

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, OCTOBER 24, 2023
6:00 PM

This meeting is being recorded

Public Zoom Participation will not be available for this meeting

- 6:00 pm 1. Business
- 6:10 pm a. Warrant: 2408
b. Minutes: September 26, 2023 (OS & ES); October 10, 2023
c. Town Administrator Updates and Reports
d. Update on 49 S. Main St/10-18 Boston St Project
- 6:25 pm 2. Public Comment
- 6:30 pm 3. Department Head Updates:
 - a. Paul Goodwin, Middleton Department of Public Works
 - b. DPW Deputy Appointment, Travis Davies
 - c. Waiver of Cemetery regulations – Glidden Bench Request
- 6:45 pm 4. Request from Patriotic Observances Committee to lower membership from six (6) to five (5)
- 6:50 pm 5. Review of Select Board Public Zoom Participation Protocol
- 7:00 pm 6. Brigadoon Neighborhood Parking Policy
 - a. School Parking Policy
 - b. Halloween Parking Policy
- 7:20 pm 7. Revise one day liquor license policy and prep for annual renewal requirements
- 7:30 pm 8. Finalize draft of FY24-FY26 Select Board / Town Administrator Goal Setting
- 7:45 pm 9. Vote to accept PCA 360's Project Budget Summary Report – Determination of Borrowing
Covered by Debt Exclusion – Municipal Building Project
- 7:50 pm 10. Updates & Announcements

Upcoming Meetings:

November 7 & 28

Regular Select Board 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.

MEETING MINUTES
MIDDLETON SELECT BOARD MEETING
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY SEPTEMBER 26, 2023 at 6:00 PM

1b

This meeting was hybrid, in person and remote via Zoom; this meeting was recorded.

Select Board Present: Chair Jeff Garber; Rick Kassiotis, Clerk; Debbie Carbone; Kosta Prentakis

Not present: Brian Cresta

Others Attending: Justin Sultzbach, Town Administrator (TA); Jackie Bresnahan Assistant Town Administrator (ATA) /Human Resource Director; Catherine Tinsley, Recording Secretary; 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.

With a quorum present, Chair Garber called the meeting to order at 6 pm.

1. Business

a. Warrant 2406: Payroll \$800,000; Bills payable \$1.8 million; FP26 \$250,000

The Town Accountant/Finance Director Sarah Wood has reviewed the warrants and requested the Board's approval. Town Administrator Sultzbach provided a brief overview of the Warrants presented for approval.

On a motion by Prentakis second by Carbone, the Select Board voted unanimously to approve Warrant # 2406 and FP #26 as presented.

b. Minutes – September 5, 2023 OS & ES

On a motion by Kassiotis, second by Carbone, the Select Board voted unanimously to accept the Open and Executive Session meeting minutes of September 5, 2023 as written.

c. Town Administrator updates & Reports – J. Sultzbach

- o Our team has reached out to the Essex Sheriff's office to discuss possible contributions – in-kind or otherwise – to the Municipal Building Project.
- o Town Administrator met with members of Public Safety, Public Works, Council on Aging, Public Health, and MELD for a storm preparedness meeting last week in advance of the arrival of Hurricane Idalia. We will be holding this type of "Storm Awareness and Preparedness" meetings going forward in advance of any predicted severe weather event.
- o The Building Committee completed its final Public Outreach Session last Thursday. Members will continue to visit individual citizen groups in the lead up to Special Town Meeting.
- o Town Administrator met with the Board of Trade last Thursday. It was a great opportunity to touch base with the Middleton Business Community. Thank you to Form Fitness of Middleton who hosted.
- o Our team met with Police, Fire, and DPW to discuss Trick or Treating next month. This will appear as an agenda item at your Oct. 10th meeting.
- o As a reminder, new stickers for the transfer station will go into effect for Sunday, October 1st. They can be purchased online, however, stickers can also still be purchased at Memorial Hall.
- o Assistant TA Bresnahan and Town Administrator Sultzbach will be representing Middleton at the

upcoming ICMA conference in Austin. We appreciate the Towns' commitment to our professional development. K. Prentakis suggested a grace period on the new transfer station sticker effective date.

2. Public Comment – There was none.

3. Department Head /Education Updates (no items to be voted):

- a. Heidi Riccio, Superintendent, Essex North Shore Agricultural & Technical School
- b. Masconomet Regional School Committee Liaison Domenic Casamassima

Superintendent Riccio provided the board with the school's budget and enrollment reports. The school assesses at the minimum contribution for the third year due to sufficient revenue stream. The number of students at the school is 1740; Middleton has 54 students enrolled. It was noted there is no minimum/maximum number of students from the communities at this time.

H. Riccio spoke briefly on the upcoming addition to the Animal Science building and related programs. The increased footprint of the animal science wing will allow additional students in the animal science program. The cost of the construction was initially estimated at \$1.7 million which increased to \$3.7 million and recently rebid at \$3.1 million with alternative funding sources for change orders.

H. Riccio encouraged the board members to visit the school and offered to provide updates as requested. She also gave an overview of the programs available. It was noted the town is involved in having tech students work within the community.

D. Casamassima provided a brief update from the Regional School Committee.

- Turf's Up has established their 501c3 status for fund raising. Following tomorrow night's meeting, D. Casamassima will have the total amount raised to date.
- The Capital plan continues to be drafted. This will be discussed at the meeting tomorrow and be presented to the board when available.
- The policy for a procedure to recall school committee members passed and is being reviewed by DESE (Department of Elementary & Secondary Education. Also being discussed is reducing the school committee membership from the current 11 members continues to be discussed for efficiency. Being considered is three representatives from each of the three communities.
- K. Prentakis spoke in favor of reducing the school committee and capital projects being advocated by a diverse group and not just limited to staff.

4. FY23 Quarter 4 & Year End/FY24 Quarter 1 Update from Finance Director Sarah Wood

Finance Director S. Woods was present and gave an overview of the FY23 Quarter 4 and yearend report including revenues and expenditures. The Quarter 1 report was not available for this meeting.

S. Wood referenced her memo highlighting the Quarter 4 in summary.

- 98.1 % of general fund was expended at the end of FY23; this is within the benchmark of 95-100%.
- The school department is 100% expended.
- General fund expenditures include outstanding projects; departments continue to work to clear up old capital projects.
- Revenue surplus - \$2.5 million due in part to conservative budgeting, exceeding budgeted revenues from motor vehicle excise, building permits, and investment income, and volatility of economics/trends. Investment incomes were reorganized and increased.
- Free cash certified at \$4.55 million

On a side note, there are upcoming negotiations anticipated for a restructure of reimbursement for ambulance runs to the Middleton House of Correction with the health care provider. The Town will receive a PILOT (Payment in Lieu of Taxes) for FY25 for the state owned land; this will be on the Cherry Sheet (TBD)

5. Continue review & close Warrant for the October 17, 2023 Special Town Meeting (STM) (revised) Town Administrator Sultzbach reviewed the revised/ updated warrant.

ARTICLE 1. 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 to supplement the Fiscal Year 2024 operating budget; and to rescind the appropriation of the opioid settlement funds for FY 24 (Article 19 from May 2024); or take any other action relative thereto. Requires a simple majority vote.

ARTICLE 3. 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 supplement the Fiscal Year 2024 capital budget; or take any other action relative thereto. Requires a simple majority vote.

ARTICLE 4. On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate a sum or funds to fund collective bargaining agreements; or take any other action relative thereto. Requires a simple majority vote.

ARTICLE 5. 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 the following funds:

- Stabilization Fund- \$50,000
- Pension Stabilization Fund - \$50,000
- Capital Stabilization Fund - \$100,000
- Facilities Complex Stabilization Fund - \$300,000
- OPEB Liability Irrevocable Trust Fund- \$100,000 Special Education Stabilization Fund

Or take any other action relative thereto. Requires a simple majority vote.

ARTICLE 6. On petition of the Building Committee, to see if the Town will vote to raise and appropriate, transfer from available funds or borrow an additional \$9,950,000, for the design, permitting, construction, and furnishing of a combined Fire and Police Public Safety Building and a combined Community Center and Town Hall on the Town-owned land located at 105 South Main Street, including all costs incidental and related thereto; to determine whether the approval of borrowing for this purpose shall be contingent upon passage of a Proposition 2 1/2 Debt Exclusion referendum under Massachusetts General Laws c. 59, .s 21C(k); to determine whether any premium received by the Town upon the sale of any bonds or notes approved, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws c. 44, .s 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to authorize the Select Board and Town Administrator to execute such other documents and contracts as are needed to effectuate the vote taken hereunder; or take any other action relative thereto.

The warrant will be posted by the constable, and sent to the printer tomorrow; residents should receive their copies in a week or so.

On a motion by Carbone, seconded by Kassiotis, the Board voted unanimously to close the October 17, 2023 Special Town Meeting Warrant.

A follow up on the sale of the Locust Street property, Counsel responded since the community already provided the vote to surplus the land, the Board may proceed with selling, but funds can't be appropriated until the town has the funds. This will be lined up with an annual town meeting. Firms that appraise large properties have been contacted and anticipate more discussions over the next few months on strategies and sale process.

6. Review & discuss One Day Liquor License policy - A draft One Day Liquor License policy was reviewed by ATA Bresnahan. A one day liquor license would be available for any business in town with proper required insurance, TIPS training, workman compensation, etc. In addition to the ABCC requirements, local requirements may include requiring a police detail i.e. for functions exceeding 75 attendees to be paid by the applicant, and require a 30-day notice. One day Liquor licenses are issued at the discretion of the Select Board and the policy may be amended by the Board at anytime. R. Kassiotis clarified in accordance with state provisions, a one day liquor license for businesses is limited to Beer & Wine and only non-profit organizations may apply for an all alcohol one day license.

On a **motion by Prentakis, seconded by Carbone**, the Board **voted unanimously** to approve the application process for a one day liquor license.

7. Review & vote on change of Corporate Officers - Aimbridge Hospitality, LLC DBA DoubleTree North Shore It was clarified the holder/manager of the license is not changing.

On a **motion by Prentakis, seconded by Carbone**, the Board **voted unanimously** to approve the new corporate officers for Aimbridge Hospitality.

8. Fuller Meadow Site Traffic Circulation Conversation - This plan is for when the construction begins for the new municipal facility on the golf course. Town Administrator Sultzbach is in discussions with the school to find a solution. Three considerations:

1. Abutting Parcel - purchase or easement
2. Opportunities on existing site – change of traffic flow
3. Parking lot – 20 foot area – build additional lane to get cars off Route 114.

Town Administrator Sultzbach suggested hiring a consultant to do a study/provide a cost estimate, including a possibly a temporary solution. Discussion on the combination of the considerations, pending approved funding at a town meeting and if a portion of the golf course property could be permanently dedicated for this purpose. Currently about 80-100 cars are utilizing the golf course for school pickup/drop off and this volume may impede municipal use ie fire/ police/ COA.

9. Update on “Don’t Block the Box” Grant Implementation - Town Administrator Sultzbach reported the funds are ready to be implemented for painting updates by the state. A box in the intersection will be painted as a cue to drivers to time the signal lights as to not block the intersections so traffic can flow.

K. Prentakis mentioned from Lakeview into the square, the white lines are not on the edge of the pavement and suggested the lines be repainted at the edge of the pavement and the yellow line shifted to create two lanes (at the fire station) with right/ left turn arrows; this is informally done and traffic flow would benefit from pavement marking changes. Other similar intersections that may benefit in improved traffic flow with relining: Route 62 (Maple Street) into the square.

As a state road, Boston Street this request will be submitted to the state

10. Municipal Facilities Project Updates

- a. Context Architecture Amendment #7
- b. Review process & forms for Department of Revenue DE-2 Form

- a. ATA Bresnahan reviewed amendment #7 in the amount of \$9,715 for the following:
 - o \$ 6,400 food service equipment consultant for COA commercial kitchen design.

- \$ 2,675 for small changes in the Town Hall community center and town office design changes as requested by the Town Administrator for flow and security.

Chair Garber referenced the total cost for the architect and questioned the additional cost for design. It was noted the architect has worked with the town and offered credits, but in this phase additional work needs to be done. Carbone and Kassiotis concurred, noting the OPM was aware the COA was having a commercial kitchen and questioned why this was not realized in the planning forethought. Town Administrator Sultzbach noted the OPM and architect did get a lot of detail and have caught it in the design phase as opposed to the bid phase and smaller sections of the project are undergoing detailed review.

On a **motion by Prentakis, seconded by Kassiotis** the Board **voted to approve** Context Architecture Amendment #7.

- b. The DOR form is related to additional funding for the facilities project not related to the scope of the project but due to economics.

On a **motion by Carbone, seconded Prentakis** the Board **voted unanimously** to authorize Town Administrator J. Sultzbach to review the report from the OPM and finalize the application on behalf of the Select Board.

11. Updates & Announcements

Pumpkin Fair- October 21

12. Executive Session 8:43PM

On a motion by Prentakis, seconded by Kassiotis the Board voted unanimously by roll call to enter into Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to collective bargaining negotiations with all units. Returning to open session.

The Board returned to open session at 9:17PM.

13. Review & vote on Middleton Firefighters, Local #3097, I.A.F.F. Fiscal Year (FY) 24-26 Contract

Chair Garber announced the Board approved the contract with the Middleton Firefighters, Local #3097, I.A.F.F. for Fiscal Year (FY) 24-26 in executive session.

14. Review & vote on Finance Director/Town Accountant contract for FY 24-26

On a motion by Carbone, seconded by Prentakis, the Board voted unanimously to accept the contract with the Finance Director Sarah Wood for FY24-FY26

Upcoming Meetings

October 10 & 24 Regular Select Board Meeting

October 12 Pre-Town Meeting at the Flint Public Library (Warrant Hearing)

October 17 Special Town Meeting at Howe-Manning

Adjournment -*The Board voted unanimously to adjourn at 9:19 pm*

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

Rick Kassiotis, Select Board Clerk

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

- Agenda: September 26, 2023
- September 26, 2023 Warrant # 2406: FP26
- Minutes: September 5, 2023 OS/ES
- Town Administrator Report
- Memo from J. Sultzbach to Select Board 6.19.23 re Essex North Shore Agricultural & Technical School Update, including proposed addition plans to the school, 565 Maple St. Danvers
- Memo from S. Wood to Select Board/FC re FY2023 4th Quarter Highlights Report
- STM October 17, 2023 Warrant- Draft
- Email from J. Bresnahan to Select Board/TM re One Day Liquor License Policy 9.15.23
- One Day Special Liquor Licenses Policy & One Day Liquor License Application
- Memorandum of Agreement between the Town of Middleton & Middleton Firefighters, Local #3097, L.A.F.F.

MEETING MINUTES
MIDDLETON SELECT BOARD MEETING
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY OCTOBER 10, 2023 at 6:00 PM

1b

This meeting was hybrid, in person and remote via Zoom; this meeting was recorded.

Select Board Present: Chair Jeff Garber; Rick Kassiotis (via Zoom/phone), Clerk; Brian Cresta; Kosta Prentakis
Not Present: Debbie Carbone

Others Attending: Justin Sultzbach, Town Administrator (TA); Jackie Bresnahan Assistant Town Administrator (ATA) /Human Resource Director; Catherine Tinsley, Recording Secretary; 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.

With a quorum present, Chair Garber called the meeting to order at 6:05 pm.

Due to a disruptive intrusion on Zoom, remote participation was ended. The meeting continued in-person and Board member Kassiotis participated via phone.

1. Business

a. Warrant 2407: Payroll \$ 812,290; Bills payable \$ 1,030,205; FP27 \$ 79,202

The Town Accountant/Finance Director Sarah Wood has reviewed the warrants and requested the Board's approval. Town Administrator Sultzbach provided a brief overview of the Warrants presented for approval.

On a motion by Prentakis second by Cresta, the Select Board voted unanimously by roll call to approve Warrant # 2407 and FP #27 as presented.

b. Minutes – September 26, 2023 OS & ES - *The minutes were held for review.*

c. Town Administrator updates & Reports – J. Sultzbach

- o Bids for the Peabody Street Bridge came in significantly higher than anticipated, with 4/5 bids coming in over \$900,000. The highest was nearly \$1.5M, while the low bid is slightly over budget at \$566,317. Our team is currently reviewing available resources and will bring some options forward to the Select Board for your review at a future meeting. The Gap is approximately \$100,000.
- o Our team continues to work on the Natsue Way project, with early plans for site remediation being framed out over the coming months. (with possible development)
- o I met with the Finance Committee on the evening of Thursday, October 5th. We primarily discussed the warrant for our upcoming Special Town Meeting, taking place on Tuesday, October 17th.
- o A pre-Special Town Meeting is scheduled to occur this Thursday, October 12th at 6pm in the Flint Memorial Library. The public is encouraged to attend.
- o DPW Director Paul Goodwin joined Town Administrator Sultzbach and Chair Garber outside Memorial Hall last Friday the 6th to observe traffic signal and traffic conditions discussed at your September 26th, 2023 Select Board Meeting. Mass DOT was on the phone.
- o To date we have sold 1,735 stickers (first & second) for the Transfer Station, and 114 recycling stickers.

2. Public Comment – There was none.

3. Department Head Updates: Police Department – Police Chief William Sampson

- Commendation of Detective Adam Maccini, Detective Sergeant David Arathuzik, Officer Henry Bouchard.
- Commendation of Officer Thomas McParland and Office Kosta Agganis

Police Chief Sampson was present and spoke on the significant circumstances around two specific cases for the Commendations to recognize the important actions of these officers. All recipients were present.

4. Review any updates re: Warrant for the October 17, 2023 Special Town Meeting

Town Administrator Sultzbach reported no updates since the board's September 26 vote to close the warrant and proceeded to give a brief overview of the six articles on the warrant, specifically noting the impact of the additional borrowing for the facilities project (based on the median assessment) is about \$.22 per \$1,000 of evaluation; this equates to about \$177 annually. The Finance Committee endorsed the articles at their meeting.

5. Review & vote on (2) One Day Liquor License Winter Hill Brewing at The Lot, 145 South Main Street

The request is for a Beer Garden on October 20 from 4pm – 7pm & October 21 from 12noon to 7pm.

The Board supported applicants be advised to attend the Select Board meeting and speak to their application.

It was noted there were no rain dates in the application and dates are not transferable.

The area alcohol is being served must be sectioned off; The Board requested an aerial map showing the section cordoned off where alcohol would be served be added as part of the application process.

On a motion by Cresta, seconded by Prentakis, the Board voted unanimously by roll call to approve the (two) one day Liquor License Winter Hill Brewing at The Lot, 145 South Main Street for a Beer Garden on October 20 from 4pm – 7pm & October 21 from 12noon to 7pm, conditional on submission, and approval of the Town Administrator, the mapped designated area for serving of the beer and wine.

6. Review & vote on change of owners – Middleton ICA LLC DBA Dairy Queen, Owner Kevin McGrath, Manager Brittany Burkett, Dairy Queen, 250 South Main Street.

On a motion by Cresta, seconded by Prentakis the Board voted unanimously to approve the change of owners for the Middleton ICA LLC DBA Dairy Queen, Owner Kevin McGrath, Manager Brittany Burkett, Dairy Queen, 250 South Main Street

7. Discussion of Brigadoon Neighborhood Parking Policy (votes may be taken)

Police Chief Sampson was present and participated in this discussion. Town Administrator Sultzbach reported members of the neighborhood around the Fuller Meadow School continue to have safety concerns with traffic related to dropping off and picking up of students on their streets, in spite of the school issuing a letter to parents this activity needed to stop. He conferred with Town Counsel on options. Because this is a public road, there is little that can legally be done beyond monitoring the area, without a policy/signage to base enforcement on. Member Cresta reiterated this is an ongoing issue and stressed parents be good neighbors to this neighborhood and added his concern cars lining up along rt 114 in the morning just to get into parking lot to drop off students. It was noted parking at the "golf course" will not be available once the facilities project starts.

In part, it was thought the traffic stemmed from students being on the bus for a long time, possibly due to driver shortage.

The board considered options for signage and discussed in length the most beneficial location of signs. Brigadoon residents participated in this discussion on proposed changes and impact to the neighborhood, and how to identify those students classified as walkers, and police support.

The School will be asked to issue a new letter to update parents and address the length of the bus routes.

The Town Administrator was asked to work with the Police Chief and prepare a policy for the board's vote.

8. Review prior Select Board goals; preliminary discussion on Select Board goal-setting

Town Administrator Sultzbach referenced the previous Town Administrator / Select Board goals from last year and asked the board to email him directly with suggestions, comments, and updates to put together a document for discussion at an upcoming meeting. The board asked the Town Administrator to participate in the goal list with adding his own thoughts.

9. Updates & Announcements

Pumpkin Festival- October 21

Upcoming Meetings

October 24 Regular Select Board Meeting

October 12 Pre-Town Meeting at the Flint Public Library (Warrant Hearing)

October 17 Special Town Meeting at Howe-Manning

Adjournment -*The Board voted unanimously by roll call to adjourn at 7:18 pm*

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

Rick Kassiotis, Select Board Clerk

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

- Agenda: October 10, 2023
- October 10, 2023 Warrant # 2407: FP27
- Minutes: September 26, 2023 OS/ES
- Town Administrator Report
- Police Commendations
- Special Town Meeting Warrant – October 17, 2023
- Town of Middleton Talent Bank Application
- One Day Special Liquor Licenses Application from Winter Hill Brewing Co. 8.30.23
- Dairy Queen Victualler License Application 9.21.23
- Memo from J. Sultzbach to Select Board re Brigadoon Neighborhood Parking Policy 10.10.23
- Email from Jay Talerman, Town Counsel to J. Sultzbach re road use 9.28.23
- Email from S. Morrison to J. Sultzbach, Police Chief Sampson, J. Roberts, Principal; J. Bryson, Principal; S. Morrison, Superintendent re Traffic and Brigadoon Letter 10.4.23
- Memo from J. Sultzbach to Select Board re Select Board Goals, 10.10.23
- Town of Middleton Priorities & Goals FY2023-2025 – Adopted 7.12.22



OFFICE OF THE TOWN ADMINISTRATOR

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

3b

MEMORANDUM

TO: Select Board
FROM: Jackie Bresnahan, Assistant Town Administrator/HR Director
DATE: October 19, 2023
RE: Deputy Superintendent

I am pleased to present to the Select Board a recommendation for the appointment of a Deputy Superintendent of Public Works. With the upcoming retirement of long-time employee Ken Gibbons, the department will be facing a significant transition and loss of institutional knowledge. With that in mind, the DPW Superintendent, Town Administrator and I are pleased to present an internal candidate for the position.

We created an internal review panel including the Town Administrator, DPW Superintendent Paul Goodwin, current Deputy Ken Gibbons, Chief LeColst, Captain Armitage, and myself. After a thorough interview, review of credentials and discussion, we are please to make a unanimous recommendation of Travis Davies for the role.

Travis has served in the Middleton Department of Public Works for over 10 years, first as a Driver/Operator and later as the Working Foreperson. Prior to that, he had over 6 years of private sector experience at Middleton Farm Supply, while also working as a plow contractor for the Town of Middleton. Travis has proven eager to learn and to help train new members of the department. He brings critical institutional knowledge and a rapport with the team. Additionally, Travis has all of the licenses or the willingness to obtain the licenses the Town expects of the Deputy Superintendent. The panel unanimously recommends Travis for the role and anticipates he has a long and successful tenure in Middleton.

Travis' promotion would also lead to a vacancy in the Working Foreperson role, which we also plan to fill internally.

TRAVIS DAVIES

As a current Working Foreman for the Town of Middleton, the posting for Deputy Superintendent highly interests me. As I reviewed the job requirements, I was happy to see that my licensing, skills, and personality align with your needs and requirements.

I have knowledge and experience that I believe will be valuable in a managerial position to the Public Works Department. In my former and current roles, I have worked on my skills and education to provide a solid foundation for the Deputy Superintendent position. My strengths in operational safety, awareness of proper procedures of tasks and general knowledge of the Town of Middleton have allowed me to successfully start as a laborer and progressively move up to Working Foreman. I would like to be considered for the next position in my career in the Town of Middleton.

I am eager to learn new skills and am very open to extending my education for any additional requirements for this position.

Please review my resume for a complete overview of my work history. I look forward to discussing how my work history and accomplishments will fit the Deputy Superintendent role for the Town of Middleton Public Works.

Thank you for your time and consideration.

Sincerely,

Travis Davies



TRAVIS DAVIES

Experienced laborer and foreman in municipal and private settings.

WORK EXPERIENCE

MARCH 2006-
SEPT 2013

LABORER/FOREMAN, MIDDLETON FARM SUPPLY

Prepared trucks for deliveries of hay, grain, and erosion control items to farms and construction sites. Set up which laborers would deliver to which sites based on their skill and location of deliveries. Provided most of the in-house mechanical work on trailers and trucks. Was a plow contractor for the Town of Middleton during winter operations. Maintained office procedures when the office staff was out.

SEPT 2013-
CURRENT

WORKING FOREMAN, TOWN OF MIDDLETON PUBLIC WORKS

As the working foreman, assists Superintendent and Deputy Superintendent with staff management and planning. Provides building maintenance at municipal buildings. Does landscaping, tree care, road improvements, and drain improvements throughout the Town of Middleton. Utilizes knowledge of Oakdale Cemetery to set up, facilitate and breakdown funerals. Maintains winter operations, such as plowing, road treatment, and sidewalk care. Oversees organization of garages to be able to successfully provide vehicle and small engine maintenance.

EDUCATION

JUNE 2006

HIGH SCHOOL DIPLOMA

Graduated from Masconomet High School.

SEPT 2007-
MAY 2008

LANDSCAPE DESIGN, NORTH SHORE COMMUNITY COLLEGE

Took classes for landscape design. Took courses for proper pruning and tree care.

SPRING 2014

CHAINSAW SAFETY COURSE, TOWN OF MIDDLETON

Took a course on safety and proper use of chainsaws.

MULTIPLE
COURSES

DIG SAFE COURSE, MIIA

Attended multiple dig safe courses to learn proper dig safe procedures. Learned trench safety and utility markings.

LICENSES

- Class B CDL
- 2B Hydraulics License
- 4G Endorsement (specialty and boom mowers)

SKILLS

- Strong knowledge of day-to-day operations of Public Works.
- Extensive knowledge of the Town of Middleton. Resident of the town for 30 years, as well as employee for the Town of Middleton for 10 years.
- Comfortable with all aspects of the Public Works.
- Excellent communication skills with both management and co-workers.
- Attention to detail when planning and arranging schedules.
- Strong ability to work with others to reach a common goal.
- Willingness to go above and beyond to make sure that a task is completed on time.
- Ability to work under pressure of timelines and deadlines.
- Strong knowledge and ability to work with trucks, hydraulic and hand tools.
- Has many years of experience with plowing, road treatment, and other winter operations.
- Extensive knowledge of Oakdale Cemetery.
- Ability to use current technology in the workplace.
- Works in an organized and clutter free manner.
- Willing and able to attend classes needed to attain further education and licenses.



Jackie Bresnahan

From: Ashley Garber
Sent: Thursday, October 19, 2023 1:32 PM
To: Paul Goodwin; Jackie Bresnahan; Justin Sultzbach; Deb Mahoney
Subject: RE: cemetery monument
Attachments: Glidden Bench Request - H119 & H120.pdf

Good afternoon, Jackie,

Please see the documentation attached regarding the bench request we received. John Glidden ((781) 944-4763) is the one that ordered the bench with H.P. Smith, Co.. The bench is to be centered between his/his brother's lot, which is: H-119 (I've also attached the letter his now late sister, Nancy Madden, provided for our records giving the lot to them) and his niece's lot, which is H-120. (Please note that Patti Anne Madden, owner of H-120, did inquire about benches and advised of the placement/location, and when I spoke with John, he did confirm that this bench is to go between both.)

John is, unfortunately, able to attend Tuesday night's meeting, as he is undergoing chemotherapy, however he is appreciative of being offered the opportunity to attend.

If you have any questions or need anything further regarding this request, please let me know.

Thank you!

Ashley E. Garber

DPW/Multi-Department Administrative Assistant

195 North Main Street
Middleton, MA 01949
DPW P: (978) 777-0407
Fax: (978) 774-0718
E: Ashley.Garber@MiddletonMA.gov

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From: Paul Goodwin <paul.goodwin@middletonma.gov>
Sent: Thursday, October 19, 2023 10:54 AM
To: Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>; Deb Mahoney <deb.mahoney@middletonma.gov>
Cc: Ashley Garber <ashley.garber@middletonma.gov>
Subject: RE: cemetery monument

Ashley,

Can you please send over the person's info to Jackie and notify him that it will be discussed at Tuesdays meeting. He is welcome to attend but does not have to.

Paul

From: Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>

Sent: Thursday, October 19, 2023 10:49 AM

To: Paul Goodwin <paul.goodwin@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>; Deb Mahoney <deb.mahoney@middletonma.gov>

Cc: Ashley Garber <ashley.garber@middletonma.gov>

Subject: RE: cemetery monument

If you could please send over the person's information for the agenda, we can do the 24th!

Jackie Bresnahan

Assistant Town Administrator/HR Director

Town of Middleton

48 South Main Street

Middleton, MA 01949

Phone: 978-777-3617

Email: jackie.bresnahan@middletonma.gov

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From: Paul Goodwin <paul.goodwin@middletonma.gov>

Sent: Thursday, October 19, 2023 10:24 AM

To: Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>; Deb Mahoney <deb.mahoney@middletonma.gov>

Cc: Ashley Garber <ashley.garber@middletonma.gov>

Subject: RE: cemetery monument

I can be ready to discuss on the 24th if you want, since I will be there anyway. Or we can do the 7th, which ever works.

From: Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>

Sent: Thursday, October 19, 2023 10:15 AM

To: Paul Goodwin <paul.goodwin@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>; Deb Mahoney <deb.mahoney@middletonma.gov>

Cc: Ashley Garber <ashley.garber@middletonma.gov>

Subject: RE: cemetery monument

Hi Paul,

I'm working on the October 24th agenda right now. Do you have the materials? Next meeting is November 7th.

Thanks,

Jackie

Jackie Bresnahan

Assistant Town Administrator/HR Director

Town of Middleton
48 South Main Street
Middleton, MA 01949
Phone: 978-777-3617
Email: jackie.bresnahan@middletonma.gov

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From: Paul Goodwin <paul.goodwin@middletonma.gov>
Sent: Thursday, October 19, 2023 9:35 AM
To: Justin Sultzbach <justin.sultzbach@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>; Deb Mahoney <deb.mahoney@middletonma.gov>
Cc: Ashley Garber <ashley.garber@middletonma.gov>
Subject: cemetery monument

Good morning,

We received a request for a monument installation that exceeds our cemetery rules/reg in terms of size. When these type of requests happen the cemetery board of commissioners(BOS) needs to either approve or disapprove. Please let us know when we can be added to the agenda to discuss this. Thank you.

Paul Goodwin
Superintendent of Public Works
Town of Middleton

Chapter 378

Oakdale Cemetery

[HISTORY: Adopted by the Board of Selectmen of the Town of Middleton 3-19-1991. Amendments noted where applicable.]

[Most recent amendments adopted by unanimous (5-0) vote of the Board of Selectmen at a remote meeting held on May 5, 2020]

§ 378-1 General provisions.

- A. The adoption and enforcement of the following rules and regulations are necessary to maintain good order within the Cemetery, to protect the interests of proprietors and to preserve the beauty of the grounds. All persons are urgently requested to report immediately any act of courtesy or other breach of propriety.
- B. The Cemetery Commission reserves the right to temporarily suspend or modify a regulation, but such act shall not be construed as affecting the general application or enforcement of such rule.
- C. The rules and regulations and schedule of prices as established by the Cemetery Commission are subject to change without notice.
- D. All provisions of MGL c. 114 shall be adhered to, including penalties for infringement of the law.
- E. The Superintendent of Public Works is in full charge of the Cemetery and is responsible for the enforcement of the rules and regulations and for maintaining the Cemetery in conformance with the principals to which it was dedicated.

§ 378-2 Cemetery hours.

- A. The gates of the Cemetery will be open daily from 8:00 a.m. to 8:30 p.m., except from November 1 to March 1, when they will close at 4:30 p.m.
- B. Any unauthorized person found within the Cemetery outside the prescribed opening hours will be deemed a trespasser and as such will be liable to prosecution.
- C. The term "gate" as used herein shall mean any or all the established entrances to the Cemetery, whether or not equipped with moveable barriers.

§ 378-3 Office hours.

All business related to the Oakdale Cemetery may be done through the Superintendent of Burials whose office is located at the Department of Public Works office, 195 North Main Street, during normal business hours, Monday through Friday, 7:00AM-3:00PM. The office is closed on all legal holidays and weekends. **[5-5-2020]**

§ 378-4 Sale of lots.

Sale of lots at Oakdale Cemetery shall be restricted to residents or former residents of the Town of Middleton, with the following restrictions to former residency purchases:

- A. Any former resident of the Town of Middleton must show satisfactory proof of former residency before said sale of lot and be restricted to the sale of no more than a two-grave lot. Satisfactory proof may include but is not limited to the personal knowledge of Public Works staff, birth or marriage certificate, tax or utility bill, or similar. **[5-5-2020]**
- B. Former residency purchases shall be subject to the fee structure established by the Board of

Selectmen/Cemetery Commissioners which may be adjusted from time to time. All graves are sold with perpetual care.

- (1) The fee structure is as follows:
 - (a) Single-grave lot: \$600.
 - (b) Double-grave lot: \$1,200.
- (2) All other interment fees shall apply at the time of interment.

C. Payment for sale of lots shall be payable to the Town of Middleton. The deed of a lot shall not be delivered, no stone or marker may be erected, and no work will be done on the lot until the purchase price is fully paid. **[5-5-2020]**

D. A maximum of four graves may be purchased by any one household. Any requests for more than four graves must be first approved by the Board of Selectmen after a recommendation received in writing by the Superintendent of Public Works. **[Added 3-15-2016; amended 3-29-2016]**

E. No lot or grave at the Oakdale Cemetery shall be sold to anyone who is not a current or former resident of the Town of Middleton at the time of such sale. **[Added 3-15-2016; amended 3-29-2016; 5-5-2020]**

F. No lot or grave shall be sold to anyone who was a Middleton resident solely as a result of incarceration at any detention facility located in Middleton. **[5-5-2020]**

§ 378-5 Lots.

- A. Cemetery lots shall not be used for any other purpose than as a place of burial for the human dead, and all burials therein shall be under the personal charge of the Superintendent of Burials, to whom shall be paid such fees for opening a grave as shall be established by the Cemetery Commissioners.
- B. All lots will be defined by a suitable corner marker and numbered by the Department of Public Works, hereinafter referred to as the "Department," and it is unlawful for any person to remove or tamper with said marker.
- C. No lot will be deeded to more than one owner, nor will a lot be divided. No objections exist to an agreement between or among families as to the parts of the lots to be used by each, but the Department will not undertake to record or enforce such agreements.
- D. In case of the decease of a proprietor, it shall be the duty of the heirs or devisee to file with the Department satisfactory proof of ownership (MGL c. 114, § 29).
- E. If any monument or effigy or any structure whatsoever or any inscription is placed in or upon any lot which shall be determined by the Cemetery Commissioners to be improper or offensive, they shall have the right and it shall be their duty to instruct the Superintendent of Public Works to enter upon said lot and remove such improper or offensive objects.
- F. No fence, curbing, railing, wall, hedge, embankment, ditch or other lot enclosure shall, at any time, be erected or placed in or around any lot, and the establishment of the grade of any lot shall be subject to the approval of the Superintendent of Public Works, and the work of grading shall be done by employees of the Department.
- G. Residents purchasing new graves or lots must make said purchase in the section open for sale at that time, e.g., if purchase is for a two-grave lot, it must be made in the section and row being sold at that particular time. No exceptions will be made.

- H. No proprietor shall suffer the remains of any person to be interred within his lot for hire.
- I. All interments or other work shall be under the personal charge of the Superintendent or designee(s). **[5-5-2020]**
- J. No sale, transfer or assignment of any lot shall be valid without the approval of the Cemetery Commission.
- K. Proprietors may erect a memorial structure on their lot subject to the regulations set forth under **§ 378-11, Memorial structures.**
- L. Proprietors may cultivate plants on their lots subject to the approval of the Department, but if such planting becomes neglected or is deemed objectionable or detrimental, the Superintendent reserves the right to remove such planting. If done on lots under perpetual care, the owner must bear the expense of putting the ground in proper condition again.
- M. On lots or graves where no monument has been erected the sod under no condition shall be allowed to be broken.
- N. The Superintendent shall remove from lots and graves flowers or emblems whenever, in his opinion, the same have become so withered or decayed as to render their removal desirable. Floral emblems so removed will be put in a common dump and employees shall refuse to attempt to find them after they have been disposed of.
- O. The Cemetery Commission reserves the right to alter the plot of walks, avenues and unsold areas.
- P. No lights of any kind shall be allowed in the Cemetery.
- Q. Lot owners making improvements on lots that are under perpetual care will be charged with any necessary expense of putting lots in order, after such improvements are made.

§ 378-6 Trees and shrubs. [5-5-2020]

- A. If any trees or shrubs on any lot shall by means of their roots or branches, or otherwise, become detrimental to the adjacent lots, avenues or paths, or dangerous or inconvenient to passengers, it shall be the duty of the Department, for the time being, and it shall have the right to enter into said lot and remove said trees and shrubs or such part thereof as are thus detrimental, dangerous or inconvenient.
- B. No person shall trim or remove any tree or shrub, whether or not it is on his own lot. The Department will on request perform all such work at no cost.
- C. The Department will use constant care in examining trees, removing such parts thereof as appear to be dangerous or detrimental, but expressly disclaims responsibility for damage to either persons or property resulting from falling trees or parts thereof.

§ 378-7 Grounds.

- A. Operators of vehicles within the Cemetery must drive with care and at a low rate of speed because of poor visibility and sharp turns.
- B. On Memorial Day no vehicle except those accompanying and a part of a memorial procession will be allowed in the Cemetery before 12:00 noon.
- C. Motorcycles, bicycles, go-carts, three- or four-wheel all-terrain vehicles and snowmobiles are excluded from the Cemetery at all times.
- D. All persons are forbidden to injure or molest any bird or wild animal, or to molest its nest or other habitation.

- E. The taking of firearms into the Cemetery is forbidden except by authorized persons on military occasions.
- F. No tree or shrub shall be removed, except by the Department, and all persons are forbidden to gather flowers, either wild or cultivated, or to break or injure any tree, shrub or plant.
- G. No employee of the Department will be allowed to receive any fee or other compensation whatsoever for service rendered to any person.
- H. Persons within the Cemetery conducting themselves improperly will be requested to leave and upon refusal will be compelled to do so.
- I. Dogs and horses are not allowed in the Cemetery at any time.
- J. All work done within the Cemetery shall be performed by employees of the Department or by permission of and under the supervision of the Superintendent.
- K. No hunting is allowed within the Cemetery property and no vehicles are to be left unattended within Cemetery property for the purpose of hunting on adjacent properties. Vehicles found violating this regulation will be towed at the owner's expense.
- L. No private vehicles will be allowed to plow out the Cemetery roads at any time. Any damage done to stones and/or the grounds, roads, trees, shrubs, etc., will be at the expense of the violator of this subsection.
- M. The Department reserves the right to open the Cemetery at a reasonable time after any winter storm.
- N. All water faucets located in the Cemetery are to be used for the sole purpose of filling buckets/jugs with water for the caring of flowers and shrubs on one's lot. In no instance is a hose or sprinkler to be hooked up to these faucets. Care in making sure water faucets are completely shut down after use is requested. Any misuse or damage to these faucets should be reported immediately to the Department of Public Works office.

§ 378-8 Funerals.

All funerals must enter the Cemetery through the main gate and upon entering shall be under the charge of the Superintendent or designee(s). **[5-5-2020]**

§ 378-9 Interments.

- A. Undertakers are required to provide the Public Works Department with a minimum twenty-four (24) hour notice in advance of interment. Undertakers are required to have all interment orders signed by the proprietor or representative of a lot, or grave, and presented at the Department of Public Works office at least eight working hours before the time set for the interment. **[5-5-2020]**
- B. All interments must be made in permanent containers.
- C. The Department will receive telephone orders for opening a grave but disclaims liability of error in such cases. In no case will a grave which contains a body be opened until a properly signed order has been received and verified.
- D. No interment will be made without a regular order and burial permit.
- E. As the liability of error in names and dates is so great, undertakers must have all orders plainly and correctly written in ink. It is important that the proprietor should personally designate the grave to be opened in a multigrave site.
- F. No interment will be made until all fees charged for the same have been paid. There is an additional

charge for the interment of a nonresident. [5-5-2020]

- G. Not more than one interment will be permitted in any one grave site other than what is provided for under § 378-14, Cremation, of these rules and regulations.
- H. Interments will not be made on Sundays. Interments on Saturdays and legal holidays will be charged extra. [5-5-2020]
- I. In case of emergency arising from extreme weather conditions or other cause beyond human control, or because of any other extenuating circumstances, the Superintendent may at his discretion postpone making a scheduled interment and shall deposit the body in the receiving tomb without charge until conditions permit interment.

§ 378-10 Receiving tomb.

- A. Bodies may be placed in the receiving tomb at any time, but the Superintendent reserves the right to remove and inter the body whenever it may be deemed necessary to do so. [5-5-2020]
- B. While bodies are deposited in the receiving tomb, the Superintendent is forbidden to allow any casket to be opened, except on written request from the immediate family of the deceased and in the presence of an undertaker. In no case will a casket be opened when in the opinion of the Superintendent the condition of the body is such as to render it improper.

§ 378-11 Memorial structures.

- A. Proprietors should consult with the Superintendent before placing orders for stonework, due to the fact that there are restrictions in various sections of the ground.
- B. All stonework must rest on a foundation of cement masonry which will be built by the Department. In no case will a foundation be built either in whole or in part over the remains of a previous interment.
- C. Applications for this work must be filed with the Department and shall give full particulars, including size.
- D. Monument Dimensions:
 - 1. In single-grave sections, monuments shall not exceed two feet, six inches (2' 6") long by one foot, zero inches (1' 0") wide at the base. The base shall not exceed eight inches (8") in height. The monument shall not exceed three feet, two inches (3'2") in overall height. [5-5-2020]
 - 2. On two-grave lots, monuments shall not exceed three feet, zero inches (3' 0") long by one foot, zero inches (1' 0") wide at the base. The base shall not exceed eight inches (8") in height. The monument shall not exceed three feet, two inches (3'2") in overall height. [5-5-2020]
 - 3. On four-grave lots, monuments shall not exceed three feet, seven inches (3' 7") long by one foot, one inch (1' 1") wide at the base. The base shall not exceed eight inches (8") in height. The monument shall not exceed three feet, two inches (3'2") in overall height. [5-5-2020]
 - 4. All other monuments other than headstones or headstones greater than the dimensions stated must first receive approval of the Cemetery Commission.
- E. No foundations will be constructed and no stonework will be set between November 15 and April 1, or when the ground is not in the proper condition for such work.
- F. No person shall deliver any material within the Cemetery except under the direction of the Superintendent or designee(s). [5-5-2020]

G. All work must be done during the normal working hours of the Cemetery. All contractors will be held responsible for the protection of other stones, paths, avenues, graves, trees and shrubs. [5-5-2020]

H. Definitions. As used in this section, the following terms shall have the meanings indicated:

FOOT STONE

A stone to mark the locations of a particular grave and shall be set at or below ground level at the foot of the grave. No more than one foot stone measuring no more than two feet, zero inches (2' 0") long by one foot, zero inches (1' 0") wide by eight inches (8") deep is allowed on each grave. [5-5-2020]

GRAVE MARKER

A one-piece stone set at one or all four corners of a lot to mark the location of a particular grave. Grave markers are prohibited in single grave lots. [5-5-2020]

HEADSTONE

A stone to mark the location of a particular grave and shall be erected at the head of the grave.

MONUMENT

Any memorial structure other than a tomb, mausoleum, headstone, foot stone or grave marker.

- I. No raised letters or designs will be allowed on the base of any stonework where it can be damaged by grass-cutting implements.
- J. No more than one headstone or monument will be allowed on any one lot.

§ 378-12 Perpetual care.

The term "perpetual care" shall mean the maintenance of the lot or grave in reasonable condition. This include cutting the grass at proper intervals, pruning trees and shrubs, raking and cleaning the grounds and raising the sunken graves. Under this agreement the Department does not bind itself to maintain, repair or replace any structure erected thereon, nor plant ornamental flowers or shrubs, nor to regularly water the grass or flowers.

§ 378-13 Disclaimer.

The Department of Public Works will take every reasonable precaution to protect the private property of lot and grave owners within the Cemetery from loss or damage, but it disclaims all responsibility for loss or damage from causes beyond its control, especially from the acts of thieves, vandals, malicious mischief makers and from the acts of Providence, including wind, hail, snow and frost.

§ 378-14 Cremations.

- A. Six cremations will be allowed per single grave where the right of burial has not been used. Since the Commission feels that cremations do not disturb the remains of a person already interred it will allow up to six cremations to be placed around the headstone area.
- B. Cremations must be placed in permanent containers when delivered to the Cemetery via parcel post.

§ 378-15 Fees.

[Amended 3-15-2016; 3-29-2016; 5-5-2020]

A. Grave openings:

- (1) Residents: \$700.
- (2) Nonresidents: \$2,000.

B. Weekend funeral or excavation:

- (1) Residents: \$1,400.
- (2) Nonresidents: \$2,500.

C. Cremation interment:

- (1) Residents: \$300.
- (2) Nonresidents: \$900.

D. Weekend cremation interment: \$200 in addition to regular interment fee

E. Foundations: \$200.

F. Flush markers: \$100.

G. Compressor for frost: \$100.

H. Single-grave lot: \$600.

I. Double-grave lot: \$1,200.

J. Four-grave lot: \$2,400.

K. In addition to lot costs there is an additional fee of \$5 for recording of deed.

Jackie Bresnahan

From: Jackie Bresnahan
Sent: Friday, October 20, 2023 1:20 PM
To: Justin Sultzbach
Subject: FW: Patriotic Observances Committee on Select Board Agenda

Good afternoon Justin,

After review the Patriotic Observances (previously Memorial Day) Committee's documentation, there is no reason for the Board to not move forward with this request.

Thank you,
Jackie

Jackie Bresnahan
Assistant Town Administrator/HR Director
Town of Middleton
48 South Main Street
Middleton, MA 01949
Phone: 978-777-3617
Email: jackie.bresnahan@middletonma.gov

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From: Kevin Welch <kevin.welch@middletonma.gov>
Sent: Thursday, October 12, 2023 10:51 AM
To: Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>
Cc: Justin Sultzbach <justin.sultzbach@middletonma.gov>
Subject: Patriotic Observances Committee on Select Board Agenda

Good morning Jackie,

The Committee voted last night to accept the resignation of Committee member Mira Plante. The Committee also passed a motion to request that the Select Board lower the voting membership of the Patriotic Observances Committee from six members to five members, thus not filling the now vacant seat.

Would you please schedule an agenda item at the Board's earliest convenience to vote on reducing the size of the Patriotic Observances Committee by one member.

Thanks,

Kevin Welch
Veterans' Service Officer (VSO)
Town of Middleton

48 South Main Street
Middleton, MA 01949
Phone: 978-880-0361
Email: kevin.welch@middletonma.gov

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5



OFFICE OF THE TOWN ADMINISTRATOR

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

October 20, 2023

To: Select Board; Town Administrator
From: Jackie Bresnahan, Assistant Town Administrator/HR Director
RE: Zoom incident

MEMO

Please consider this the follow up regarding the Zoom incident at the October 10th Select Board meeting. Both computers that were hosting the meeting were screened by IT before being reconnected to the Town internet and network the next day. I also reviewed all of the security credentials with IT and we made a few minor changes for future enhanced security with zoom meetings.

Upon reviewing the incident factors with IT, it was determined it was likely done by a bot through zoom, rather than an individual acting alone and could've happened to any public facing meeting. I've also pulled zoom reports for Detective Maccini, who was assigned from MPD to review the incident. With the revised security settings, I have started reviewing zoom meeting hosting protocols with the other department heads. Additionally, on October 11th, I connected with the Detective to file a report on the incident. I've connected Scott Morrison and the Tri-Town IT team with Middleton's IT in case there's any crossover in the security response/investigation as were on their wifi connection.

I followed up with the Detective on October 20th and he is continuing the investigation.

TOWN OF MIDDLETON

OFFICE OF THE TOWN ADMINISTRATOR

6a

48 South Main Street, Middleton, MA 01949

Telephone (978) 777-3617
justin.sultzbach@middletonma.gov

TO: Select Board
FROM: Justin Sultzbach, Town Administrator
DATE: October 24th, 2023
RE: Brigadoon Neighborhood Parking Policy

Board Members,

Following your most recent Tuesday, October 24th Select Board Meeting, I met with Captain Armitage, Town Clerk Twiss and Asst. TA Bresnahan to compile feedback provided by this Board and the public. Our team has assembled the following recommendation for a Brigadoon Neighborhood Parking Policy.

Signage will be posted at three locations: 1. Meadow Drive at S Main Street, 2. Edgewood Road at Fuller Road, and 3. along the pedestrian walkway leading to the Fuller Meadow School from Edgewood Road. This will read as follows:

**Brigadoon Resident
Parking / Standing Only
School Days 8am-9am, 2pm-4pm
Placard Required**

Placards may be requested at no cost at the Town Clerk's Office and will expire upon the end of a school year. Placards will be numbered and registered to specific households.

Middleton Police Department will monitor the roll out. Should a vehicle not have a placard displayed the license plate will be run. Should the vehicle be registered to a household outside of the Brigadoon neighborhood the vehicle will be issued a \$15 parking violation. This may be appealed at the Town Clerks Office.

If approved by the Select Board this evening, this policy will be published in a local newspaper. Middleton Public Schools will also distribute a notice to parents.





OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
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Middleton, MA 01949-2253
978-777-3617
www.middletonma.gov

6b

October 20, 2023

To: Select Board; Town Administrator
From: Jackie Bresnahan, Assistant Town Administrator/HR Director
CC: William Sampson, Police Chief; Matt Armitage, Police Captain; Doug LeColst, Fire Chief
RE: Halloween Parking

MEMO

Based on safety discussions regarding Halloween night for Trick or Treat with Chief LeColst, Captain Armitage, the Town Administrator, and myself, please consider this a formal request for the Select Board to take action regarding the Brigadoon neighborhood.

We would like the Board to consider a parking ban on the even side of the streets for the entire neighborhood from 4-7 pm on Tuesday, October 31st. This would allow parking to continue on the odd side of the street only during that time frame. As a team, we are in agreement that it is a necessary measure for public safety access of the neighborhood during Trick or Treating time.



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

ONE DAY SPECIAL LIQUOR LICENSES

One Day Special Liquor License Requirements:

All One Day Special Licenses must be issued to a natural person (an individual) or a responsible manager acting on behalf of a corporation, partnership, or other entity, who will be the person responsible for the sale of alcohol.

Pursuant to MGL Chapter 183, Section 41 a Special License must be obtained when delivery of alcohol is considered to be a sale of alcohol a caterer must obtain a Special License when arranging for the delivery of alcohol on which they shall make a profit.

Persons holding a special license must purchase alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a MGL Chapter 138, Section 14 (Special License) license cannot purchase alcoholic beverages from a package store.

You will be required to submit the following documents:

- Completed Application for Special License
- Certificate of Insurance Liability
- Certificate of Insurance Liability to the Town of Middleton for Workers Compensation Insurance, if applicable
- Signed Workers' Compensation Certificate
- Copy of TIPS for specific employees working event
- Check for \$50 per date payable to the Town of Middleton
- Outdoor events: Aerial map of the location showing the designated area for the distribution and consumption.

Please complete and sign all forms and return to: Middleton Select Board, 48 South Main Street, Middleton, MA

Local Requirements:

A police detail may be required for functions with more than 75 attendees and will typically be required for all outdoor events. The Chief of Police or his designee shall review each application and determine the need for a detail officer. The cost of the detail will be paid by the applicant and if a detail is required by the Chief of Police, said detail will become a condition of the One Day Liquor License. Licensees will also need a designated area for liquor consumption at outdoor events and will need to provide an aerial view map showing where the designated area will be.

Applications must be submitted to the Town Administrator's Office at least 30 days prior to the event.



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

One Day Liquor License Application

License Fee Payable to the Town of Middleton

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

Business Name _____

Business Address _____

Social Security Number/FID Number _____

Applicant Information

Individual's Name _____

Home Address _____

Mobile Number _____

Is the Applicant a United States Citizen? Yes No

Driver's License Number & State _____

E-Mail Address _____

Date of Event _____ Time from _____ to _____

Location of Licensed Activity _____

Purpose of Event _____

Will there be entertainment? Yes No

Is the event being catered? Yes No

Name of Caterer _____



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

Number of People Attending Adults _____ Children _____

Type of License (select one)

One-Day All-Alcoholic (only available for non-profit purposes) One-Day Beer & Wine
 Charitable Wine Pouring Charitable Wine Auction

Is the alcohol being donated? Yes No

Where is the liquor being purchased from? _____

Are they a licensed wholesaler? Yes No

Who will be serving the alcohol? _____

Does the server have liquor liability insurance? Yes No

Is the event held by, or held for the benefit of, a business or non-profit group?

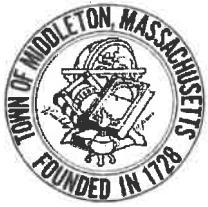
Business Yes No Non-Profit Yes No

Will there be a cash bar? Yes No

Is there an entrance fee or donation required? Yes No

Is the event open to the general public? Yes No

****Special One Day Licensees must purchase Alcoholic Beverages from a licensed supplier. Special Licensee cannot purchase alcoholic beverages from a Package Store and cannot accept donations of alcoholic beverages from anyone.****



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

Liability Disclaimer for Special One Day License

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Middleton, and the Select Board as Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature of Applicant _____

_____ Date



TOWN OF MIDDLETON PRIORITIES AND GOALS FY2024-2026

**ADOPTED BY THE SELECT BOARD
OCTOBER 24TH, 2023**

Introduction: This document is intended as a guide for the Select Board, Town Administrator, and Town departments. It is intended to provide a broad framework within which we operate and direct our time, efforts, and resources. Commencement is expected during the identified time horizon, though completion may extend past the identified time horizon.

1. Continue to support the Town Building Committee to keep the public facilities project on budget and schedule. The project will be undertaken with a long term view, ensuring it meets near and long term needs, minimizes operational costs, and takes advantage of modern building technologies. The Town will identify and pursue external funding in order to minimize the impact on property taxpayers. Alternative funding sources may include but are not limited to Community Preservation Fund, State and Federal assistance, donations, and sale of Town assets. **Period of Performance: FY24-26**

Milestones:

- **FY24: Design, engineering, permitting**
- **FY24-25: Construction, site work. Creation of centralized maintenance oversite for town-owned properties.**
- **FY25-26: Move-in, project close-out**

2. Implement the Pedestrian Improvement Plan and provide updates via Select Board meetings and the Town website. **Period of Performance: FY24-25**

Milestones:

- **FY24: Don't Block the Box, Central Square study implementation**
- **FY24-25: Begin sidewalk extensions**

3. Conduct a Town-Wide Fee Study. **Period of Performance: FY24-25**

Milestones:

- **FY24: Continue fee study; recommend changes for Select Board adoption**
- **FY25: Implement findings into FY25 budget**

4. Develop information technology with additional projects through the Regional IT Collaborative and newly funded IT position. **Period of Performance: FY24-25**

Milestones:

- **FY24: Transition to Regional IT Collaborative, migrate functions**
- **FY24-25: Connect to regional fiber network, continue to migrate away from paper records**

5. Increase recruitment strategies for volunteers and committees. **Period of Performance: FY24-26**

Milestones: FY24-26: Promote vacancies using multiple means, develop and hold citizen academy

6. Support the Solid Waste Advisory Committee in developing a long term strategy for solid waste management. **Period of Performance: FY24-25**

Milestones:

- **FY24: Support SWAC's data gathering; evaluation of options**
- **FY25: Implementation**

7. Compile complete list of Town Owned properties. Examine paths forward to surplus, develop, or preserve where appropriate. **Period of Performance: FY25-FY26**

- **FY24: Update and compile complete list. Development action plan for each property.**
- **FY25: Implement action plan for each property.**

8. Identify opportunities to study and address town wide traffic concerns and development.

Period of Performance: FY25-FY26

- **FY24: Coordinate with MassDOT to identify opportunities to link traffic remediation with potential development.**
- **FY25: Implement action plan where appropriate.**

TOWN OF MIDDLETON
OFFICE OF THE TOWN ADMINISTRATOR

48 South Main Street, Middleton, MA 01949

Telephone (978) 777-3617
justin.sultzbach@middletonma.gov

TO: Select Board
FROM: Justin Sultzbach, Town Administrator
DATE: October 24th, 2023
RE: Town of Middleton DOR Determination of Borrowing Covered By Debt Exclusion

Board Members,

As referenced in recent meetings, we have officially filed for a waiver through the DOR in relation to the additional funding for the Municipal Building Project. Specifically, the DOR will be issuing a determination of borrowing covered by debt exclusion. This would certify that due to inflationary issues, a secondary ballot vote is not required to cover the additional funding request for the Municipal Building Project.

In response to our application, Deb Wagner (Director of Accounts for the Division of Local Services) has requested that the Select Board vote specifically to “accept the Owner’s Project Manager’s report” in relation to this matter. The report is attached to this memo for your convenience.

Thank you,

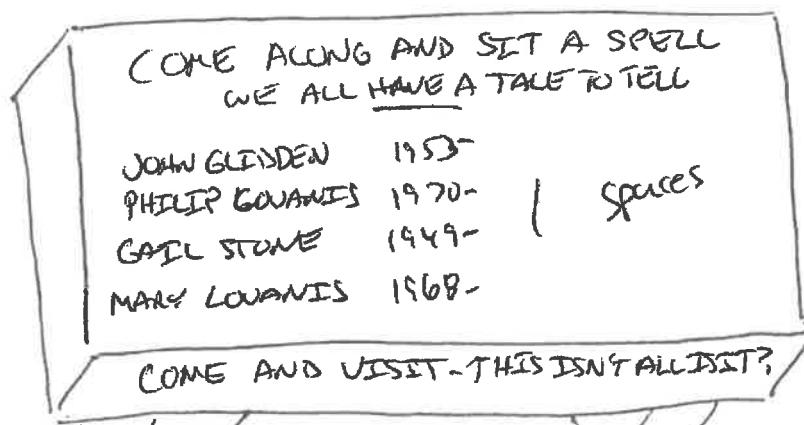
Justin Sultzbach



Town of Middleton - Municipal Complex - Total Project Budget				
Description	Original Project Budget	Budget Revision	Current Project Budget	Comments
ADMINISTRATION				
Legal Fees	\$ 45,000	\$ 45,000	\$ 45,000	
Owner's Project Manager	\$ 1,579,441	\$ 234,080	\$ 1,813,521	
Designer Procurement	\$ 39,231	\$ -	\$ 39,231	
Program & Concept	\$ 145,300	\$ 175,560	\$ 321,860	Amend for extended time
Schematic Design	\$ 76,622	\$ 29,260	\$ 105,882	Amend for extended time
Design Development	\$ 76,622	\$ -	\$ 76,622	Amend for extended time
Construction Contract Documents	\$ 95,777	\$ 29,260	\$ 125,037	
Bidding	\$ 57,466	\$ -	\$ 57,466	
Construction Contract Administration	\$ 1,037,347	\$ -	\$ 1,037,347	
Closeout	\$ 50,076	\$ -	\$ 50,076	
Owner's Insurance	\$ 165,000	\$ -	\$ 165,000	Builders Risk / General Liability
SUB-TOTAL	\$ 1,789,441	\$ 234,080	\$ 2,023,521	
ARCHITECTURE & ENGINEERING				
A/E Services	\$ 4,915,000	\$ 27,600	\$ 4,942,600	Per Architect Contract
Feasibility Study Analysis	\$ 163,000	\$ -	\$ 163,000	
Concept Design	\$ 230,000	\$ -	\$ 230,000	
Schematic Design	\$ 460,000	\$ -	\$ 460,000	
CM Selection & FSB Prequalification	\$ 40,000	\$ -	\$ 40,000	
Design Development	\$ 650,000	\$ 156,000	\$ 806,000	Amend for extended SD phase
Construction Contract Documents	\$ 1,100,000	\$ 50,000	\$ 1,150,000	Amend for extended time
Bidding	\$ 90,000	\$ -	\$ 90,000	
Construction Contract Administration	\$ 1,530,000	\$ 90,000	\$ 1,620,000	Amend for extended time
Closeout	\$ 75,000	\$ -	\$ 75,000	
Regulatory Review / Approvals	\$ 80,000	\$ (10,000)	\$ 70,000	Town completed application process
Furnishings, Fixtures and Equipment	\$ 50,000	\$ -	\$ 50,000	
Technology Design	\$ 15,000	\$ -	\$ 15,000	
Hazardous Material	\$ 128,000	\$ (120,000)	\$ 8,000	Maintain soil on-site
Geotechnical	\$ 75,000	\$ -	\$ 75,000	
Traffic Engineer	\$ 179,000	\$ (138,400)	\$ 40,600	
Early Enabling / Site Utilities Package	\$ 50,000	\$ -	\$ 50,000	
Extra and Reimbursable Services	\$ 110,000	\$ -	\$ 110,000	
Printing	\$ 25,000	\$ -	\$ 25,000	
Soils and hazmat testing / monitoring	\$ 35,000	\$ -	\$ 35,000	
Additional Services Requests	\$ 50,000	\$ -	\$ 50,000	
SUB-TOTAL	\$ 5,025,000	\$ 27,600	\$ 5,052,600	
OTHER PROJECT COSTS				
Exploratory Testing (test pits / demo)	\$ 25,000	\$ -	\$ 25,000	
Borings to Profile Site	\$ 50,000	\$ -	\$ 50,000	
Regulatory Permitting	\$ 95,000	\$ -	\$ 95,000	
Bid Advertising / Hosting	\$ 15,000	\$ -	\$ 15,000	
Construction Materials Testing	\$ 95,000	\$ -	\$ 95,000	
Furniture, Fixtures and Equipment	\$ 1,650,000	\$ -	\$ 1,650,000	
Communication Tower Design & Const.	\$ -	\$ 400,000	\$ 400,000	
Technology / Computers	\$ 950,000	\$ -	\$ 950,000	
Security, CCTV & Access Control	\$ 375,000	\$ -	\$ 375,000	
Commissioning Agent	\$ 195,000	\$ (60,976)	\$ 134,024	
Structural / Envelope Peer Review	\$ 35,000	\$ -	\$ 35,000	
Utility Costs	\$ 67,160	\$ 85,510	\$ 152,670	
SUB-TOTAL	\$ 3,552,160	\$ 424,534	\$ 3,976,694	
TOTAL SOFT COSTS	\$ 10,366,601	\$ 686,214	\$ 11,052,815	
CONSTRUCTION COSTS				
Construction Costs	\$ 47,975,139	\$ 11,387,171	\$ 59,362,310	
Foundation	\$ -	\$ -	\$ 1,922,379	
Structural Steel and Deck	\$ -	\$ -	\$ 3,163,535	
Exterior Shell / Doors and Window	\$ -	\$ -	\$ 8,810,700	
Elevator	\$ -	\$ -	\$ 339,000	
Interior Stairs	\$ -	\$ -	\$ 335,898	
Misc Metals	\$ -	\$ -	\$ 757,525	
Interior partitions and doors	\$ -	\$ -	\$ 4,127,105	
Interior Finishes and Casework	\$ -	\$ -	\$ 2,693,711	
Specialties	\$ -	\$ -	\$ 1,337,589	
Equipment / Furnishings	\$ -	\$ -	\$ 803,033	
Sprinkler System	\$ -	\$ -	\$ 898,461	
Plumbing	\$ -	\$ -	\$ 1,786,177	
HVAC	\$ -	\$ -	\$ 5,739,184	
Electrical	\$ -	\$ -	\$ 4,296,038	
Earthwork	\$ -	\$ -	\$ 9,493,500	
Indirect Expenses	\$ -	\$ -	\$ 12,858,474	
CONSTRUCTION SUBTOTAL	\$ 47,975,139	\$ 11,387,171	\$ 59,362,310	
OWNER CONTINGENCIES				
Hard Cost Contingency	\$ 2,398,757	\$ 589,959	\$ 2,968,116	5% of Construction
Soft Cost Contingency	\$ 959,503	\$ 102,770	\$ 959,503	
Total Contingency	\$ 3,358,260	\$ 692,729	\$ 3,927,619	
TOTAL PROJECT BUDGET	\$ 61,700,000	\$ 12,766,114	\$ 74,342,743	

10/5/23

H.P. Smith Co, INC.
238 Main St.
Stoneham, MA 02180
781-438-2232



Jet Black

4' x 1'
beach

Centered on 2 lots of
2 graves each.

Please let us know location at your
convenience.

Thank you!

-Chp

Ashley Garber

From: Chip @H.P. Smith Memorials <hpsmithco@gmail.com>
Sent: Friday, October 13, 2023 11:10 AM
To: Ashley Garber
Subject: Re: Glidden Bench

[CAUTION:] This message was sent from outside of the Town of Middleton. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

The legs are 4"x1"x1'-2"(height)

Seat is 4' x 1'-2"x4"

Most cemeteries would do a 4x1 foundation.

This is a standard size for benches. The legs at the ground are within the 1'-1" back to front and 3'-7" apart. The seat itself is 1" and 5" over for a 4 grave lot monument.

Let me know if there's any difficulty.

Thanks,

Chip

On Fri, Oct 13, 2023 at 10:32 AM Ashley Garber <ashley.garber@middletonma.gov> wrote:

Good morning, Chip,

I meant to ask yesterday when we were on the phone, but the sketch provided seems to only have partial dimensions listed on it. Can you please provide all of the dimensions for the bench? I need to check them against our rules & regulations to make sure they meet our requirements, as noted below.

OAKDALE CEMETERY, MIDDLETON

LOT NO. H 119 OWNER HADDEN, NANCY ADDRESS 147 RIVER ST
END. _____ AMT. _____ REPRESENTATIVE _____

PURCHASED
8/13/14

2 GRAVE LOT

AVE. OLIVA AVE

OAKDALE CEMETERY, MIDDLETON

LOT NO. H 120 OWNER HADDEN, PATRICK ADDRESS 151 RIVER ST
END. _____ AMT. _____ REPRESENTATIVE _____

PURCHASED
8/13/14

2 GRAVE LOT

AVE. OLIVA AVE

November 29, 2022

To: The Superintendent
Middleton Cemetery
Middleton, MA

From: Nancy Madden
147 River Street
Middleton, MA
Tel: 508-932-0697

I am writing to inform you regarding 2 lots
I own. (HS14) copy enclosed. I am giving them
to my two brothers John Blodder & Philip Louraris
for their someday use. There is no money exchanged.
I have decided to be buried in the Flint
Cemetery on Boston Street which belongs to
my husbands family.

If you have any questions please do not
hesitate to call me.

Thank you.

Nancy M Madden

cc: John Blodder
Philip Louraris

DETERMINATION OF BORROWING
COVERED BY DEBT EXCLUSION

G.L. c. 59, §21C(k)

APPLICATION FROM CITY/TOWN OF Middleton
Application Date 10/13/2023

Email Form to:

Deborah A. Wagner
Director of Accounts
wagnerd@dor.state.ma.us

INSTRUCTIONS: Provide ALL information requested.

A. AUTHORIZED SIGNATURES. Must be signed by city council president and mayor or city manager or majority of the selectboard. Signature certifies that all information is true and correct.

Name	<u>Deborah Carbonne</u>	Title	<u>Select Bd Member</u>	Date	<u>10/12/23</u>
Name		Title		Date	<u>10/13/23</u>
Name	<u>Justin Sultzbach</u>	Title	<u>Select Bd Member</u>	Date	<u>10/12/23</u>
Name	<u>Justin Sultzbach</u>	Title	<u>Town Administrator</u>	Date	<u>10-12-23</u>

B. CONTACT. Provide name and telephone number of person to contact if additional information is needed to process this application.

Justin Sultzbach, Town Administrator
978-979-2166

YOU MUST ALSO COMPLETE SECTIONS C, D AND E

DOR USE ONLY

FOR COMMISSIONER OF REVENUE

Base exclusion:

\$

Director of Accounts

Additional debt approved:

\$

Date:

Total debt covered by debt exclusion:

\$

C. DEBT EXCLUSION. Answer the following questions and attach a certified copy of the referendum vote.

1. When did voters approve the debt exclusion? 06/5/2021 ATM
2. At the time of that election, how much did voters expect the project(s) described in the exclusion to cost? If the exclusion covers debt issued by a regional district, state district-wide cost, not city/town share. 06/12/2021 ATE \$ 61,700,000
3. What was the basis for that expectation?

Borrowing voted before election
 If yes, was borrowing voted *expressly* contingent upon passage of debt exclusion in accordance with G.L. Ch. 59 §21(m)?
 Yes No

Borrowing scheduled for vote after election
 Other. Specify: _____

D. DEBT AUTHORIZATIONS. List in chronological order all authorized/proposed debt for same purpose(s) as the debt exclusion. If the exclusion covers debt issued by a regional district, list debt authorized/proposed by the district, not city/town share.

	<u>Date Authorized/Proposed</u>	<u>Amount Authorized/Proposed</u>
1.	<u>06/5/2021</u> ATM	$\rightarrow \$ 61,700,000$
2.	<u>06/12/2021</u> ATE	$\$$
3.	<u>10/17/2023</u> STM	$\$ 9,950,000$
	<u>TOTAL DEBT AUTHORIZED/PROPOSED</u>	<u>$\\$ 71,650,000$</u>

Continue list on attachment, in same format, as necessary.

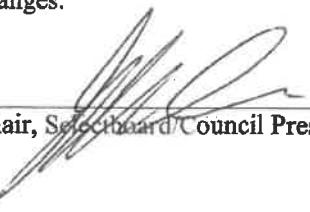
E. EXCLUSION COVERAGE. Please provide a copy of the following documents:

1. The architect's, cost estimator's or OPM's report which details the following:

- a) A letter from the architect, cost estimator or OPM detailing the circumstances for the cost increase;
- b) A report showing original project costs by major category at the time of the original debt exclusion voted with revised costs by major category. The variance should approximate the requested increase amount;
- c) An analysis of inflationary circumstances currently impacting the project cost;
- d) A statement from the architect, cost estimator or OPM indicating that the cost increase is not related to a change in scope from the project originally approved by the electorate at the time the debt exclusion was approved; and
- e) A statement from the architect, cost estimator or OPM detailing any changes made since the project was originally approved to reduce the cost of the same.

2. A certified copy attached of the vote taken by the council with mayor or city manager assent, if applicable, or selectboard in public session, indicating acceptance of the architect's, cost estimator's or owner's project manager's (OPM) report.

I attest that we accept the architect, cost estimator or OPM's report detailing the categories and reasons for project cost increases. I further attest that the increased project costs are not related to project scope changes.


Chair, Selectboard/Council President

Date 10/12/23

Town of Middleton - MMC Application to the DOR

On March 19, 2019, the Town of Middleton appropriated \$3.8 million dollars at a special town meeting to purchase the Middleton Golf Course on South Main Street, just south of the present Town Center. The owners of this privately-owned golf course were willing to sell the 51.57 acre parcel to the town with the understanding that the property would be used as a Municipal Center.

The Town's stated purpose for acquiring the land was for a public facilities complex. A facilities study completed in 2017 found that Middleton's fire station, police station, senior center, and town offices had exceeded their useful lives. The study determined that the four facilities needed to be replaced or substantially renovated, expanded, and modernized. The 2017 study also established an order of priority for the facilities: a new fire station, a new senior center/community center, a new police station, and a new town hall. As the current study evolved it was determined that there were operational and financial benefits to combining the fire and the police stations in a first phase as a Public Safety Building. Both facilities are outdated and do not support the current needs of a modern public safety infrastructure to serve and protect the public.

In 2019 the Town of Middleton formed a Master Development Planning Committee (MDPC) who hired HKT Architects to conduct a feasibility study for the acquired property at 105 S. Main Street. At the conclusion of a year long process the final programmatic direction for the Middleton Municipal Complex project was a combined fire station and police station as a public safety building and a combined community center, and a town hall. In addition, a new town green was contemplated for the property as part of the project.

In the feasibility study the four uses were programmed to be a Public Safety building of approximately 40,000 sq ft and a combined Town Hall and Community Center of approximately 33,000 sq ft. The project costs for the buildings and site were based on a cost per square foot of the approximate building and site areas. The estimated total project budget was determined by adding the estimated construction costs to a "soft cost" estimate for consultant fees, FF&E, technology, other "non-construction" expenses and project contingencies. The soft cost estimate total was calculated as a percentage of the estimated construction costs. At the conclusion of the feasibility study in September 2020 it was determined that the total project budget was \$61.7M to construct two buildings with four uses and a town green on the former golf course property. On June 5, 2021 Article 22 of the Annual Town Meeting authorized borrowing of \$61.7M for design and construction of the Project.

The Town formed a new Building Committee in July 2021 to begin the design of the new Middleton Municipal Complex project. In November 2021 the Town sold 30-year bonds to finance the project. The sale was awarded to Fidelity Capital Markets at an average net interest rate of 2.05%. In March 2022 the Town awarded a contract for owner's project management (OPM) services to PCA360. In April 2022, the Town awarded a design contract for the project to a new architect, "Context Architecture".

a) A letter from the architect, cost estimator or OPM detailing the circumstances for the cost increase;

In the feasibility study the project was anticipated to start construction in 2021. Construction of the project did not begin as suggested in the Feasibility Study and is currently scheduled to begin in early 2024. The program and basis of design envisioned in the Feasibility Study did not materially change during Schematic Design under the new architect (Context Architecture). In fact, the gross square footage (gsf) of the project was slightly reduced from what was presented in the Feasibility Study.

The cost per square foot of new construction in the northeast however increased dramatically over the 4 year period due in no small part to the Covid pandemic as well as labor and supply shortages. Escalation in construction costs in the northeast region of the United States is presented in the following graphic using Turner Construction's cost index for the period.



The Turner Construction Cost Index tracks construction "inflation". Turner's data was used to model the feasibility study's estimated construction cost from 2021 to Middleton's current estimated costs with an anticipated construction start in 2024. The escalated project cost in the model from 2021 to 2024 is approximately equal to the current estimated construction cost developed by the project architect's cost estimator and the recently hired Construction Manager who independently estimated the current design documents.

The dramatic increase in construction costs over the 4 year period is not unique to the Town of Middleton. There are numerous accounts in the media of other similar projects in Massachusetts experiencing extraordinary cost increases to construct municipal buildings.

b) A report showing original project costs by major category at the time of the original debt exclusion vote with revised costs by major category (the variance should approximate the requested increase amount);

Original feasibility study estimate was based on diagrammatic floor plans and an exterior rendering for the public safety building and solely on cost per square foot values for the Combined Town Hall and Community Center Building. The current cost are based on detailed construction drawings from

construction estimates from the architect and contractor. Due to the feasibility study not containing the detailed estimate information it is not possible to provide the requested cost report showing the original project costs by major category at the time of the original debt exclusion vote. See **Exhibit A**, a copy of an except of the feasibility study with highlighted relevant information.

A copy of the current estimate comparisons are provided in **Exhibit B** based on the available information.

c) *An analysis of inflationary circumstances currently impacting the project cost;*

As previously stated in item A above, construction escalation has increased at unprecedented levels which accounts for the increased project cost.

d) *A statement from the architect, cost estimator or OPM indicating that the cost increase is not related to a change in scope from the project originally approved by the electorate at the time the debt exclusion was approved; and*

The design program for the project was originally four uses in two buildings, the program is unaltered from what was approved by the electorate at the time of the debt exclusion vote.

e) *A statement from the architect, cost estimator or OPM detailing any changes made since the project was originally approved to reduce the cost of the same.*

The current design in order to reduce the cost of the project reduced the area of the buildings. For the feasibility study the Public Safety building of approximately 41,000 sq ft and a combined Town Hall and Community Center of approximately 33,000 sq ft for a total of 74,000 sq ft. The current design areas for the Public Safety building is 43,000 and a combined Town Hall and Community Center is 22,000 sq ft for a total of 65,000 sq ft. The overall areas of the four uses were reduced by 9,300 sq ft, or 12.5%.

Exhibit A

Feasibility Study

Master Development Planning Committee

Town of Middleton

Scheme 4 is the full build-out of the site in a single phase. This approach takes advantage of the current borrowing climate as well as eliminating additional costs due to escalation since the entire build-out would be bid as one project.

Projected Cost Estimates

In order to construct a cost estimate that could provide a look at various options constructed over a period of ten years, the design team developed a comprehensive group of individual building or site construction items to be estimated. The following ten items were estimated:

- Item #1: Fire Department with Shared Spaces
- Item #2: Shared sitework for the Fire Department
- Items #3: Sitework for the Town green
- Items #4: Stand-Alone Community Center
- Items #5: Remaining sitework
- Items #6: Police Department addition to Fire Department
- Items #7: Town Hall addition to the Community Center
- Items #8: Combined Public Safety Building
- Items #9: Combined Town Hall / Community Center
- Items #10: Stand Alone Town Hall

Item #	Phase	Description	Square Footage	Building Construction Costs	Total Project Cost in 2020	Total Project cost in 2021
1	1	Fire Department with Shared Spaces	28,770	\$13,579,439	\$17,653,271	\$18,359,402
2	1	Sitework for FD		\$5,819,642	\$ 6,983,570	\$7,262,913
3	1A	Sitework – Town green		\$3,060,130	\$ 3,978,169	\$4,137,296
4	2	Community Center Stand-Alone	22,522	\$9,684,460	\$12,589,798	\$13,093,390
5	2	Sitework – Remaining		\$3,416,494	\$4,441,442	\$4,619,100
6	3	Police Department Addition to FD	12,216	\$6,816,762	\$8,861,791	\$9,216,263
7	4	Town Hall – Addition to CC	11,254	\$5,345,650	\$6,949,345	\$7,227,319
8	1	Combined Public Safety Building	40,986	\$20,288,070	\$26,374,491	\$27,429,471
9	2	Combined TH/CC	33,770	\$15,196,500	\$19,755,450	\$20,545,668
10	4	Town Hall - Stand Alone	14,450	\$7,008,250	\$9,110,725	\$9,475,154

The professional cost estimator's work for each of these ten items was calculated in 2020 dollars and included:

- Buildings:
 - Fire and Police Department buildings based on plans and elevations.
 - Community Building and Town Hall based on a square foot basis.
- Sites: Phase 1, Phase 1A and Phase 2 sites based on drawings, narratives and descriptions by the civil engineer and landscape architect.
- Total Project Cost: Included construction of buildings/site, 30% soft cost and contingency on buildings, and 20% on sitework.
- Soft Costs Include: Design Fees, Owner's Project Manager Fees, Clerk-of-Works, Printing Costs, Advertising, Legal, Financing, Commissioning, Testing and Inspections, Furnishings, Finishes and Equipment, Communications, Permitting, Utility Company Back-charges and Moving costs included in the site bid.

Exhibit B

Middleton Municipal Complex Project

Design Estimate Comparisons

PCA360

	Feasibility Study		DD Square Foot Area	
TH/CC	33770		22245	
PSB:	40986		43145	
Total:	74756		65390	9/25/2023
Δ change from Feasibility:			-9366	

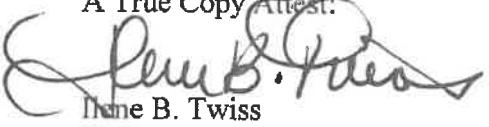
	Feasibility Study Estimate	AM Fogarty DD Estimate	WT Rich SD Estimate	A Between AMF & WTR DD Est.
PUBLIC SAFETY BUILDING				
Foundation	\$ 1,283,650	\$ 1,297,527	\$ (13,877)	
Structural Steel and Deck	\$ 1,218,811	\$ 1,756,401	\$ (537,590)	
Exterior Shell / Doors and Window	\$ 5,716,225	\$ 5,716,481	\$ (256)	
Elevator	\$ 160,000	\$ 169,500	\$ (9,500)	
Interior Stairs	\$ 88,500	\$ 156,379	\$ (67,879)	
Misc Metals	\$ 486,529	\$ 512,704	\$ (26,175)	
Interior partitions and doors	\$ 4,383,687	\$ 3,021,113	\$ 1,362,574	
Interior Finishes and Casework	\$ 1,844,844	\$ 1,719,249	\$ 125,595	
Specialties	\$ 286,945	\$ 716,997	\$ (430,052)	
Equipment / Furnishings	\$ 218,421	\$ 613,766	\$ (395,345)	
Sprinkler System	\$ 563,225	\$ 535,018	\$ 28,207	
Plumbing	\$ 1,419,747	\$ 1,331,648	\$ 88,099	
HVAC	\$ 4,065,561	\$ 3,822,470	\$ 243,091	
Electrical	\$ 3,059,612	\$ 2,810,543	\$ 249,069	
Earthwork			\$ -	
SUBTOTAL PSB	\$ 27,429,471	\$ 24,795,755	\$ 24,179,796	\$ 615,959
TOWN HALL / COMMUNITY CENTER				
Foundation	\$ 679,130	\$ 624,852	\$ 54,278	
Structural Steel and Deck	\$ 621,349	\$ 1,407,134	\$ (785,785)	
Exterior Shell / Doors and Window	\$ 2,481,508	\$ 3,094,219	\$ (612,711)	
Elevator	\$ 160,000	\$ 169,500	\$ (9,500)	
Interior Stairs	\$ 147,425	\$ 179,519	\$ (32,094)	
Misc Metals	\$ 77,837	\$ 244,821	\$ (166,984)	
Interior partitions and doors	\$ 1,188,501	\$ 1,105,992	\$ 82,509	
Interior Finishes and Casework	\$ 2,390,540	\$ 974,462	\$ 1,416,078	
Specialties	\$ 179,811	\$ 620,592	\$ (440,781)	
Equipment / Furnishings	\$ 83,021	\$ 189,267	\$ (106,246)	
Sprinkler System	\$ 336,390	\$ 363,443	\$ (27,053)	
Plumbing	\$ 441,433	\$ 454,529	\$ (13,096)	
HVAC	\$ 1,953,996	\$ 1,916,714	\$ 37,282	
Electrical	\$ 1,497,424	\$ 1,485,495	\$ 11,929	
Earthwork			\$ -	
SUBTOTAL TH/CC	\$ 20,545,568	\$ 12,238,362	\$ 12,830,539	\$ (592,177)
SITEWORK	incl above	\$ 9,272,026	\$ 9,493,500	\$ (221,474)
SUBTOTAL DIRECT COST OF WORK	incl above	\$ 46,306,143	\$ 46,503,835	\$ (197,692)
INDIRECT EXPENSES	incl above			\$ -
SUBTOTAL INDIRECT EXPENSES		\$ 12,931,187	\$ 12,858,474	\$ 72,713
GRAND TOTAL	\$ 47,975,139	\$ 59,237,831	\$ 59,362,310	\$ (124,879)



TOWN OF MIDDLETON
Office of the Town Clerk

CLERK'S CERTIFICATE

I, Ilene B. Twiss, hereby certify that I am duly elected, qualified and acting as Clerk of the Town of Middleton, Massachusetts, herewith certify that the attached documents are a true, exact, unaltered complete copies of the requested tax records for the meeting minutes for the Middleton Select Board meeting held on September 26, 2023.

A True Copy Attest:

Ilene B. Twiss
Town Clerk

Dated: Middleton, Massachusetts
October 13, 2023

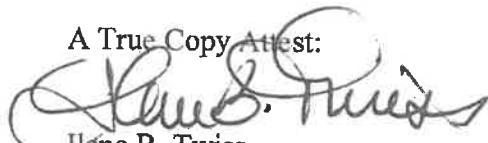


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Ilene B. Twiss
Town Clerk

Dated: Middleton, Massachusetts
October 13, 2023

MEETING MINUTES
MIDDLETON SELECT BOARD MEETING
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY SEPTEMBER 26, 2023 at 6:00 PM

This meeting was hybrid, in person and remote via Zoom; this meeting was recorded.

Select Board Present: Chair Jeff Garber; Rick Kassiotis, Clerk; Debbie Carbone; Kosta Prentakis
Not present: Brian Cresta

Others Attending: Justin Sultzbach, Town Administrator (TA); Jackie Bresnahan Assistant Town Administrator (ATA) /Human Resource Director; Catherine Tinsley, Recording Secretary; 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.

With a quorum present, Chair Garber called the meeting to order at 6 pm.

1. Business

a. Warrant 2406: Payroll \$800,000; Bills payable \$1.8 million; FP26 \$250,000

The Town Accountant/Finance Director Sarah Wood has reviewed the warrants and requested the Board's approval. Town Administrator Sultzbach provided a brief overview of the Warrants presented for approval.

On a motion by Prentakis second by Carbone, the Select Board voted unanimously to approve Warrant # 2406 and FP #26 as presented.

b. Minutes – September 5, 2023 OS & ES

On a motion by Kassiotis, second by Carbone, the Select Board voted unanimously to accept the Open and Executive Session meeting minutes of September 5, 2023 as written.

c. Town Administrator updates & Reports – J. Sultzbach

- o Our team has reached out to the Essex Sheriff's office to discuss possible contributions – in-kind or otherwise – to the Municipal Building Project.
- o Town Administrator met with members of Public Safety, Public Works, Council on Aging, Public Health, and MELD for a storm preparedness meeting last week in advance of the arrival of Hurricane Idalia. We will be holding this type of "Storm Awareness and Preparedness" meetings going forward in advance of any predicted severe weather event.
- o The Building Committee completed its final Public Outreach Session last Thursday. Members will continue to visit individual citizen groups in the lead up to Special Town Meeting.
- o Town Administrator met with the Board of Trade last Thursday. It was a great opportunity to touch base with the Middleton Business Community. Thank you to Form Fitness of Middleton who hosted.
- o Our team met with Police, Fire, and DPW to discuss Trick or Treating next month. This will appear as an agenda item at your Oct. 10th meeting.
- o As a reminder, new stickers for the transfer station will go into effect for Sunday, October 1st. They can be purchased online, however, stickers can also still be purchased at Memorial Hall.
- o Assistant TA Bresnahan and Town Administrator Sultzbach will be representing Middleton at the

upcoming ICMA conference in Austin. We appreciate the Towns' commitment to our professional development. K. Prentakis suggested a grace period on the new transfer station sticker effective date.

2. Public Comment – There was none.

3. Department Head /Education Updates (no items to be voted):

- a. Heidi Riccio, Superintendent, Essex North Shore Agricultural & Technical School
- b. Masconomet Regional School Committee Liaison Domenic Casamassima

Superintendent Riccio provided the board with the school's budget and enrollment reports. The school assesses at the minimum contribution for the third year due to sufficient revenue stream. The number of students at the school is 1740; Middleton has 54 students enrolled. It was noted there is no minimum/maximum number of students from the communities at this time.

H. Riccio spoke briefly on the upcoming addition to the Animal Science building and related programs. The increased footprint of the animal science wing will allow additional students in the animal science program. The cost of the construction was initially estimated at \$1.7 million which increased to \$3.7 million and recently rebid at \$3.1 million with alternative funding sources for change orders.

H. Riccio encouraged the board members to visit the school and offered to provide updates as requested. She also gave an overview of the programs available. It was noted the town is involved in having tech students work within the community.

D. Casamassima provided a brief update from the Regional School Committee.

- o Turf's Up has established their 501c3 status for fund raising. Following tomorrow night's meeting, D. Casamassima will have the total amount raised to date.
- o The Capital plan continues to be drafted. This will be discussed at the meeting tomorrow and be presented to the board when available.
- o The policy for a procedure to recall school committee members passed and is being reviewed by DESE (Department of Elementary & Secondary Education. Also being discussed is reducing the school committee membership from the current 11 members continues to be discussed for efficiency. Being considered is three representatives from each of the three communities.
- o K. Prentakis spoke in favor of reducing the school committee and capital projects being advocated by a diverse group and not just limited to staff.

4. FY23 Quarter 4 & Year End/FY24 Quarter 1 Update from Finance Director Sarah Wood

Finance Director S. Woods was present and gave an overview of the FY23 Quarter 4 and yearend report including revenues and expenditures. The Quarter 1 report was not available for this meeting.

S. Wood referenced her memo highlighting the Quarter 4 in summary.

- o 98.1 % of general fund was expended at the end of FY23; this is within the benchmark of 95-100%.
- o The school department is 100% expended.
- o General fund expenditures include outstanding projects; departments continue to work to clear up old capital projects.
- o Revenue surplus - \$2.5 million due in part to conservative budgeting, exceeding budgeted revenues from motor vehicle excise, building permits, and investment income, and volatility of economics/trends. Investment incomes were reorganized and increased.
- o Free cash certified at \$4.55 million

On a side note, there are upcoming negotiations anticipated for a restructure of reimbursement for ambulance runs to the Middleton House of Correction with the health care provider. The Town will receive a PILOT (Payment in Lieu of Taxes) for FY25 for the state owned land; this will be on the Cherry Sheet (TBD)

5. Continue review & close Warrant for the October 17, 2023 Special Town Meeting (STM) (revised) Town Administrator Sultzbach reviewed the revised/ updated warrant.

ARTICLE 1. 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 to supplement the Fiscal Year 2024 operating budget; and to rescind the appropriation of the opioid settlement funds for FY 24 (Article 19 from May 2024); or take any other action relative thereto. Requires a simple majority vote.*

ARTICLE 3. *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 supplement the Fiscal Year 2024 capital budget; or take any other action relative thereto. Requires a simple majority vote.*

ARTICLE 4. *On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate a sum or funds to fund collective bargaining agreements; or take any other action relative thereto. Requires a simple majority vote.*

ARTICLE 5. *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 the following funds:*

- Stabilization Fund- \$50,000
- Pension Stabilization Fund - \$50,000
- Capital Stabilization Fund - \$100,000
- Facilities Complex Stabilization Fund - \$300,000
- OPEB Liability Irrevocable Trust Fund- \$100,000 Special Education Stabilization Fund

Or take any other action relative thereto. Requires a simple majority vote.

ARTICLE 6. *On petition of the Building Committee, to see if the Town will vote to raise and appropriate, transfer from available funds or borrow an additional \$9,950,000, for the design, permitting, construction, and furnishing of a combined Fire and Police Public Safety Building and a combined Community Center and Town Hall on the Town-owned land located at 105 South Main Street, including all costs incidental and related thereto; to determine whether the approval of borrowing for this purpose shall be contingent upon passage of a Proposition 2 1/2 Debt Exclusion referendum under Massachusetts General Laws c. 59, .s 21C(k); to determine whether any premium received by the Town upon the sale of any bonds or notes approved, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws c. 44, .s 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to authorize the Select Board and Town Administrator to execute such other documents and contracts as are needed to effectuate the vote taken hereunder; or take any other action relative thereto.*

The warrant will be posted by the constable, and sent to the printer tomorrow; residents should receive their copies in a week or so.

On a motion by Carbone, seconded by Kassiotis, the Board voted unanimously to close the October 17, 2023 Special Town Meeting Warrant.

A follow up on the sale of the Locust Street property, Counsel responded since the community already provided the vote to surplus the land, the Board may proceed with selling, but funds can't be appropriated until the town has the funds. This will be lined up with an annual town meeting. Firms that appraise large properties have been contacted and anticipate more discussions over the next few months on strategies and sale process.

6. Review & discuss One Day Liquor License policy - A draft One Day Liquor License policy was reviewed by ATA Bresnahan. A one day liquor license would be available for any business in town with proper required insurance, TIPS training, workman compensation, etc. In addition to the ABCC requirements, local requirements may include requiring a police detail i.e. for functions exceeding 75 attendees to be paid by the applicant, and require a 30-day notice. One day Liquor licenses are issued at the discretion of the Select Board and the policy may be amended by the Board at anytime. R. Kassiotis clarified in accordance with state provisions, a one day liquor license for businesses is limited to Beer & Wine and only non-profit organizations may apply for an all alcohol one day license.

On a motion by Prentakis, seconded by Carbone, the Board voted unanimously to approve the application process for a one day liquor license.

7. Review & vote on change of Corporate Officers - Aimbridge Hospitality, LLC DBA DoubleTree North Shore It was clarified the holder/manager of the license is not changing.

On a motion by Prentakis, seconded by Carbone, the Board voted unanimously to approve the new corporate officers for Aimbridge Hospitality.

8. Fuller Meadow Site Traffic Circulation Conversation - This plan is for when the construction begins for the new municipal facility on the golf course. Town Administrator Sultzbach is in discussions with the school to find a solution. Three considerations:

1. Abutting Parcel - purchase or easement
2. Opportunities on existing site – change of traffic flow
3. Parking lot – 20 foot area – build additional lane to get cars off Route 114.

Town Administrator Sultzbach suggested hiring a consultant to do a study/provide a cost estimate, including a possibly a temporary solution. Discussion on the combination of the considerations, pending approved funding at a town meeting and if a portion of the golf course property could be permanently dedicated for this purpose. Currently about 80-100 cars are utilizing the golf course for school pickup/drop off and this volume may impede municipal use ie fire/ police/ COA.

9. Update on “Don’t Block the Box” Grant Implementation - Town Administrator Sultzbach reported the funds are ready to be implemented for painting updates by the state. A box in the intersection will be painted as a cue to drivers to time the signal lights as to not block the intersections so traffic can flow.

K. Prentakis mentioned from Lakeview into the square, the white lines are not on the edge of the pavement and suggested the lines be repainted at the edge of the pavement and the yellow line shifted to create two lanes (at the fire station) with right/ left turn arrows; this is informally done and traffic flow would benefit from pavement marking changes. Other similar intersections that may benefit in improved traffic flow with relining: Route 62 (Maple Street) into the square.

As a state road, Boston Street this request will be submitted to the state

10. Municipal Facilities Project Updates

- a. Context Architecture Amendment #7
- b. Review process & forms for Department of Revenue DE-2 Form

- a. ATA Bresnahan reviewed amendment #7 in the amount of \$9,715 for the following:
 - o \$ 6,400 food service equipment consultant for COA commercial kitchen design.

- \$ 2,675 for small changes in the Town Hall community center and town office design changes as requested by the Town Administrator for flow and security.

Chair Garber referenced the total cost for the architect and questioned the additional cost for design. It was noted the architect has worked with the town and offered credits, but in this phase additional work needs to be done. Carbone and Kassiotis concurred, noting the OPM was aware the COA was having a commercial kitchen and questioned why this was not realized in the planning forethought. Town Administrator Sultzbach noted the OPM and architect did get a lot of detail and have caught it in the design phase as opposed to the bid phase and smaller sections of the project are undergoing detailed review.

On a motion by Prentakis, seconded by Kassiotis the Board voted to approve Context Architecture Amendment #7.

- The DOR form is related to additional funding for the facilities project not related to the scope of the project but due to economics.

On a motion by Carbone, seconded Prentakis the Board voted unanimously to authorize Town Administrator J. Sultzbach to review the report from the OPM and finalize the application on behalf of the Select Board.

11. Updates & Announcements

Pumpkin Fair- October 21

12. Executive Session 8:43PM

On a motion by Prentakis, seconded by Kassiotis the Board voted unanimously by roll call to enter into Executive Session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to collective bargaining negotiations with all units. Returning to open session.

The Board returned to open session at 9:17PM.

13. Review & vote on Middleton Firefighters, Local #3097, I.A.F.F. Fiscal Year (FY) 24-26 Contract

Chair Garber announced the Board approved the contract with the Middleton Firefighters, Local #3097, I.A.F.F. for Fiscal Year (FY) 24-26 in executive session.

14. Review & vote on Finance Director/Town Accountant contract for FY 24-26

On a motion by Carbone, seconded by Prentakis, the Board voted unanimously to accept the contract with the Finance Director Sarah Wood for FY24-FY26

Upcoming Meetings

October 10 & 24 Regular Select Board Meeting

October 12 Pre-Town Meeting at the Flint Public Library (Warrant Hearing)

October 17 Special Town Meeting at Howe-Manning

Adjournment -The Board voted unanimously to adjourn at 9:19 pm

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

Rick Kassiotis, Select Board Clerk

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

- Agenda: September 26, 2023
- September 26, 2023 Warrant # 2406: FP26
- Minutes: September 5, 2023 OS/ES
- Town Administrator Report
- Memo from J. Sultzbach to Select Board 6.19.23 re Essex North Shore Agricultural & Technical School Update, including proposed addition plans to the school, 565 Maple St. Danvers
- Memo from S. Wood to Select Board/FC re FY2023 4th Quarter Highlights Report
- STM October 17, 2023 Warrant- Draft
- Email from J. Bresnahan to Select Board/TM re One Day Liquor License Policy 9.15.23
- One Day Special Liquor Licenses Policy & One Day Liquor License Application
- Memorandum of Agreement between the Town of Middleton & Middleton Firefighters, Local #3097, L.A.F.F.

A TRUE COPY ATTEST

Shelli B. Quinn
MIDDLETON TOWN CLERK



TOWN OF MIDDLETON
Office of the Town Clerk

2021 ANNUAL TOWN MEETING
June 5, 2021

This is to certify that at a duly called and posted Annual Town Meeting of the Town of Middleton held on June 5, 2021, at which many more than a quorum of qualified voters were present, the following action was taken on Article 22:

Funding for Combined Public Safety, Community Center, and Town Hall

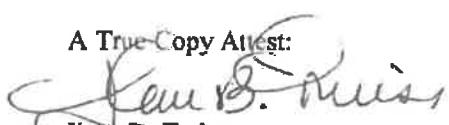
ARTICLE 22: Under a motion made by George Dow and duly seconded, the following was **VOTED:**

That the Town appropriate the sum of \$61,700,000 to fund the design, permitting, construction and furnishing of a combined Fire and Police Public Safety Building and a combined Community Center and Town Hall on the Town-owned land located at 105 South Main Street, including all costs incidental and related thereto; provided, however, that the appropriation authorized hereunder is contingent upon passage of a Proposition 2 1/2 Debt Exclusion referendum under Massachusetts General Laws c. 59, s. 21C(k); and that, to meet this appropriation, (i) it authorize the Treasurer-Collector to borrow the sum of \$61,590,000; and any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and (ii) \$110,000, representing unexpended proceeds of Bonds dated March 16, 2017 issued to fund the Fuller Meadow School roof project, which project is complete and no liability remains, is authorized to be transferred to these projects; and to authorize the Board of Selectmen and Town Administrator to execute such other documents and contracts as are needed to effectuate the vote taken hereunder.

After considerable discussion, a hand count vote was taken. The vote required a two-thirds (2/3) majority vote on Town Meeting floor. The results were as follows: Article 22: YES 280; NO 48. The motion passed with a two-thirds (2/3) majority vote.

June 15, 2021

A True Copy Attest:


Helen B. Twiss
Town Clerk

TOWN OF MIDDLETON -- ANNUAL TOWN ELECTION			
JUNE 12, 2021			
UNOFFICIAL RESULTS			
Precinct #	1	2	Total
Total Registered Voters	3357	3534	6891
Total Votes	790	824	1614
Total Votes/Registered Voters	24%	23%	23%
MODERATOR			
(For Three Years - Vote For ONE)			
BARBARA A. PISELLI	609	632	1241
	0	0	0
Write-in	2	7	9
Blank Votes	179	185	364
Total Votes	790	824	1614
SELECTMAN			
(For Three Years - Vote For TWO)			
KOSTA E. PRENTAKIS	277	343	620
ARTHUR F. BERARDINO	206	180	386
JASON BERNHARD	144	228	372
JEFFREY P. GARBER	476	439	915
CHRISTINE M. LINDBERG	271	228	499
	0	0	0
	0	0	0
	0	0	0
Write-in	3	5	8
Blank Votes	203	225	428
Total Votes	1580	1648	3228
ASSESSOR			
(For Three Years - Vote For ONE)			
DEBORAH J. CARBONE	614	652	1266
	0	0	0
Write-in	1	1	2
Blank Votes	175	171	346
Total Votes	790	824	1614
ELEMENTARY SCHOOL COMMITTEEEE			
(For Three Years - Vote For TWO)			
MICHELLE D. AITKEN	291	331	622
MATTHEW A. ALEXANDER	219	272	491
DANIEL BOURGEOIS	172	193	365
GREGORY EDWARD BUSER	188	255	443
JACQUELYN J. DUBOIS	404	345	749
	0	0	0
	0	0	0
	0	0	0
	0	0	0
Write-in	1	1	2
Blank Votes	305	251	556
Total Votes	1580	1648	3228
REGIONAL SCHOOL COMMITTEE			
(For Three Years - Vote For ONE)			
DOMENIC CASAMASSIMA	394	493	887
ERIC JAMES GOLOVCHENKO	209	192	401
	0	0	0
	0	0	0
Write-in	2	2	4
Blank Votes	185	137	322
Total Votes	790	824	1614