," she said. "You have to be OK with going back to the table six months in, [or] a year in, and really having

a good check-in and not being afraid of amending the program based on your experiences."

Cybersecurity

Massachusetts

Jule Pattison-Gordon

Jule Pattison-Gordon is a senior staff writer for *Government Technology*. She previously wrote for PYMNTS and *The Bay State Banner*, and holds a B.A. in creative writing from Carnegie Mellon. She's based outside Boston.

SEE MORE STORIES BY JULE PATTISON-GORDON



The advertisement features the Zscaler logo at the top left. Below it is the slogan "No VPN. No regret. Trust the One True". A blue button with the text "Find out how →" and the FR logo (FredRAN) are positioned to the right. To the right of the button is a book cover for "Secure Access Service Edge (SASE) For Dummies" by Mark Minasi, published by Cisco. The book cover features a yellow and black design with a cartoon character wearing glasses.

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Get smart with GovTech. Your guide to technology in state & local government.

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