

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, DECEMBER 3RD, 2024
6:00 PM

This meeting is being recorded

- | | |
|---------|---|
| 6:00 pm | 1. Business <ul style="list-style-type: none">• Warrant: 2511 and FP 49• Minutes: Open Session, November 19, 2024; Executive Session, October 22, 2024; Executive Session, November 5, 2024• Town Administrator Updates and Reports |
| 6:05 pm | 2. Public Comment |
| 6:10 pm | 3. Middleton Municipal Campus Updates <ul style="list-style-type: none">• Project Updates• Review Context Architecture Amendments |
| 6:15 pm | 4. Review Policies of the Middleton Police Department <ul style="list-style-type: none">• 1.01 Use of Force• 1.08 Automated License Plate Readers• 8.02 Responding to Persons Experiencing a Mental Health Crisis |
| 6:20 pm | 5. Update from Mill Pond Preservation and Historic Association |
| 6:45 pm | 6. Review Bulletin from Town Counsel re: Economic Development Bill |
| 6:55 pm | 7. Review MassDOT November 22, 2024 Road Safety Audit for Middleton Square |
| 7:05 pm | 8. Response to 11-22-24 Middleton School Committee MBTA “Info Document” Mass Mailing |
| 7:30 pm | 9. Updates and recommendations for the Thursday, December 12, 2024 Special Town Meeting Warrant |
| 7:55 pm | 10. FY25-FY29 Goals Vote of Approval |
| 8:00 pm | 11. Review and vote on annual licenses for liquor, common victualler, etc.... |
| 8:10 pm | 12. Donations and Acceptances: <ul style="list-style-type: none">• \$100 for the Middleton COA from Formal Name of Person |
| 8:15 pm | 13. Updates & Announcements |

Upcoming Meetings:

December 12
December 17
January 7

Special Town Meeting
Regular Select Board Meeting
Regular Select Board Meeting

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.

AMENDMENT No. 17 To CONTRACT

11 November 2024

OWNER	Town of Middleton, Massachusetts
AGREEMENT	Agreement for Architectural Design Services, dated April 5, 2022
PROJECT	Municipal Center
SERVICES	<p>ADDITIONAL CONSULTING SERVICES & DESIGN SERVICES</p> <p>This amendment is for civil, landscaping, and site electrical calculations and design services to add a path from the Town Green pathway to the southside sidewalk at the Town Hall East entrance. The electrical portion of this Amendment is to place additional light fixtures along this new pathway based upon the calculated lighting requirements.</p>

The adjustment to fees covered by this Amendment is as follows:

Civil Engineering & Landscape Architectural Fee:

Bohler Engineering	\$ 3,500.00
CTX 10% mark-up	350.00

Electrical Engineering Fee:

GGD Engineering	\$ 1,800.00
CTX 10% mark-up	180.00

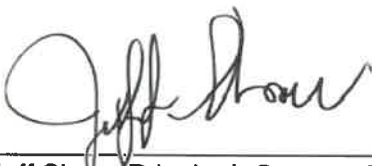
Total	\$ 5,830.00
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AMENDMENT No.1 FEE	\$ 1,663.00
AMENDMENT No.2 FEE	\$ 4,620.00
AMENDMENT No.3 FEE	\$ 9,790.00
AMENDMENT No.4 FEE	\$ 4,400.00
AMENDMENT No.5 FEE	\$ 0.00
AMENDMENT No.6 FEE	(\$ 32,500.00)



AMENDMENT NO.7 FEE	\$	9,715.00
AMENDMENT NO.8A FEE	\$	18,290.00
AMENDMENT NO.8B FEE	\$	20,350.00
AMENDMENT NO.9 FEE	\$	5,500.00
AMENDMENT NO.10 FEE	\$	8,630.00
AMENDMENT NO.11 FEE	\$	3,630.00
AMENDMENT NO.12 FEE	\$	58,190.00 (not approved)
AMENDMENT NO.13 FEE	\$	(35,000.00)
AMENDMENT NO.14 FEE	\$	1,100.00
AMENDMENT NO.15 FEE	\$	2,845.00
AMENDMENT NO.16 FEE	\$	10,450.00
AMENDMENT NO. 17 FEE	\$	5,830.00

ARCHITECT


 Jeff Shaw, Principal, Context Architecture, Inc.

TOWN OF MIDDLETON

Jeffrey P. Garber, Clerk, Select Board

File: 2204.00: A/O Contract



CHANGE ORDER AGREEMENT

Client: Context Architecture, Inc.
Contract Date: September 13, 2022
Bohler Project# M221004
Change Order Date: November 5, 2024
Project Name: Proposed Municipal Complex
Project Address: 105 South Main Street
Middleton, Massachusetts

Consultant: Bohler Engineering MA, LLC
Contract Rev. date (if applicable):

Context Architecture, Inc. and Bohler Engineering MA, LLC entered into a Professional Engineering Services Agreement on the 13th day of September, 2022 (the "Contract"). This Change Order fully incorporates by reference the Contract and any prior Change Orders entered into between Context Architecture and Bohler Engineering MA, LLC. This Change Order Agreement modifies and amends the above-referenced Contract and any prior Change Orders only as specifically identified herein.

The change or addition to Bohler Engineering MA, LLC's scope of services includes the following:

PHASE 331 – Stormwater Peer Review

Budget Increase = \$9,500

- Meetings and Coordination with Peer Reviewer/Town and written response to the initial comment letter
- Revised plans and report addressing pertinent comments.
 - Anticipates a second round of minor response to comments/plan/report revisions (Reviewer has not seen drainage mods associated with the MELD generator changes in PR06)
- Coordination with Contractor/Site Contractor for what has been constructed that may be impacted including performance of site visit for confirmation.
- Once final responses are agreed upon, we assume the revised plans would be issued as a PR.

Contract
Amendment No. 17

PHASE 332 – Town Green New Path Design Civil & LA

Budget Increase= \$3,500


This phase will include incorporation and detailing of additional path connection within Civil and LA drawings as shown conceptually in the sketch provided by your office on 9/26/2024 entitled. "Proposed New Path and Lighting at Town Green". These improvements/modifications are assumed to be submitted as PR. It is assumed that the project electrical engineer will analyze the need for additional lighting and location would be coordinated on Civil and LA drawings.

By signing below, I represent and acknowledge that I am authorized to execute this Change Order on behalf of the entity above my signature.

CONTEXT ARCHITECTURE, INC.

By: C. Christopher Logan
Print: C. Christopher Logan
Title: Director of Projects
Date: 11 November 2024

BOHLER ENGINEERING MA, LLC

By: 
Print: Timothy Hayes, P.E.
Title: Associate
Date: 11/5/24



GGD Consulting Engineers, Inc.

375 Faunce Corner Road, Suite D
Dartmouth, MA 02747

REQUEST FOR ADDITIONAL SERVICES

L# 90730

DATE: October 3, 2024 **ATTN:** Chris Logan, AIA
TO: Context Architecture
PROJECT: Middleton Municipal Complex **PRINCIPAL:** David Pereira, PE
Middleton, MA
Additional Pathway Lighting
GGD JOB #: 640 069 00.00 **PROJ. MGR:** David Pereira, PE
CLIENT TASK#
FEE BASIS: Lump Sum Fee

ESTIMATED COST FOR CHANGES: \$1,800.00 (One Thousand, Eight Hundred Dollars)

DESCRIPTION OF "ADDITIONAL SERVICES" REQUIRED:

Additional Electrical engineering services to provide design for pathway lighting including specification of lightings, controls, and branch circuits, prepare lighting calculations and renderings.

No additional fee is required for Construction Administration (CA) services. CA services shall be performed per terms of our Basic Services Proposal.

THE ABOVE ADDITIONAL WORK WILL NOT BE STARTED UNTIL WRITTEN AUTHORIZATION IS RECEIVED. REQUEST FOR ADDITIONAL SERVICE VALID FOR 90 DAYS.

ADDITIONAL SERVICES APPROVED BY: _____

DATE:

SEND ☒ FOR OFFICE ONLY: ☐

CC: PRINCIPAL, PROJECT MGR., ACCOUNTING, CORRESPONDENCE

254/255 CODE: _____

AMENDMENT NO. 18 To CONTRACT

19 November 2024

OWNER	Town of Middleton, Massachusetts
AGREEMENT	Agreement for Architectural Design Services, dated April 5, 2022
PROJECT	Municipal Center
SERVICES	<p>ADDITIONAL CONSULTING SERVICES & DESIGN SERVICES</p> <p>This amendment is to place additional light fixtures along the pathway and in front of the monument sign based upon the calculated lighting requirements.</p> <p>The adjustment to fees covered by this Amendment is as follows:</p>

Electrical Engineering Fee:

GGD Engineering	\$ 1,800.00
CTX 10% mark-up	180.00

Total	\$ 1,980.00
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AMENDMENT NO.1 FEE	\$ 1,663.00
AMENDMENT NO.2 FEE	\$ 4,620.00
AMENDMENT NO.3 FEE	\$ 9,790.00
AMENDMENT NO.4 FEE	\$ 4,400.00
AMENDMENT NO.5 FEE	\$ 0.00
AMENDMENT NO.6 FEE	(\$ 32,500.00)
AMENDMENT NO.7 FEE	\$ 9,715.00
AMENDMENT NO.8A FEE	\$ 18,290.00
AMENDMENT NO.8B FEE	\$ 20,350.00
AMENDMENT NO.9 FEE	\$ 5,500.00



AMENDMENT NO.10 FEE	\$	8,630.00
AMENDMENT NO.11 FEE	\$	3,630.00
AMENDMENT NO.12 FEE	\$	58,190.00 (not approved)
AMENDMENT NO.13 FEE	\$	(35,000.00)
AMENDMENT NO.14 FEE	\$	1,100.00
AMENDMENT NO.15 FEE	\$	2,845.00
AMENDMENT NO.16 FEE	\$	10,450.00
AMENDMENT NO.17 FEE	\$	5,830.00
AMENDMENT NO.18 FEE	\$	1,980.00



ARCHITECT

Jeff Shaw, Principal, Context Architecture, Inc.

TOWN OF MIDDLETON

Rick Kassiotis, Chair, Select Board

File: 2204.00: A/O Contract





GGD Consulting Engineers, Inc.

375 Faunce Corner Road, Suite D
Dartmouth, MA 02747

REQUEST FOR ADDITIONAL SERVICES

L# 91328

DATE: November 18, 2024 **ATTN:** Chris Logan, AIA

TO: Context Architecture

PROJECT: Middleton Municipal Complex **PRINCIPAL:** David Pereira, PE
Middleton, MA
Monumental Entry Sign
Lighting

GGD JOB #: 640 069 00.00 **PROJ. MGR:** David Pereira, PE

CLIENT TASK#

FEE BASIS: Lump Sum Fee

ESTIMATED COST FOR CHANGES: \$1,800.00 (One Thousand, Eight Hundred Dollars)

DESCRIPTION OF "ADDITIONAL SERVICES" REQUIRED:

Additional Electrical engineering services to provide design for lighting the monumental entry sign lighting and walkway behind the monumental entry sign. Our scope of work includes specification of lighting, controls, branch circuits, and preparation of lighting calculations and renderings.

No additional fee is required for Construction Administration (CA) services. CA services shall be performed per terms of our Basic Services Proposal.

THE ABOVE ADDITIONAL WORK WILL NOT BE STARTED UNTIL WRITTEN AUTHORIZATION IS RECEIVED. REQUEST FOR ADDITIONAL SERVICE VALID FOR 90 DAYS.

ADDITIONAL SERVICES APPROVED BY: _____

DATE:

SEND ☒ FOR OFFICE ONLY: ☐

CC: PRINCIPAL, PROJECT MGR., ACCOUNTING, CORRESPONDENCE

254/255 CODE: _____

AMENDMENT NO. 19 To CONTRACT

19 November 2024

OWNER	Town of Middleton, Massachusetts
AGREEMENT	Agreement for Architectural Design Services, dated April 5, 2022
PROJECT	Municipal Center
SERVICES	ADDITIONAL CONSULTING SERVICES & DESIGN SERVICES

This amendment is to provide design and engineering services to change the vehicle exhaust system from a pneumatic boot system with rails to a MagneGrip system with suction rails.

The adjustment to fees covered by this Amendment is as follows:

Electrical Engineering Fee:

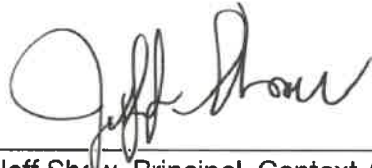
GGD Engineering	\$ 2,240.00
CTX 10% mark-up	224.00

Total	\$ 2,464.00
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AMENDMENT NO.1 FEE	\$ 1,663.00
AMENDMENT NO.2 FEE	\$ 4,620.00
AMENDMENT NO.3 FEE	\$ 9,790.00
AMENDMENT NO.4 FEE	\$ 4,400.00
AMENDMENT NO.5 FEE	\$ 0.00
AMENDMENT NO.6 FEE	(\$ 32,500.00)
AMENDMENT NO.7 FEE	\$ 9,715.00
AMENDMENT NO.8A FEE	\$ 18,290.00
AMENDMENT NO.8B FEE	\$ 20,350.00
AMENDMENT NO.9 FEE	\$ 5,500.00



AMENDMENT NO.10 FEE	\$	8,630.00
AMENDMENT NO.11 FEE	\$	3,630.00
AMENDMENT NO.12 FEE	\$	58,190.00 (not approved)
AMENDMENT NO.13 FEE	\$	(35,000.00)
AMENDMENT NO.14 FEE	\$	1,100.00
AMENDMENT NO.15 FEE	\$	2,845.00
AMENDMENT NO.16 FEE	\$	10,450.00
AMENDMENT NO.17 FEE	\$	5,830.00
AMENDMENT NO.18 FEE	\$	1,980.00
AMENDMENT NO. 19 FEE	\$	2,464.00



ARCHITECT

Jeff Shaw, Principal, Context Architecture, Inc.

TOWN OF MIDDLETON

Rick Kassiotis, Chair, Select Board

File: 2204.00: A/O Contract





GGD Consulting Engineers, Inc.

375 Faunce Corner Road, Suite D
Dartmouth, MA 02747

REQUEST FOR ADDITIONAL SERVICES

L# 91329

DATE: November 18, 2024 **ATTN:** Chris Logan, AIA

TO: Context Architecture

PROJECT: Middleton Municipal Complex **PRINCIPAL:** Dominick Puniello, PE
Middleton, MA
Vehicle Exhaust System
Change

GGD JOB #: 640 069 00.00 **PROJ. MGR:** David Pereira, PE

CLIENT TASK#

FEE BASIS: Lump Sum Fee

ESTIMATED COST FOR CHANGES: \$2,240.00 (Two Thousand, Two Hundred Forty Dollars)

DESCRIPTION OF "ADDITIONAL SERVICES" REQUIRED:

We shall provide HVAC and related electrical and plumbing design changes to the plans and specifications of the currently designed Vehicle Exhaust System (VES) to change it from a pneumatic type system with direct exhaust hose connection to track to a magnetic "MagneGrip" connection with a suction rail system and hoses, per the Owner's request. The system will be designed based on input from the "MagneGrip" vendor and Apparatus Bay layout provided by Context. We understand the updated VES system layout and specification will be issued to Contractors for pricing.

No additional fee is required for Construction Administration (CA) services. CA services shall be performed per terms of our Basic Services Proposal.

THE ABOVE ADDITIONAL WORK WILL NOT BE STARTED UNTIL WRITTEN AUTHORIZATION IS RECEIVED. REQUEST FOR ADDITIONAL SERVICE VALID FOR 90 DAYS.

ADDITIONAL SERVICES APPROVED BY: _____

DATE:

SEND ☒ FOR OFFICE ONLY: ☐

CC: PRINCIPAL, PROJECT MGR., ACCOUNTING, CORRESPONDENCE

254/255 CODE: _____

RAIL TO MATCH RAIL IN BAY 2



AMENDMENT NO. 16 To CONTRACT

11 November 2024

OWNER	Town of Middleton, Massachusetts
AGREEMENT	Agreement for Architectural Design Services, dated April 5, 2022
PROJECT	Municipal Center
SERVICES	ADDITIONAL CONSULTING SERVICES & DESIGN SERVICES

This amendment is for review of the Storm Water Peer Review comments from GPI, developing a response to the comments as well as revising Civil and Landscape drawings and Storm Water Report per the review comments.

The adjustment to fees covered by this Amendment is as follows:

Civil Engineering & Landscape Architectural Fee:

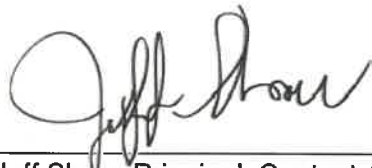
Bohler Engineering	\$ 9,500.00
CTX 10% mark-up	950.00

Total	\$ 10,450.00
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AMENDMENT NO.1 FEE	\$ 1,663.00 (\$1,512.00 plus 10% mark-up)
AMENDMENT NO.2 FEE	\$ 4,620.00 (\$4,200.00 plus 10% mark-up)
AMENDMENT NO.3 FEE	\$ 9,790.00 (\$8,900.00 plus 10% mark-up)
AMENDMENT NO.4 FEE	\$ 4,400.00 (\$4,000.00 plus 10% mark-up)
AMENDMENT NO.5 FEE	\$ 0.00
AMENDMENT NO.6 FEE	(\$ 32,500.00)
AMENDMENT NO.7 FEE	\$ 9,715.00
AMENDMENT NO.8A FEE	\$ 18,290.00
AMENDMENT NO.8B FEE	\$ 20,350.00
AMENDMENT NO.9 FEE	\$ 5,500.00



AMENDMENT NO.10 FEE	\$	8,630.00
AMENDMENT NO.11 FEE	\$	3,630.00
AMENDMENT NO.12 FEE	\$	58,190.00 (not approved)
AMENDMENT NO.13 FEE	\$	(35,000.00)
AMENDMENT NO.14 FEE	\$	1,100.00
AMENDMENT NO.15 FEE	\$	2,845.00



ARCHITECT

Jeff Shaw, Principal, Context Architecture, Inc.

TOWN OF MIDDLETON

Jeffrey P. Garber, Clerk, Select Board

File: 2204.00: A/O Contract



CHANGE ORDER AGREEMENT

Client: Context Architecture, Inc.
Contract Date: September 13, 2022
Bohler Project# M221004
Change Order Date: November 5, 2024
Project Name: Proposed Municipal Complex
Project Address: 105 South Main Street
Middleton, Massachusetts

Consultant: Bohler Engineering MA, LLC
Contract Rev. date (if applicable):

Context Architecture, Inc. and Bohler Engineering MA, LLC entered into a Professional Engineering Services Agreement on the 13th day of September, 2022 (the "Contract"). This Change Order fully incorporates by reference the Contract and any prior Change Orders entered into between Context Architecture and Bohler Engineering MA, LLC. This Change Order Agreement modifies and amends the above-referenced Contract and any prior Change Orders only as specifically identified herein.

The change or addition to Bohler Engineering MA, LLC's scope of services includes the following:

PHASE 331 – Stormwater Peer Review

Budget Increase = \$9,500

- Meetings and Coordination with Peer Reviewer/Town and written response to the initial comment letter
- Revised plans and report addressing pertinent comments.
 - Anticipates a second round of minor response to comments/plan/report revisions (Reviewer has not seen drainage mods associated with the MELD generator changes in PR06)
- Coordination with Contractor/Site Contractor for what has been constructed that may be impacted including performance of site visit for confirmation.
- Once final responses are agreed upon, we assume the revised plans would be issued as a PR.

Contract
Amendment No.16

PHASE 332 – Town Green New Path Design Civil & LA

Budget Increase= \$3,500


This phase will include incorporation and detailing of additional path connection within Civil and LA drawings as shown conceptually in the sketch provided by your office on 9/26/2024 entitled. "Proposed New Path and Lighting at Town Green". These improvements/modifications are assumed to be submitted as PR. It is assumed that the project electrical engineer will analyze the need for additional lighting and location would be coordinated on Civil and LA drawings.

By signing below, I represent and acknowledge that I am authorized to execute this Change Order on behalf of the entity above my signature.

CONTEXT ARCHITECTURE, INC.

By: _____
Print: _____
Title: _____
Date: _____

BOHLER ENGINEERING MA, LLC

By: 
Print: Timothy Hayes, P.E.
Title: Associate
Date: 11/5/24

November 7, 2024

NEX-2300212.00

Mr. Brian LaRoche
PCA 360
75 Second Ave, Suite 305
Needham, MA 02494

SUBJECT: Middleton Municipal Complex
Amendment 2 – Additional Services Request

Dear Mr. LaRoche:

As you are aware, the permitting process through MassDOT has been extensive and time consuming. We have seen new comments and requests through each review stage, that have required modifications to the design plans that were not initially anticipated. As part of the permitting process the following were unexpected efforts that required additional time:

- Intersection Control Evaluation (ICE) Applicability Checklist – GPI had to prepare and submit the checklist and coordinate and discuss the project scope with MassDOT in order to obtain a waiver of the ICE requirements.
- Coordination with Bohler and incorporation of drainage elements and provisions of drainage details
- Modifications to driveway radii
- Incorporation of MassDOT revised pedestrian construction details into plans
- Extend area of milling and overlay
- Removal of SP1 sign
- Changing traffic controller type from NEMA to ATC, and updating written specifications

In addition, the signal shop drawing review required an additional submittal.

While each of these were fairly minor additions, collectively they required additional time and effort not originally anticipated.

In addition to the work above, GPI has been requested to coordinate the Access Permit Application process between MassDOT District 4 and the Town. The anticipated Scope of Work includes two (2) watermain connections for the site to the existing watermain along South Main Street (Route 114) in Middleton. This is additional Scope that is not included in the current contract.

Therefore, the additional task is added to the scope:

Task 7 - Watermain Access Permit Application

Therefore, we respectfully request approval of an additional 40 hrs under Task 3 – Permit Applications and 12 hrs GPI will prepare an Access Permit Application to be submitted to MassDOT District 4 for the two (2) water main connections as shown on Sheet C-501 and Sheet C-504 of the Conformed Set of Engineering Drawings Dated May 5, 2024, prepared by Bohler Civil Engineer Landscape Architect. The scope of work is for the filing and coordination with MassDOT only. Any required documents, reports or modifications to the design plans or engineering documents will be the responsibility of Bohler.

In accordance with 700 CMR 13.02, the Permit is a Non-vehicular Access Permits. Non-vehicular Access Permits will be reviewed by the District Highway Director of the District within which the Project is located; provided, however, that the District Highway Director may refer any such application to the Chief Engineer for review and the Chief Engineer may remove any such application from District for review. Such Permits shall be reviewed in accordance with 700 CMR 13.03(5)(b) and issued in conformance with MassDOT Standard Operating Procedures. Non-vehicular Access permits may not require 25%, 75/100%, and PS&E design submissions. The District Permit Engineer will determine the submission requirements and which design stages (if any) may be eliminated in the review/submission process based on the specific permit request.

Therefore, we respectfully request approval of:

- An additional 40 hours under Task 3 – Permit Applications
- An additional 12 hours under Task 4 – Construction Administration
- Creation of Task 7 - Watermain Access Permit for 30 hours
- And an increase in fee of \$12,685.00 which includes up to \$1,000 in expenses for permit application fees

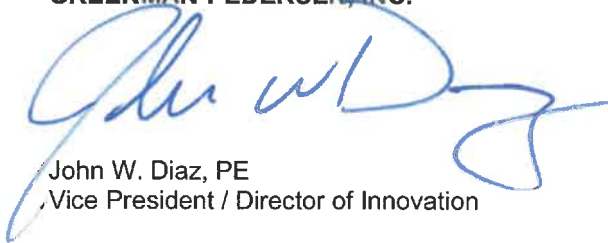
A breakdown of the hours and costs are summarized in the table below.

PHASES	Project Director	Project Manager	Project Engineer	Engineer	Designer	Assistant Designer	Task Budget
Hourly Rate for each employee x 3.0	\$ 240.00	\$ 195.00	\$ 165.00	\$ 135.00	\$ 115.00	\$ 100.00	
Task 3 - Permit Applications							
Access Permit Application		4	16		12		\$ 4,800.00
Draft Traffic Control Signal Regulation		1	2		2		\$ 755.00
Utility (Traffic Control) Agreement		1			2		\$ 425.00
Subtotal Hours		6	18		16		40
Subtotal Costs	\$ -	\$ 1,170.00	\$ 2,970.00	\$ -	\$ 1,840.00	\$ -	\$ 5,980.00
Task 6 - Construction Administration							
Construction Administration		4			8		\$ 1,700.00
Final Traffic Control Signal Regulation (as-built)							\$ -
Subtotal Hours		4			8		12
Subtotal Costs	\$ -	\$ 780.00	\$ -	\$ -	\$ 920.00	\$ -	\$ 1,700.00
Task 7 - Watermain Access Permit							
Permit Application and Coordination		6		4	7	11	\$ 4,005.00
Subtotal Hours		8		4	7	11	30
Subtotal Costs	\$ -	\$ 1,560.00	\$ -	\$ 540.00	\$ 805.00	\$ 1,100.00	\$ 4,005.00
TOTAL HOURS		18	18	4	31	11	82
TOTAL COST OF LABOR	\$ -	\$ 3,510.00	\$ 2,970.00	\$ 540.00	\$ 3,565.00	\$ 1,100.00	\$ 11,685.00
Expenses and Subconsultant Services							
Seaboard Drilling, LLC							
Mileage, printing, and miscellaneous expenses							
Estimated Permit Fees & Bid Advertisement	\$ 1,000.00						\$ 1,000.00
Mileage (construction)							\$ -
Material Testing (construction)							\$ -
Expenses Subtotal	\$ 1,000.00						\$ 1,000.00
TOTAL AMENDMENT							\$ 12,685.00

Should you have any questions regarding the requested hours or fee, please feel free to contact me directly via email at jdiaz@gpinet.com or by phone at (978)-570-2953.

Sincerely,

GREENMAN-PEDERSEN, INC.



John W. Diaz, PE
Vice President / Director of Innovation


MIDDLETON POLICE DEPARTMENT		Department Manual: Policy No. 1.01
<p align="center">USE OF FORCE (RESPONSE TO RESISTANCE) BY SWORN PERSONNEL</p>		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.2.2; 1.3.1; 1.3.2; 1.3.3; 1.3.4; 1.3.5; 1.3.6; 1.3.7; 1.3.8; 1.3.9; 1.3.10; 1.3.11; 1.3.12; 1.3.13; 11.4.1; 16.3.5; 22.2.3; 22.2.4; 22.2.6; 33.1.2; 33.5.1; 33.6.1		GENERAL ORDER
Effective Date: April 9, 2024	Issuing Authority <i>William P. Sampson</i> William P. Sampson Chief of Police	

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POLICY

It is the policy of the Department that officers use only the force that is permissible under applicable federal and state laws and regulations. [1.3.1]

This Policy requires strict adherence by all sworn personnel.

When exigent and unforeseen circumstances cause officers to deviate from the provisions of this Policy, officers are still expected to act with intelligence, sound judgment and in full conformity with both state and federal laws and constitutional provisions. Any such deviations from the provisions of this Policy shall be examined on a case-by-case basis.

In order to comply with this Policy, the attached Response to Resistance Report shall be utilized.

DEFINITIONS

- A. **Actively Resistant Individual:** An individual who uses physical strength and/or body movement to resist a Department member. Examples of active resistance include pulling, turning, or walking away from an officer.
- B. **Aggravated Assaultive Individual (Serious Bodily Harm/Death):** An individual who engages in conduct that is likely to produce death or serious bodily harm to a member of the Department or another person.
- C. **Assaultive Individual (Bodily Harm):** An individual who attempts to injure a Department member or another person or engages in conduct that has the potential to injure a Department member or another person.
- D. **Chokehold:** The use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness or death. [1.1.2 (1C)]
- E. **Commission:** The Massachusetts Peace Officer Standards and Training Commission.
- F. **Compliant Individual:** An individual who is fully cooperative with a Department member.
- G. **Deadly Force / Lethal Force:** Physical force that can reasonably be expected to cause death or serious bodily injury. Sworn personnel are authorized to use lethal force in accordance with the law and this Policy. [1.1.2 (1A)]

- H. **De-escalation Tactics:** Proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, creating distance between the officer and a threat and requesting additional resources to resolve the incident, including, but not limited to, calling in medical or licensed mental health professionals, as defined in subsection (a) of section 51½ of chapter 111, to address a potential medical or mental health crisis. [1.1.2 (1B)]
- I. **Drive Stun Deployment:** In Drive Stun mode, the ECW is a pain-compliance facilitator rather than an electro-muscular disruptor. Drive stun occurs when the ECW is held against the subject, whether or not probes are deployed. Drive stun may be utilized in response to active resistance or assaultive behavior.
- J. **Electronic Control Weapon (ECW):** A weapon that uses electricity to override voluntary motor responses or applies pain in order to gain compliance or overcome resistance. ECWs are designed to incapacitate without causing serious bodily injury or death. [1.3.9 (a)]
- K. **ECW Activation:** Any time an ECW is turned on, exclusive of training and routine maintenance/readiness checks.
- L. **ECW Cycle:** Occurs when probe deployment delivers energy to an individual.
- M. **Force:** The amount of effort required by police to compel compliance by an unwilling subject.
- N. **Kinetic Energy Impact Projectiles:** Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious bodily injury, when compared to conventional projectiles.
- O. **Laser Activation:** The ECW is turned on, activating the light and/or laser beam. Laser activation may be utilized as a warning technique if drive stun deployment and/or probe deployment is objectively reasonable.
- P. **Less-Lethal Force:** Use of force that is not intended to cause serious bodily harm/serious physical injuries or death. Sworn personnel are authorized to use less-lethal force in accordance with the law and this Policy.
- Q. **Objectively Reasonable:** This term means that, in determining the necessity for and appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the officer, subject,

and/or community. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with the 20/20 vision of hindsight. Determining reasonableness of force must allow for the fact that police officers are forced to make split second judgments in circumstances that are tense, uncertain and rapidly evolving. The force used must be reasonable under the circumstances known to the officer at the time force is used.

R. Officer-Involved Injury or Death: Any event during which an officer:

- 1) discharges a firearm, as defined in section 121 of chapter 140, actually or proximately causing injury or death to another;
- 2) discharges any stun gun as defined in said section 121 of said chapter 140, actually or proximately causing injury or death to another;
- 3) uses a chokehold, actually or proximately causing injury or death of another;
- 4) discharges tear gas or other chemical weapon, actually or proximately causing injury or death of another;
- 5) discharges rubber pellets from a propulsion device, actually or proximately causing injury or death of another;
- 6) deploys a dog, actually or proximately causing injury or death of another;
- 7) uses deadly force, actually or proximately causing injury or death of another;
- 8) fails to intervene, as required by section 15, to prevent the use of excessive or prohibited force by another officer who actually or proximately causes injury or death of another; or
- 9) engages in a physical altercation with a person who sustains serious bodily injury or requests or receives medical care as a result.

S. Passively Resistant Individual: An individual who is uncooperative but does not use physical strength or body movement to resist a Department member.

T. Probe Deployment: In Probe Deployment mode, the ECW uses electricity to override voluntary motor responses. Probe Deployment occurs when probes deploy from an ECW, whether or not the probes strike their intended target. This includes follow-up drive stuns when a single probe is attached to an individual. Probe deployment may be utilized in response to assaultive behavior.

- U. **Public Safety Statement:** A statement to ascertain the threat level at the scene of the incident, to identify witnesses or other injured officers or civilians, and to facilitate the collection of evidence and preservation of the scene. This public safety statement is a brief explanation of what has transpired and what is presently happening. The Public Safety statement may be given by the Chief of Police or his/her designee who has gathered this information. The Public Safety Statement should include the following in substance and where applicable:
- 1) The identity of officers and other involved parties to the incident who discharged firearms and their approximate position at the time of the discharge.
 - 2) The direction and number of shots fired
 - 3) A description of any suspects and direction of flight
 - 4) The identity and location of any injured officers or civilians
 - 5) The identity of potential witnesses
 - 6) The location of any unsecured weapons or contraband at the scene.
- V. **Reasonable Force:** Reasonable force is determined under the legal standard set forth in Graham v. Connor, 490 U.S. 386, 395 (1989). Reasonable force is defined as force which is objectively reasonable because it is necessary to overcome resistance offered in a lawful police action to compel an unwilling subject's compliance with an officer's lawful exercise of police authority.
- W. **Safety Priorities:** The Police Department safety priorities are established as follows:
- 1) Hostages and Involved non-subject civilians
 - 2) Police officers
 - 3) Subject (the person who is the focus of the police operation)
- X. **Serious Bodily Injury:** Bodily injury that results in: (i) permanent disfigurement; (ii) protracted loss of impairment of a bodily function, limb or organ; or (iii) a substantial risk of death. This may also be referred to as "serious physical injury". [1.1.2 (1D)]
- Y. **Spark Display:** The ECW is activated and the arc switch is depressed, activating the electrical arc. Spark display may be utilized as a warning technique if drive stun deployment and/or probe deployment is objectively reasonable.
- Z. **Stress Disorder:** An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress. The person must have experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of one's self or others. The person's response to the event(s) will have involved intense fear, helplessness, or horror.

- 1) **Acute Stress Disorder:** A category of stress disorder lasting for a minimum of two days and a maximum of four weeks occurring within four weeks of the event(s).
 - 2) **Post-Traumatic Stress Disorder:** A category of stress disorder in which the symptoms last more than one month.
- AA. **Susceptible Population Groups:** Susceptible population groups include those who reasonably appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker.
- BB. **Sworn Personnel:** An employee of a law enforcement agency who has sworn to carry out law enforcement duties and has full arrest powers. For the purposes of this Policy, the term “sworn personnel” and “officer” are used interchangeably.

PROCEDURES

I. FORCE OPTIONS

- A. The amount and degree of force, which may be employed, will be determined by the totality of circumstances including, but not limited to:
1. The nature and seriousness of the offense;
 2. The behavior of the subject against whom force is to be used;
 3. Actions by third parties who may be present;
 4. Physical odds against the officer;
 5. The feasibility or availability of alternative actions; and
 6. The opportunity to use de-escalation tactics at any time during the encounter.
- B. An officer should only use that amount of force that the officer feels would be reasonable in a particular situation to accomplish his/her lawful objective or to protect the officer or another from serious bodily injury or death. Officers should continuously evaluate the circumstances of the encounter with the goal of exploiting both verbal and tactical opportunities with the intent of de-escalating to a lower force level.

C. Equipment, Weapons and Ammunition Generally

1. Only issued or authorized equipment will be carried on-duty and used when applying any level of less-lethal force. [1.3.4]
2. Only weapons and ammunition authorized by the Police Department will be used by agency personnel in the performance of their responsibilities (listed in "Appendix A" of this Policy) while on duty unless exigent circumstances compel the officer to utilize other options. [1.1.9(1)]
3. An officer shall not alter or modify his/her firearm or ammunition in any way without the express permission of the Chief of Police.
4. Sworn personnel of the Department shall take all reasonable precautions to ensure that weapons issued to them by the Department are properly secured, protected from loss, misuse, or theft. Attention is drawn to G.L. c. 140, §§ 131C and 131L. [1.3.9 (f)]
5. Officers are responsible for keeping their issued weapons clean and in good working order. A weapon that malfunctions shall be returned to the Department Armorer forthwith for the necessary repairs, and a replacement weapon shall be issued by the Armorer. The officer shall qualify with the replacement weapon prior to carrying it on duty. [1.3.9 (d)]
6. Prior to the issuance of any weapons to the officer, the Department Armorer shall review, inspect and approve each individual weapon. If any malfunctions or defects are found, or if the weapon is found to be unsafe in any manner, the deficiency shall either be rectified, or the weapon shall be returned to the manufacturer for a replacement weapon. [1.3.9 (c); 1.3.9 (d)]
7. The Department Armorer shall maintain a log for each weapon that is owned or authorized by the Department. This log should list the make, model, and serial number and shall indicate the condition of the weapon. A file shall also be maintained by the Training Coordinator documenting the make, model and serial numbers of the issued and authorized duty weapons to each member of the Department and a log of each officer's qualifications and re-qualifications. [1.3.9 (e)]

II. ENCOUNTERS WITH MINORS, EMOTIONALLY DISTURBED, MENTALLY ILL AND PHYSICALLY DISABLED PERSONS

- A. Encounters may arise between law enforcement and those individuals who are known or suspected of being minors, emotionally disturbed, mentally ill or physically disabled. Such encounters may require special police skills and abilities to effectively and legally respond to the given situation. Officers should never, however, compromise or jeopardize their safety or the safety of others when dealing with individuals displaying symptoms of emotional, mental and/or physical illness.
- B. Should the officer determine that an individual may be a minor, emotionally disturbed, mentally ill and/or physically disabled and a potential threat to himself/herself, the officer, or others; or may otherwise require law enforcement intervention for humanitarian reasons, the following responses should be taken, bearing in mind officer safety is most important:
 - 1. Request a backup officer.
 - 2. Take steps to utilize de-escalation tactics. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive acts are not occurring, avoid physical contact, and take time to assess the situation.
 - 3. Move slowly and do not excite the person. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.
 - 4. Communicate with the individual in an attempt to determine the root of the person's actions. Relate your concern for his/her feelings and allow the person to express their feelings. Where possible, gather information on the subject from acquaintances or family sworn personnel and/or request professional assistance, if available and appropriate to assist in communicating with the person and/or de-escalating the situation.
 - 5. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.
 - 6. Avoid topics that may agitate the person and guide the conversation toward topics that may help ease the individual.

7. Always attempt to be truthful. If the subject becomes aware of a deception, he/she may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger.
 8. Consider containing the situation, establishing distance, waiting for additional help, and/or the arrival of trained medical staff.
- C. While the policies and guidelines regarding the use of force do not change due to a subject's mental or physical status, officers should take this status into account (where the status is known) in their approach of the subject in an effort to de-escalate the situation.
 - D. Once a person is under control, officers should consider whether common restraint tactics may be more dangerous to the individual due to the subject's age, mental, emotional or physical status, and consider available and appropriate reasonable accommodations.
 - E. As with any use of force, officers should always provide an immediate medical response to individuals who are exhibiting signs or complaining of injury or illness following a use of force.

III. LESS-LETHAL FORCE

A. PROCEDURES FOR THE USE OF ALL LESS-LETHAL FORCE

1. A law enforcement officer shall not use physical force upon another person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary [\[1.1.1\(1\)\]](#):
 - a. to effect the lawful arrest or detention of a person;
 - b. to prevent the escape from custody of a person;
 - c. to prevent imminent harm and the amount of force used is proportionate to the threat of imminent harm; or
 - d. and proportionate in accordance with the regulations promulgated jointly by the Commission and the Municipal Police Training Committee pursuant to G.L. c. 6E, § 15(d).
2. It is preferred that less-lethal force not be used if resistance is minor and not hazardous, or if a lesser degree of force would reasonably achieve the same result.

Officers should issue a verbal warning and allow a reasonable amount of time for response unless a warning could endanger the officer or others.

3. Each less-lethal force option is not intended to be a substitute for other options in situations in which the use of other force options are more appropriate.
4. Absent exceptional circumstances, officers shall not use less-lethal force on susceptible population groups, or for the sole purpose of protecting property.
5. The use of less-lethal force is not authorized for indiscriminate use, non-violent behavior or when an individual is handcuffed unless a threat to the officer or others exists.
6. A subject who is exposed to less-lethal force shall be actively monitored while in police custody after they have received medical care. If the subject requests further medical attention, they shall be transported immediately by EMS to a medical facility. [1.3.5]

B. LESS-LETHAL FORCE OPTIONS

1. All officers shall be properly trained and certified, when appropriate, in the use of any less-lethal weapons before being authorized to carry such weapons. [1.3.4; 1.3.10]
2. **CHEMICAL SUBSTANCES** [1.1.4(1-Chemical)]
 - a. Chemical substances or sprays (e.g. oleoresin capsicum, commonly known as "OC") may be used when physical force is necessary to:
 - i. Protect an officer or other person from an assault;
 - ii. Subdue a person who actively resists arrest; or
 - iii. Control persons engaged in riotous or violent conduct.
 - b. When a chemical substance is used, it should be aimed at the subject's face and upper torso. Officers are required to utilize only two (2), one second bursts from at least 3 feet away from the subject unless exceptional circumstances require otherwise. Each deployment of OC spray constitutes a separate use of force and must be justifiable.
 - c. First aid shall be administered as soon as practicable under the circumstances. Upon arrival at the police station, the subject shall be given the opportunity to wash his/her face with warm water. Officers shall transport sprayed subjects

to the hospital for treatment when they complain of continued effects after decontamination or they indicate that they have a pre-existing medical condition (e.g., asthma, emphysema, bronchitis, heart ailment, etc.) that may be aggravated by the application of chemical spray. [1.3.5]

- d. Once handcuffed, a contaminated subject should not be placed faced down. Officers shall monitor handcuffed subjects.

3. **BATONS: EXPANDABLE BATON (ASP), PR-24, STRAIGHT BATON** [1.1.4(1-Baton)]

- a. The Expandable Baton, PR-24 or the straight baton may be used:
 - i. As a restraining or come-along tool in instances where verbalization and physical strength have failed or would obviously be futile;
 - ii. As a defensive weapon to ward off blows;
 - iii. As a defensive weapon to deliver disabling blows to non-vital areas of the body as a means to halt or deter a subject. An officer is justified in using this type of force under the following circumstances:
 - a) To overcome the violent resistance of an arrestee;
 - b) To overcome an assault on an officer or a third party;
 - c) To deter persons engaged in riotous or violent conduct.
- b. For guidance on the use of the baton, please refer to the MPTC/Monadnock chart for appropriate striking areas and descriptions of "Green," "Yellow," and "Red" target areas, a copy of which appears in the Appendix of this Policy.

4. **ELECTRONIC CONTROL WEAPONS (ECWS)** [1.1.4(1-ECW)]

- a. Only those officers who have successfully completed the requisite ECW training are authorized to carry and use an ECW.
- b. Officers issued and authorized to use an ECW shall:
 - i. Ensure the ECW is carried in an approved holster on the side of the body opposite the service handgun;

Note: members not assigned to uniformed duty may use other Department-approved holsters and carry the weapon consistent with Department training.

- ii. Ensure the ECW is fully armed with the safety on in preparation for immediate use;
 - iii. Ensure one spare cartridge is available as backup in case of cartridge failure or the need for reactivation;
 - iv. Ensure the spare cartridge is stored, carried, and used in a manner consistent with training;
 - v. Ensure cartridges are replaced following the manufacturer's expiration requirements;
 - vi. Ensure only manufacturer-approved battery power sources are used for the ECW;
 - vii. Prior to each regular tour of duty shift, confirm that the ECW is functioning properly by performing all tests as defined in training; and
 - viii. Not make any modifications or repairs on the ECW unless authorized in writing by the Armorer.
- c. In accordance with the law, and this Policy, and when it is objectively reasonable to do so, Department members are authorized to utilize an ECW to arrest and/or detain an individual that has and/or continues to exhibit behavior that leads the officer to believe the individual is actively resisting or assaultive and will resist being arrested or detained.
- d. ECW Use of Force Response Table

If the subject is:	Then the response may include:
Actively Resistant	Laser Activation Spark Display Drive Stun
Assaultive – Bodily Harm	Laser Activation Spark Display Drive Stun Probe Deployment

Aggravated Assaultive –
Serious Bodily Harm/Death

Laser Activation
Spark Display
Drive Stun
Probe Deployment

NOTE: Department members are not required to use a weapon of less-lethal force if use of lethal force is objectively reasonable.

e. Situations in which the ECW may be activated in accordance with the above table include but are not limited to:

- i. When an individual uses force or violence against the member or another person(s);
- ii. When an individual exhibits violent, threatening, or potentially violent behavior;
- iii. When an individual actively resists an arrest or detention;
- iv. When an individual flees in order to avoid arrest or detention in circumstances where the member would pursue on foot and physically effect the arrest or detention;
- v. When an individual expresses intent and has the means to commit suicide or inflict serious bodily harm to themselves or others and ECW activation does not create additional risk;
- vi. To protect officers or others against an aggressive animal; and
- vii. In the course of Department-authorized training exercises or demonstrations.

f. Officers shall:

- i. Give the individual a warning prior to activating the ECW, unless doing so would place any member or person(s) at risk;
- ii. Adhere to the Department's training regarding warnings, which may include verbal warnings, display of the ECW, laser painting, arcing, spark display, or a combination thereof;

- iii. When feasible, make an announcement to other officers or personnel on the scene that an ECW is going to be activated;
- iv. Not intentionally activate more than one ECW at a time against an individual;

Note: Be aware that an individual subjected to an ECW Cycle may not be able to respond to commands during or immediately following an ECW Cycle exposure;

- v. Limit the number of ECW cycles to the least number of exposures and should last no longer than necessary to bring an individual under control. Each 5-second cycle is considered an independent use of force and must be objectively reasonable and be documented in writing.
- vi. Avoid continued ECW use as an attempt to facilitate compliance if circumstances indicate that drive stun deployment is ineffective as a pain-compliance technique.

Note: Officers should be aware that pain compliance may not be effective against an individual in a mental health crisis state, under the influence of a mind-altering substance, or when extremely focused.

- vii. Consider potential risk(s) to third parties or bystanders when activating ECWs.
- viii. Be aware that a subject's heavy clothing may impede the effectiveness of ECWs.
- ix. Aim, to the degree possible, for the following target areas: (a) lower center mass below the chest; (b) back; or (c) legs.

Note: To the extent possible, Department members should avoid sensitive areas such as the eyes, face, head, throat, neck, breasts, groin and genitals.

g. Officers shall not use the ECW:

- i. On a passively resistant individual;
- ii. On a handcuffed or secured prisoner; except where the individual exhibits overtly assaultive, self-destructive, or violently resistive behavior that cannot reasonably be controlled by other readily available means.

- iii. In any environment where the member reasonably believes that a flammable, volatile, or explosive material is present, including but not limited to OC spray with volatile propellant, gasoline, natural gas, propane;
- iv. When the individual is located in water;
- v. In any situation where the member has a reasonable belief that the subject might fall resulting in death or serious bodily injury, and the circumstances presented do not justify that risk; or
- vi. On individuals in physical control of a vehicle in motion (e.g., automobiles, trucks, motorcycles, ATVs, bicycles, scooters) unless exigent circumstances exist.

h. ECW Post-Activation

- i. After a probe deployment, officers shall seek medical attention for the individual and ensure that ECW probes are removed by qualified medical personnel or by a Department Member trained to do so.
- ii. In any case of Drive Stun deployment or Probe deployment from an ECW on an individual, officers shall:
 - Transport the individual to an emergency care facility for evaluation and/or treatment if any of the following apply:
 - The individual requests medical attention or there is an obvious need for medical attention;
 - The ECW was deployed in a sensitive area (e.g., eye, face, head, throat, neck, breasts, groin, genitals);
 - The individual is part of a susceptible population group;
 - More than three ECW cycles were deployed on the individual or the ECW was deployed for continuous cycles amounting to 15 seconds or more; or
 - More than one ECW device has been deployed on an individual.

- Use restraint techniques that minimize risk of impairing a subject's respiration.

5. KINETIC ENERGY IMPACT PROJECTILES [1.1.4(1-Shotgun)]

a. Evaluation of Projectiles

Kinetic energy impact projectiles will be evaluated on the following criteria:

- i. *Accuracy*: This is the primary consideration, since proper shot placement greatly assists in controlling the other two evaluation criteria. This will be evaluated based on the anticipated ranges of deployment. A minimal standard of accuracy for such rounds is a 12-inch group at 15 yards in a secure rest.
- ii. *Effectiveness*: This is the potential of the round to cause incapacitation and reduce the subject's ability to continue their inappropriate behavior. The level of energy to cause incapacitation creates the potential for injury, but when properly deployed, with low probability for causing serious bodily injury or death.
- iii. *Potential for Causing Death or Serious Bodily Injury*: The potential for causing death or serious bodily injury with such projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where the subject is struck in an area that might conceal a closed injury, including such areas as the chest, back and abdominal cavities and the groin.
- iv. *Deployment Areas*: The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force authorized.

b. Deployment

- i. Kinetic energy impact projectiles may be used by an officer to defend himself/herself or others from the threat of serious bodily injury.
- ii. The issued kinetic energy impact weapon will be dedicated to kinetic energy impact projectiles, and marked with GREEN tape on the butt and barrel of the weapon. At NO TIME will lethal ammunition be stored with these weapons. Officers assigned will visually/physically

inspect the chamber and magazine, each time the weapon comes under their control (i.e., beginning of the shift, and/or any time the weapon was out of their direct control), to ensure the total absence of lethal ammunition.

- iii. The use of the kinetic energy impact projectile weapon SHALL only be used when authorized by an individual of the rank of Sergeant or above.
- iv. The kinetic energy impact projectile weapon shall be secured in hard rifle or gun cases which are then secured in the assigned officer's cruiser.
- v. When engaging a target, the officer should evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation are the desired goal, and alternative target areas/response should be considered when rounds are not effective. Alternative target and/or response considerations will be based on the circumstances the officer is encountering and the established department safety priorities.

IV. DEADLY FORCE / LETHAL FORCE

A. PARAMETERS FOR THE USE OF LETHAL FORCE^[1.1.2(2)]

1. A sworn member of this Department is authorized to use lethal force only after de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances, and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm. This may include situations in which there are no viable alternatives available and lethal force is necessary for the officer to:

- a. Defend himself/herself or another from unlawful attack which he/she reasonably perceives as an imminent threat of death or serious bodily injury;

OR

- b. Effect an arrest, only when:
 - i. The arrest is for a felony; and
 - ii. The officer reasonably believes that:

- a) The force employed creates no substantial risk of injury to innocent persons; and
 - b) The crime for which the arrest is made involved the use or attempted use, or threatened use of lethal force; and
 - c) There is substantial risk that the person to be arrested will cause death or serious bodily injury if his/her apprehension is delayed.
- 2. Where practical, and if time and circumstances permit, officers shall verbally identify themselves as police officers and give some warning before using deadly force.
- 3. A law enforcement officer shall not use a chokehold. [1.1.2(3)]
- 4. As further outlined in section VI of this policy, officers shall generally intervene to prevent unreasonable force and shall report unnecessary/unreasonable force. Harassment, intimidation, or retaliation against an officer who intervenes to prevent or reports unnecessary/unreasonable force shall be a violation of policy and subject to discipline. Refer to section VI of this policy for further info.

B. FIREARMS

- 1. In addition to those circumstances provided for in the PARAMETERS FOR THE USE OF LETHAL FORCE, a police officer may discharge a Department-issued and/or authorized firearm in the following instances:
 - a. At a firearms range for authorized training, target practice or competition; or
 - b. To destroy a dangerous animal or an animal so badly injured that it should be destroyed to prevent further suffering. All other options shall be exhausted, however, before shooting the animal, and the officer shall adhere to the following guidelines:
 - i. Officers shall exercise due care for the safety of persons and property in the area and shall fire only when reasonably certain that there is no substantial risk to bystanders.
 - ii. Where feasible, ensure children are not present.
- 2. Warning shots and signaling shots are strictly prohibited. [1.3.2]

3. MOVING VEHICLES

- a. Officers shall not discharge a firearm **from inside any moving vehicle**.
- b. Officers shall not discharge a firearm **at a moving vehicle** unless, based upon the totality of the circumstances, such discharge is necessary to prevent imminent harm to a person and the discharge is proportionate to the threat of imminent harm to a person and all of the following conditions have been met [1.1.2]:
 - i. The occupants of the vehicle are employing deadly force, which the officer reasonably perceives as an immediate threat of death or serious bodily injury to themselves or another;
 - ii. There is no substantial risk to the safety of other persons, including risks associated with motor vehicle accidents;
 - iii. Officers have not positioned themselves in such a way as to create a likelihood of being struck by an occupied vehicle (e.g., surrounding a vehicle at close proximity while dismounted);
 - iv. The officer is not firing strictly to disable the vehicle; and
 - v. The circumstances provide a high probability of stopping or striking the intended target.

4. DRAWING & POINTING OF FIREARMS: An officer shall not draw a firearm except when there is justification for its use to accomplish a proper police purpose. However, in responding to any potentially dangerous situation (e.g., searching a building pursuant to a burglar alarm or approaching a business establishment on a report of a robbery in progress etc.) the officer should carry their firearm in a position that will facilitate its speedy, effective, and safe use. Officers shall not point firearms at persons in circumstances, which are clearly unjustifiable. **In the event it is necessary to point a firearm at a subject, officers shall note justification for the use of force within a Use of Force report.**

5. OFF-DUTY FIREARMS

- a. Any weapon that an officer carries while off-duty for protection or to enable them to take official action as a police officer, excluding the officer's issued service weapon, will be considered an off-duty weapon.
- b. Any officer who desires to carry an off-duty weapon and be indemnified with that weapon must first obtain written permission from the Chief of Police by submitting a written request providing a complete description of the firearm, and must qualify with the weapon at the range, at least semiannually. [1.3.9 (e); 1.3.10]
- c. All ammunition carried in an approved off-duty weapon must be of a type approved by the Chief of Police. [1.3.9 (b)]

V. SPECIAL WEAPONS

- A. When not carried in the locked rack in the patrol vehicle, special weapons will only be issued, with the knowledge and permission of the Officer-in-Charge to officers who have qualified with them.
- B. Special weapons may be selectively issued by the Officer-in-Charge if, in his/her opinion, they are necessary to ensure the safety and effectiveness of police operations. Officers armed with special weapons shall use those weapons in accordance with the provisions of this Policy as well as any applicable policies and guidelines issued at the time.
- C. Prior to issuing any special weapon, the Officer-in-Charge of the police station shall inquire of any officer to whom he/she intends to issue the weapon whether or not that officer is currently qualified in its use. It is the responsibility of a police officer not to accept a special weapon unless he/she is qualified in its use.

VI. DUTY TO INTERVENE [1.1.1(1)]

- A. An officer present and observing another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall intervene to prevent the use of unreasonable force unless intervening would result in imminent harm to the officer or another identifiable individual. [1.1.1(5), 1.1.2(5)]
- B. An officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer's shift. The officer shall prepare a detailed written statement describing the incident consistent with this Department's policy. A supervisor not directly involved in the use of force incident shall complete a report which will include the reporting officer's written statement(s). [1.1.1(6), 1.1.2(6A), 1.1.2(6B), 1.1.2(6C)]
- C. Any harassment, intimidation, or retaliation against any officer who either intervened to prevent or stop an excessive force incident, or made a report regarding the witnessed excessive force incident, shall be a violation of this Department policy and shall, upon a sustained internal administrative investigation, be subjected to the imposition of departmental discipline up to and including termination.

VII. USE OF FORCE CONSIDERATIONS INVOLVING PLANNED MASS DEMONSTRATIONS

- A. When a police department has advance knowledge of a planned mass demonstration, it shall attempt in good faith to communicate with organizers of the event to discuss logistical plans, strategies to avoid conflict and potential communication needs between police and event participants.
- B. The department shall make plans to avoid and de-escalate potential conflicts and designate an officer in charge of de-escalation planning and communication about the plans within the department.
- C. A law enforcement officer shall not discharge or order the discharge of tear gas or any other chemical weapon, discharge or order the discharge of rubber pellets from a propulsion device or release or order the release of a dog to control or influence a person's behavior unless:
 - 1. de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances; and
 - 2. the measures used are necessary to prevent imminent harm and the foreseeable harm inflicted by the tear gas or other chemical weapon, rubber pellets or dog is proportionate to the threat of imminent harm.
- D. If a law enforcement officer utilizes or orders the use of tear gas or any other chemical weapon, rubber pellets or a dog against a crowd, the law enforcement officer's appointing agency shall file a report with the Massachusetts Peace Officer Standards and Training Commission (POST) detailing all measures that were taken in advance of the event to reduce the probability of disorder and all de-escalation tactics and other measures that were taken at the time of the event to de-escalate tensions and avoid the necessity of using the tear gas or other chemical weapon, rubber pellets or dog.
- E. The Commission shall review the report and may make any additional investigation. After such review and investigation, the commission shall, if applicable, make a finding as to whether the pre-event and contemporaneous de-escalation tactics were adequate and whether the use of or order to use such tear gas or other chemical weapon, rubber pellets or dog was justified.

VIII. ADMINISTRATIVE RELIEF FROM DUTY AFTER FORCE RESULTING IN DEATH OR SERIOUS BODILY INJURY

- A. In every instance in which any officer acting in an official capacity uses force which results in death or serious bodily injury to another person, the following steps shall be taken: [1.1.8 (1)]
1. Any employee whose action(s) or use of force in an official capacity results in death or serious bodily/physical injury will be removed from operational assignment, pending an administrative review of the incident by a supervisor not directly involved in the incident or such other period of time as the Chief of Police deems necessary.
 2. The officer will be given the opportunity to call his/her family as soon as possible.
 3. The officer shall not be allowed to talk to the press. All information regarding the incident will be disseminated through the Office of the Chief of Police or the Public Information Officer.
- B. Assignment to Administrative Leave status shall be with no loss of pay or benefits.
- C. Relief from operational assignment with full pay and benefits is intended to: (i) address the personal and emotional needs of an officer and his/her involved in the use of force which results in serious bodily injury or death; and (ii) assure the community that verification of all the facts surrounding such incidents are fully and professionally explored.
- D. Officers on administrative leave shall remain available to the Department and/or State Police Investigators to assist in the investigation of the incident.
- E. Whenever an officer is involved in a use of force incident that results in death or serious injury the Chief of Police or his/her designee will make arrangements for stress counseling. (Massachusetts State Police Employee Assistance Unit @ 781-821-5496 or MSP Headquarters @ 508-820-2121 or Boston Police Peer Support Unit 617-343-5175 Monday Friday 8:00AM – 5:00PM (all other times 617-594-9091 ask to speak to the “on call peer counselor) or any appropriate psychological assistance provider for the officer and members of his or her immediate family, authorized by the Chief of Police.

IX. POST USE OF FORCE INCIDENT PROCEDURES

A. INVOLVED OFFICER RESPONSIBILITY

In all incidents involving: (1) weaponless physical force where either the officer or the suspect is noticeably injured or claims to be injured at the time force is used, or requests medical attention; (2) the deployment of less-lethal force; or (3) the deployment of lethal force, the involved officer(s) shall: **[1.1.5]**

1. Notify the Patrol Supervisor;
2. Request that sufficient officers be dispatched to the scene;
3. Activate EMS, render medical assistance to the subject and arrange for transportation to a medical facility for evaluation and/or treatment;
4. Identify involved officers and witnesses;
5. Preserve any evidence;
6. Secure the scene until the Patrol Supervisor has arrived;
7. File the appropriate incident or arrest report and Use of Force Report pursuant to this Policy.

B. PATROL SUPERVISOR / OFFICER-IN-CHARGE RESPONSIBILITY

1. LESS-LETHAL FORCE

In any incident involving an officer's use of less lethal force including: weaponless physical force where either the officer or the suspect(s) are injured or claim to be injured, or requests medical attention; or a chemical substance; or less-lethal impact weapons, or an electronic control weapon (ECW), the Patrol Supervisor / Officer-in-Charge shall: **[1.1.5]**

- i. Immediately respond to the scene.
- ii. Ensure that the officer(s) receives any necessary assistance, including medical treatment, and that any injuries to the officer(s) are properly documented. **[1.1.5(1B,1C,1D,1E)]**
- iii. Ensure that the subject(s) receives the necessary medical treatment and that any injuries to the subject(s) are properly documented. **[1.1.5(1B,1C,1D,1E)]**
- iv. Conduct an initial review of the circumstances for the use of force.

- v. Identify and interview officers and witnesses.
- vi. Photograph the scene. Officers should make reasonable efforts to protect the subject's privacy.
- vii. Gather and collect evidence. For ECW deployments, take custody of the ECW and discarded cartridge that was deployed and submit the device to the ECW Officer for data downloading. The ECW Officer or his designee will print the data and attach it to the Supervisor's After Action Report, as soon as practical thereafter.
- viii. Determine if a detective should respond to the scene and the level of investigative services to be utilized (including photographs, measurements and diagrams). If an injury or complaint of pain exists, supervisors are encouraged to obtain photographs.

NOTE: A photograph showing no injury may be as important as one, which shows injury.

- ix. File a report prior to the conclusion of their tour of duty.
- x. If the subject is admitted to a medical facility for treatment, respond to the facility and document the condition or injuries. [1.3.5]
- xi. Ensure Incident or Arrest and Use of Force Reports are completed by the deploying officer prior to the conclusion of his/her tour of duty or immediately after their detail assignment.
- xii. Complete the Supervisor After Action Report and submit the report with any evidence to the Captain or his designee.

2. LETHAL FORCE AND FIREARMS

In any incident involving the use of lethal force; or discharge of firearms, including a kinetic energy impact projectile, the Patrol Supervisor / Officer-in-Charge shall: [1.1.5]

- i. Immediately respond to the scene.
- ii. Ensure that the officer(s) receives any necessary assistance, including medical treatment, and that any injuries to the officer(s) are properly documented. [1.1.5(1A)]

- iii. Ensure that the subject(s) receives the necessary medical treatment and that any injuries to the subject(s) are properly documented. [1.1.5(1A)]
- iv. Conduct an initial review of the circumstances for the deployment of force.
- v. Identify involved officers and witnesses.
- vi. **FOR INCIDENTS RESULTING IN DEATH OR EXPECTED DEATH:** In any incident involving the death or expected death of an officer or subject, the Patrol Supervisor shall also notify the Massachusetts State Police CPAC Unit and the District Attorney as soon as possible, and secure the scene until such time that the CPAC Units arrives. In any incident involving the death or expected death of an officer or subject, the Chief of Police or his designee shall respond, assume control of the scene and conduct an investigation.
- vii. **FOR INCIDENTS NOT RESULTING IN DEATH OR EXPECTED DEATH:** In any incident not involving the death or expected death of an officer or subject, the Chief of Police, or Captain, or their designee shall respond, assume control of the scene and conduct an investigation.
- viii. **FOR OFFICER-INVOLVED SHOOTING INCIDENTS:** In any officer-involved shooting incident, obtain a Public Safety Statement from any officer who has discharged a firearm or witnessed an officer-involved shooting incident, unless that officer is medically incapacitated, invokes his/her constitutionally-protected right to remain silent, or requests to consult with legal counsel.

C. SHIFT COMMANDER / OIC RESPONSIBILITIES

1. The Shift Commander may respond to the scene of any incident involving weaponless physical force or instances of less-lethal force.
2. The Shift Commander shall respond to all incidents involving the use of lethal force, whether such force results in death or serious bodily injury.
3. The Shift Commander shall make all resources, facilities, and personnel of the Department available to assigned investigators;
4. The Shift Commander shall ensure that the involved officer(s) is provided with appropriate Federal/State civil rights protection.
5. The Shift Commander shall politely refer all media requests for information to the Public Information Officer (PIO).

6. If the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop, (unruly/violent bystanders/crowd), that officer should be transported to another, more appropriate location.
7. The Shift Commander or authorized investigator shall determine whether the circumstances of the incident require that the officer's duty weapon be taken for laboratory analysis. Where the duty weapon is taken, the OIC shall:
 - a. Take custody of the weapon(s) in a discrete manner; and
 - b. Replace it with another weapon, or advise the officer that it will be returned or replaced at a later time, as appropriate.
8. The Shift Commander shall immediately institute an investigation into any incident involving the use of lethal force whether such force results in death, serious bodily injury or no injury at all, and shall notify the Chief of Police (or if unavailable, the Captain) of the situation.

D. DEPARTMENT RESPONSE TO INCIDENTS RESULTING IN DEATH OR SERIOUS BODILY INJURY

In any event resulting in the death or serious bodily injury of an officer or subject, the following protocols shall be adhered to:

1. Involved officers shall refrain from speaking or discussing the incident with anyone except with those directly involved, medical or mental health professionals, legal counsel, or union representatives.
2. Involved officers shall remain available, at reasonable times, for interviews and statements regarding the incident.
3. During any period where the involved officers are required to remain on the scene, but have no immediate duties to fulfill, the officer(s) should be taken to a quiet area away from the scene of the incident. A peer counselor or other supportive officer should remain with the involved officer, but should be advised not to discuss details of the incident.
4. If involved officers are not required at the scene, a supervisor should arrange for the officers directly involved in the incident to leave the scene as soon as possible, and be taken to a quiet, secure setting, such as police headquarters. The supervisor shall:

- a. Require that involved officers abstain from ingesting caffeine or other stimulants or depressants unless administered by medical personnel.
 - b. Conduct a brief interview of the involved officer consisting of only minimal, preliminary questions. The officer should be advised that a more detailed debriefing will be conducted later (but as soon as possible).
 - c. Advise all officers not to discuss the incident with anyone except a personal attorney, an attorney appointed by the Department, a union representative, a departmental or authorized investigator until the conclusion of the preliminary investigation.
 - d. Instruct involved officers to notify their families about the incident as soon as possible and assist them with the notification. Where an officer or officer is unable to do so, an agency official shall personally notify the officer(s) family, and arrange for their transportation to the hospital.
 - e. At all times, when at the scene of the incident, handle the officer and all involved personnel in a manner that acknowledges the stress caused by the incident.
5. Debriefings shall be held as soon as possible after the incident. The Department shall ensure that there are officers on-call or on-duty at all times so that someone is available shortly after an incident.
 6. Any Department or authorized outside agency investigation of the incident shall be conducted as soon and as quickly as practical.
 7. The Department should privately brief other department Sworn personnel concerning the incident so that rumors are kept to a minimum. Department Sworn personnel are encouraged to show the involved officers their concern.
 8. All personnel involved in a shooting incident should be advised that they are not permitted to speak with the media about the incident.
 9. In order to protect against harassing or abusive calls, personnel should be advised to have phone calls answered by another person for several days if their names are released to the public.
 10. Personnel directly involved in a shooting incident shall be required to re-qualify with firearms as soon as practical.

E. OFFICER WELLNESS CONSIDERATIONS

1. Law enforcement duties can often expose officers and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping mechanisms. Unless adequately treated, these situations can cause disabling emotional and physical problems. It has been found that any action in an official capacity resulting in death or serious bodily injury to a citizen or a fellow officer may precipitate such stress disorders. However, such disorders can also be created by accumulated stressors from seemingly minor incidents as well. Consequently, it is the responsibility of this Department to provide all personnel with information on stress disorders and to guide and assist in their deterrence.
2. This section is meant to provide guidelines that shall be uniformly applied following any officer-involved incident that has resulted in death or serious bodily injury, in order to minimize the chances that involved personnel will develop or suffer from post-traumatic stress disorder. Moreover, officers are expected to monitor their peers with the goal of interdicting potentially debilitating and harmful stress disorders that can severely impact the fellow officer's career, family, and health.
3. Since some post-traumatic stress disorders may not arise immediately, or the officer/officer may attempt to hide the problem, each supervisor is responsible for monitoring the behavior of unit personnel for symptoms of the disorder.
4. Some symptoms of post-traumatic stress disorder include:
 - a. A feeling of being numb;
 - b. Feeling out of touch with what is going on around them;
 - c. A feeling that this is happening to someone else;
 - d. Withdrawing and avoiding anything to do with the traumatic situation or police work;
 - e. Avoiding other people, including one's family;
 - f. Intrusive and recurring thoughts of the event and feeling that it may be happening again;
 - g. Irritability;
 - h. Sleep problems;
 - i. Difficulty in concentrating; and
 - j. Hyper-vigilance.
5. The Chief of Police may order an officer to seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting the officer or officer's job performance. [22.2.3; 22.2.6]
6. Any officer whose action(s) or use of force in an official capacity results in death or serious bodily injury will be removed from line-duty assignment, pending an

administrative review of the incident, or such other period of time as the Chief of Police deems necessary, after the officer or officer has completed his/her report of the incident. [1.3.8]

7. All officers directly involved in a shooting incident should contact a department designated specialist for counseling and evaluation as soon as practical after the incident, even if they believe the incident did not impact them negatively. Involved support personnel should also be encouraged to contact such specialists after a shooting incident. [22.2.3; 22.2.6]
8. The Department strongly encourages the families of sworn personnel and civilians to take advantage of available counseling services, as well. [22.2.4]

X. USE OF FORCE REPORTING

A. FORM OF USE OF FORCE REPORT

All Use of Force Reports filed in compliance with this Policy shall be on the Form attached to this Policy and accompany any incident or arrest reports filed by the officers involved.

B. USE OF WEAPONLESS PHYSICAL FORCE [1.1.6(1D), 116(2)]

The handcuffing of a compliant detainee will not be construed to be a use of physical force. All officers shall complete a Use of Force Report if they are involved in any instance where physical force greater than handcuffing of a compliant detainee, such as “soft hand physical compliance techniques” or “come-alongs” are utilized, or where the application of weaponless physical force results in an injury (either noticeable or complained of) to the officer or detainee.

C. USE OF LESS-LETHAL FORCE [1.1.6(1C)]

1. In all incidents involving the use of less-lethal force, all involved officers shall prepare and submit a Use of Force Report. This includes spark displays of an ECW, except when a spark display check is conducted to test the device at the beginning of an officer’s shift.
2. Always remember that each application of the ECW is a separate application of a use of force and a separate Use of Force Report must be filed for each application.

3. **If an ECW is deployed, including a spark display of an ECW**, the supervisor(s) of the officers involved must file an After Action Report (AAR).
4. All Officers-in-Charge, subordinate supervisors and the Internal Affairs Supervisor will conduct a written review of all reports concerning each incident where less-lethal force has been utilized.
5. The Department shall ensure that the Executive Officer of Public Safety and Security (EOPSS) *ECW Use Reporting Form* is completed and submitted as required by EOPSS in accordance with G.L. c. 140, section 131J and St. 2004, c. 170, section 2.

D. USE OF LETHAL FORCE [1.1.6(1B)]

1. All officers involved in the use of lethal force shall file a separate Use of Force Report.
2. All supervisors shall file a report on the incident and his/her observations with the Officer-in-Charge (OIC) at Police Headquarters.
3. It is not necessary to complete a Use of Force Report when a badly injured animal is destroyed. However, the officer shall submit an Incident Report according to current departmental procedures.
4. All officers involved in any instance where a firearm was pointed at a subject shall file a separate Use of Force Report.

F. USE OF FORCE INCIDENT REVIEW

1. All reports concerning any use of force incidents shall be forwarded to the Internal Affairs function, who, after reviewing these reports, along with any accompanying comments or recommendations, shall take appropriate action. [1.1.7(1)]
2. With respect to all instances of use of force, the Tactical Sergeant or a Lieutenant or Captain shall be responsible for the following: [1.3.7]
 - a. Ensuring that a thorough investigation was conducted and that all reports were prepared and submitted; and
 - b. Reviewing all reports submitted to determine whether the use of force was in compliance with department policy and procedures.

- c. This review shall be conducted by an individual not involved in the incident. If the Tactical Sergeant is involved in the incident, the review shall be conducted by an alternative individual as assigned by the Chief of Police.
3. The Department will adhere to at least the minimum standards for internal agency review of complaints of officer-involved injuries or deaths as established by the Commission.
4. The Department shall adhere to all reporting requirements established pursuant to G.L. c. 6E, and such further requirements as may be promulgated by the Commission.

G. ANNUAL ANALYSIS

The Tactical Sergeant will conduct an annual analysis of all Use of Force Reports, activities, policies and practices. A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The review should identify: [1.1.14, 11.4.1]

- Date and time of incidents;
- Type of force or type of weapon used;
- Types of encounters resulting in use of force;
- Race, age, and gender of subjects involved;
- Injuries (to subjects, agency employees, others involved);
- Trends or patterns related to race, age and gender of subjects involved;
- Trends or patterns resulting in injury to any person including employees; and
- Impact of findings on policies, practices, equipment, and training.

Such analysis and any conclusions shall be documented annually in a written report to the Chief of Police specifically summarizing any patterns or trends identified, and indicating whether any changes to department policies, practices, equipment, or training are needed. [1.1.14(3), 1.1.14(4), 11.4.1 (e)]

XI. TRAINING

A. GENERALLY

1. No officer of this Department, either new officers or existing officers with regards to a newly issued weapon, will be authorized to carry any lethal or less-lethal weapon until he/she has: [1.1.13, 16.3.6]

- a. Been issued a copy of this Use of Force Policy (and any other relevant policies), received instruction and successfully passed a written examination on same; and [1.1.13(1A,1B,2A,2B)]
 - b. Completed the necessary training and qualifications promulgated by the Municipal Police Training Committee (MPTC); and
 - c. Signed a receipt indicating that he/she has received a copy of this Use of Force Policy (and any other relevant policies) and has been afforded the opportunity to discuss it and ask questions regarding the policy, which shall be maintained by the instructor and Training Coordinator. [1.1.13(1C,1D,2C,2C)]
2. All weapons qualification records and officer scores shall be documented and maintained by the Training Coordinator. [1.1.11 (4)]
 3. All training in use of force shall be conducted by MPTC-approved instructors and shall comply with MPTC standards. [1.1.11 (5), 1.1.12(2B)]
 4. At least annually, all officers authorized to carry weapons are required to receive in-service training on the Department's Use of Force Policy and demonstrate proficiency with all approved lethal weapons and ECWs that the officer is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. [1.1.10(1,2A,2B), 1.1.11(1A,1B,2A,2B,2C), 1.1.12(1A,1B,2A)]
 5. A law enforcement officer shall not be trained to use a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow. [1.1.2(3)]

B. DEFENSIVE TACTICS AND DE-ESCALATION [1.1.1(2)]

1. All recruit officers shall receive training on defensive tactics and de-escalation mandated by the Municipal Police Training Committee during the recruit officer training academy.
2. Annually, all officers shall continue to receive the in-service training on defensive tactics and de-escalation mandated by the Municipal Police Training Committee.

C. ECW TRAINING

1. **Basic User Training:** Six (6) hour certification course is mandatory training for all officers. [16.3.5; 33.1.2]
2. **In-Service Training:** All officers who are certified to carry and deploy the ECW shall complete annually a minimum of one (1) hour in-service documented proficiency and legal update training, conducted by certified weapons instructor with remedial training available, if needed. [1.3.11 (a); 1.3.11 (b); 1.3.11 (c); 33.1.2; 33.5.1; 33.6.1 (a); 33.6.1 (b)]
3. **Instructor Training:** All department instructors are required to complete a sixteen (16) hour ECW manufacturer certification course, and an additional instructor training course from the Municipal Police Training Committee (MPTC). Instructors are required to be trained and re-certified biannually. [33.1.2; 33.6.1 (a); 33.6.1 (b)]
4. **Supervisor Training:** Annually, superior officers of all ranks shall receive specialized ECW awareness and After Action Report (AAR) in-service training by qualified instructors so they can intelligently investigate, properly document and report ECW deployment incidents. This training shall be in addition to the annual ECW in-service training requirement and shall be not less than two (2) hours in length. [33.1.2; 33.6.1 (a); 33.6.1 (b)]

D. FIREARMS TRAINING

1. All recruit officers shall receive training on firearms mandated by the Municipal Police Training Committee during the recruit officer training academy.
2. All personnel authorized to carry a Department-issued weapon shall qualify with their issued weapon and any other weapon they are authorized to carry while on duty at least annually. [1.3.10; 1.3.11 (a); 16.3.6]
3. All approved lethal weapons shall be under the direction of the department's Training Coordinator and approved Municipal Police Training Committee (MPTC) weapons and tactics instructors. [1.3.11 (a); 16.3.6]
4. Following a period of training and practice, all officers will be expected to qualify in accordance with the standards established by the MPTC.
5. Only officers demonstrating proficiency in the use of Department-issued or authorized weapons will be authorized to carry or use those weapons. [1.3.10; 1.3.11 (a)]

6. Qualification and proficiency shall include an inspection of any firearm used by the officer to ensure that it is in good working condition.
7. If the Chief of Police approves an off-duty weapon, the officer must qualify with the weapon at the range, at least semiannually. [1.3.10]
8. All officers authorized to use any of the Department's special weapons, such as shotguns, will qualify with the weapon(s) they are authorized to use, in accordance with the standards established by the Municipal Police Training Committee (MPTC), the manufacturer, or the Department's Weapons and Tactics Instructor, at least annually. [1.3.9 (a)]
9. A listing of all officers who have qualified with each special weapon will be maintained with the weapons and with the Training Coordinator.
10. Training in the use of extended range kinetic energy impact projectiles will consist of an annual recertification by department firearms instructors.

E. POST TRAUMATIC STRESS DISORDER TRAINING


The Police Department shall provide officers with training pertaining to post-traumatic stress disorders and the uniform practices contained in this Policy on a regular basis.

F. ADDITIONAL/REMEDIAL TRAINING

Any officer who requires additional training and/or instruction will be given an additional amount of time to demonstrate proficiency and if necessary, remedial training, while removed from line duty assignment. If it becomes necessary, the officer will be sent to additional remedial firearms training until such time as he/she successfully passes the MPTC qualification course. Any officer who is unable to qualify with an authorized weapon must receive remedial training PRIOR to use of the weapon as part of their official duties. If use of the weapon is required as part of their official duties, they must receive remedial training prior to resuming their official duties. [1.1.11(6), 1.1.12(2C)]

G. SPECIAL WEAPONS

Any officer authorized to carry or use any special weapon shall be complete training on such special weapon at least annually. [1.3.11]

MIDDLETON POLICE DEPARTMENT		Department Manual: Policy No. 1.08
AUTOMATED LICENSE PLATE READERS		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.3.9		GENERAL ORDER
Effective Date: May 9, 2024	Issuing Authority <i>William P. Sampson</i> William P. Sampson Chief of Police	

Purpose The purpose of this Policy is to establish guidelines and procedures for the proper use and application of automatic license plate recognition (ALPR) systems, the management of the data, and the maintenance of the equipment.

Policy The availability and use of ALPR systems have provided many opportunities for the enhancement of law enforcement agencies' productivity, effectiveness, and protection of public and officer safety. It is the policy of this Department to only utilize the technology in furtherance of official and legitimate law enforcement operations and public safety. All members of this Department are expected to abide by the guidelines set forth herein when using ALPR systems.

- Acronyms and Definitions**
- Alert: A visual and/or auditory notice that is triggered when the ALPR system receives a potential hit on a license plate.
 - Alert data: Information captured by an ALPR relating to a license plate that matches the license plate on a hot list.
 - ALPR: Automatic License Plate Recognition. Automatic license plate recognition technology uses high-speed cameras combined with sophisticated computer algorithms capable of converting the images of license plates to electronically readable data. The ALPR system captures an image of a license plate and converts it to a text file using Optical Character Recognition (OCR) technology. The technology also compares the digital images of license plates to the CJIS-NCIC Hot file database.
 - ALPR data: Scan files, alert data, and any other documents or data generated by, or obtained thorough, utilization of the ALPR system.
 - ALPR Data Query Logs: A record of a search or query of ALPR data.

Acronyms and Definitions

- ALPR system: The ALPR camera and all associated equipment and databases.
- Department: Town/City Police Department.
- Fixed ALPR system: ALPR cameras that are permanently affixed to a structure, such as a pole, a traffic barrier, or a bridge.
- GPS: Global Positioning System.
- Hit: An alert that a license plate matches a record maintained in the ALPR database related to stolen vehicles, wanted vehicles, or other alert type files that support investigation or which have been manually registered by a user for further investigation.
- Hot list: License plate numbers of vehicles of interest, such as stolen vehicles, unregistered vehicles, vehicles owned by persons of interest, and vehicles associated with AMBER Alerts, Missing Child Alerts, Missing College Student Bulletins, Be On Look Out (BOLO), Attempt To Locate (ATL), and Wanted or Missing Person broadcasts or bulletins in which a license plate number is included, or other license plate numbers of interest entered by a Law Enforcement Agency.
- Hot list download: The method by which the hot list data is transferred to a computer within a law enforcement vehicle.
- Mobile ALPR system: ALPR cameras that are affixed, either permanently (hardwired) or temporarily (e.g., magnet-mounted), to a law enforcement vehicle for mobile deployment.
- OCR: Optical Character Recognition. The technology that supports the automated reading and digitizing of images of license plates that are captured by the ALPR system.
- Portable ALPR system: ALPR cameras that are transportable and can be moved and deployed in a variety of venues as needed, such as a traffic barrel or speed radar sign.

Procedures General

ALPR systems and associated equipment and databases are the property of this Department and authorized for official use only. Misuse of this equipment and associated databases or data may be subject to sanctions and/or disciplinary actions, as determined by the rules and regulations of the Department.

Administration

1. The Chief of Police and/or his/her designee shall designate a supervisor oversight as the ALPR Administrator for the ALPR system deployment, operations, and maintenance. The ALPR Administrator or a designee shall be responsible for the following:
 - (a) Establishing protocols for access, collection, storage, and retention of ALPR data and associated media files;
 - (b) Establishing protocols to preserve and document ALPR reads

- and "alerts" or "hits" that are acted on in the field or associated with investigations or prosecutions;
- (c) Establishing protocols to establish and ensure the security and integrity of data captured, stored; and/or retained by the ALPR system;
 - (d) Ensuring the proper selection of the personnel approved to operate the ALPR system and maintaining an adequate number of trained and authorized users;
 - (e) Maintaining records identifying approved ALPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to ALPR usage;
 - (f) Authorizing any requests for ALPR systems use or data access according to the policies and guidelines of this agency;
 - (g) Managing and securing the data, including requests for searches of the ALPR data, hot lists, and backing up the ALPR data;
 - (h) Ensuring that designated, trained personnel check equipment on a regular basis to ensure functionality and camera alignment and removing from service any equipment that falls outside expected functionality until deficiencies have been corrected.
2. ALPR systems repairs (hardware or software) shall be made by Department-authorized sources.

Automatic License Plate Recognition System Usage [41.3.9 (3A), 41.3.9 (3C)]

- 1. ALPR systems and information shall be accessed and used only for official and legitimate law enforcement operations and public safety related purposes, and may only be used based on specific and articulable facts of a concern for safety, wrongdoing, criminal investigations, Department-related civil investigations, or pursuant to a court order.
- 2. Searches of historical ALPR data shall be done in accordance with established departmental policies and procedures.
- 3. Only users who have been designated by the ALPR Administrator and properly trained in the use and operational protocols of the ALPR system shall be permitted to use the system. Only those users with an approved login and password will be allowed access to the ALPR system.
- 4. The agency's ALPR Administrator shall ensure that any changes in hardware, software, policy, or law are the subject of continuing in-service training or bulletins.
- 5. The use of ALPR technology must be approved by the agency head or designee.
- 6. When an enforcement action, investigation, or prosecution results from an ALPR hit, the hit will be preserved.
- 7. ALPR hot lists and data gathered by departmental ALPRs will be maintained securely. [41.3.9 (3E)]
- 8. Requests for searches of ALPR data to the ALPR Administrator may be made by members of this Department or by other law enforcement agencies subject to the provisions of this Policy.

Operational Procedures [41.3.9 (3B)]

- 1. At the start of each shift, users shall ensure that the ALPR system has been updated with the most current hot lists available.
- 2. At the beginning of each tour of duty, users should verify the aim of the ALPR camera(s) to ensure it is focused on the correct lanes of traffic.

3. ALPR equipment should be cleaned and maintained according to the manufacturer's recommendations.
4. Any damage to ALPR systems will be reported immediately according to the Department's established policy and procedures related to the loss of, or damage to, the Department's equipment.
5. When not in use, ALPR-equipped vehicles should be secured. Users on extended leave should remove the ALPR equipment and secure it within the trunk or other secure location.
6. The user shall notify the ALPR Administrator of any malfunction of the ALPR.

Manual Entry of Data [41.3.9 (3D)]

1. Users may become aware of additional potential license plate numbers of interest and may request those license plate numbers be entered into the Department hot list. License plates may be entered only when directed or authorized by Shift Supervisor and only for official and legitimate law enforcement or public safety operations.
2. A second party check must be conducted on all manual entries.
3. Manual entries may include, but should not be limited to, an AMBER Alert, Missing Child Alert, Missing College Student Bulletin, Be On Look Out (BOLO), Attempt To Locate (ATL), or Wanted or Missing Person broadcast or bulletin in which a license plate number is included. Such manual entries must be manually updated when the information changes or is no longer current.
4. Whenever a plate is manually entered into the ALPR system, the officer shall document the reason.

ALPR Alerts/Hits

Prior to initiation of a stop based on a hit or alert:

- a) Users shall visually verify that the vehicle plate number matches the plate number run by the ALPR system, including both alphanumeric characters of the license plate and the state of issuance.
- b) Users shall verify the current status of the plate through the Commonwealth's Criminal Justice Information System (CJIS), National Crime Information Center (NCIC), Department's Records Management System (RMS), or other appropriate source of data prior to a stop when circumstances allow or as soon as practicable.

Information
Management

ALPR Data Query Logs

1. An log will be maintained for each transaction that will include the name of the individual accessing the data, along with the date and time of access.
2. Requests to review stored ALPR data and search results will be recorded and maintained in appropriate case files as determined by the rules and regulations of the Department.
3. ALPR Data Query Logs shall be maintained and secured.
4. Audits shall be conducted at the discretion of the Department head.

ALPR Data Sharing and Dissemination [41.3.9 (3F)]


1. ALPR data can be accessed, retrieved, or shared for official and legitimate law enforcement operations or public safety purposes only.
2. Dissemination of ALPR data outside the Department shall be documented in a secondary dissemination log, as determined by the rules and regulations of the Department.
3. Information sharing among law enforcement agencies, other than the DOTS, should be governed by departmental policies or memoranda of understanding.

Retention [41.3.9 (3G)]

1. Data from ALPRs will be transferred / uploaded to the Department's server at a time to be determined by the ALPR Administrator. Data captured by the ALPR will be purged once the upload to the Department sever is complete.
2. All ALPR data may be stored in the Department's server for a period of one year, except that data may be stored for longer than one year in the following circumstances:
 - (a) Alert data associated with an enforcement action, investigation, or prosecution shall be maintained until a final disposition has been reached in the particular case.
 - (b) Alert data associated with an arrest will be maintained in the criminal case file and retained for the maximum period of time associated with such record.
 - (c) Alert data associated with criminal investigations will be maintained in the criminal case file and retained for the maximum period associated with such record.
 - (d) If it is reasonable to believe that the ALPR data will be used as evidence in a criminal or civil action, the record will be maintained until it is no longer reasonable to believe it will be used as evidence in a criminal or civil action.
 - (e) Whenever otherwise directed by the Chief of Police and/or his/her designee.

Policy Review

The ALPR Administrator is responsible for the annual review of this Policy and the policies and procedures contained herein and for making recommendations to the Department head for any necessary amendments. This is a new technology and it may raise both legal and technological issues. As use of the technology progresses, the Department will continue to monitor and assess the appropriateness of this Policy.

MIDDLETON POLICE DEPARTMENT		Department Manual: Policy No. 8.02
RESPONDING TO PERSONS EXPERIENCING A MENTAL HEALTH CRISIS		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 41.2.7		GENERAL ORDER
Effective Date: April 9, 2024	Issuing Authority <i>William P. Sampson</i> William P. Sampson Chief of Police	

I. PURPOSE

It is the purpose of this policy to provide guidance to law enforcement officers when responding to or encountering persons experiencing a mental health crisis. For the purposes of this document, the term person in crisis (PIC) will be used.

II. POLICY

Responding to situations involving individuals reasonably believed to be PIC necessitates an officer to make difficult judgments about the mental state and intent of the individual and necessitates the use of special skills, techniques, and abilities to effectively and appropriately resolve the situation, while minimizing violence. The goal is to de-escalate the situation safely for all individuals involved when reasonable and consistent with established safety priorities. Applicable law of the Commonwealth shall guide the detention of PIC.

It is the policy of this agency that officers be provided with training to

determine whether a person's behavior is indicative of a mental health crisis and with guidance, techniques, response options, and resources so that the situation may be resolved in as constructive, safe, and humane a manner as possible.

III. DEFINITIONS

Mental Health Crisis: An event or experience in which an individual's normal coping mechanisms are overwhelmed, causing them to have an extreme emotional, physical, mental, and/or behavioral response. Symptoms may include emotional reactions such as fear, anger, or excessive giddiness; psychological impairments such as inability to focus, confusion, or nightmares, and potentially even psychosis; physical reactions like vomiting/stomach issues, headaches, dizziness, excessive tiredness, or insomnia; and/or behavioral reactions including the trigger of a "freeze, fight, or flight" response. Any individual can experience a crisis reaction regardless of previous history of mental illness.

Mental Illness: An impairment of an individual's normal cognitive, emotional, or behavioral functioning, caused by physiological or psychosocial factors. A person may be affected by mental illness if they display an inability to think rationally (e.g., delusions or hallucinations); exercise adequate control over behavior or impulses (e.g., aggressive, suicidal, homicidal, sexual); and/or take reasonable care of their welfare with regard to basic provisions for clothing, food, shelter, or safety.

IV. PROCEDURES

A. **Recognizing Atypical Behavior [41.2.7 (2A)]**

Only a trained mental health professional can diagnose mental illness, and even they may sometimes find it difficult to make a diagnosis. Officers are not expected to diagnose mental or emotional conditions, but rather to recognize behaviors that are potentially indicative of PIC, with special emphasis on those that suggest potential violence and/or danger. The following are generalized signs and symptoms of behavior that may suggest an individual is experiencing a mental health crisis, but each should be evaluated within the context of the

entire situation. However, officers should not rule out other potential causes, such as effects of alcohol or psychoactive drugs, temporary emotional disturbances that are situational, or medical conditions.

1. Strong and unrelenting fear of persons, places, or things.
2. Extremely inappropriate behavior for a given context.
3. Frustration in new or unforeseen circumstances; inappropriate or aggressive behavior in dealing with the situation.
4. Memory loss related to such common facts as name or home address, although these may be signs of other physical ailments such as injury, dementia, or Alzheimer's disease.
5. Delusions, defined as the belief in thoughts or ideas that are false, such as delusions of grandeur ("I am Christ") or paranoid delusions ("Everyone is out to get me").
6. Hallucinations of any of the five senses (e.g., hearing voices, feeling one's skin crawl, smelling strange odors, seeing things others cannot see).
7. The belief that one suffers from extraordinary physical ailments that are not possible, such as persons who are convinced that their heart has stopped beating for extended periods of time.
8. Obsession with recurrent and uncontrolled thoughts, ideas, and images.
9. Extreme confusion, fright, paranoia, or depression.
10. Feelings of invincibility.

B. Assessing Risk

1. Most PIC are not violent and some may present dangerous behavior only under certain circumstances or conditions. Officers may use several indicators to assess whether a PIC represents potential danger to themselves, the officer, or others. These include the following:
 - a. The availability of any weapons.
 - b. Threats of harm to self or others or statements by the person that suggest that they are prepared to commit a violent or dangerous act. Such comments may range from subtle innuendo to direct threats that, when taken in conjunction with other

information, paint a more complete picture of the potential for violence.

- c. A personal history that reflects prior violence under similar or related circumstances. The person's history may already be known to the officer, or family, friends, or neighbors might provide such information.
 - d. The amount of self-control that the person exhibits, particularly the amount of physical control, over emotions such as rage, anger, fright, or agitation. Signs of a lack of self-control include extreme agitation, inability to sit still or communicate effectively, wide eyes, and rambling thoughts and speech. Clutching oneself or other objects to maintain control, begging to be left alone, or offering frantic assurances that one is all right may also suggest that the individual is close to losing control.
 - e. Indications of substance use, as these may alter the individual's self-control and negatively influence an officer's capacity to effectively use de-escalation strategies.
 - f. The volatility of the environment. Agitators that may affect the person or create a particularly combustible environment or incite violence should be taken into account and mitigated. For example, the mere presence of a law enforcement vehicle, an officer in uniform, and/or a weapon may be seen as a threat to a PIC and has the potential to escalate a situation. Standard law enforcement tactics may need to be modified to accommodate the situation when responding to a PIC.
 - g. Aggressive behaviors such as advancing on or toward an officer, refusal to follow directions or commands combined with physical posturing, and verbal or nonverbal threats.
2. Failure to exhibit violent or dangerous behavior prior to the arrival of the officer does not guarantee that there is no danger.
 3. A PIC may rapidly change their presentation from calm and command responsive to physically active. This change in behavior may come from an external trigger (such as an officer stating "I

have to handcuff you now”) or from internal stimuli (delusions or hallucinations). A variation in the person’s physical presentation does not necessarily mean they will become violent or threatening, but officers should be prepared at all times for a rapid change in behavior.

4. Context is crucial in the accurate assessment of behavior. Officers should take into account the totality of circumstances requiring their presence and overall need for intervention.

C. Response to PIC [41.2.7 (2C)]

If the officer determines that an individual is experiencing a mental health crisis and is a potential threat to themselves, the officer, or others, law enforcement intervention may be required, as prescribed by statute. All necessary measures should be employed to resolve any conflict safely using the appropriate intervention to resolve the issue. The following responses should be considered:

1. Request a backup officer. Always do so in cases where the individual will be taken into custody.
2. Request assistance from individuals with specialized training in dealing with mental illness or crisis situations (e.g., Crisis Intervention Team (CIT) officers, community crisis mental health personnel, crisis negotiator, or police psychologist).
3. Contact and exchange information with a treating clinician or mental health resource for assistance, based on law and statute.
4. Take steps to calm the situation. Where possible, eliminate emergency lights and sirens, disperse crowds, lower radio volume, and assume a quiet nonthreatening manner when approaching or conversing with the individual. Where violence or destructive acts have not occurred, avoid physical contact, and take time to assess the situation. Officers should operate with the understanding that time is an ally and there is no need to rush or force the situation.
5. Create increased distance, if possible, in order to provide the officer with additional time to assess the need for force options.

6. Utilize environmental controls, such as cover, concealment, and barriers to help manage the volatility of situations.
7. Move slowly and do not excite the individual. Provide reassurance that officers are there to help and that the individual will be provided with appropriate care.
8. Ask the individual's name or by what name they would prefer to be addressed and use that name when talking with the individual.
9. Communicate with the individual in an attempt to determine what is bothering them. If possible, speak slowly and use a low tone of voice. Relate concern for the individual's feelings and allow the individual to express feelings without judgment.
10. Where possible, gather information on the individual from acquaintances or family members and/or request professional assistance, if available and appropriate, to assist in communicating with and calming the individual.
11. Do not threaten the individual with arrest, or make other similar threats or demands, as this may create additional fright, stress, and potential aggression.
12. Avoid topics that may agitate the individual and guide the conversation toward subjects that help bring the situation to a successful conclusion. It is often helpful for officers to apologize for bringing up a subject or topic that triggers the PIC. This apology can often be a bridge to rapport building.
13. Attempt to be truthful with the individual. If the individual becomes aware of a deception, they may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger. In the event an individual is experiencing delusions and/or hallucinations and asks the officer to validate these, statements such as "I am not seeing what you are seeing, but I believe that you are seeing (the hallucination, etc.)" are recommended. Validating and/or participating in the individual's delusion and/or hallucination is not advised.

D. Interactions with the Mentally Ill during interview and interrogations [41.2.7(2D)]

1. The employee should ask questions of persons available to learn as much as possible about the individual. It is especially important to learn whether any person, agency or institution presently has lawful custody of the individual, and whether the individual has a history of criminal, violent or self-destructive behavior.
2. The employee should seek the assistance of professionals such as doctors, psychologists, psychiatric nurses and clergy, if possible.
3. It is not unusual for such persons to employ abusive language against others. An employee must ignore verbal abuse when handling such a situation.
4. Reassurance is essential. The employee should attempt to keep the person calm and quiet. [S]he should attempt to show that [s]he is a friend and that [s]he will protect and help. It is best to avoid lies and not resort to trickery.
5. Employees should at all times act with respect towards the mentally ill person. Do not "talk down" to such person or treat such a person as "child-like." A person with mental illness may be both highly intelligent and acting irrationally. Mental illness, because of human attitudes, carries with it a serious stigma. An officer's response should not increase the likelihood that a disturbed person will be subjected to offensive or improper treatment.

E. Taking Custody or Making Referrals to Mental Health Professionals

1. Based upon the overall circumstances of the situation, applicable law and statutes, and agency policy, an officer may take one of several courses of action when responding to a PIC.
 - a. Offer mental health referral information to the individual and/or family members.
 - b. Assist in accommodating a voluntary admission for the individual.
 - c. Take the individual into custody and provide transportation to a mental health facility for an involuntary psychiatric evaluation.

- d. Make an arrest.
- 2. When circumstances indicate an individual meets the legal requirements for involuntary psychiatric evaluation and should be taken into custody and transported to a mental health facility, or when circumstances indicate that an arrest is necessary, the officer should, when possible, request the assistance of crisis intervention specialists to assist in the custody and admission process, as well as any interviews or interrogations.
- 3. Officers should be aware that the application or use of restraints may aggravate any aggression being displayed by a PIC.
- 4. In all situations involving a PIC, officers should:
 - a. Continue to use de-escalation techniques and communication skills to avoid escalating the situation.
 - b. Remove any dangerous weapons from the area.
 - c. Where applicable, ensure that the process for petition for involuntary committal has been initiated by the appropriate personnel.

F. Accessing Community Mental Health Resources [41.2.7 (2B)]

- 1. Dispatch shall maintain a current directory of mental health resources including:
 - a. Contacts for hospitalization for psychiatric emergencies
 - b. Massachusetts Department of Mental Health: Phone: 617-626-8000, <http://www.mass.gov>
 - c. National Alliance on Mental Illness (NAMI): 1-800-950-NAMI (6264), <http://www.nami.org/>
- 2. Officers may also contact a department officer trained in CIT (Crisis Intervention Training) for further assistance.

G. Documentation

Officers should:

Document the incident, regardless of whether or not the individual is taken into custody. Where the individual is taken into custody or referred to other agencies, officers should detail the reasons why.

1. Ensure that the report is as specific and explicit as possible concerning the circumstances of the incident and the type of behavior that was observed. Terms such as “out of control” or “mentally disturbed” should be replaced with descriptions of the specific behaviors, statements, and actions exhibited by the person.
2. In circumstances when an individual is transported to a mental health facility for a psychiatric evaluation, and agency policy permits, provide documentation to the examining clinicians detailing the circumstances and behavior leading to the transport.

H. Training

1. Department personnel shall be trained in this policy upon initial employment. [41.2.7(2E)]
2. Employees shall undergo refresher training at least every two years. [41.2.7(2F)]

5

Justin Sultzbach

From: Millpondmiddleton <millpondmiddleton@gmail.com>
Sent: Tuesday, November 26, 2024 9:46 AM
To: Justin Sultzbach; Kristin Kent
Cc: Brad Swanson; Nick Federico
Subject: Mill Pond Property Taxes in Arrears

[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.

Hello All,

Based on a straw vote last week pending more information, I am 100% certain that a group of Mill Pond abutters will proceed with creating an LLC to acquire the Mill Pond property from Mr. Kennedy in the next few months. Therefore I am working ahead to understand parameters and roadblocks to completion of that first step.

In multiple conversations over the last two months, the potential to "drop" the back taxes liability in order to clear the title and pave the way for us to acquire the dam/pond was casually mentioned. We will certainly not proceed with this transaction if we are required to pay the 10K+ back taxes and for certain Mr. Kennedy will not pay it now if he has not until this point.

Please advise if/how we would proceed with gaining agreement from the town to drop the tax liability - as part of the real estate transaction or as committed to be done once completed. We can't proceed on just a casual assumption - we will have many expenses in both start up and as we move down the design and repair phases, so we will not be able to also assume the back taxes.

The inspection reports we have obtained clearly indicate that keeping the dam is in the best interest of the downstream flood zone, as it is serving as flood control for the district. So there is very good reason for the town to support us in our ability to acquire the property without debt so we can provide future stability for the region.

Thank you and wishing you and yours a very Happy Thanksgiving.

Sue

--
Sue Lanich
President,
Mill Pond Preservation
and Historic Association

**Mill Pond Dam – Status Update
December 3, 2025**

1. Mill Pond Preservation and Historic Association

- 501 (3) (c) formed Sept 25, 2024
- Board of Directors: President, Sue Lanich; Vice President, Jim Marshall; Treasurer, Michelle Schank; Secretary, Naomi Doherty
- Mission – Save Mill Pond (MA03006) by ensuring needed repairs are made to the dam

2. Activities to-date:

- Information gathering / meetings
 - Elected State Officials: Bruce Tarr, Bradley Jones, Sally Kerans
 - Town Officials: Justin Sultzbach, Kristin Kent, Brad Swanson, Nick Federico
 - State Office of Dam Safety (ODS): Emily Caruso
 - Dam and Seawall Grant program: William Hinkley
 - Other: legal counsel, other dam owners, Saugus Iron Works historian, wildlife preservation
 - Review of ODS website regulations, 2013 and 2019 Phase 1 reports
- Outreach & fundraising
 - Public Information meeting Oct 10th at Flint Library, >30 ppl in attendance
 - Pumpkin Festival – 150 brochures handed out, >100 petition signatures (not verified)
 - Flyers around town, Public Facebook page, posts on Middleton Community Facebook page

3. High Level Project Plan:

- Form Mill Pond Preservation corporation to acquire property from current owner
- Provide easement to town for public pond access on the Dam property
- Launch an extended outreach program to build awareness and fundraise
- Bring property into compliance with ODS standards
 - Obtain funding – combination of private, state, federal, and self-funded
 - Employ qualified engineer to do design for needed repairs
 - Apply for necessary permits to perform repairs, potentially in phases
 - Perform repairs
- Own/operate the dam according to MA Dam Owner requirements

4. Requests for help from the town of Middleton:

- Assistance with grant applications to state and federal programs
- Assistance with understanding and completing necessary permitting processes
- Key dependency for Corporation to acquire ownership - Waiver of \$10K in back property taxes and fees accumulated and uncollected since 1999 by current owner
 - Corporation ownership will put a responsible party in place for this critical safety risk
 - Per 2019 Phase 1 Inspection – dam is providing flood control, preferable to retain rather than remove
 - Current owner will never take responsibility – essentially it is an abandoned property, town could end up with the liability by default

5. Open Discussion / Questions



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New Bedford, MA 02740



MEMORANDUM

To: Town Managers, Administrators and Planners
From: Mead, Talerman & Costa, LLC
Date: November 19, 2024
Re: Mass Bond Bill – Changes re: zoning, et al

Town Administrators, Managers, Planners:

We offer this advisory to update you on important new legislation that has been approved by the Massachusetts Legislature. On November 13, 2024, the Legislature passed H. 5100, “An Act relative to strengthening Massachusetts’ economic leadership”, which authorized a general bond issue of approximately \$3.96 billion. The bill has been sent to the Governor for her signature. It is not uncommon for bills such as this to include various statutory changes. This bill does in fact include a variety of statutory changes. This advisory addresses three of several statutory changes advanced in the bond bill.

First among the changes is a significant provision that relates to ramifications if a Town is not in compliance with the provisions of G.L. c. 40A, §3A, which requires communities that contain MBTA facilities, or are adjacent to communities that contain such facilities to adopt zoning allowing for by-right multi-family housing. Under §3A, a failure to adopt complying zoning bylaws would result in the loss of various grant programs. This bond bill legislation adds to the list of grant programs that will be in jeopardy in the event that a community does not adopt a complying zoning bylaw. It is important to note that these compliance provisions are separate and apart from, in addition to, and not to be confused with, the disqualifications already in place under § 3A for grants under the Housing Choice Initiative, the Local Capital Projects Fund, the MassWorks infrastructure program, and the HousingWorks infrastructure program.

The additional grant programs referenced in the bond bill fall generally under three main agencies; the Executive Office of Economic Development, the Board of Library Commissioners, and the Secretary of the Commonwealth. The following is a summary of the grant programs available to municipalities under this legislation:

Executive Office of Economic Development.

- 1.) \$100 million through the Seaport Economic Council, for coastal communities for “community planning and investment activities that stimulate economic development and create jobs in the maritime economy sector, and to construct, improve, repair maintain and protect coastal assets. These types of projects are required to “consider climate change impacts” in the planning, prioritization, selection and implementation.
- 2.) \$3 million through the Massachusetts Development Finance Agency for site assembly, assessment, predevelopment permitting and marketing to “enhance a site’s readiness for commercial, industrial or mixed-use development, or in

connection with projects expanding or replicating successful industrial parks and revitalizing downtown centers.

- 3.) \$30 million through the Massachusetts Development Finance Agency for the Brownfields Redevelopment Fund under G.L. c. 23G, § 29A.
- 4.) \$40 million through the Office of Travel and Tourism for a “competitive grant program” to improve facilities and destinations”, with priority given to projects in state-designed cultural districts and those which promote nature-based, agricultural and rural tourism. Conditions attached include a graduated matching funds formula determined by the Office of Travel and Tourism, and periodic reporting by recipients on return-on-income. Purposes of grant funds may also include commemoration of the 250th anniversary of the nation’s founding.
- 5.) \$400 million for projects under the MassWorks infrastructure program.
- 6.) \$90 million for a program of grants to municipalities or other public entities, community development corporations, non-profits or for-profit entities, for projects to provide assistance to rehabilitation/redevelopment programs for blighted, abandoned, vacant or underutilized properties, and to bring them up to current standards for life safety and accessibility, and subject to any regulations that the Massachusetts Development Finance Agency may adopt.
- 7.) \$252 million for a capital grants program to be known as “Mass Impact” administered by the Executive Office of Economic Development and Executive Office For Administration and Finance. Grants available to recipients may not exceed 30% of the total development cost of the project.
- 8.) \$50 million for the Massachusetts Cultural Facilities Fund for the acquisition, design, construction, repair, renovation, rehabilitation or other capital improvement or deferred maintenance for cultural facilities.
- 9.) \$100 million for grants or financial assistance to municipalities or regional organizations comprising of municipal governments, redevelopment authorities or agencies, or quasi-government agencies to support workforce development, higher education, tourism, and arts and culture. Funds available are applicable to a broad, non-exhaustive list of planning, development, acquisition, disposition, construction and demolition activities.

Board of Library Commissioners.

- 10.) \$150 million available to municipalities (whether individually or jointly through a regional planning agency) through the Board of Library Commissioners for approved library projects. Funding may be applied for alternative energy generation, energy infrastructure projects, and other decarbonization projects at public libraries.

Secretary of the Commonwealth.

- 11.) \$8 million available to units of municipal government and non-profit organizations for the preservation of historic properties, landscapes and sites, subject to regulations to be issued by the chair of the Massachusetts Historical Commission.

Second, a significant change has been made in the relationship of zoning bylaws and ordinances to rights acquired under special permits or site plan review. The new legislation eliminates language in G.L. c. 40A, § 6 which required that construction or operations conform to changes to zoning regulations where not commenced under a *special permit* within one year after

issuance, or not continued through to completion as continuously and expeditiously as possible. The amendment preserves that language as to building permits, but applies a three-year window instead of a twelve-month window for construction or operations under a special permit or site plan review for application of changes to *any* land use regulation that a municipality may subsequently enact. The “as continuously and expeditiously” language applicable to special permits and site plan review, in the context of construction involving the redevelopment of previously disturbed land is deemed to have commenced “upon substantial investment in site preparation or infrastructure construction”.

Third, a new “tolling period” (January 1, 2023 to January 1, 2025) has been implemented for any “approvals” (i.e. permits-including building permits, certificate, order-excluding enforcement orders, license, certification, determination, exemption, variance, waiver, building permit, etc) granted by any state or local agency, department, commission or instrumentality and “environmental permits” (including certificates, licenses, certifications, exemptions, variances, waivers, building permits, or other approvals or determinations of rights). The statutes under which the environmental permits fall for the purposes of the tolling period are numerous, and include Chapters 21, 21A (except section 16), 21D, 30A, 40, 40A through 40C, 40R, 40Y, 41, 43D, 91, 131, 131A, 143, 258, and Chapter 665 of the Acts of 1956, and any local by-law or ordinance. Specific statutory sections include, c. 30, §§61 to 62L, c. 81, § 21, and c. 249, §§ 4 and 5. The tolling period does not apply to approvals or environment permits of the federal government, Massachusetts Division of Fisheries and Wildlife, administrative actions of the Massachusetts Department of Energy Resources, or agreements entered into by MassDOT or MBTA. However, even where this tolling provision applies, a municipality may nevertheless revoke or modify any permit, approval, or extension of a permit or approval where either the permit or approval (or extension) or the law or regulation under which the permit, approval, or extension, contains language that it may be modified or revoked. This is very broad, so towns and cities may consider amending language in their permitting approvals to provide for modification or revocation if not already provided.

We will keep you apprised as to the status of this matter. In the interim, please let us know if you have any questions or require any further information.



ROAD SAFETY AUDIT

South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street

Town of Middleton

November 6, 2024

Prepared For:
MassDOT



On Behalf Of:

Vanasse & Associates, Inc.
35 New England Business Center Drive, Suite 140
Andover, MA 01810-1066



Prepared By:

Toole Design
141 Tremont Street, 9th Floor
Boston, MA 02109



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Background

The Federal Highway Administration (FHWA) defines a Road Safety Audit (RSA) as the formal safety examination of an existing or future road or intersection(s) by an independent, multidisciplinary team. The goal of an RSA is to identify safety issues and provide potential enhancements to improve safety for all roadway users. The potential enhancements are categorized by timeframe and cost, which helps responsible agencies to determine the responsibilities and when to make proposed enhancements.

Toole Design has conducted an RSA for the intersections of South Main Street (Route 114) at Maple Street (62) and North Main Street (Route 114) at Central Street and Lake Street in Middleton, Massachusetts. Both intersections are high crash locations and are included in the Highway Safety Improvement Program (HSIP) crash clusters for the years 2017-2019, and the Route 114 at Route 62 intersection was an HSIP crash cluster from 2019-2021 as well. Inclusion in this program indicates that the locations fall within the top 5% (by crash frequency) of intersection crash locations in the Metropolitan Area Planning Council (MAPC) area. Additionally, the South Main St/ Maple St intersection was found to have a motor vehicle crash rate (1.08 per million vehicles entering) above the MassDOT District 4 average crash rate for signalized intersections (0.73 per million vehicles entering) (**Appendix A, Traffic Counts and Crash Rate Data**). The RSA was conducted as part of mitigation commitments for a proposed mixed-use development along Route 114 and Boston Street (Route 62), less than a quarter mile south of the study area.

Project Data

Toole Design conducted the RSA on Thursday, August 29, 2024. The audit was held at Flint Public Library (1 South Main Street) where members of the audit team discussed existing safety concerns and issues. The team then conducted a field visit to Route 114 at Route 62, Lake Street, and Central Street, as well as the intersection of Route 114 and Boston Street (Route 62) to identify additional safety concerns. The team then returned to 1 South Main Street and discussed any additional concerns noted during the visit and potential countermeasures on the infrastructure and operating conditions of the subject intersections. The members of the audit team comprised of representatives from local and state agencies including emergency responders, transportation planners, and engineers. The audit team members and their affiliations are provided in **Table 1** and their contact information is provided in **Appendix C, RSA Audit Team Contact List**.

Table 1: Participating Audit Team Members

Audit Team Member	Agency/Affiliation
Matt Armitage	Middleton Police Department – Captain
Douglas LeColst	Middleton Fire Department – Fire Chief
Jim Terlizzi	MassDOT Traffic and Safety
Evelyn Densmore	MassDOT Traffic and Safety
Kevin Fitzgerald	MassDOT Traffic and Safety
Paul Goodwin	Middleton Public Works – Superintendent
Bob Tragert	MassDOT D4 Traffic
Ghazal Kayal	MassDOT D4 Projects
Ian Sherriff	Vanasse & Associates
Lars Unhjem	Villebridge Development
Christopher Bach	Toole Design
Emily Urbanski	Toole Design

Audit team members received a meeting packet prior to the RSA including a meeting agenda (**Appendix B, RSA Meeting Agenda and Prompt List**), study area details, crash data analysis, collision diagrams of the study area intersections (**Appendix D, Detailed Crash Data**), and an RSA prompt list (**Appendix B, RSA Meeting Agenda and Prompt List**). A collision diagram is a graphical representation of the crash data showing both the crash type and approximate crash location within a study area, as well as injury severity type and whether the crash occurred in daylight or nighttime conditions. The audit members were asked to review the packet and visit the RSA study area prior to the meeting.

Per crash records provided by the Middleton Police Department (MPD), 97 crashes were recorded within S Main Street/ Maple Street and N Main Street/ Lake Street/ Central Street intersections from 2017 to 2021. Of the reported crashes, 15.5% (15) resulted in injury. A large majority of the crashes within this intersection were rear-end and angle crashes, representing 43.3% (42) and 33% (32) of the total collisions in the study area, respectively. Sideswipe (same direction), single vehicle, sideswipe (opposite direction), and rear to rear crashes made up the remainder of reported incidents at 15.5% (15), 4.1% (4), 3.1% (3), and 1% (1), respectively. While crashes occurred throughout the day, they were most frequent in the morning and afternoon during rush hour (8AM-10AM and 4PM-6PM accounting for 15.5% (15) and 21.6% (21) of the crashes, respectively). Of all crashes, most happened under clear weather conditions (68, 70.1%), on a dry road surface (72, 74.2%), and under daylight conditions (70, 72.2%). Crashes were more prevalent in December (12, 12.4%) and January (11, 11.3%). Crashes were also most prevalent on Wednesdays, accounting for 17.5% (17) of the total number of crashes.

Project Location and Description

The study area includes two intersections, South Main Street (Route 114) at Maple Street (Route 62), and North Main Street (Route 114) at Central Street and Lake Street. Land use in the study area is primarily commercial, with a library, shops, restaurant, gas station, and liquor store all bordering the intersections. The average weekday traffic (AWT) for Route 114 north of the Route 114/ Lake Street/ Central Street intersection was 21,830 vehicles per day (vpd), and the AWT for Route 114 south of the Route 114/ Boston

Street (Route 62) intersection was 23,870 vpd. The Boston Street (Route 62) intersection is south of the study area, but turning movement counts show that a low volume (56 and 79 vehicles during AM and PM peak hours) turn right on Route 114 southbound at this intersection, meaning most vehicles continue through towards the study area. This traffic data was counted by Vanasse & Associates, Inc. (VAI) for the Transportation Impact Assessment (TIA) for the Villebridge development, south of the study area (**Appendix A, Traffic Counts and Crash Rate Data**).

The posted speed limit on South Main Street (Route 114) one-half mile south of the study area and beyond is 40 mph. The posted speed limit is reduced to 30 mph approaching the study area. The posted speed limit on Maple Street outside the study area is 35 mph, and no speed data was collected on Maple Street. A posted speed limit is not provided for all other approaches at the Central Street and Lake Street intersection and, as such, the statutory or ‘prima facie’ speed limit pursuant to M.G.L. c. 90 is 30 mph. The study area is shown in **Figure 1** and described on the following pages.



Figure 1: Study Area at the intersection of Route 114 and Route 62 in Middleton, MA.

Intersections

South Main Street (Route 114) at Maple Street (Route 62) is a three-legged signalized intersection located on the south end of the study area (Figure 2). South Main Street (Route 114) is the south leg and Maple Street (Route 62) intersects as the east leg. Traffic on all approaches is controlled by an actuated-coordinated traffic signal. Maple Street is functionally classified as an urban minor arterial under the Town of Middleton jurisdiction. South Main Street (Route 114) and North Main Street (Route 114) is classified as an urban principal arterial by MassDOT. South of the intersection, South Main Street is two lanes southbound and two lanes northbound, one through lane and one through/right turn lane at the intersection with Maple Street. In between the intersections, South Main Street is two lanes southbound, one through/left turn lane and one through lane, and two lanes northbound, one through/left and one through/right. East of the study area, Maple Street is one lane in each direction, and the approach opens to two lanes at the intersection, one left turn lane and one right turn lane. During the RSA, the Middleton Public Works representative noted an upcoming municipal project that will extend the existing 50-foot-long right turn lane on Maple Street approaching the study area by an additional 400 feet.

Traffic signals for each approach are attached to a mast arm located on the west side of the intersection, across from the Maple Street approach. The northbound approach of South Main Street is supplemented by a pole-mounted traffic signal at the northeast corner of the intersection. The Maple Street approach is supplemented with a doghouse traffic signal, located on the west side of the intersection. There are pedestrian signal heads for both crosswalks across the south leg and east leg of the intersection.

There are sidewalks on both sides of all roadways and standard style crosswalks across the east and south legs of the intersection. There are push buttons on both sides of both crosswalks. There are curb ramps with tactile warning panels at the South Main Street crosswalk, and a curb ramp with no tactile warning panel at the northeast corner of the intersection to cross the Maple Street approach. There are no bicycle facilities provided, and there is no on-street parking along any approach. No public transportation agencies have stops located within or immediately near the study area.



Figure 2: South Main Street (Route 114) at Maple Street (Route 62).

North Main Street (Route 114) at Central Street and Lake Street is a four-legged signalized intersection located on the north end of the study area (Figure 3). North Main Street (Route 114) has southbound and northbound approaches and is functionally classified as an urban principal arterial under MassDOT jurisdiction. Lake Street is the west leg that is marked for one lane in each direction at the intersection and is an unmarked, two-way street outside of the study area. It is classified as a local street within local jurisdiction. Central Street is the east leg and has one lane in each direction. It is classified as an urban collector within local jurisdiction. Both Lake Street and Central Street have one general purpose lane at their approaches. The Central Street approach is served by a post-mounted and mast arm traffic signal located on the southwest corner of the intersection. The Lake Street approach is served by a mast arm traffic signal located on the southeast corner of the intersection.

North of the study area, Route 114 is one lane in each direction, with the southbound approach opening to two lanes, a through/left turn lane and a through/right turn lane. The Route 114 northbound approach is two lanes, a through/left turn lane and a through/right turn lane. South of the study area, Route 114 is two lanes in each direction. The Route 114 approaches are served by a mast arm with two traffic signal heads and do not have a protected left turn phase. The mast arms are located on the northeast and southwest corners of the intersection.

There are crosswalks at all approaches and one tactile warning panel at the southwest corner of the intersection. Every approach is served by a pedestrian signal and pedestrian push button.

The signals for both intersections run based on one signal timing, which is as follows: Route 114 northbound and southbound have a simultaneous through movement at the north intersection while Route 114 southbound has the through movement and exclusive left turn at the south intersection. Then, Route 114 through movements run for both intersections with permissive left turns onto Central Street, Lake Street, and Maple Street. Next, Lake Street and Central Street movements occur while Route 114 southbound at the southern intersection has a green. A Maple Street left/right turn movement occurs before Maple Street right turns only are permitted while Route 114 northbound at the northern intersection has a green. A pedestrian phase runs after the Maple Street movements only if the pedestrian push button is pressed.

The intersection is equipped with emergency preemption devices. There are no bicycle facilities provided at this intersection. No transit routes run through this intersection.

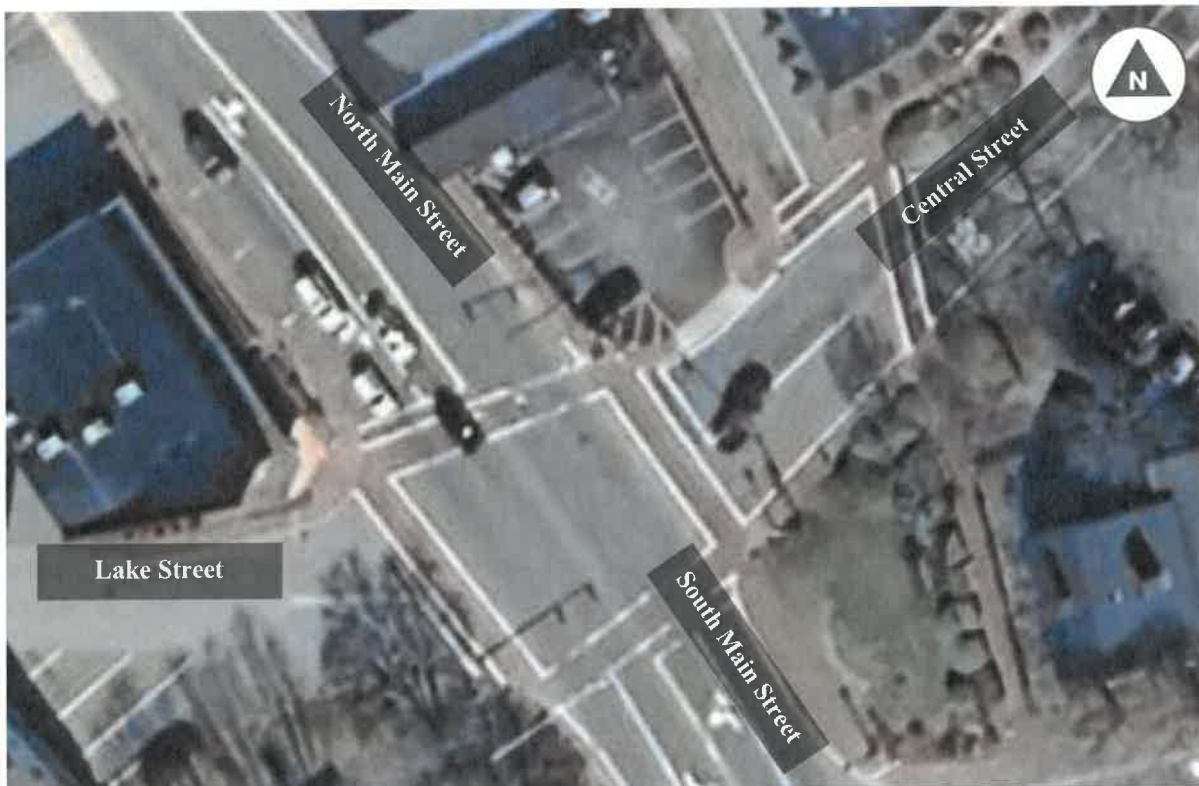


Figure 3: North Main Street (Route 114) at Lake Street and Central Street

Audit Observations and Potential Safety Enhancements

Following an introduction to the RSA process and a summary of existing geometry, signal operations and crash history data, the audit participants were asked to discuss safety concerns at the study area intersections. Audit members then walked to the study area as a team, at which time observations were offered in the field. Several of the safety issues identified by the audit team were:

- Intersection Geometry and Access Management
- Pavement Markings and Signage
- Pedestrian and Bicyclist Accommodations
- Traffic Signal Timing and Equipment

The following sections discuss in detail the safety issues and potential enhancements that were identified during the RSA. It should be noted that current, applicable design standards referenced throughout the report include but are not limited to the Manual on Uniform Traffic Control Devices, Americans with Disabilities Act, MassDOT and the Town of Middleton standards and specifications; in addition, consideration should be given to applicable local, state, and national guidelines. Several of the issues identified require further study and engineering judgment to determine the feasibility of implementing the improvements to address them.

Intersection Geometry and Access Management

Observations

Audit members expressed that drivers tend to speed, especially on Route 114 approaching the study area. The most common crash type at the intersection is rear-end crashes (42), and one possible explanation for these crashes is people speeding and then braking suddenly as they approach the study intersections, which develop long queues during peak hours. On the site visit, it was noted outside the study area that wide lanes and shoulders on Route 114 create a highway-like environment that is conducive to speeding. It was also noted that the speed limit on Route 114 changes frequently which may lead to the speed limit having less impact on driver behavior. Additionally, the southbound approach on Route 114 slopes downhill, potentially contributing to incidences of speeding. Seven rear end crashes (2, 5, 18, 28, 35, 50, 83) occurred on this approach. It was also noted that topography of the intersection approaches reduces visibility, further increasing the likelihood of crashes at the intersection. On the Route 114 southbound approach and Maple Street approach, the one lane road expands to two lanes, but the queues often extend beyond the two-lane portion of the approach. Because the turn lanes are not long enough to accommodate the queues, vehicles were observed on the site visit encroaching on the shoulder and double yellow center line to form two lanes of traffic. This encroachment is a possible reason for sideswipe and rear end crashes on these approaches (2, 5, 20, 28, 30, 35, 36, 45, 47, 48, 50, 62, 71, 83, 90).

Another issue is the high incidence of angle crashes (32), some of which may be caused by wide intersections and lanes as well as vehicles turning across multiple lanes into driveways close to the intersection. Six angle crashes occurred on the left turn movement from Route 114 SB onto Maple Street (23, 32, 56, 70, 79, 91), where cars must cross two wide lanes. The left turning movement from Route 114 NB onto Lake Street also had a high incidence of angle crashes (26, 29, 42, 65, 75, 93). The Lake Street

approach comes into the north intersection at a skew and is very wide due to the fire department driveway connecting to the approach. The width and skew of the roadway create confusion for drivers that likely leads to angle crashes. Frequent driveways along Route 114 and Route 62, especially access points for the Cumberland Farms gas station and Pleasant Street, also led to numerous angle crashes (4, 7, 8, 9, 38, 68, 72, 73, 81). Because of high speeds, wide lanes, and varied topography, turning movements into and out of these driveways is dangerous. The proximity of these driveways to the study intersections also creates confusion for drivers. The parking lot driveway for Panini Pizza Co is located only ten feet from the stop bar on the Central Street WB approach, creating confusion and dangerous turning movements for drivers.

Audit members observed that the right turning movement from Route 114 northbound onto Route 62 (Maple St) was a frequent movement that was often delayed by through traffic in the right lane on Route 114. To avoid long queues on Route 114, right turning cars frequently use the Cumberland Farms gas station as a cut through. Cut through traffic increases the volume of vehicles travelling through the parking area and increases the risk of crashes at the access points. Figure 4 illustrates the turn into the Cumberland Farms parking lot near the intersection.

Finally, audit members observed a high frequency of box trucks and large vehicles travelling through the study area. The most common movement for these trucks (as observed during the audit and as reported by audit participants) was the through movement to stay on Route 114 through the study area, though some trucks turned right or left from Route 114 onto Route 62 (Maple Street). The curb radius at the southeast corner of the Route 114/Route 62 (Maple Street) intersection is large, likely to accommodate trucks, but also leads to vehicles turning right at a high speed, contributing to crashes and decreased pedestrian safety (3, 11, 31, 63, 95).



Figure 4: Vehicle turning across two lanes of traffic on Route 114 to access the Cumberland Farms parking lot

Potential safety enhancements

- Evaluate speed management countermeasures, especially during off peak hours, such as speed feedback signs and traffic calming (along Route 114 specifically).
- Consider narrowing travel lanes to slow vehicle speeds.
- Consider lengthening queuing lanes on Route 114 SB approach where roadway space allows.
- Evaluate a right turn only lane from the Route 114 northbound approach onto Maple Street, as this is a high-volume movement and could improve queuing along Route 114 south of the study area.
- Evaluate converting driveway access points to one-way or prohibiting left turns out of driveways to limit conflicts, specifically at Pleasant Street and Cumberland Farms driveways.
- Consider restriping the Lake Street approach to reduce exposure for left turns from Route 114.

Pavement Markings and Signage

Observations

Audit members noted that there are no signs communicating advanced lane assignments on any approaches, only pavement markings. The lack of advance warning regarding lane assignment may lead to driver confusion and hasty lane changes, potentially contributing to sideswipe crashes which are 18.6 % of the total number of crashes. Audit members who drove to the site who were unfamiliar with the area noted that the intersection was confusing to navigate as there was no lane assignment signage. The proximity of the two study intersections leads to cars changing lanes quickly, and the lack of signage adds to driver confusion. After the Route 114/Central St/Lake St intersection, Route 114 northbound merges down to one lane, which also has no advance signage. Though there are no recorded crashes at this merge area, high speed maneuvers and driving over the double yellow center line (DYCL) were observed on the north leg of Route 114 at Central St/Lake St. State Route wayfinding signage for Route 62 and Route 114 does exist.

Audit members noted that pavement markings were faded throughout both intersections, especially at crosswalks and where vehicles were frequently making turns, as demonstrated in Figure 5. Faded crosswalk markings may contribute to drivers failing to yield to pedestrians. One case of a right turning vehicle failing to yield to two pedestrians during the walk signal was observed during the site visit. Additionally, the DYCL at the Route 114/ Maple St (Route 62) intersection was completely faded, indicating that left turning cars from Route 114 southbound are likely taking the left turn onto Maple Street at high speeds and cutting off the angle. Vehicles taking the turn at high speeds and cutting off the angle is a possible reason for six angle crashes that occurred for that left turning movement (23, 32, 56, 70, 79, 91). A similar condition was noted for turns from Route 114 to Lake Street, which were noted as awkward for vehicles due to the lack of pavement markings and wayfinding. The Lake Street approach is very wide with parking lots on both sides, and there are no pavement markings or signs denoting roadway space from parking space. These left turns were also at a skew, increasing exposure for turning vehicles, leading to close calls observed by audit team members and contributing to the six angle crashes occurring for the left turn movement from Route 114 northbound onto Lake Street (26, 29, 42, 65, 75, 93). The DYCL was also faded at driveways near the study intersections, especially the Cumberland Farms gas station driveways. The faded center line indicates a

high volume of vehicles turning in and out of these driveways. The high volume of turns in combination with high speeds and multiple queued lanes could have led to ten angle crashes on Route 114 south of the study intersections (4, 7, 8, 9, 38, 68, 72, 73, 81, 85).

Though many of the pavement markings are faded, the pavement quality throughout the study area is generally good except for rutting on the Maple Street approach. Town officials mentioned during the site visit that there is a resurfacing project planned for the Route 62 approach.



Figure 5: Faded crosswalk markings and stop bars at the Route 114/ Central Street/ Lake Street intersection.

Potential safety enhancements

- Consider adding advanced lane assignment signage for all intersection approaches.
- Consider adding advance signage for lanes merging on Route 114 northbound.
- Consider adding advance signage to denote 'signal ahead' on Route 114 southbound.
- Refresh all pavement markings, especially crosswalks, stop bars, center lines, and turn lane symbols to improve visibility and compliance.
- Consider adding dashed white lines to guide left turns from Route 114 southbound onto Route 62 and Route 114 northbound onto Lake Street.

- Consider introducing markings and improved signage to ensure that motorists yield to pedestrians, especially right turning vehicles from Route 62.
- Consider No Turn on Red signage for right turning vehicles from Route 62 to improve pedestrian and vehicle safety.
- Evaluate “Don’t Block the Box” pavement markings and signage.

Pedestrian and Bicycle Accommodations and Accessibility

Observations

Audit members noted a small amount of pedestrian activity during the site visit. Town of Middleton representatives noted that when school lets out, there is high pedestrian activity on Central Street and in the study area due to students walking from the elementary school on Central Street. There are crosswalks present on all four intersection legs at the Route 114/ Central St/ Lake St intersection, and across two of the three legs at the Route 114/ Maple St intersection. There are pedestrian signals with countdown timers and push buttons for all crosswalks, though it was noted that the pedestrian push button at the southeast corner of the Route 114/ Central St/ Lake St intersection was too far away from the sidewalk for someone in a wheelchair to reach (Pictured in Figure 6). Additionally, the sidewalks along all intersection legs except the southeast corner of the Route 114/ Maple St intersection are brick material, which can be hard for a wheelchair to navigate and can be slippery for all users in wet weather. No tactile warning panels are provided at curb ramps in areas with brick sidewalk, and all curb ramps are apex ramps rather than directional ramps. Audit members noted that the audible pedestrian walk signal was running constantly during the site visit instead of only during the pedestrian phase. Additionally, audit members noted that north of the study area, vegetation encroaches on the sidewalk making it narrow and difficult for pedestrians to traverse.

It was observed that the pedestrian phases for all approaches at both intersections run simultaneously, which can lead to long waiting times for pedestrians during the rest of the signal cycle. It was also noted that given the extensive width of the street, the allotted time to cross may be inadequate for children and elderly users. The pedestrian phasing was confirmed in the TIA to be 5 seconds for “walk,” a 17 second countdown, and a 3 second Don’t Walk/ All Red interval prior to the start of traffic. Though this timing follows the MUTCD requirement, elementary school children likely walk at a slower speed than the average assumed and would require a longer pedestrian signal. One close call between a vehicle turning right from Maple Street onto Route 114 northbound and a pedestrian during a pedestrian exclusive phase was noted by audit team members. Right turns on red are currently permitted at the intersection.

There are no bike facilities within the study area, and one bicyclist was observed riding on the sidewalk during the site visit. During the audit, it was noted that Route 62 is a common bike route, as accessing the rail trail nearby the study area is a cycling trip generator. Given the high volume of motor vehicles, number of lanes, and speed noted by audit members on Route 114, separated bike facilities would be beneficial in providing safety and comfort.



Figure 6: Pedestrian push button located out of reach of users on the sidewalk

Potential safety enhancements

- Consider reevaluating pedestrian timing based on school hours to accommodate crossing time for children and minimize pedestrian delay.
- Consider moving pedestrian push buttons to accessible locations.
- Consider shortening pedestrian crossings or providing pedestrian refuge islands.
- Consider replacing apex curb ramps with directional ramps and adding fiberglass tactile warning panels to improve ADA accessibility.
- Add “turning vehicles yield to pedestrians” signage on all approaches with crosswalks.
- Consider reallocating roadway space to provide bicycle accommodations for cyclists traveling through the intersection, especially connecting to Route 62 and the nearby rail trail.

Traffic Signal Timing and Equipment

Observations

During the site visit, it was observed that signal heads were not consistent in age, visibility, or lane alignment which likely leads to driver confusion. All signals were missing retroreflective backplates except for one signal on the Route 114 southbound approach. The signal head with the retroreflective backplate (the signal aligned with the west most lane on the Route 114 SB approach) was noted to have prismatic lenses, which made the signal difficult to see from far away and very close up (See Figure 7). During the site visit, audit members witnessed a vehicle sitting at the approach for several seconds because the driver could not see that the signal had turned green due to the angle of the prismatic lens. This signal head is unclear for approaching vehicles and may cause unexpected stopping leading to rear end crashes. Three rear end crashes occurred at this approach (1, 17, 55). The signals at the Route 114/ Central St/ Lake St intersection on the Route 114 northbound approach were also noted as hard to see from the Route 114 NB approach and in varied sunlight. Three rear end crashes occurred on this approach (12, 77, 89).

It was also noted that no left turns except the movement on to Maple St from Route 114 southbound have a protected left turn phase. This permissive phasing likely contributed to six angle crashes at the Route 114/ Lake St/ Central St intersection (23, 32, 56, 70, 79, 91). Town of Middleton representatives noted that red light running is very common at this intersection. One factor may be impatience from long queues, and another factor may be that yellow and red clearance times are too short. Signal timings from the TIA show that yellow clearance times are 2 seconds at both intersections, less than the MUTCD recommended 3-6 seconds. Short yellow clearance times lead to cars braking quickly or unintentionally running a red light because they don't have enough yellow time to clear the intersection. The short yellow time likely contributed to the 43 rear end crashes at this intersection, especially on the Route 114 and Route 62 (Maple Street) approaches.

Town of Middleton representatives also noted that during the end of the school day, traffic at the study intersections gets worse due to high volumes of parents picking up their children in vehicles and due to the pedestrian phase running consistently due to the school pedestrian traffic. The elementary school on Central Street creates especially long queues there, and the signal phasing does not currently change based on school hours. This school traffic contributes to queues that extended over a quarter mile south of the study area on Route 114, as noted by Town of Middleton representatives. During the afternoon site visit, audit members observed this queue beginning to form.

Audit members also noted that there is preemption for emergency vehicles at this intersection, and the fire chief confirmed that the preemption is functional.



Figure 7: Signal head with prismatic lens appears dark from close-up angle

Potential safety enhancements

- Consider implementing retroreflective backplates on signal heads to improve visibility.
- Consider adjusting signals with prismatic lenses to improve visibility.
- Consider replacing outdated signals so intersection has consistent and visible signal heads.
- Evaluate locations of signal heads and mast arms to improve visibility.
- Evaluate the feasibility of protected or protected/permissive turn phases.
- Evaluate yellow and red vehicle clearance times to be compliant with the MUTCD for given speeds on the roads for safer and more efficient movements through the intersection.
- Evaluate existing signal timing and phasing to possibly improve queuing along Route 114 and Route 62, especially during the PM rush hour.
- Consider adding additional signal phasing and/or increasing adaptive signal capability to accommodate traffic demands from nearby schools.

Summary of Road Safety Audit

Based on observations and discussions, the RSA team identified the issues and potential enhancements that could improve safety at the study intersections. The timeframe and costs are categorized below in **Table 2**.

Table 2: Estimated Time Frame and Costs Breakdown

Time Frame		Costs	
Short-Term	<1 Year	Low	<\$10,000
Mid-Term	1-3 Years	Medium	\$10,001-\$50,000
Long-Term	>3 Years	High	>\$50,000

Table 3: Potential Safety Enhancement Summary lists each safety issue and the corresponding potential safety enhancements that were discussed at the audit and within the previous sections. The table includes the safety benefit, estimated timeframe for completion, estimated construction cost, and jurisdiction for each observed safety issue and potential safety enhancement. Safety payoff estimates are subjective and based on engineering judgement.

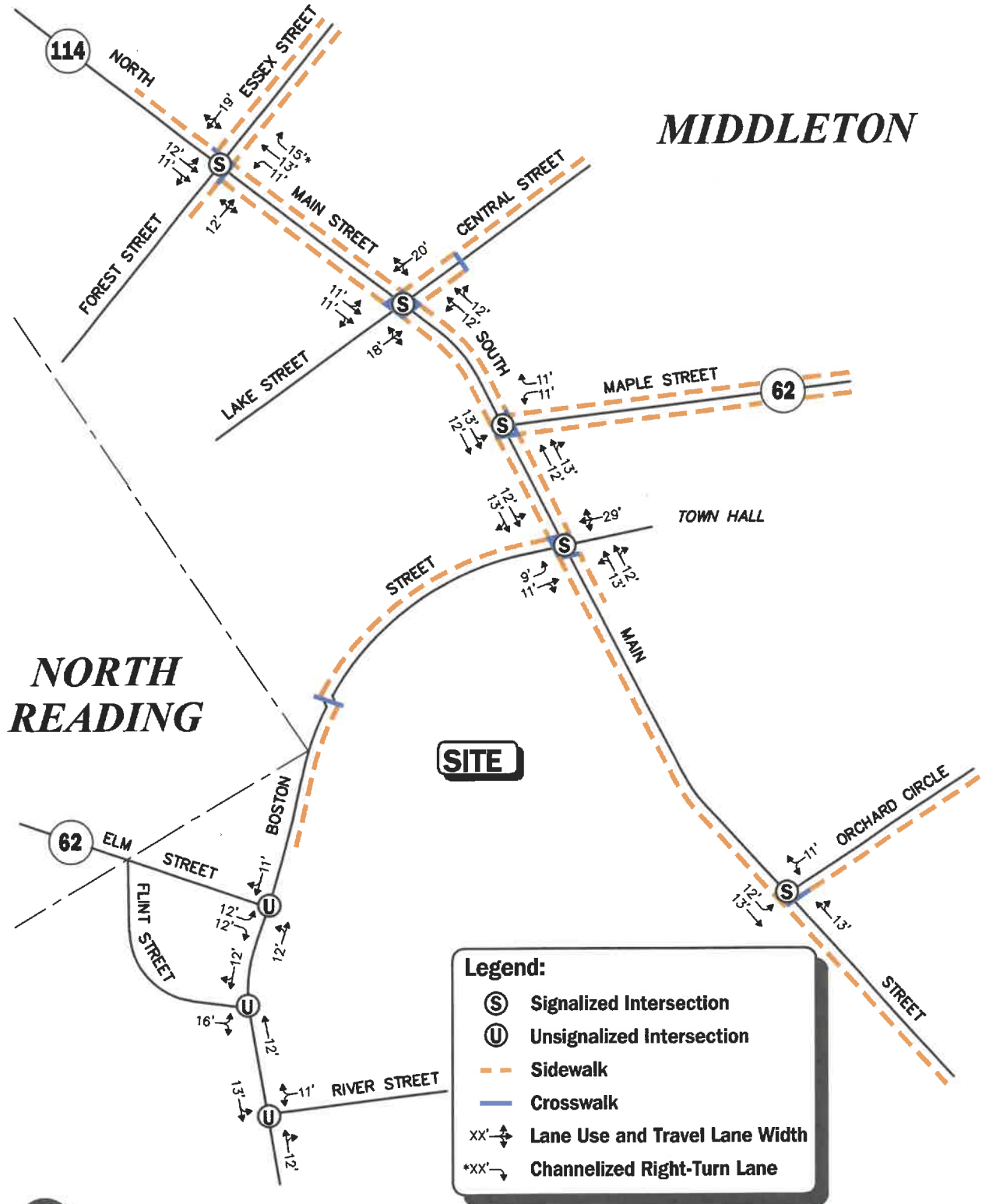
Table 3: Potential Safety Enhancement Summary

Safety Issue	Potential Safety Enhancement	Safety Payoff	Time Frame	Cost	Jurisdiction
Route 114 at Route 62 (Maple Street) & Route 114/ Central Street/ Lake Street					
Intersection Geometry and Access Management	Evaluate speed management countermeasures, especially during off peak hours, such as speed feedback signs and traffic calming (along Route 114 specifically).	High	Mid-Term	Medium	MassDOT
	Consider narrowing travel lanes to slow vehicle speeds.	Medium	Short-term	Low	MassDOT
	Consider lengthening queuing lanes on Route 114 SB approach where roadway space allows.	Medium	Mid-term	Medium	MassDOT/Town of Middleton
	Evaluate a right turn only lane from the Route 114 northbound approach onto Maple Street, as this is a high-volume movement and could improve queuing along Route 114 south of the study area.	Low	Mid-term	Medium	MassDOT
	Evaluate converting driveway access points to one-way or prohibiting left turns out of driveways to limit conflicts, specifically at Pleasant Street and Cumberland Farms driveways.	High	Short-term	Low	Town of Middleton
Pavement Markings and Signage	Consider adding advanced lane assignment signage for all intersection approaches.	High	Short-term	Low	MassDOT/Town of Middleton
	Consider adding advance signage for lanes merging on Route 114 northbound.	Medium	Short-term	Low	MassDOT
	Consider adding advance signage to denote 'signal ahead' on Route 114 southbound.	Medium	Short-term	Low	MassDOT/Town of Middleton
	Refresh all pavement markings, especially crosswalks, stop bars, center lines, and turn lane symbols to improve visibility and compliance.	Medium	Short-term	Low	MassDOT/Town of Middleton

Pavement Markings and Signage (cont.)	Consider adding dashed white lines to guide left turns from Route 114 southbound onto Route 62 and Route 114 northbound onto Lake Street.	Low	Short-term	Low	MassDOT/Town of Middleton
	Consider introducing markings and improved signage to ensure that motorists yield to pedestrians, especially right turning vehicles from Route 62.	Low	Short-term	Low	MassDOT/Town of Middleton
	Consider No Turn on Red signage for right turning vehicles from Route 62 to improve pedestrian and vehicle safety.	Medium	Short-term	Low	MassDOT/Town of Middleton
	Evaluate "Don't Block the Box" pavement markings and signage.	Low	Short-term	Low	MassDOT/Town of Middleton
Pedestrian and Bicycle Accommodation and Accessibility	Consider reevaluating pedestrian timing based on school hours to accommodate crossing time for children and minimize pedestrian delay.	High	Mid-term	Medium	MassDOT
	Consider moving pedestrian push buttons to accessible locations.	Low	Mid-term	High	MassDOT
	Consider shortening pedestrian crossings or providing pedestrian refuge islands.	Medium	Mid-term	High	MassDOT
	Consider replacing apex curb ramps with directional ramps and adding fiberglass tactile warning panels to improve ADA accessibility.	Medium	Mid-term	High	Town of Middleton
	Add "turning vehicles yield to pedestrians" signage on all approaches with crosswalks.	High	Mid-term	Medium	MassDOT
	Consider reallocating roadway space to provide bicycle accommodations for cyclists traveling through the intersection, especially connecting to Route 62 and the nearby rail trail.	High	Mid-term	Low	MassDOT
Traffic Signal Timing and Equipment	Consider implementing retroreflective backplates on signal heads to improve visibility.	Medium	Short-term	Medium	MassDOT

Traffic Signal Timing and Equipment (Cont.)	Consider adjusting signals with prismatic lenses to improve visibility.	High	Short-term	Low	MassDOT
	Consider replacing outdated signals so intersection has consistent and visible signal heads.	Medium	Short-term	High	MassDOT
	Evaluate locations of signal heads and mast arms to improve visibility.	Medium	Short-term	Low	MassDOT
	Evaluate the feasibility of protected or protected/permissive turn phases.	High	Mid-term	Medium	MassDOT
	Evaluate yellow and red vehicle clearance times to be compliant with the MUTCD for given speeds on the roads for safer and more efficient movements through the intersection.	High	Short-term	Medium	MassDOT
	Evaluate existing signal timing and phasing to possibly improve queuing along Route 114 and Route 62, especially during the PM rush hour.	Low	Short-term	Medium	MassDOT
	Consider adding additional signal phasing and/or increasing adaptive signal capability to accommodate traffic demands from nearby schools.	Medium	Mid-term	Medium	MassDOT

Appendix A. Traffic Counts and Crash Rate Data



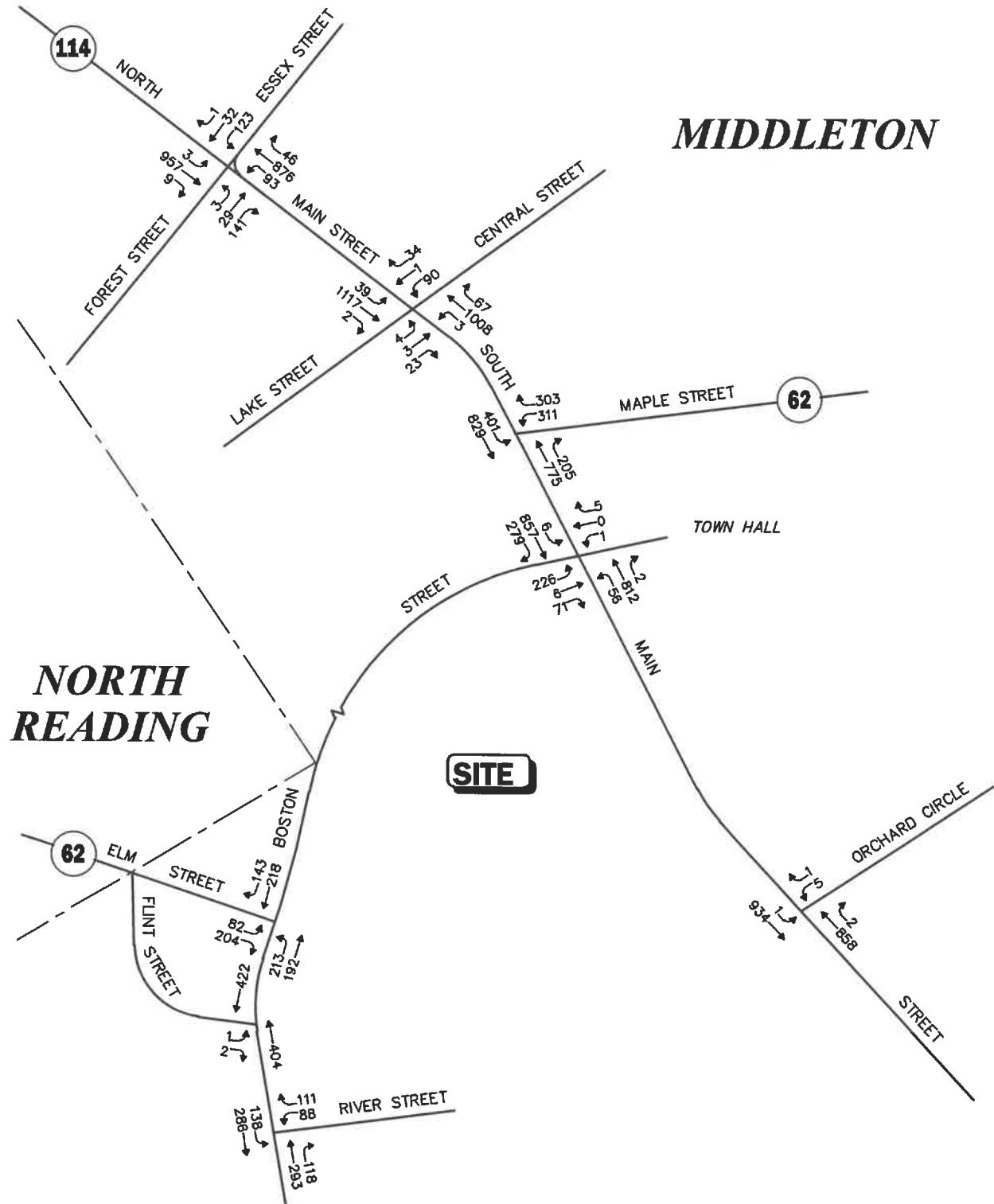
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Vanasse &
Associates inc

Figure 2

Existing Intersection Lane Use,
Travel Lane Width, and
Pedestrian Facilities



Note: Imbalances exist due to numerous curb cuts and side streets that are not shown.

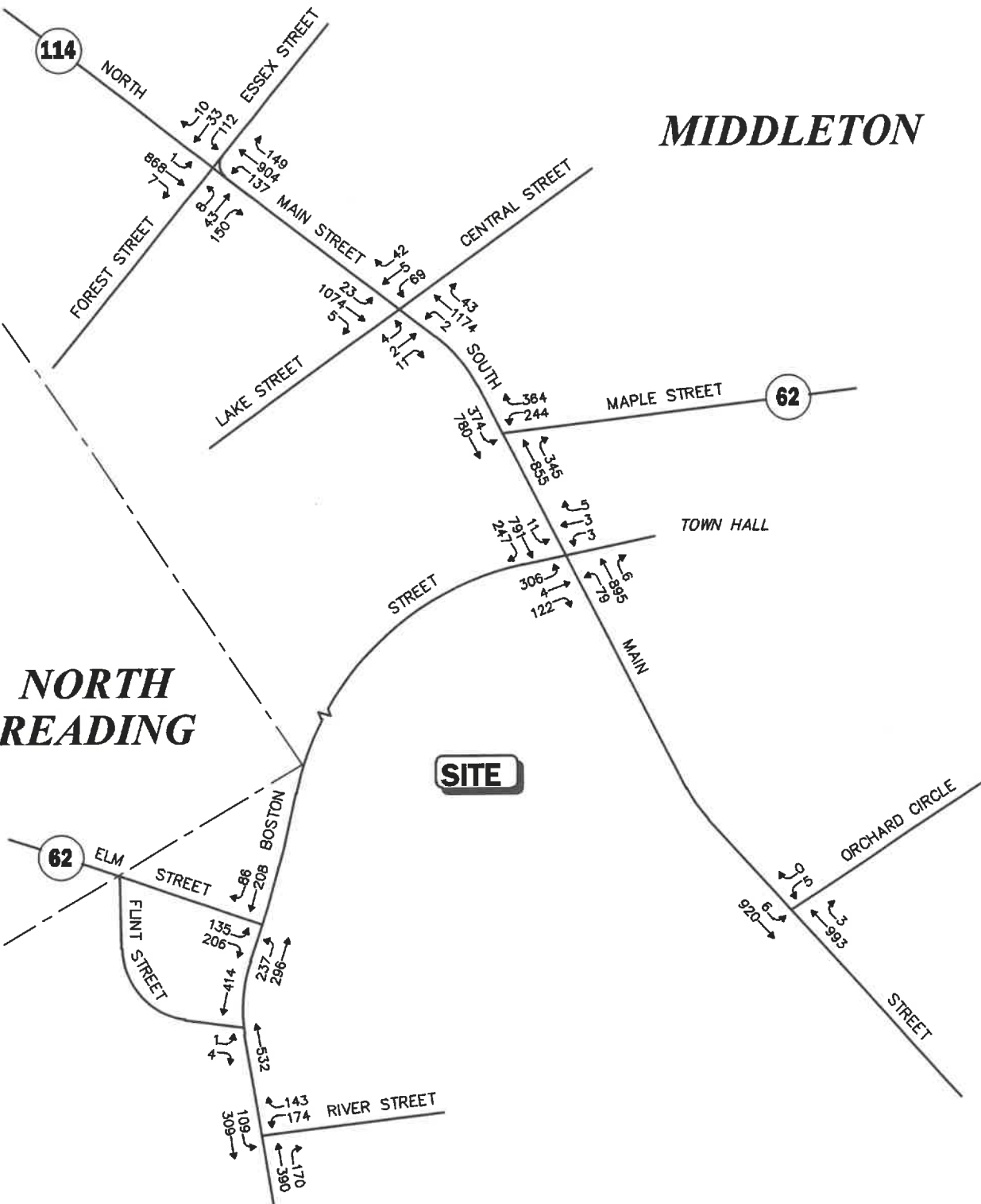
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Figure 3



Vanasse &
Associates inc

2024 Existing Weekday
Morning Peak-Hour
Traffic Volumes



Note: Imbalances exist due to numerous curb cuts and side streets that are not shown.

Not To Scale

Figure 4

Not To Scale Figure 4

Not To Scale Figure 4



**Vanasse &
Associates inc**

**2024 Existing Weekday
Evening Peak-Hour
Traffic Volumes**



Vanasse &
Associates inc

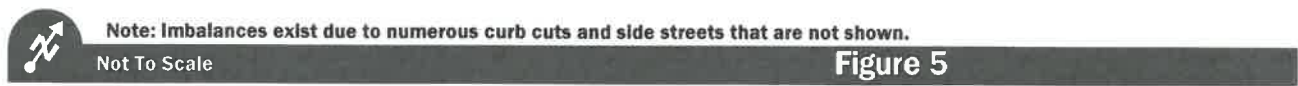
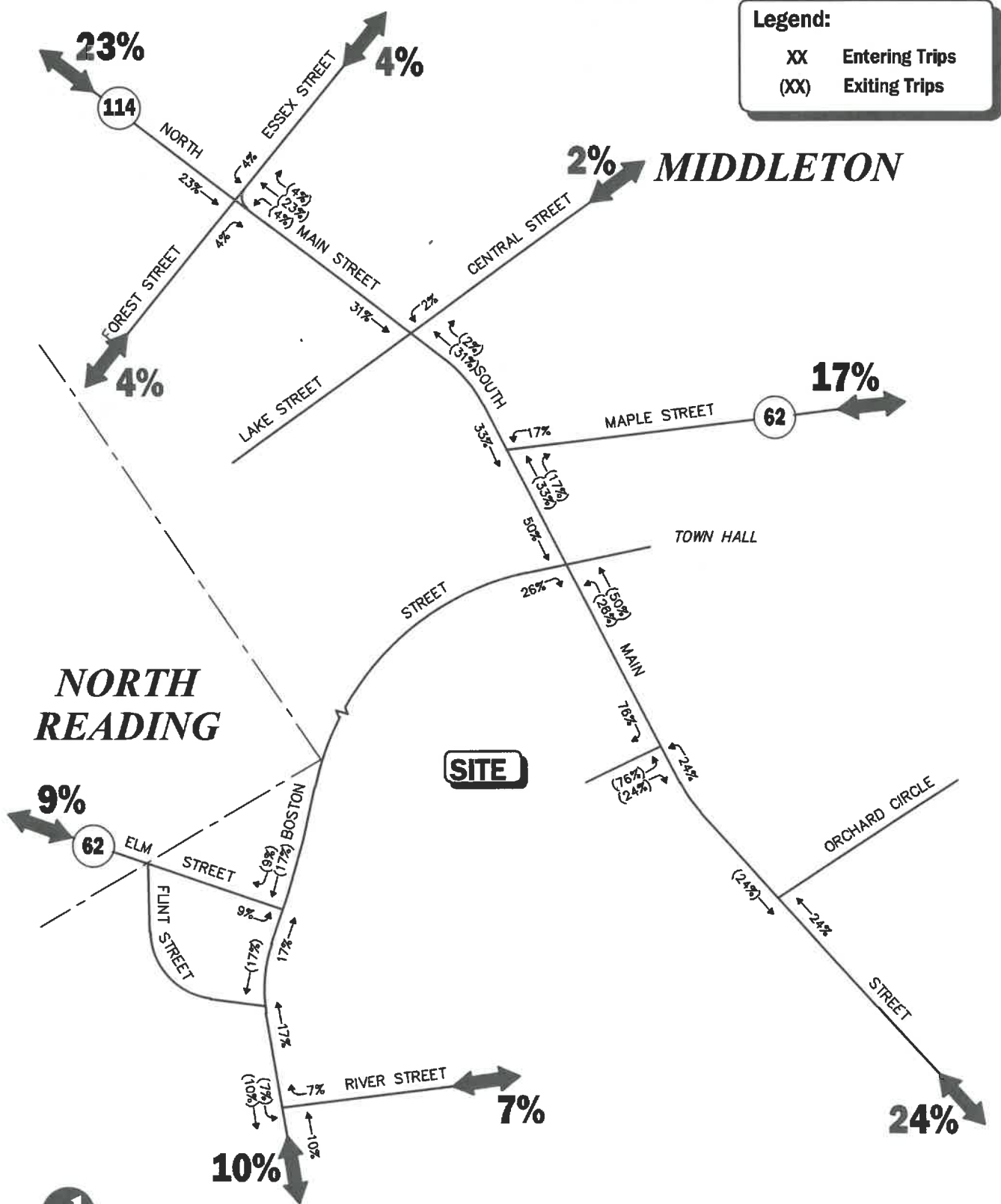


Figure 5

2024 Existing Saturday Midday Peak-Hour Traffic Volumes



Trip Distribution Map Residential Component



Not To Scale



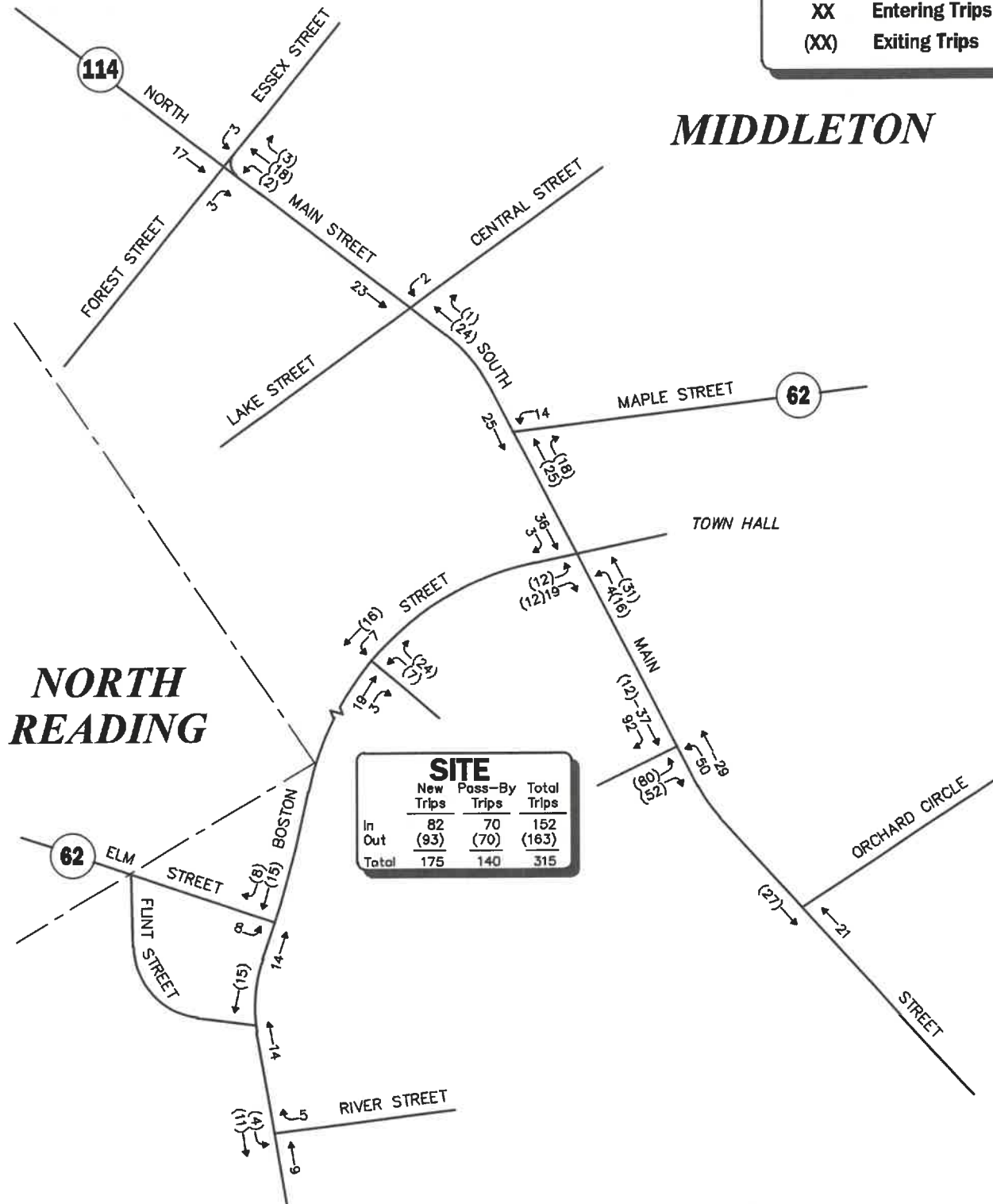
Vanasse &
Associates inc

Figure 10

Trip Distribution Map
Commercial Component

Legend:

XX Entering Trips
(XX) Exiting Trips



Not To Scale



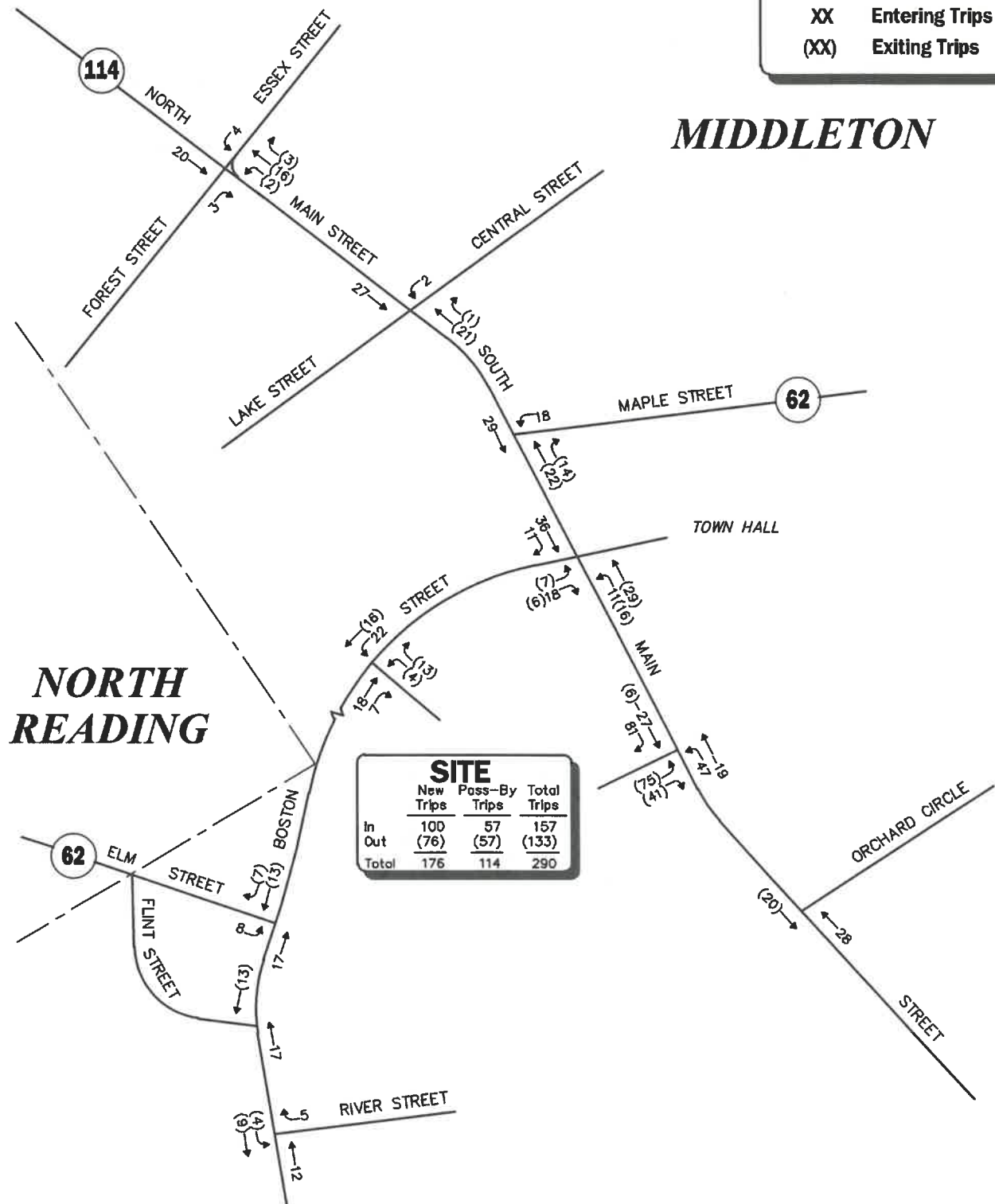
Vanasse &
Associates inc

Figure 11

Project-Generated
Weekday Morning
Peak-Hour Traffic Volumes

Legend:

XX Entering Trips
(XX) Exiting Trips



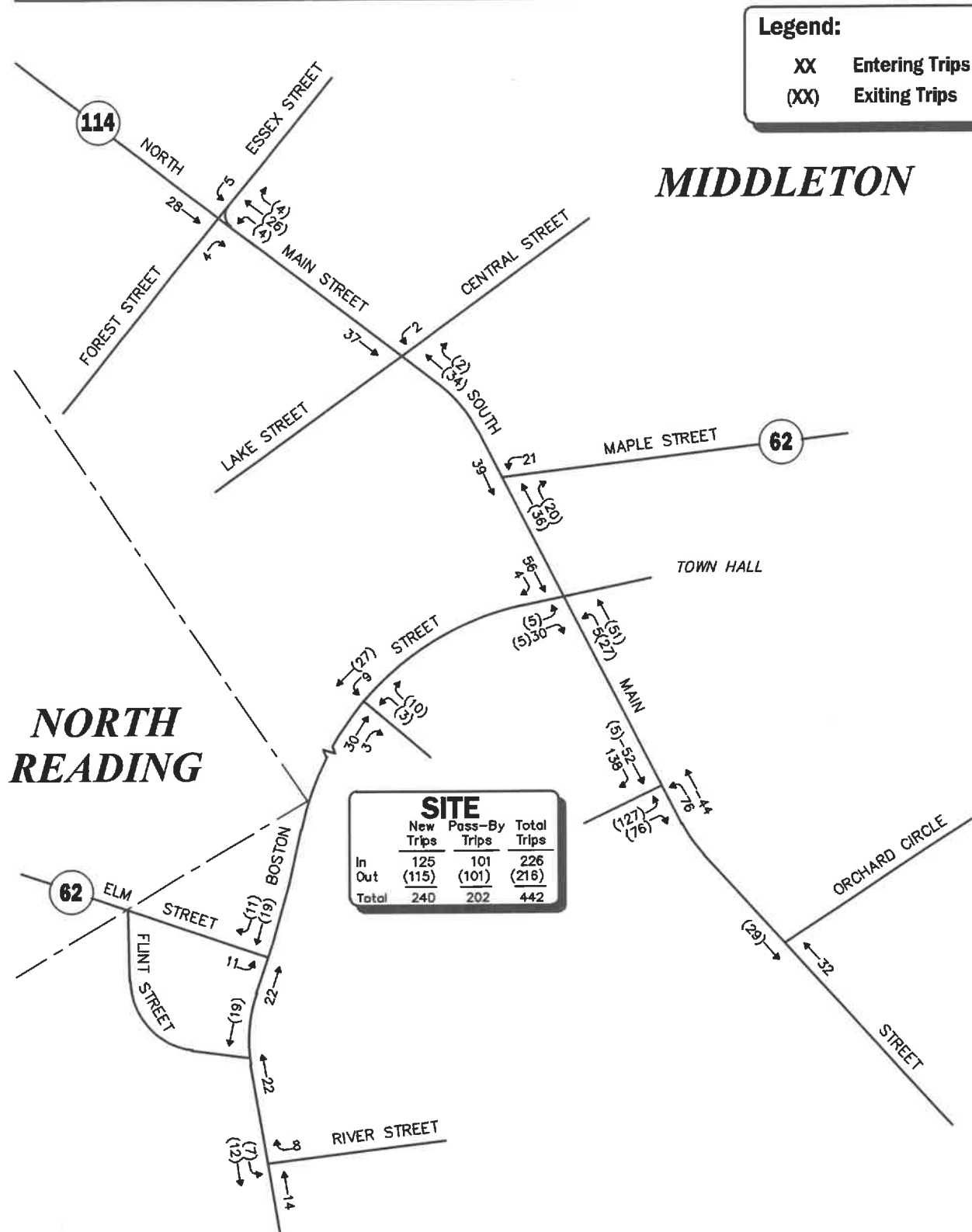
Not To Scale



Vanasse &
Associates inc

Figure 12

**Project-Generated
Weekday Evening
Peak-Hour Traffic Volumes**



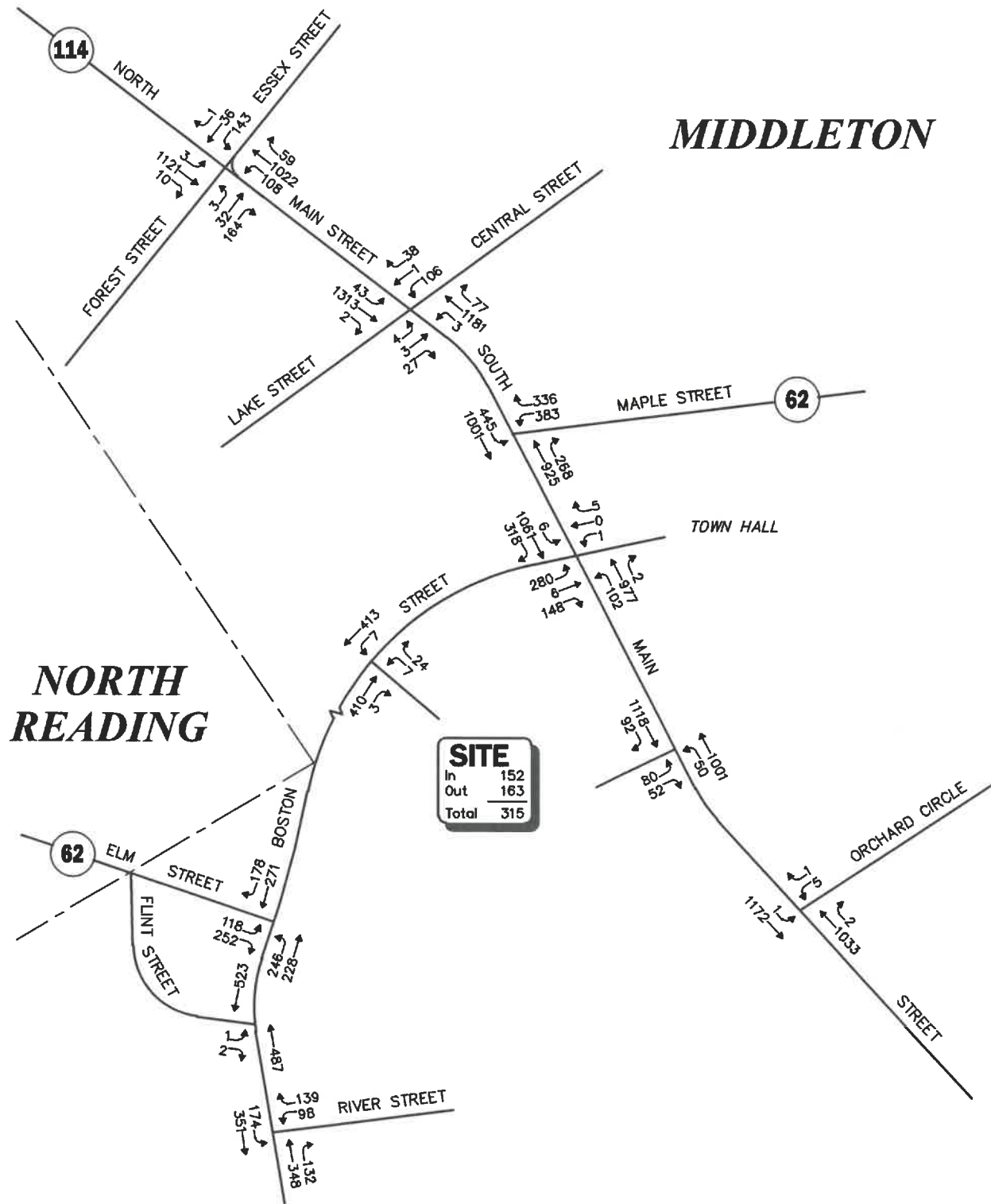
Not To Scale



Vanasse &
Associates inc

Figure 13

Project-Generated
Saturday Midday
Peak-Hour Traffic Volumes



Note: Imbalances exist due to numerous curb cuts and side streets that are not shown.

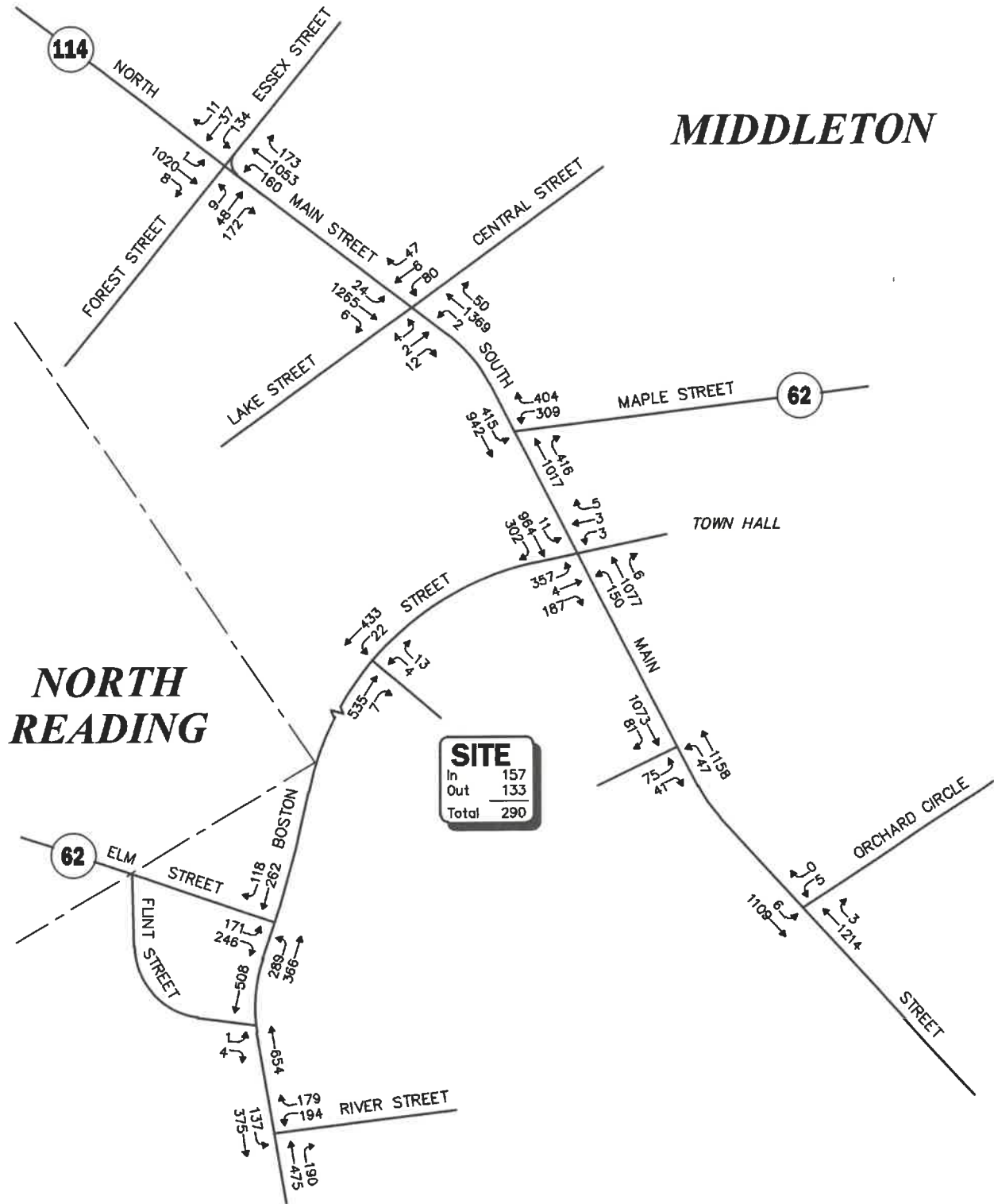
Not To Scale

Figure 14



Vanasse &
Associates inc

2031 Build
Weekday Morning
Peak-Hour Traffic Volumes



Note: Imbalances exist due to numerous curb cuts and side streets that are not shown.

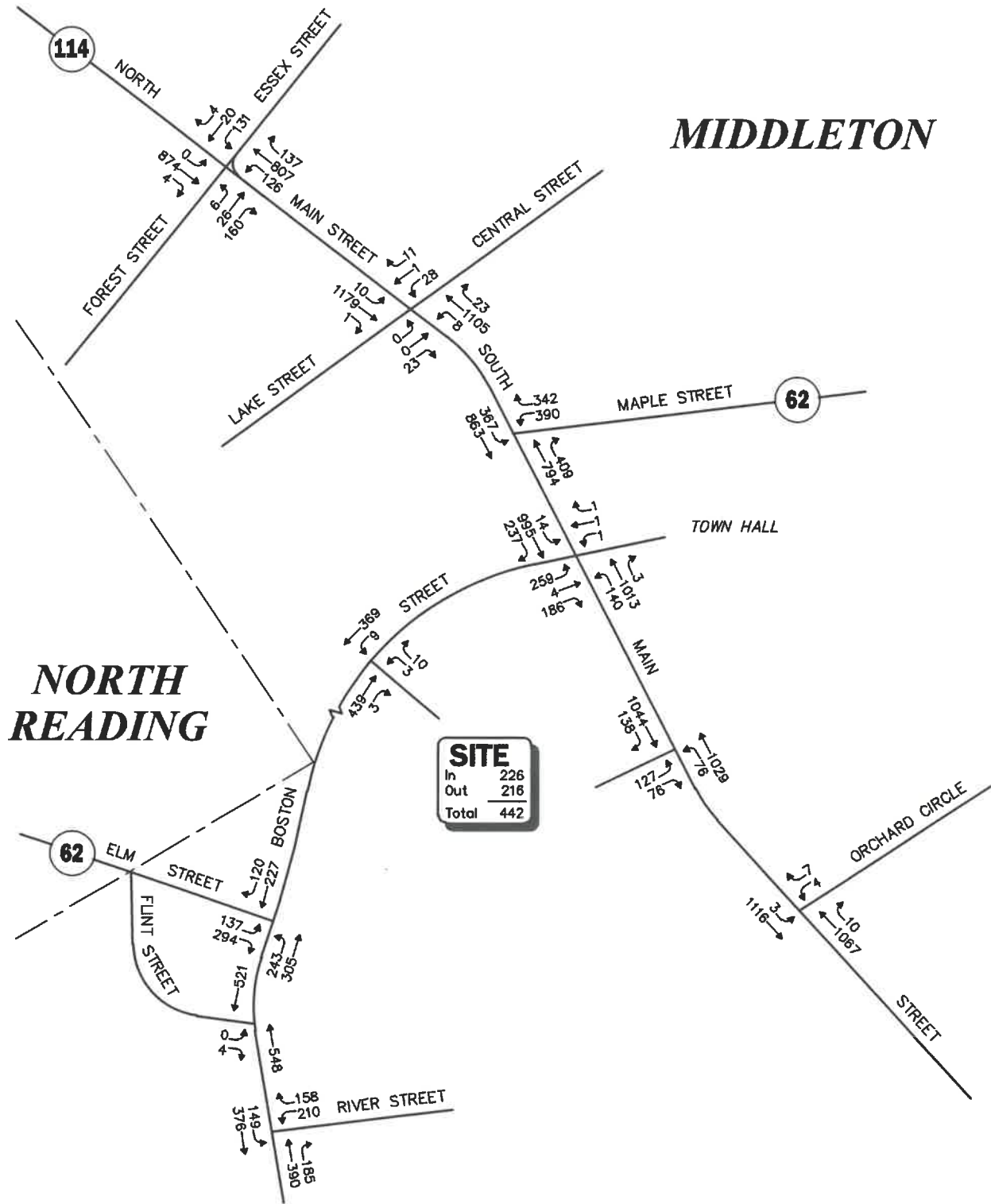
Not To Scale

Figure 15



Vanasse &
Associates inc

2031 Build
Weekday Evening
Peak-Hour Traffic Volumes



Note: Imbalances exist due to numerous curb cuts and side streets that are not shown.
Not To Scale

Figure 16



Vanasse &
Associates inc

2031 Build
Saturday Midday
Peak-Hour Traffic Volumes

INTERSECTION CRASH RATE WORKSHEET

CITY/TOWN : Middleton COUNT DATE : 19-May-22

DISTRICT : 4 UNSIGNALIZED : ☐ SIGNALIZED : ☒

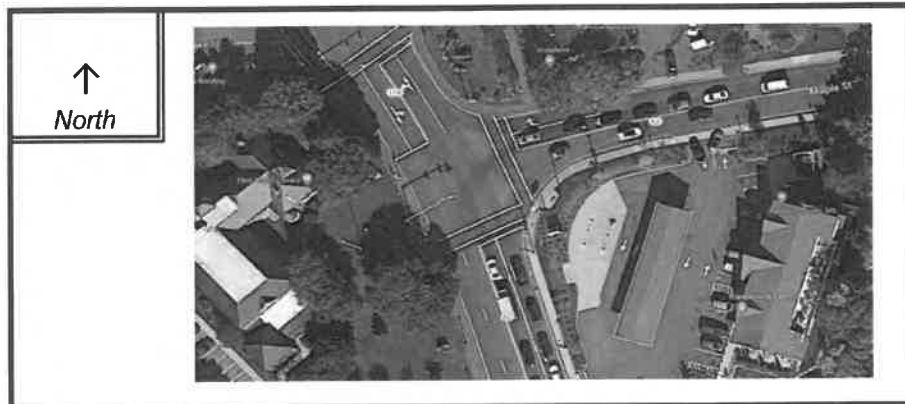
~ INTERSECTION DATA ~

MAJOR STREET : North Main Street

MINOR STREET(S) : South Main Street

Maple Street

INTERSECTION
 DIAGRAM
 (Label Approaches)



PEAK HOUR VOLUMES

APPROACH :	1	2	3	4	5	Total Peak Hourly Approach Volume
DIRECTION :	NB	SB	WB			
PEAK HOURLY VOLUMES (PM) :	1,200	1,154	608			2,962
"K" FACTOR :	0.090	INTERSECTION ADT (V) = TOTAL DAILY APPROACH VOLUME :				32,911
TOTAL # OF CRASHES :	65	# OF YEARS :	5	AVERAGE # OF CRASHES PER YEAR (A) :		13.00

CRASH RATE CALCULATION :

1.08

$$\text{RATE} = \frac{(A * 1,000,000)}{(V * 365)}$$

Comments : Above Statewide and District Crash Rates

Project Title & Date: Proposed Commercial Development

INTERSECTION CRASH RATE WORKSHEET

CITY/TOWN : Middleton COUNT DATE : 19-May-22
 DISTRICT : 4 UNSIGNALIZED : ☐ SIGNALIZED : ☒

~ INTERSECTION DATA ~

MAJOR STREET : North Main Street
 MINOR STREET(S) : Central Street
Lake Street

**INTERSECTION
 DIAGRAM**
 (Label Approaches)



PEAK HOUR VOLUMES

APPROACH :	1	2	3	4	5	Total Peak Hourly Approach Volume
DIRECTION :	NB	SB	EB	WB		
PEAK HOURLY VOLUMES (PM) :	1,219	1,102	17	116		2,454

" K " FACTOR : 0.090 INTERSECTION ADT (V) = TOTAL DAILY APPROACH VOLUME : 27,267

TOTAL # OF CRASHES : 25 # OF YEARS : 5 AVERAGE # OF CRASHES PER YEAR (A) : 5.00

CRASH RATE CALCULATION :

0.50

$$\text{RATE} = \frac{(A * 1,000,000)}{(V * 365)}$$

Comments : Below Statewide and District Crash Rates

Project Title & Date : Proposed Commercial Development

Table 2
2024 EXISTING TRAFFIC VOLUMES

Location/Peak-Hour	AWT ^a	Saturday ^b	VPH ^c	K Factor ^d	Directional Distribution ^e
<i>South Main Street, south of Boston Street:</i>	23,870	23,280	--	--	--
Weekday Morning (7:30 – 8:30 AM)	--	--	1,799	7.5	51.7% SB
Weekday Evening (4:45 – 5:45 PM)	--	--	1,896	7.9	51.7% NB
Saturday Midday (12:15 – 1:15 PM)	--	--	1,870	8.0	50.3% SB
<i>Boston Street, west of South Main Street:</i>	8,235	8,205	--	--	--
Weekday Morning (7:30 – 8:30 AM)	--	--	638	7.7	52.5% WB
Weekday Evening (4:45 – 5:45 PM)	--	--	761	9.2	56.7% EB
Saturday Midday (12:15 – 1:15 PM)	--	--	635	7.7	56.2% EB
<i>North Main Street, north of Lake Street:</i>	21,830	20,100	--	--	--
Weekday Morning (7:30 – 8:30 AM)	--	--	2,204	10.1	52.6% SB
Weekday Evening (4:45 – 5:45 PM)	--	--	2,322	10.6	52.6% NB
Saturday Midday (12:15 – 1:15 PM)	--	--	1,963	9.8	51.6% SB

^aAverage weekday traffic in vehicles per day.

^bAverage Saturday traffic in vehicles per day.

^cVehicles per hour.

^dPercent of daily traffic occurring during the peak-hour.

^ePercent traveling in peak direction.

NB = northbound; SB = southbound; EB = eastbound; WB = westbound.

As can be seen in Table 2, South Main Street in the vicinity of the Project site was found to accommodate approximately 23,870 vehicles on an average weekday and approximately 23,280 vehicles on a Saturday (both two-way, 24-hour volumes), with approximately 1,799 vehicles per hour (vph) during the weekday morning peak-hour, 1,896 vph during the weekday evening peak-hour and 1,870 vph during the Saturday midday peak-hour.

Boston Street in the vicinity of the Project site was found to accommodate approximately 8,235 vehicles on an average weekday and approximately 8,205 vehicles on a Saturday, with approximately 638 vph during the weekday morning peak-hour, 761 vph during the weekday evening peak-hour and 635 vph during the Saturday midday peak-hour.

North Main Street north of Lake Street was found to accommodate approximately 21,830 vehicles on an average weekday and approximately 20,100 vehicles on a Saturday, with approximately 2,204 vph during the weekday morning peak-hour, 2,322 vph during the weekday evening peak-hour and 1,963 vph during the Saturday midday peak-hour.

PEDESTRIAN AND BICYCLE FACILITIES

A comprehensive field inventory of pedestrian and bicycle facilities within the study area was undertaken in June and July 2022. The field inventory consisted of a review of the location of sidewalks and pedestrian crossing locations along the study roadways and at the study area intersections, as well as the location of existing and planned future bicycle facilities. As detailed on Figure 2, with the exception of Boston Street west of St. Agnes Parish, sidewalks are generally provided along one or both sides of the study area roadways, with marked crosswalks provided for

crossing one or more legs of the study area intersections along North and South Main Street, and pedestrian traffic signal equipment and phasing provided as a part of the traffic systems at the signalized study area intersections.

Formal bicycle facilities are not provided within the study area; however, the study area roadways generally provide sufficient width to support bicycle travel in a shared traveled-way configuration(i.e., bicyclists and motor vehicles sharing the traveled-way).⁸

PUBLIC TRANSPORTATION

Regularly scheduled public transportation services are not currently provided within the Town of Middleton or in the immediate vicinity of the Project site. The Massachusetts Bay Transportation Authority (MBTA) operates The Ride paratransit services for eligible persons within the Town who cannot use fixed-route transit all or some of the time due to a physical, cognitive, or mental disability in accordance with Americans with Disabilities Act (ADA) requirements. In addition, the Town of Middleton Council on Aging (COA) provides transportation services to eligible seniors for errands and medical appointments by appointment.

SPOT SPEED MEASUREMENTS

Vehicle travel speed measurements were performed on South Main Street, Boston Street and North Main Street in conjunction with the ATR counts. Table 3 summarizes the vehicle travel speed measurements.

Table 3
VEHICLE TRAVEL SPEED MEASUREMENTS

	South Main Street		Boston Street		North Main Street	
	Northbound	Southbound	Eastbound	Westbound	Northbound	Southbound
Mean Travel Speed (mph)	32	36	27	30	33	33
85 th Percentile Speed (mph)	37	42	33	34	39	40
Posted Speed Limit (mph)	30	30	25	35	30	35

mph = miles per hour.

As can be seen in Table 3, the mean vehicle travel speed along South Main Street in the vicinity of the Project site was found to be 32 mph in the northbound direction and 36 mph southbound. The measured 85th percentile vehicle travel speed, or the speed at which 85 percent of the observed vehicles traveled at or below, was found to be 37 mph in the northbound direction and 42 mph southbound, which is 7 to 12 mph *above* the posted speed limit in the vicinity of the Project site (30 mph).

⁸ A minimum combined travel lane and paved shoulder width of 14-feet is required to support bicycle travel in a shared traveled-way condition.

The mean vehicle travel speed along Boston Street in the vicinity of the Project site was found to be 27 mph in the eastbound direction and 30 mph westbound, with the measured 85th percentile vehicle travel speed found to be 33 mph in the eastbound direction and 34 mph westbound. We note that the speed limit transitions in the vicinity of the Project site to 25 mph in the eastbound direction approaching South Main Street and is 35 mph in the westbound direction (consistent with the posted speed limit on Maple Street, which is also Route 62).

The mean vehicle travel speed along North Main Street was found to be 33 mph in both the north and southbound directions, with the measured 85th percentile vehicle travel speed found to be 39 mph in the northbound direction and 40 mph southbound, which is 5 to 9 mph *above* the posted speed limit in the vicinity of the Project site (30/35 mph).

MOTOR VEHICLE CRASH DATA

Motor vehicle crash information for the study area intersections was provided by the MassDOT Highway Division Safety Management/Traffic Operations Unit for the most recent five-year period available (2016 through 2020, inclusive) in order to examine motor vehicle crash trends occurring within the study area. The data is summarized by intersection, type, severity, roadway and weather conditions, and day of occurrence, and presented in Table 4.

As can be seen in Table 4, with the exception of the South Main Street/Maple Street intersection, the study area intersections were found to have experienced an average of 5.0 or fewer reported motor vehicle crashes per year over the five-year review period and were found to have motor vehicle crash rates below the MassDOT statewide and District averages for similar intersections for the MassDOT Highway Division District in which the intersections are located (District 4). The majority of the crashes were reported to have occurred on a weekday; under clear conditions; during daylight; and involved angle or rear-end type collisions that resulted in property damage only. No (0) fatal motor vehicle crashes were reported to have occurred at the study area intersections over the five-year review period.

The South Main Street/Maple Street intersection was found to have experienced a total of 65 reported motor vehicle crashes over the five-year review period, or an average of 13 crashes per year, the majority of which occurred on a weekday; during daylight; under clear weather conditions; and involved angle or rear-end type collisions that resulted in property damage only. This intersection was found to have a motor vehicle crash rate that is above both the MassDOT statewide and District average crash rates for similar intersections for the MassDOT Highway Division District in which the intersection is located. In addition, a review of the MassDOT statewide High Crash Location List indicates that the intersection has been identified as a “Top 5% Intersection Crash Cluster” location for the 2018-2020 reporting period and Highway Safety Improvement Program (HSIP) eligible.

MassDOT defines a HSIP eligible cluster as: “...one in which the total number of ‘equivalent property damage only’ crashes is within the top 5% in the region.” *The Equivalent Property Damage Only (EPDO) index is a method of combining the number of crashes with the severity of crashes based on a weighted scale, where a property damage only crash is worth 1 point and injury and fatal crashes are worth 21 points.*” Designation as a HSIP location allows for MassDOT to prioritize funding for safety-related improvements in a specific region of the state. Designation as a HSIP location allows for MassDOT to prioritize funding for safety-related improvements in a specific region of the state. As such, recommendations have been provided to advance safety-

related improvements at this intersection that will be undertaken as part of the Project (discussed in the *Recommendations* section of this assessment).

The detailed MassDOT Crash Rate Worksheet and High Crash Location mapping are provided in the Appendix.

Appendix B. RSA Meeting Agenda and Prompt List

Agenda

Road Safety Audit

Middleton, MA

Route 114 at Route 62

Meeting Location: Flint Library Room B

Thursday, August 29th

1 PM – 4 PM

Type of meeting: Road Safety Audit
Attendees: Invited Participants to Comprise a Multidisciplinary Team
Please bring: Thoughts and Enthusiasm!

1:00 PM Welcome and Introductions

1:15 PM Discussion of Safety Issues

- Crash history– provided in advance
- Existing Geometries and Conditions

2:15 PM Site Visit

- Walk to the study area intersections.
- As a group, identify areas for improvement

3:15 PM Discussion of Potential Improvements

- Return to the Library
- Discuss observations and finalize safety issues
- Discuss potential improvements and finalize recommendations

4:00 PM Adjourn for the Day – but the RSA has not ended

Instructions for Participants:

- Before attending the RSA on August 29th, participants are encouraged to drive/walk through the intersection and complete/consider elements on the RSA Prompt List with a focus on safety.
- All participants will be actively involved in the process throughout. Participants are encouraged to come with thoughts and ideas, but are reminded that the synergy that develops and respect for others' opinions are key elements to the success of the overall RSA process.
- After the RSA meeting, participants will be asked to comment and respond to the document materials to assure it is reflective of the RSA completed by the multidisciplinary team.

GEOMETRIC DESIGN

Issue	Comment
A. Speed – (Design Speed; Speed Limit & Zoning; Sight Distance; Overtaking)	
<p>Are there speed-related issues along the corridor? Please consider the following elements:</p> <ul style="list-style-type: none"> • Horizontal and vertical alignment; • Posted and advisory speeds • Driver compliance with speed limits • Approximate sight distance • Safe passing opportunities 	
B. Road alignment and cross section	
<p>With respect to the roadway alignment and cross-section please consider the appropriateness of the following elements:</p> <ul style="list-style-type: none"> • Functional class (Urban Principal Arterial) • Delineation of alignment; • Widths (lanes, shoulders, medians); • Sight distance for access points; • Cross-slopes • Curbs and gutters • Drainage features 	
C. Intersections	
<p>For intersections along the corridor please consider all potential safety issues. Some specific considerations should include the following:</p> <ul style="list-style-type: none"> • Intersections fit alignment (i.e. curvature) • Traffic control devices alert motorists as necessary • Sight distance and sight lines seem appropriate • Vehicles can safely slow/stop for turns • Conflict point management • Adequate spacing for various vehicle types • Capacity problems that result in safety problems 	
D. Auxiliary lanes	
<ul style="list-style-type: none"> • Do auxiliary lanes appear to be adequate? • Could the taper locations and alignments be causing safety deficiencies? • Are shoulder widths at merges causing safety deficiencies? 	

E. Clear zones and crash barriers	
For the roadside the major considerations are clear zone issues and crash barriers. Consider the following:	
<ul style="list-style-type: none"> • Do there appear to be clear zones issues? <ul style="list-style-type: none"> — Are hazards located too close the road? — Are side slopes acceptable? • Are suitable crash barriers (i.e, guard rails, curbs, etc.) appropriate for minimizing crash severity? • Barrier features: end treatments, visibility, etc. 	
F. Bridges and culverts – (if necessary)	
Are there specific issues related to bridges and culverts that may result in safety concerns?	
G. Pavement – (Defects, Skid Resistance, and Flooding)	
<ul style="list-style-type: none"> • Is the pavement free of defects including excessive roughness or rutting, potholes, loose material, edge drop-offs, etc.) that could result in safety problems (for example, loss of steering control)? • Does the pavement appear to have adequate skid resistance, particularly on curves, steep grades and approaches to intersections? • Is the pavement free of areas where flooding or sheet flow of water could contribute to safety problems? • In general, is the pavement quality sufficient for safe travel of heavy and oversized vehicles? 	
H. Lighting (Lighting and Glare)	
It is important to consider to the impacts of lighting. Some specifics include the following:	
<ul style="list-style-type: none"> • Is lighting required and, if so, has it been adequately provided? • Are there glare issues resulting from headlights during night time operations or from sunlight? 	

TRAFFIC CONTROL DEVICES

Issue

Comment

I. Signs

Signage is a critical element in providing a safe roadway environment. Please consider the following:

- Are all current signs visible (consider both night and day)? Are they conspicuous and clear? Are the correct signs used for each situation?
- Does the retroreflectivity or illumination appear satisfactory?
- Are there any concerns regarding sign supports?

J. Traffic signals

- If present, do the traffic signals appear to be designed, installed, and operating correctly?
- Is the signal processing the traffic efficiently?
- Is the controller located in a safe position? (where it is unlikely to be hit, but maintenance access is safe)
- Is there adequate sight distance to the ends of possible vehicle queues?

K. Marking and delineation

- Is the line marking and delineation:
 - appropriate for the function of the road?
 - consistent along the route?
 - likely to be effective under all expected conditions? (day, night, wet, dry, fog, rising and setting sun, oncoming headlights, etc.)
- Are centerlines, edgelines, and lane lines provided? If not, do drivers have adequate guidance?

ROADWAY ACTIVITY	
Issue	Comment
<p>With respect to roadway activity please consider safety elements related to the following:</p> <ul style="list-style-type: none"> • Pedestrians • Bicycles • Public transportation vehicles and riders • Emergency vehicles • Commercial vehicles • Slow moving vehicles 	

ENVIRONMENTAL CONSIDERATIONS	
Issue	Comment
<p>Weather & Animals</p> <p>From an environmental perspective it is important to consider any potential impacts. Most notably is likely to be the impacts of weather or animals, including:</p> <ul style="list-style-type: none"> • Possible effects of rain, fog, snow, ice, wind on design features. • Has snow fall accumulation been considered in the design (storage, sight distance around snowbanks, etc.)? • Are there any known animal travel/migration routes in surrounding areas which could affect design? 	

Appendix C. RSA Audit Team Contact List

Participating Audit Team Members

Date: August 29, 2024 Location: Middleton, MA

Audit Team Member	Agency/Affiliation	Audit Team Member
Matt Armitage	Middleton Police Department	Matt Armitage
Douglas Lecolst	Middleton Fire Department	Douglas Lecolst
Jim Terlizzi	MassDOT Traffic and Safety	Jim Terlizzi
Evelyn Densmore	MassDOT Traffic and Safety	Evelyn Densmore
Kevin Fitzgerald	MassDOT Traffic and Safety	Kevin Fitzgerald
Paul Goodwin	Middleton DPW	Paul Goodwin
Bob Tragert	MassDOT D4 Traffic	Bob Tragert
Ghazal Kayal	MassDOT D4 Projects	Ghazal Kayal
Ian Sherriff	Vanasse & Associates	Ian Sherriff
Lars Unhjem	Villebridge Development	Lars Unhjem
Christopher Bach	Toole Design	Christopher Bach
Emily Urbanski	Toole Design	Emily Urbanski

Appendix D. Detailed Crash Data



2 Oliver Street, Suite 305, BOSTON, MA 02109
PHONE 617.619.9910 FAX 301.927.2800
www.tooledesign.com

COLLISION DIAGRAM

SYMBOLS		TYPE OF CRASH	SEVERITY
	Moving Vehicle	Head on	
	Backing Vehicle	Rear End	
	Non-Involved Vehicle	Angle	
	Pedestrian	Turning Movement	
	Bicycle	Sideswipe	
	Animal	Out of Control	
	Parked Vehicle	Twilight/Night Time Crash	
	Fixed Object		

TYPE OF CRASH		SEVERITY
	Head on	
	Rear End	
	Angle	
	Turning Movement	
	Sideswipe	
	Out of Control	
	Twilight/Night Time Crash	

MIDDLETON, MA

REGION: MAPC

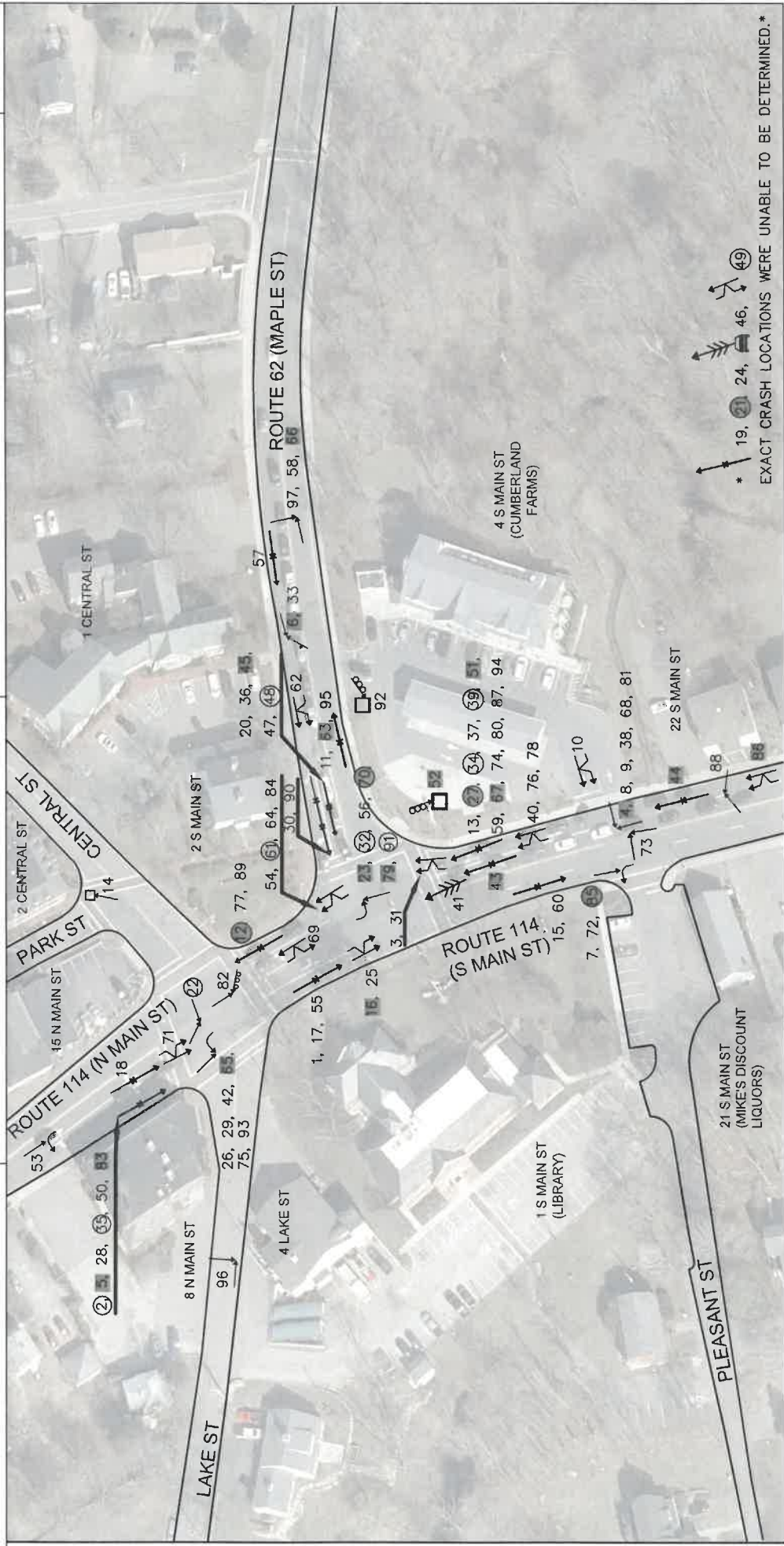
SOUTH MAIN STREET (ROUTE 114) AT MAPLE STREET (ROUTE 62) AND NORTH MAIN STREET (ROUTE 114) AT CENTRAL STREET AND LAKE STREET

TIME PERIOD ANALYZED: 2017-2021

SOURCE OF CRASH REPORTS: MIDDLETON POLICE DEPARTMENT, SUPPLEMENTED BY MASSDOT IMPACT PORTAL

DATE PREPARED: 07/24/2024

PREPARED BY: TOOLE DESIGN



Crash Data Summary Table: (2017-2021)

Crash Data Summary Table: (2017-2021)													
Town of Middleton: South Main Street (Route 114) at Central Street and Lake Street													
Crash Diagram #	Crash Date	Crash Day	Time of Day	Crash Severity	Manner of Collision	Light Condition	Weather Condition	Road Surface	Driver Contributing Code	D1 Age	D2 Age	D3 Age	Comment
1	1/5/2017	Thursday	10:50 AM	PDO	Rear-end	Daylight	Clear	Dry	Inattention	49	58	-	V2 was traveling southbound in the right lane of Route 114 when the operator stopped at a yellow traffic signal. V2 was also in the right travel lane of Route 114 when the operator was unable to stop in time and rear ended V1.
2	1/29/2017	Sunday	8:30 AM	NF	Rear-end	Daylight	Clear	Dry	Unknown	57	55	-	V1 was traveling southbound on Route 114 and crashed into the rear of V2 who was at a complete stop at the red light at the intersection of Route 114 and Lake St.
3	1/30/2017	Monday	11:40 AM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Made an improper turn	49	58	-	V1 traveling northbound on Route 114 made an improper right turn from the left lane of the roadway striking V2 on the left front.
4	2/17/2017	Friday	5:45 PM	PDO	Angle	Dark-lighted roadway	Clear	Dry	Unknown	17	27	-	V1 was turning right onto Route 114 from Cumberland Farms when it was struck by V2 who was traveling northbound on S Main St in the right lane.
5	2/18/2017	Saturday	5:30 PM	PDO	Rear-end	Dusk	Clear	Dry	No improper driving	46	36	-	Operator of V1 was traveling on Route 114 southbound when they rear ended V2 at the intersection of Route 114 and Lake St. Operator of V2 stated she was stopped at the red light when she was rear ended by V1.
6	2/21/2017	Tuesday	6:40 PM	PDO	Angle	Dark-lighted roadway	Clear	Dry	No improper driving	35	64	-	V1 traveling westbound on Route 62, Maple St when V3 waved V2 on to make left turn. While V2 was making left turn it struck V1.
7	3/9/2017	Thursday	11:25 AM	PDO	Angle	Daylight	Clear	Dry	Inattention	22	86	-	V1 was traveling southbound on Route 114 when V2 attempted to make a left turn from the northbound lane of Route 114 onto Pleasant St.
8	4/26/2017	Wednesday	6:17 AM	PDO	Angle	Dusk	Rain	Wet	Failed to yield right of way	29	41	-	V1 was traveling north on Route 114 when V2 attempted to exit the driveway of Cumberland Farms (4 S Main St) and struck the side of V1.
9	4/28/2017	Friday	10:35 AM	PDO	Angle	Daylight	Clear	Dry	Made an improper turn	49	86	32	V1, while traveling north on Route 114 was struck on the passenger side by V3 as it attempted to take a left turn out of the Cumberland Farms (4 S Main St). After V1 was struck it swerved and hit the driver's side rear of V2.
10	5/30/2017	Tuesday	5:37 PM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Failure to keep in proper lane or running off road	43	65	-	V1, attempting to turn right on Route 114 from Cumberland Farms parking lot, made contact with V2 also trying to turn right. V2 was on the passenger side of V1.
11	6/16/2017	Friday	3:16 PM	PDO	Rear-end	Daylight	Cloudy	Dry	Followed too closely	40	36	-	V1 rear ended V2 as traffic came to a stop while travelling east on Maple St approaching the Cumberland Farms driveway.
12	6/24/2017	Saturday	1:12 AM	NF	Rear-end	Dark-lighted roadway	Cloudy	Wet	Operating vehicle in erratic, reckless, careless, negligent, or aggressive manner	22	26	-	V1, traveling northbound on Route 114 approaching the Lake St intersection, had activated its right directional and started to pull off to the right side of the road in response to a rear-approaching emergency vehicle (police car), which had operating emergency lights and siren. V2, the vehicle the police car was attempting to stop, was operating at a high rate of speed and in an erratic manner when it tried to swerve around the right side of V1. In doing so, V2 crashed into the rear of V1.
13	7/17/2017	Monday	8:36 AM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	65	48	-	V1, travelling northbound on Route 114 approaching the intersection with Maple St, was stopping for traffic when V2 collided into the rear bumper of V1.
14	8/24/2017	Thursday	2:05 PM	PDO	Single Vehicle Crash	Daylight	Clear	Dry	Unknown	46		-	V1 was making a left turn from Central St onto Park St when the top of the truck came into contact with a tree limb. The contact caused the limb to break and land on an unoccupied truck in the area (V2). V2 was parked as the party in control of V2 was making a delivery in the area.

Crash Data Summary Table: (2017-2021)													
Town of Middleton: South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street													
Crash Diagram #	Crash Date	Crash Day	Time of Day	Crash Severity	Manner of Collision	Light Condition	Weather Condition	Road Surface	Driver Contributing Code	D1 Age	D2 Age	D3 Age	Comment
15	9/29/2017	Friday	6:53 AM	PDO	Rear-end	Daylight	Clear	Dry	Other improper action	44	44	-	Both V1 and V2 were traveling southbound on Route 114 just before the intersection of Route 114 and Pleasant St when V1 rear-ended V2.
16	10/6/2017	Friday	9:25 PM	PDO	Sideswipe, same direction	Dark-lighted roadway	Clear	Dry	Inattention	20	20	-	V2 was stopped at the red light on Route 114 at the intersection with Maple St. V1 was traveling southbound on Route 114 and the operator of V1 stated she did not have sufficient distance to stop safely and attempted to swerve around V2 causing her vehicle to side swipe V2.
17	10/8/2017	Sunday	11:07 AM	PDO	Rear-end	Daylight	Rain	Wet	No improper driving	41	24	-	V2, while traveling south on Route 114 approaching Maple St slid into the rear of V1 while attempting to stop at the intersection.
18	10/14/2017	Saturday	9:15 AM	PDO	Rear-end	Daylight	Rain	Wet	No improper driving	55	40	-	V1 was stopped at a red light on Route 114 southbound at the intersection with Lake St/Central St. V2 was slowing to a stop and struck V1 in the rear bumper.
19	10/14/2017	Saturday	4:28 PM	PDO	Rear-end	Daylight	Clear	Dry	Inattention	68	42	-	V1 rear ended V2. Location unable to be determined.
20	10/27/2017	Friday	9:20 AM	PDO	Rear-end	Daylight	Clear	Dry	No improper driving	56	54	-	V1 was stopped on Maple St at a red light. V2 was also traveling on Maple St and approached the red light. V2 thought V1 was moving but wasn't and struck V1 in the rear.
21	10/30/2017	Monday	7:08 PM	NF	Rear-end	Dark-lighted roadway	Clear	Dry	No improper driving	40	57	-	V1 slowed in traffic, and was rear-ended by V2. Location unable to be determined.
22	1/12/2018	Thursday	4:06 PM	NF	Angle	Daylight	Cloudy	Wet	Unknown	53	58	-	V1 entered the intersection of Route 114 and Central St traveling westbound on Central St. V1 struck V2 in the driverside rear door as they were traveling southbound on Route 114.
23	1/30/2018	Tuesday	9:36 PM	PDO	Angle	Dark-lighted roadway	Clear	Dry	No improper driving	16	Unk.	-	V1 was turning left onto Maple Street from Route 114 southbound. V2 was traveling north on Route 114 through the intersection of Maple St. V2 struck V1 in the front passenger side bumper. V2 fled the scene.
24	2/8/2018	Thursday	12:37 PM	PDO	Rear-end	Daylight	Clear	Sand, Mud, Dirt, Oil, Gravel	Unknown	49	61	-	V1 was stopped in traffic on Maple St eastbound at the intersection with Route 114 and was struck in the rear by V2. Location unable to be determined.
25	3/16/2018	Friday	6:15 AM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Failure to keep in proper lane or running off road	40	44	-	V2 was traveling straight ahead on Route 114 southbound in the right lane approaching the intersection with Maple St when V1 moved from the left lane into the right lane, striking V2.
26	3/20/2018	Friday	3:51 PM	PDO	Angle	Daylight	Rain	Wet	Unknown	25	37	-	V1 was traveling south on Route 114 through the intersection with Lake St/Central St. V2 was making a left turn from Route 114 northbound when both vehicles collided.
27	4/11/2018	Wednesday	11:13 PM	NF	Rear-end	Dark-lighted roadway	Clear	Dry	No improper driving	49	Unk.	-	V1 was stopped at a red light at the Maple St approach of the intersection with Route 114 when V2 rear ended V1. V2 drove off.
28	5/2/2018	Wednesday	6:42 AM	PDO	Rear-end	Daylight	Clear	Dry	Distracted	52	46	-	V1 was stopped at a red light on the Route 114 southbound approach to the Lake St intersection in the right lane. V2 bumped into the rear of V1.
29	5/2/2018	Wednesday	5:54 PM	PDO	Angle	Daylight	Clear	Dry	Failed to yield right of way	20	34	-	V1, traveling northbound on Route 114, was struck by V2, traveling southbound on Route 114, as V1 attempted to take a left turn onto Lake St.
30	6/4/2018	Monday	12:40 PM	PDO	Rear-end	Daylight	Rain	Wet	Inattention	34	17	31	V1 and V2 were both stopped in traffic on Maple St at the intersection with Route when V3, traveling west on Maple St, rear ended V2. The collision had enough force to push V2 into rear of V1. V3 stated that she started to accelerate after believing traffic began to move.
31	6/12/2018	Tuesday	10:00 AM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	No improper driving	42	37	-	V1 and V2 were both traveling northbound on Route 114 approaching Maple St when the vehicles struck each other at the intersection of S Main St (Route 114) and Maple St (Route 62).
32	6/24/2018	Sunday	9:30 AM	NF	Angle	Daylight	Cloudy	Dry	Unknown	31	63	-	V1 was traveling south on Route 114 towards Maple St. V2 was traveling north on Route 114. V2 was trying to make a left turn onto Maple St when both vehicles collided.
33	7/23/2018	Monday	9:20 AM	PDO	Angle	Daylight	Rain	Wet	No improper driving	31	21	-	V1, traveling east on Maple Street just east of Route 114, attempted to turn left into a parking lot was struck by V2 who was traveling west on Maple St.
34	7/31/2018	Tuesday	12:58 PM	NF	Rear-end	Daylight	Clear	Dry	No improper driving	56	33	-	V1 was slowing with traffic on Route 114 northbound approaching Maple St. V2 did not stop and struck V1 in rear.
35	8/13/2018	Monday	7:48 AM	NF	Rear-end	Daylight	Rain	Wet	Following too closely	43	56	-	V1 slowed and stopped for traffic on Route 114 southbound at the intersection of Lake St and Central St. V2 was unable to stop in time and rear ended V1.
36	8/23/2018	Thursday	10:35 AM	PDO	Rear-end	Daylight	Cloudy	Dry	Followed too closely	42	71	-	V1 was stopped at a red light on Maple St westbound at the intersection with Route 114. V2 did not stop in time and rear ended V1.
37	8/23/2018	Thursday	5:43 PM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	58	47	-	V1 was stopped at a red light on Route 114 northbound at the intersection with Maple St. V2 did not stop in time and rear ended V1.

Crash Data Summary Table: (2017-2021)													
Town of Middleton: South Main Street (Route 114) at Central Street and Lake Street													
Crash Diagram #	Crash Date	Crash Day	Time of Day	Crash Severity	Manner of Collision	Light Condition	Weather Condition	Road Surface	Driver Contributing Code	D1 Age	D2 Age	D3 Age	Comment
38	8/28/2018	Tuesday	7:45 AM	PDO	Angle	Daylight	Clear	Dry	Failed to yield right of way	39	25	25	V1 was exiting from 4 S Main Street, Cumberland Farms, struck rear trailer of V2 causing damage.
39	9/6/2018	Thursday	5:25 PM	NF	Rear-end	Daylight	Clear	Dry	Followed too closely	54	28	-	V2 struck V1 in rear end collision on Route 114 northbound at the intersection of Maple St.
40	9/11/2018	Tuesday	2:11 PM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Failure to keep in proper lane or running off road.	56	57	-	V1 was traveling straight on Route 114 north in the right lane approaching the Maple St intersection. V2 was also traveling straight on Route 114 north in left lane. V2 then swerved abruptly into the right lane, striking V1.
41	9/26/2018	Wednesday	8:15 AM	PDO	Sideswipe, opposite direction	Daylight	Clear	Dry	Inattention	57	42	-	V1 and V2 were both in right travel lane of Route 114 north approaching Maple St. A large vehicle was attempting to turn right on Maple St, which caused traffic to build up in the area. V2 entered the left travel lane of Route 114 in an attempt to maneuver around large truck. V2 then decided to back up into the right travel lane of Route 1 to the original spot. As V2 was backing up, contact was made between V1 and V2.
42	10/13/2018	Thursday	3:42 PM	PDO	Angle	Daylight	Clear	Dry	Failed to yield right of way	79	20	-	V1 was traveling south on Route 114 approaching Lake St and collided with V2 as V2 attempted to make left from Route 114 northbound to Lake St. Traffic had stopped on the inside lane of Route 114 south and V1 was traveling in the outside lane.
43	12/16/2018	Tuesday	6:00 PM	PDO	Rear-end	Dark-lighted roadway	Rain	Wet	No improper driving	45	28	-	V1 was operating on Route 114 northbound and was stopped at the intersection of Maple St at the traffic signal. V2 was traveling north on Route 114 and did not stop, striking V1 in rear bumper.
44	12/22/2018	Saturday	5:18 PM	PDO	Rear-end	Dark-lighted roadway	Clear	Dry	No improper driving	33	Unk.	-	V1 was rear ended by V2 as they were both traveling on Route 114 northbound approaching Maple St intersection.
45	12/28/2018	Friday	7:01 PM	PDO	Rear-end	Dark-lighted roadway	Rain	Wet	Followed too closely	39	26	-	V2 struck V1 in a rear end collision on Route 62 westbound at the intersection with Route 114.
46	1/9/2019	Wednesday	12:28 PM	PDO	Rear to rear	Daylight	Cloudy	Wet	No improper driving	51	Unk.	-	V1 was backing on the roadway and struck V2 parked on the side of the roadway. Location unable to be determined.
47	1/14/2019	Monday	8:25 AM	PDO	Rear-end	Daylight	Clear	Dry	Other improper action	33	67	-	V1 had been stopped in traffic on Maple St westbound. V2, who was in front of V1, rolled backwards and crashed into the front of V1.
48	1/16/2019	Wednesday	3:37 PM	NF	Rear-end	Daylight	Clear	Dry	No improper driving	20	28	-	V1 rear ended V2 on Maple St westbound approaching the intersection with Route 114.
49	2/26/2019	Tuesday	8:51 AM	NF	Sideswipe, opposite direction	Daylight	Clear	Dry	Unknown	64	32	-	V1 collided with V2 as V2 was exiting a driveway. Location unable to be determined.
50	3/20/2019	Wednesday	9:45 AM	PDO	Rear-end	Daylight	Clear	Dry	Inattention	66	56	-	V1 was slowing to a stop at a yellow light while in the right lane of Route 114 southbound at the intersection with Lake St when V2 was traveling in the right lane and was unable to stop in time. V2 then rear ended V1.
51	3/28/2019	Thursday	9:14 PM	PDO	Rear-end	Dark-lighted roadway	Clear	Dry	Distracted	46	41	38	V1 and V2 were stopped at a red light traveling north on Route 114 at the intersection with Maple St. V3 also traveling north was unable to stop, hitting V2 in the back which caused V2 to hit V1 in the rear.
52	4/18/2019	Thursday	11:58 PM	PDO	Single Vehicle Crash	Dark-lighted roadway	Rain	Wet	Failure to keep in proper lane or running off road	37	61	-	V1 was traveling south on Route 114 approaching Maple St when attempting to take a left turn, lost control and left roadway striking a utility pole and V2, a parked and unoccupied tractor trailer off loading fuel in the parking lot of Cumberland Farms.
53	5/11/2019	Saturday	4:03 PM	PDO	Angle	Daylight	Clear	Dry	Unknown	19	18	-	V1 took a left turn from Route 114 northbound, and crossed over into oncoming traffic before colliding with V2, who was traveling straight on Route 114 southbound.
54	5/21/2019	Tuesday	12:07 PM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Other improper action	21	61	-	V1 had been traveling northbound on Route 114 and V2 had pulled out to turn right from Maple St onto Route 114 and the 2 vehicles collided.
55	5/25/2019	Saturday	11:00 AM	PDO	Rear-end	Daylight	Clear	Dry	Inattention	51	18	-	V1 was slowing in traffic while in the right lane of Route 114 southbound approaching Maple St as V2 was also traveling in the right lane of Route 114 southbound and was unable to stop in time. V2 then rear ended V1.
56	5/26/2019	Sunday	6:34 PM	PDO	Angle	Daylight	Clear	Dry	Made an improper turn	19	53	-	V1 made improper turn from Route 114 southbound onto Maple St and was struck in the rear by V2 traveling on Route 114 northbound.
57	6/7/2019	Friday	3:53 PM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	50	16	-	V1 was stopped in traffic and was rear-ended by V2.
58	7/9/2019	Tuesday	1:54 PM	PDO	Angle	Daylight	Clear	Dry	No improper driving	49	35	-	V1 made a left turn from parking area heading east on Maple St. V2 was traveling straight ahead eastbound on Maple St.
59	8/20/2019	Tuesday	5:02 PM	PDO	Rear-end	Daylight	Clear	Dry	Unknown	28	46	-	V1 rear ended V2 in stop and go traffic on Route 114 northbound at the intersection with Maple St.
60	9/11/2019	Wednesday	9:43 AM	PDO	Rear-end	Daylight	Clear	Dry	Unknown	48	37	-	V1 was rear-ended by V2 while both vehicles were traveling southbound on Route 114 just after the intersection of Route 114 and Route 62.

Crash Data Summary Table: (2017-2021)

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Town of Middleton: South Main Street (Route 114) at Central Street and Lake Street													
Crash Diagram #	Crash Date	Crash Day	Time of Day	Crash Severity	Manner of Collision	Light Condition	Weather Condition	Road Surface	Driver Contributing Code	D1 Age	D2 Age	D3 Age	Comment
61	9/25/2019	Wednesday	12:03 PM	NF	Sideswipe, same direction	Daylight	Cloudy	Dry	Unknown	25	20	-	V1 was traveling northbound on Route 114. V2 was traveling eastbound attempting to make a left turn onto Maple St, when they struck V1.
62	11/21/2019	Thursday	5:31 PM	PDO	Sideswipe, same direction	Dark-lighted roadway	Clear	Dry	Other improper action	40	21	-	V1 was traveling westbound on Maple St. V2 was traveling westbound on Maple St. V2 struck V1 while executing right lane change.
63	11/27/2019	Wednesday	5:48 PM	PDO	Rear-end	Dark-lighted roadway	Rain	Wet	Inattention	42	38	-	V1 was slowing with traffic eastbound on Maple St just after the intersection with Route 114 when V2 made a right turn from Route 114 onto Maple St and was unable to stop in time. V2 then rear ended V1.
64	12/6/2019	Friday	4:00 PM	PDO	Sideswipe, same direction	Dusk	Snow	Wet	Failure to keep in proper lane, running off road	55	41	-	V2 was traveling northbound on Route 114 in the right lane approaching the intersection with Central St when V1, which was in the left of the two travel lanes, pulled to the right cutting off V2 and hitting it.
65	12/12/2019	Thursday	6:02 PM	PDO	Angle	Dark-lighted roadway	Clear	Dry	No improper driving	43	43	-	V1 was turning left from Route 114 northbound onto Lake St and was struck by V2 which was traveling southbound on Route 114.
66	12/13/2019	Friday	7:00 PM	PDO	Angle	Dark-lighted roadway	Rain	Wet	Unknown	40	53	-	V2 was attempting to take a left turn out of the driveway of 3 Maple St. onto Maple St. They collided with V1 as it was traveling westbound on Maple St.
67	12/21/2019	Saturday	11:53 PM	PDO	Rear-end	Dark-lighted roadway	Clear	Dry	Other improper action	22	36	-	V1 was stopped at the red light northbound on Route 114. V2 was also traveling northbound on Route 114 and did not stop for traffic in front of them. V2 struck V1 in the rear.
68	12/23/2019	Monday	10:57 AM	PDO	Angle	Daylight	Clear	Dry	Unknown	42	17	-	V1 was traveling northbound on Route 114 south of the intersection with Maple St. V2 was turning left on Route 114 south from the Cumberland Farms driveway. Vehicles collided in an angle crash.
69	12/26/2019	Thursday	5:10 PM	PDO	Sideswipe, opposite direction	Dark-lighted roadway	Clear	Dry	Unknown	41	61	-	Vehicles collided in an opposite direction sideswipe collision on Route 114 northbound approaching the intersection of Lake St/Central St.
70	1/18/2020	Saturday	5:54 PM	NF	Angle	Dusk	Snow	Snow	Unknown	19	17	-	V2 attempted to turn left onto Maple St eastbound from Route 114 southbound when V2 was struck by V1 who was traveling straight through the intersection on Route 114 northbound. V2 operator claimed a green arrow.
71	1/21/2020	Monday	8:55 AM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Unknown	40	36	-	V1 was sideswiped by V2 traveling southbound on M Main St (Route 114). V2 drifted into V1 lane while trying to make left turn.
72	1/22/2020	Tuesday	9:55 AM	PDO	Angle	Daylight	Clear	Dry	No improper driving	54	73	-	V1 was attempting to turn left onto Pleasant St from Route 144 northbound, and collided with V2 who was traveling straight on Route 114 southbound.
73	2/1/2020	Saturday	3:30 PM	PDO	Angle	Daylight	Clear	Dry	Made an improper turn	25	60	-	V1 attempted a left turn out of Mikes Discount Liquors (21 Main St) onto Route 114 northbound. V1 went across 3 lanes of travel and into the lane of travel of V2, where they collided.
74	2/19/2020	Wednesday	3:05 PM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	46	24	-	V1 was slowing on Route 114 northbound approaching the intersection with Maple St and was struck in the rear by V2.
75	6/9/2020	Tuesday	4:20 PM	PDO	Angle	Daylight	Clear	Dry	Unknown	20	47	-	V1 was turning left onto Lake Street from Route 114 northbound when V2, traveling straight on Route 114 south, struck V1 in the intersection.
76	7/25/2020	Saturday	1:51 PM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Unknown	19	26	-	V2 was turning right onto Route 114 northbound from Cumberland Farms and hit V1, who was traveling straight on Route 114 northbound.
77	8/22/2020	Saturday	11:40 AM	PDO	Rear-end	Daylight	Rain	Wet	No improper driving	20	30	-	V1 had stopped for a vehicle in front of her that was attempting to turn left onto Lake St from Route 114 northbound. V2 then crashed into the rear of V1.
78	9/7/2020	Monday	4:33 PM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Failure to keep in proper lane or running off road	31	22	-	V2 attempted to change lanes while traveling on Route 114 northbound in the vicinity of Cumberland Farms, and struck V1, who was traveling in the same direction, in a sideswipe crash.
79	9/18/2020	Friday	9:26 PM	PDO	Angle	Dark-lighted roadway	Clear	Dry	Failure to yield right of way	19	19	-	V2 attempted to turn left onto Maple St from Route 114 southbound, striking the front of V1 traveling northbound on Route 114. V2 believed the light was yellow when turning.
80	9/30/2020	Wednesday	7:29 AM	PDO	Rear-end	Daylight	Cloudy	Wet	No improper driving	21	44	-	V1 rear ended V2 while V2 was stopped at the red light on Route 114 northbound at the intersection with Maple St.
81	9/30/2020	Wednesday	4:14 PM	PDO	Angle	Daylight	Clear	Dry	Inattention	16	34	-	As V1 attempted to take a left turn from the Cumberland Farms at 4 S Main St into the southbound lane of Route 114, V1 struck the rear right of V2, who was traveling north on Route 114.
82	10/13/2020	Tuesday	8:07 AM	PDO	Angle	Daylight	Rain	Wet	Over-correcting/Over-steering	47	23	-	V1 was traveling southbound on Route 114 through the set of lights at Maple St at a slow rate of speed (5-10 MPH). V2 was taking a right turn out of Maple St onto Route 114 when V2 appeared to lose control of vehicle then striking the left front and left side of V1.

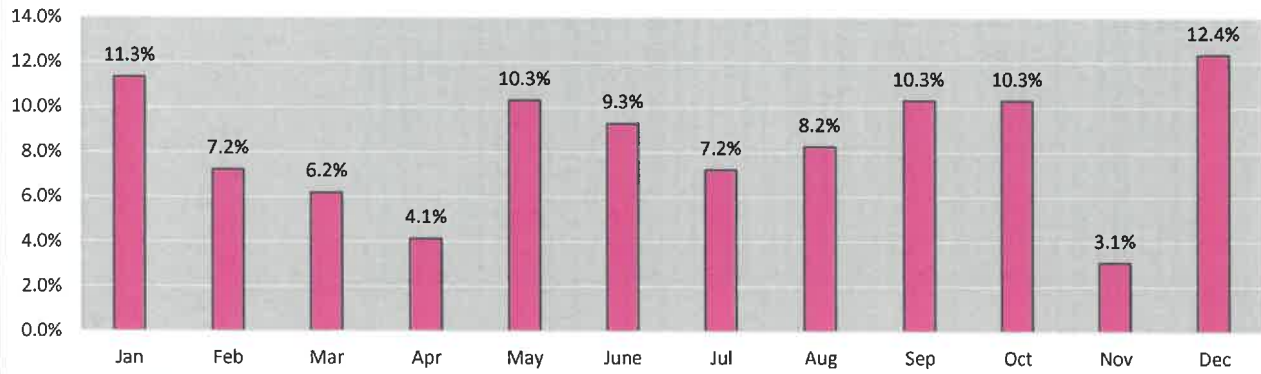
Crash Data Summary Table: (2017-2021)

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Town of Middleton: South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street													
Crash Diagram #	Crash Date	Crash Day	Time of Day	Crash Severity	Manner of Collision	Light Condition	Weather Condition	Road Surface	Driver Contributing Code	D1 Age	D2 Age	D3 Age	Comment
83	12/5/2020	Saturday	6:58 PM	PDO	Rear-end	Dark-lighted roadway	Sleet, hail, freezing rain	Wet	Followed too closely	22	Unk.	-	V1 called to report A past crash in the area of Route 114 at intersection of Lake and Central St. While traveling southbound on Route 114 approaching the intersection if Lake St/Central St, V2 rear ended V1.
84	12/24/2020	Thursday	11:43 AM	PDO	Sideswipe, same direction	Daylight	Clear	Dry	Unknown	37	18	-	V1 was in the left lane of travel on Route 114 northbound approaching Lake St/Central St while V2 was in the right lane of travel, when V2 hit the side mirror of V1.
85	3/9/2021	Tuesday	5:25 PM	NF	Angle	Dusk	Clear	Dry	No improper driving	17	36	-	V1 was traveling northbound on Route 114 and executed a left turn onto Pleasant St. V2 was traveling southbound on S Main St and struck the rear of V1 causing it to strike and knock down a stop sign at the intersection.
86	5/3/2021	Monday	8:45 PM	PDO	Sideswipe, same direction	Dark-lighted roadway	Rain	Wet	Failure to keep in proper lane, running off road	36	29	-	V1 was traveling northbound on Route 114 preparing for a right turn into Cumberland Farms. V2, also traveling northbound on Route 114, overtook V1 striking the left front fender.
87	5/19/2021	Wednesday	11:13 AM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	16	60	-	V1 was stopping in traffic for a red light on Route 114 heading northbound at the intersection with Maple St and was struck in the rear by V2.
88	5/29/2021	Saturday	11:06 AM	PDO	Angle	Daylight	Rain	Wet	Inattention	23	69	-	V1 was traveling northbound on Route 114 in the right lane. V2 was in the left lane, and took a right hand turn into 22 S Main St. The front end of V2 struck the front end of V1.
89	6/17/2021	Thursday	12:08 PM	PDO	Rear-end	Daylight	Clear	Dry	Disregard traffic sign/signal/markings	55	70	-	V1 and V2 made a right from Maple St westbound onto Route 114 northbound. V1 stopped at a red light on Route 114 at intersection with Central St. V2 did not stop in time and rear ended V1.
90	6/19/2021	Saturday	10:20 AM	PDO	Single Vehicle Crash	Daylight	Clear	Dry	No improper driving	87	87	81	V1 appeared to be rear-ended by vehicle that fled the scene. V1 rear-ended V2, who rear-ended V3.
91	7/5/2021	Monday	6:39 PM	NF	Angle	Daylight	Clear	Dry	Failed to yield right of way	16	41	-	V1 was traveling southbound on Route 114 and was slowly attempting to make a left turn onto Maple St while V2 was traveling northbound on Route 114 when the two vehicles collided. V2 stated she attempted to swerve but was unable to avoid collision as V1 attempted to turn. V2 stated she was slowing to allow passing traffic as she navigated the turn.
92	7/14/2021	Wednesday	9:30 AM	PDO	Single Vehicle Crash	Dark-lighted roadway	Rain	Wet	Unknown	35	-	-	V1 was cutting through the parking lot of 4 S Main St and lost control and hit large lamp post that was at 4 S Main St.
93	8/15/2021	Sunday	3:26 PM	PDO	Angle	Daylight	Clear	Dry	No improper driving	19	29	-	V1 turned left onto Lake St from Route 114 northbound, striking V2 traveling straight through the intersection on Route 114 southbound.
94	10/12/2021	Tuesday	2:00 PM	PDO	Rear-end	Daylight	Clear	Dry	No improper driving	76	-	-	V1 was stopped at a red light on Route 114 northbound at the Maple St intersection. V2 rear ended V1.
95	10/31/2021	Sunday	4:46 PM	PDO	Rear-end	Daylight	Clear	Dry	Followed too closely	35	40	-	V1 rear ended with V2 as V2 was slowing for stopped traffic on Maple St eastbound just past Route 114.
96	11/4/2021	Thursday	7:16 AM	PDO	Angle	Daylight	Clear	Dry	No improper driving	18	26	-	V1 stated she was traveling on Lake St eastbound towards Route 114 when V2 came out of a side lot and struck V1 by the rear driver side door. V2 stated she was not familiar with the area and did not know the road continued on her right.
97	12/31/2021	Friday	3:54 PM	PDO	Angle	Daylight	Cloudy	Dry	Visibility obstructed	17	64	-	V1 attempted to turn left out of the parking lot of 6 Maple St, and couldn't see because of stopped traffic. V1 collided with V2, who was traveling eastbound on Route 62, while trying to make the left turn.

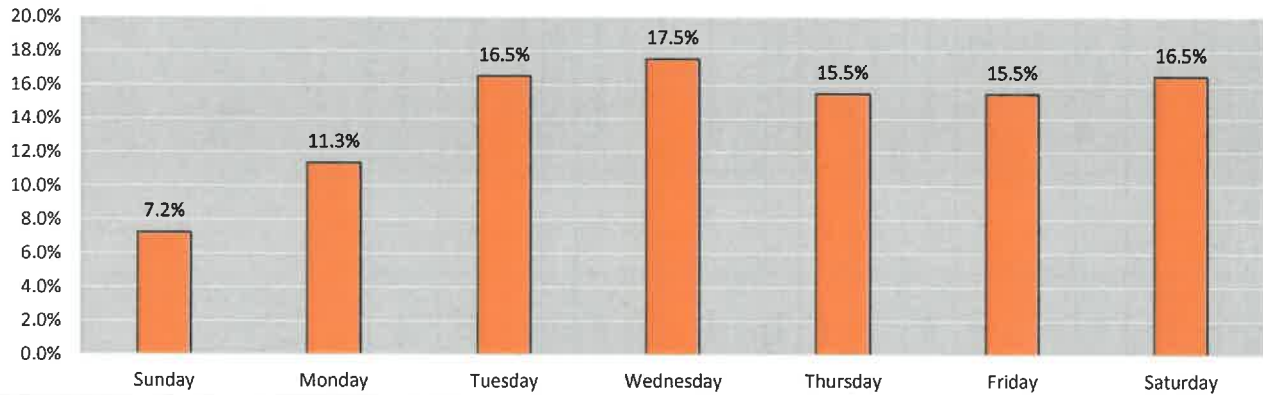
Crash Data Summary Table: (2017-2021)

Town of Middleton: South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street

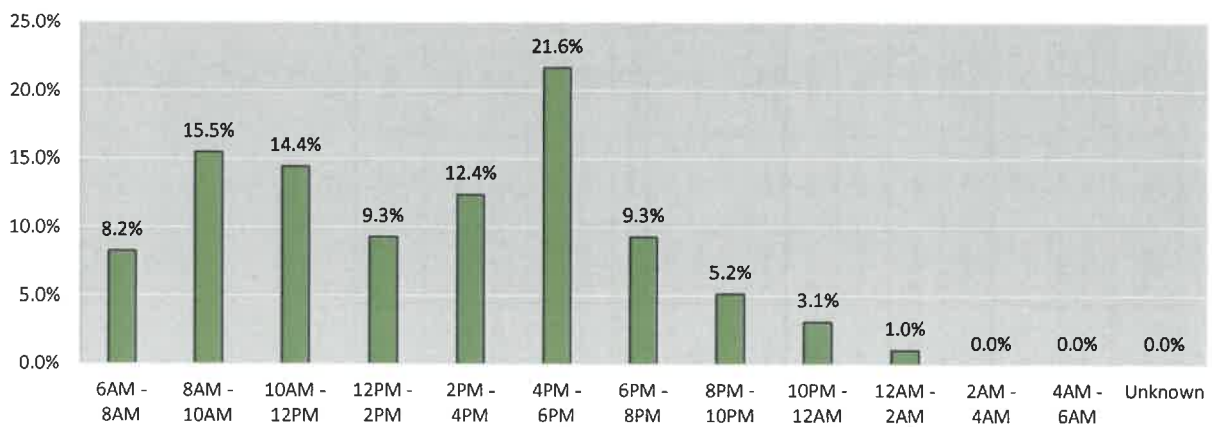
CRASH MONTH



CRASH DAY OF THE WEEK



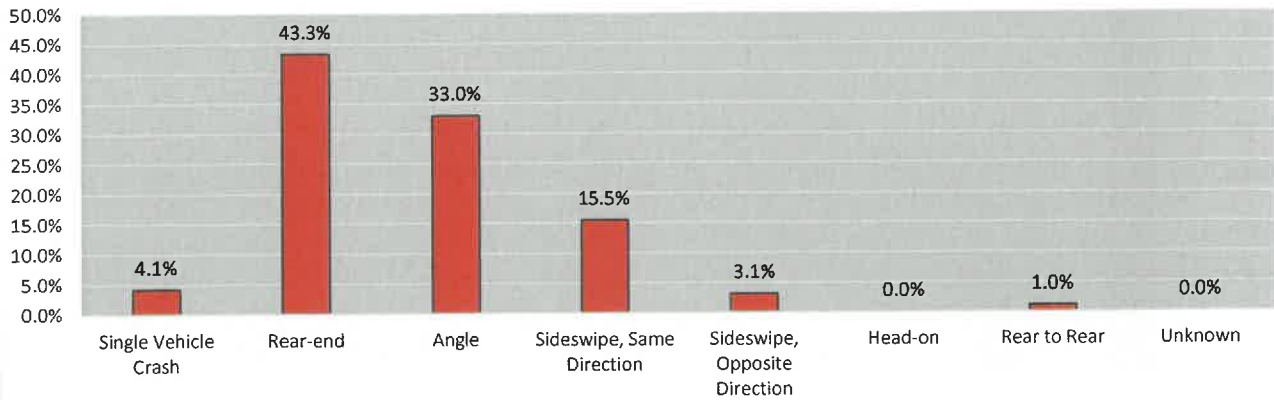
CRASH TIME OF DAY



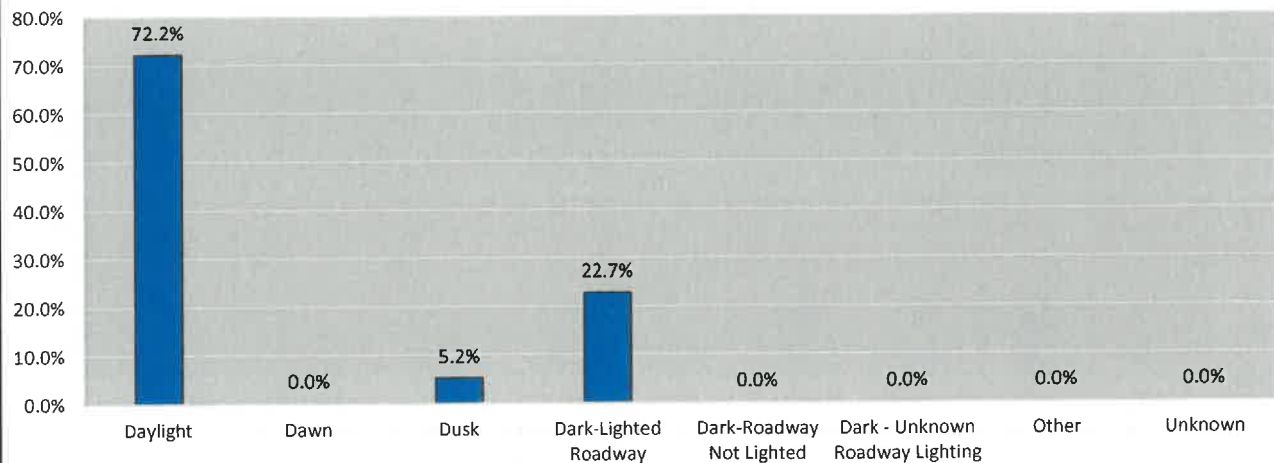
Crash Data Summary Table: (2017-2021)

Town of Middleton: South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street

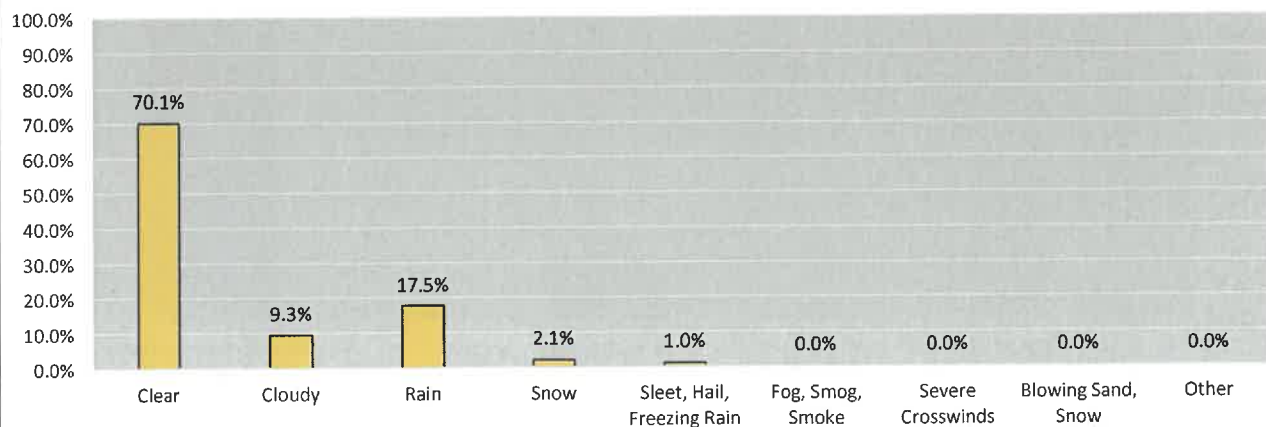
CRASH MANNER OF COLLISION



CRASH LIGHT CONDITION



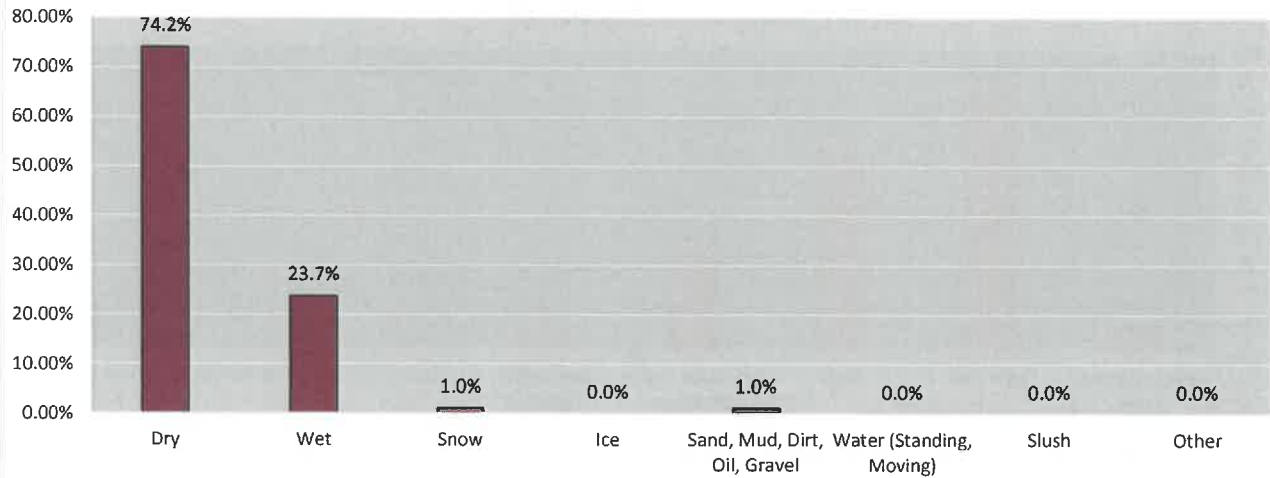
CRASH WEATHER CONDITION



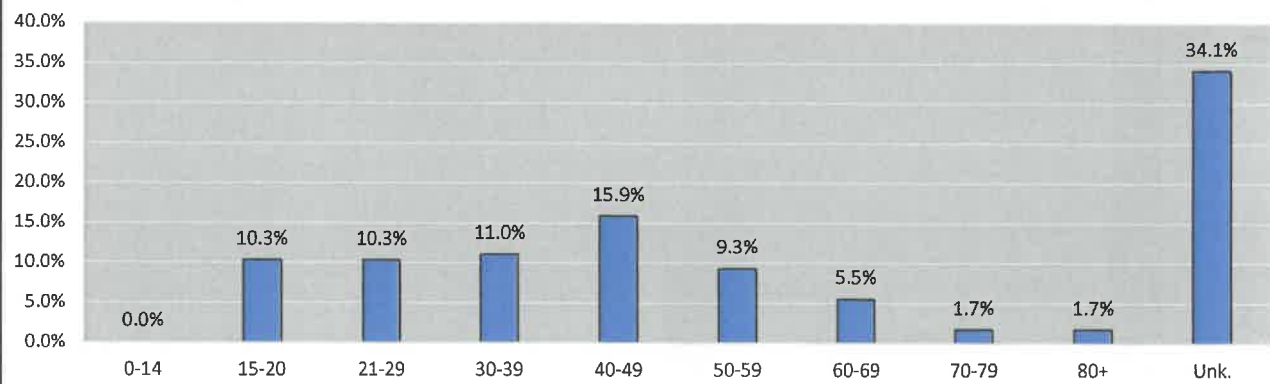
Crash Data Summary Table: (2017-2021)

Town of Middleton: South Main Street (Route 114) at Maple Street (Route 62) and North Main Street (Route 114) at Central Street and Lake Street

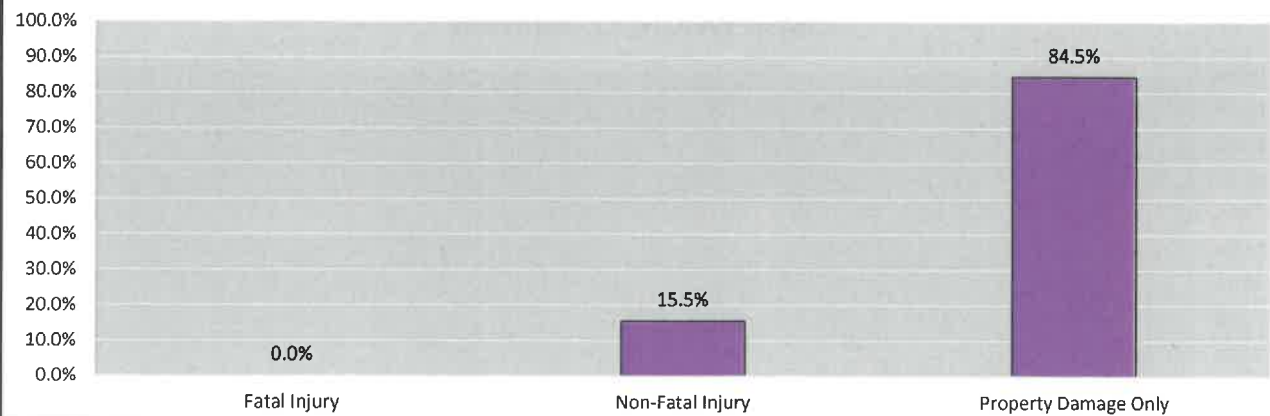
CRASH ROADWAY SURFACE



CRASH DRIVER AGE



MAXIMUM CRASH INJURY SEVERITY



Appendix E. Road Safety Audit References

Road Safety Audit References

FHWA Office of Safety - Proven Safety Countermeasures, U.S. Department of Transportation, Federal Highway Administration <https://safety.fhwa.dot.gov/provencountermeasures/>.

Road Safety Audits, A Synthesis of Highway Practice. NCHRP Synthesis 336. Transportation Research Board, National Cooperative Highway Research Program, 2004.

Road Safety Audits. U.S. Department of Transportation, Federal Highway Administration, <https://safety.fhwa.dot.gov/rsa/>

FHWA Road Safety Audit Guidelines. U.S. Department of Transportation, Federal Highway Administration, 2006.

Road Safety Audit, 2nd edition. Austroads, 2000.

Road Safety Audits. ITE Technical Council Committee 4S-7. Institute of Transportation Engineers, February 1995.



On December 12, 2024, Middleton will hold a Special Town Meeting at Howe-Manning School. One of the warrant articles is a Citizens Petition put forth to re- vote the MBTA Communities Act/3A. This issue was discussed and voted on at the May Town Meeting and was voted down (NO 161/YES 101).

SUMMARY: What is the MBTA COMMUNITIES ACT/3A?

Source:

<https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>

The MBTA Communities Act/3A was passed in January 2021. The Healy Administration created the EOHLC (Executive Office of Housing and Livable Communities) to regulate and enforce compliance across 177 communities. Middleton is an “MBTA adjacent community”, meaning it must comply with the MBTA Communities Act/3A, to allow multi-family housing:

- **Minimum multifamily unit capacity:** 750 units
- **Minimum land area:** 50 acres
- **Minimum density:** 15%
- **No affordability requirement**
- **No age restrictions:** Suitable for families with children
- The Planning Board held public meetings in November 2023, January 2024, and March 2024 to develop a plan that meets the requirements while minimizing impact on traffic and the rural feel of Middleton. Residents attended Town Meeting in May 2024 and talked openly about the potential loss of grant funding if a NO vote was taken. Failure to comply with the MBTA Communities law will result in loss of future grant funding. That evening, the residents voted NO, thereby rejecting the zoning changes that the state is demanding. The Town Administrator applied for a Mass Works Grant in May 2024 after the Town Meeting and the application was approved. The Town is eligible to receive \$2M to address traffic flow on state highway 114. In order to accept the money, the town must comply with the MBTA/3A Law and re-vote the issue.

WHAT YOUR VOTE WILL DO

A **NO VOTE** would make no changes to the current zoning and would give the Town protection against a developer building hundreds of apartment units that could create a strain on our police and fire departments, our natural resources, our traffic and especially the heart of Middleton- our schools. The Middleton Public school system has always prioritized small class sizes and a small school community “feel”. If a developer were to build hundreds of units with no restriction on occupancy, our schools and classrooms could be overwhelmed. Proponents of the development say that the overlay will “never be developed”. The verbiage on the EOHLC website states that “EOHLC may rescind a determination of district compliance or require changes to the District to remain in compliance as per Section 10” (Source: <https://www.mass.gov/doc/mbta-communities-district-compliance-letters/download>). The guidelines could continue to move until every city and town builds apartments and multi-family housing.

* Document may include inaccuracies

A YES VOTE would make changes to the current zoning, and as a byproduct of that vote, accept the \$2M Mass Works Grant. It would give the state of Massachusetts control over the overlay and allow them to “establish a system to monitor compliance over time to ensure that approved districts allow multi-family housing in accordance with the criteria under which they were approved”. (Source:

<https://www.mass.gov/doc/mbta-communities-district-compliance-letters/download>)

Please read more about the MBTA/3A Law and plan to attend the Special Town Meeting on December 12th.

9

Town of Middleton Massachusetts



SPECIAL TOWN MEETING

Thursday, December 12, 2024

7:00 pm

Howe Manning School Gymnasium
26 Central Street, Middleton, MA

**DECEMBER 12, 2024 SPECIAL TOWN MEETING
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Dedication

Thank you to the members of the Middleton Fire Department led by
Chief Douglas K. LeColst
for their tireless efforts during the 2024 brush fires and commitment to the Town's safety.

Middleton Fire Department

Chief Douglas K. LeColst
Captain Tyler Dechene
Lt. Thomas Leary
Lt. Daniel Kessel
Lt. Peter Beuparlant, M.D.

Firefighters
Zachary Ingraham
Nicholas LeColst
Michael Schroeder
John Sossei
Timothy Sousa
David Thibault Jr.
Alexander Walsh
Reid Warnock
Ryley Warnock

Administrative Assistant
Kristi Bialecki

Chief Frank Twiss, Retired

Call Firefighters
Patrick Carritte
Sean Carritte
Blayke Courtemanche
Steven DeBay

Call Firefighters
Nathaniel Dimeco
Riley Gerrior
Mark Hannon
Jonathan Judge
Michael LeBlanc
Michael Madruga
Sean Merrigan
Brian Nash
Justin Nigrelli
Robert O'Leary
William O'Neil
Joseph Oesterle
Denis Ring
Ryan Santos
James Schwab
Cameron Smith
Kristoffer Stokes
Jason Tannian
Gregory Vendetti
William Warnock
Vincent Zarella

Middleton Select Board

Richard W. Kassiotis, Jr., Chair
Deborah J. Carbone, Clerk
Brian M. Cresta

Jeffrey P. Garber
Kosta E. Prentakis

Justin Sultzbach, Town Administrator

Jackie Bresnahan, Assistant Town Administrator/Human Resources Director



**TOWN OF MIDDLETON
SPECIAL TOWN MEETING
COMMONWEALTH OF MASSACHUSETTS
DECEMBER 12, 2024**

ESSEX s.s.

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

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs, to meet at the Howe Manning School Gymnasium, 26 Central Street, on Thursday, December 12th, 2024 at 7:00PM, then and there to act on the following articles:

ARTICLE 1. Accessory Dwelling Unit (“ADU”) Zoning Bylaw

On petition of the Middleton Planning Board to see if the Town will vote to amend its zoning bylaws with respect to Accessory Dwelling Units, by adding the following language:

7.5 ACCESSORY DWELLING UNITS

7.5.1 Definition. An Accessory Dwelling Unit (“ADU”) is an attached or detached Dwelling Unit that is accessory to a principal single-family Dwelling Unit and is otherwise defined in accordance with the provisions of G.L. c. 40A, §1A, as may be amended.

7.5.2 Use Schedule.

1. ADUs are allowed as a matter of right in the R-1a, R-1b, RA, and R-2 Zoning Districts, subject to the requirements of this Section. ADUs are prohibited in all other districts.
2. Only one ADU is allowed as a matter of right on any property.
3. ADUs may not be used as Short-Term Rentals, as such term is defined in G.L. c. 64G, §1 or otherwise rented for a period shorter than thirty-one (31) days.

7.5.3 Dimensional Requirements.

1. An ADU may be no larger in gross floor area than one half of the gross floor area of the principal Dwelling Unit on the property or 900 square feet, whichever is less.
2. ADUs shall comply with any and all lot area, frontage, setback, height, lot width and lot coverage requirements, as may be applicable to single family homes, as contained in Attachment 1 – Table of Dimensional Requirements of this Zoning Bylaw.
 - a. Single Family Dwellings and ADU's in the R2 District are to comply with the dimensional controls for the R1b District.
 - b. Conversions of existing non-residential accessory structures to ADUs are permitted provided that the existing accessory structure complies with the above-described dimensional requirements.
3. ADUs are limited to a maximum of two stories.
4. ADUs shall be designed and constructed so that no portion thereof shall be closer to the front lot line than the primary dwelling.

7.5.4 Parking.

1. At least one (1) off-street parking space must be provided for all ADUs. Parking may be in a driveway or a garage but the parking space may not be a tandem space with a parking space for the primary single-family structure.
2. The construction of a new garage to serve an ADU shall require a Special Permit from the Board of Appeals.

7.5.5 Site Plan Approval. All ADUs are required to obtain Site Plan Approval from the Board of Appeals pursuant to the procedures in Section 9.5 of this Zoning Bylaw, provided that the Site Plan Review criteria shall be limited to the following:

1. The ADU should minimize tree, vegetation and soil removal and grade changes.
2. Architectural style should be compatible with the existing principal dwelling on the subject property.

3. The ADU shall be serviced with adequate water supply and sewer or septic service.
4. The Plan shall demonstrate adequate parking, as required hereunder and shall maximize convenience and safety for vehicular and pedestrian movement within the property and in relation to adjacent ways.

The Board of Appeals may request reasonable plan modifications of the Site Plan for an ADU and may impose reasonable conditions that are not inconsistent with this bylaw or the provisions of G.L. c. 40A, §3.

7.5.6 Relationship to non-conformities. If an ADU is proposed for a pre-existing, non-conforming single-family primary residence, the requirements of Sections 3.3.4 and 3.3.5 of this Zoning Bylaw shall apply provided that no special permit may consider the ADU use or impose conditions on such use.

And to amend Attachment 2 – Table of Use Regulations of the Zoning Bylaws by adding a new row for Accessory Dwelling Unit under Accessory Uses, noting that that the use is allowed (Y) in the R-1a, R1b, RA, & R-2 Districts but also adding a footnote that states “See Section 7.5 for additional requirements for Accessory Dwelling Units.”

Or take any action relative thereto.

Purpose: The Affordable Homes Act was signed into law on August 6th, 2024. One provision of this law allows for Accessory Dwelling Units (ADUs) by right throughout the Commonwealth. The law goes into effect on February 2nd of 2025. Should a municipality not have an ADU section in its existing bylaws (Such as Middleton), the state version stands without any guidelines from the municipality. The Planning Board has put forth this ADU Zoning Bylaw to control the permitting of ADUs in Middleton to the extent allowable by law.

Simple Majority required.

ARTICLE 2. Citizens Petition: MBTA Zoning

On petition of 200 or more registered voters, to see if the Town will vote to amend the Middleton Zoning Bylaw and map by adding Section 8.8 "MBTA Communities Multifamily Overlay District," modify Section 2.2 Overlay Districts, modify Section 9.5 "Site Plan Review," modify Section 10. "Definitions," and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton; with said changes outlined and attached to the warrant, and on file with the Town Clerk; or take any other action relative thereto.

Simple Majority required.

END OF SPECIAL TOWN MEETING WARRANT

TO THE TOWN CONSTABLE:

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

Memorial Hall
Post Office

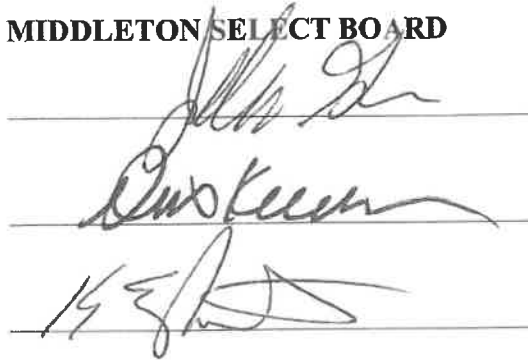
Flint Public Library
Howe's Station Market

Ferncroft Towers
Fuller Pond Village

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

Given under our hands this 19th day of November in the year Two Thousand Twenty-Four.

MIDDLETON SELECT BOARD





A true copy Attest:

Constable of the Town of Middleton

Date Posted

EXHIBIT A

Article

On petition of the Citizens of Middleton to see if the Town will vote to amend the Middleton Zoning Bylaw and map by adding Section 8.8 “Allow Multifamily Dwellings,” modify Section 2.2 Overlay Districts, modify Section 9.5 “Site Plan Review,” modify Section 10. “Definitions,” and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton:

Article C: Allow Multifamily Dwellings

Modify Section 2.2 Overlay Districts, as follows:

Add “**MBTA Communities Multi-family Overlay District (MCMOD)**” to the list of Overlay Districts.

Add new Section 8.8 MBTA Communities Multifamily Overlay District

8.8.1. Purpose

1. The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:
 - a. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
 - b. Preserve open space in the community by locating new housing within or adjacent to existing developed areas and infrastructure.
 - c. Increase the municipal tax base through private investment in new residential developments.

8.8.2. Establishment and Applicability

1. **Overlay District.** This MCMOD is an overlay district that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.
2. **Applicability of MCMOD.** An applicant may develop multi-family housing located within the MCMOD in accordance with the provisions of this Section 8.8.
3. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of this Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right as specified under this section 8.8. Uses that are not identified in this Section 8.8 are governed by the requirements of the underlying zoning district(s).
4. **Location.** The MCMOD contains the following parcels: Map 21, Parcels 4, 5, 7, 12, 12A, 14, and 15.

EXHIBIT A

8.8.3 Permitted Uses

1. **Uses Permitted As of Right.** The following uses are permitted as of right within the MCMOD.
 - a. Multi-family housing, as defined in Section 10. This use may included one or more of the following building types defined in Section 10 of the Bylaw: Duplex Dwelling Unit (minimum of two such units per lot), Multifamily Dwelling, Garden Apartment, Mid-Rise Apartment, or High-Rise Apartment.
2. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section 8.3.1.
 - a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

8.8.4 Dimensional Standards

1. **Table of Dimensional Requirements.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the MCMOD are as follows:

Dimensional Standard	
Minimum Area (square feet)	160,000
Minimum frontage (feet)	400
Minimum Lot Width (feet)	400
Minimum Front Setback (feet)	50
Minimum Side Yard (feet)	50
Minimum Rear Yard (feet)	50
Lot coverage by buildings (%)	35
Minimum Open Space (%)	50
Minimum Building Height (feet)	35
Maximum Building Height (stories)	3
Lot Area per Dwelling Unit (square feet)	2,500

2. **Multi-Building Lots.** In the MCMOD, lots may have more than one principal building.
3. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.

EXHIBIT A

4. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority may waive the height and setbacks in Section 8.8.5 Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

8.8.5. Off-Street Parking

1. All requirements of Section 5.1 in this Bylaw apply except that 1.5 spaces per dwelling unit are required for a Residential Dwelling Unit within the MCMOD.
2. Parking spaces shall be permitted either as surface parking or within garages or other structures.
3. One bicycle parking space shall be provided for each unit.
4. For a multi-family dwelling development of 25 units or more, covered bicycle parking spaces shall be provided for twenty-five percent of the required spaces.

8.8.6. General Development Standards

1. Development standards in the MCMOD are applicable to all multi-family development in a MCMOD Overlay District. These standards are components of the MCMOD Site Plan Review process in Section 8.8.7. Site Plan Review.
2. Site Design.
 - a. **Connections.** Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
 - b. **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
 - c. **Open Space Land.** Open Space Land as defined in Section 10 of this Bylaw shall be contiguous undeveloped land and, where feasible, connected to Open Space Land in adjacent lots.
 - d. **Screening for Parking.** Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than 6 (six) feet in width. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.
 - e. **Parking Materials.** The parking surface may be concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.
 - f. **Plantings.** Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.

EXHIBIT A

- g. **Lighting.** Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.
 - h. **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
 - i. **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
 - j. **Stormwater Management.** Strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Middleton's Stormwater Permit, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.
 - k. **Noise.** The proposed development shall not unreasonably interfere with the reasonable use and enjoyment of property within the Town as a result of the generation of noise. Practices and systems shall reduce noise pollution in order to preserve and enhance the natural and aesthetic qualities of the Town; preserve property values; and preserve neighborhood character.
3. **Buildings: General.**
- a. **Position relative to principal street.** The primary building shall have its principal façade and entrance facing the principal street or principal common driveway. See also Section 8.8.6. Buildings: Corner Lots.
 - b. **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
4. **Buildings: Multiple buildings on a lot.**
- a. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
 - b. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
 - c. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.

EXHIBIT A

- d. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.
 - 5. **Buildings: Shared Outdoor Space.** Multi-family housing shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement, as defined in Section 8.8.4.
 - 6. **Buildings: Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
 - a. Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - c. Fire exits serving more than one story shall not be located on either of the street-facing façades.
 - 7. **Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.
 - a. **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
 - b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
 - c. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.
 - 8. **Waivers.** Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this Section 8.8.7. General Development Standards, in the interests of general safety, design flexibility, and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.
- 8.8.7. Site Plan Review
- 1. **Applicability.** Site Plan Review under Section 9.5 of the Middleton zoning bylaw is required for all projects within the MCMOD. An application for Site Plan Review shall be reviewed by the Zoning Board of Appeals for consistency with the purpose and intent of Sections 8.8.3 through 8.8.7 and Section 9.5.11
 - 2. **Submission Requirements.** As part of any application for Site Plan Review for a project within the MCMOD submitted under Sections 8.8.4 through 8.8.7, the Applicant must meet the

EXHIBIT A

requirements of this section and Section 9.5 Site Plan Review of this Bylaw and the requirements contained in the Zoning Board of Appeals Rules.

3. **Site Plan Approval.** Site Plan approval for uses listed in Section 8.8.3 Permitted Uses shall be granted upon determination by the Zoning Board of Appeals that the following conditions have been satisfied. The Zoning Board of Appeals may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied.
 - a. The Applicant has submitted the required fees and information as set forth in the Town of Middleton's requirements for a Building Permit and Site Plan Review; and
 - b. The project as described in the application meets the development standards set forth in Section 8.8.6. General Development Standards and the objectives under Section 9.5.11.
4. **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase.

Severability.

If any provision of this Section 8.8 is found to be invalid by a court of competent jurisdiction, the remainder of Section 8.8 shall not be affected but shall remain in full force. The invalidity of any provision of this Section 8.8 shall not affect the validity of the remainder of the Town of Middleton's Zoning Bylaw.

Modify Section 9.5 Site Plan Review, as follows

Add the following to Section 9.5.2 Applicability.

9.5.2. Applicability. The following types of activities and uses require site plan review by the Zoning Board of Appeals:

1. Garden apartments in a residence district;
2. Any new buildings or structures in a Business District, Light Industrial District, Institutional Overlay District, or Interstate Highway Business District;
3. An addition to or alteration of an existing building for commercial use-;
4. **Multifamily Dwellings under Section 8.8; or**

Modify Section 10.0 Definitions, as follows:

Add the following definitions to Section 10.0 Definitions:

APPLICANT – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

EXHIBIT A

AS-OF-RIGHT – Development that may proceed under a zoning ordinance or by-law without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

PARKING, SURFACE — One or more parking spaces without a built structure above the space.

PARKING, STRUCTURED — A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Replace the existing definition of Multifamily Dwelling with the following new definition:

MULTIFAMILY DWELLING— A building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

Replace the existing definition of Dwelling Unit with the following new definition:

RESIDENTIAL DWELLING UNIT– A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Background Information:

This article would bring the Town of Middleton into compliance with Section 3A of Massachusetts General Laws Chapter 40A. This law is commonly referred to as the MBTA Communities Act. Middleton qualifies as an Adjacent Community as defined by the Compliance Guidelines, which were distributed by the Executive Office of Housing and Livable Communities (EOHLC) to provide guidance on how to comply with the law. In addition to the Compliance Guidelines, EOHLC provided two major tools to help communities comply: the Compliance Model and the Sample Zoning.

As an Adjacent Community, the Town of Middleton must pass zoning that is compliant with the law by December 31, 2024. The Town is required to zone a minimum of 50 acres for multifamily housing as-of-right. The calculated unit capacity of the zoning district must be a minimum of 750 units. The Compliance Model is used to determine whether the Town of Middleton meets the minimum requirements and to test zoning options to bring the Town into compliance. The Town held a public forum in November 2023 to discuss geographic options for potential districts and held a second public forum on January 30, 2024 to discuss options for compliance. Finally, the Planning Board held a public hearing on March 11, 2024 to hear public opinion and make a final decision on the area to be zoned under this overlay..

The Town already allows multifamily by Special Permit in the R-2 District. The requirement for a special permit means that this district does not comply with Section 3A's requirement for as-of-right multifamily zoning.

This article rezones portions of the IH or Interstate Highway Business district and an adjacent parcel belonging to the Housing Authority which is in the Residence (40,000) District. This proposed overlay district captures existing multifamily development at three sites within the IH district.

EXHIBIT A

Ferncroft Towers is a condominium tower and is in one of the few areas within town that has access to sewer, rather than septic (through the South Essex Sewer District). Ferncroft Towers is currently zoned IH or Interstate Highway Business. According to ResiDensity, this site has 177 units on 4.87 acres, and thus a density of 36.37 units per acre; well over the required minimum density of 15 units per acre.

Adjacent to that parcel are the two towers of Ironwood on the Green, with 204 units on 7.82 acres and a density of 26.10 units per acre. The third parcel along Village Road is the Villas at Ironwood on the Green, with 30 townhouses on 5.84 acres for a total density of 5.13 units per acre. While this is below the required density, the three parcels together have an existing 411 units on 18.53 acres for a total density of just over 22 units per acre. Two other sites in the proposed overlay have multi-family housing now: the condominiums on Calloway Drive (8 units on 3.98 acres for a total density of 2.01 units per acre) and the Housing Authority site (12 units on 2.94 acres for a total density of 4.08 units per acre).

The final two sites are non-residential with active uses: the portion of the Doubletree Danvers that is within Middleton and the office building at 35 Village Road.

Exhibit B





Town of Middleton

Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-777-3617

www.middletonma.gov

TOWN OF MIDDLETON TALENT BANK APPLICATION

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

Name: _____ Telephone: _____

Address: _____ Cell phone: _____

Email Address: _____

Occupation: _____

Background Experience: _____

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

_____ Board of Health	_____ Recreation Commission
_____ Council on Aging	_____ Historical Commission
_____ Finance Committee	_____ Planning Board
_____ Zoning Board of Appeals	_____ Industrial Commercial Development Review Committee
_____ Conservation Commission	_____ Zoning Bylaw Review Committee
_____ Cultural Council	_____ Other: _____
_____ Other: _____	_____ Other: _____

Amount of Time Available: _____

Are you available year round for committee meetings? Yes _____ No _____

If not, when are you available?

_____ Winter _____ Spring _____ Summer _____ Autumn

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

Signature

Date

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



**Town of Middleton
48 South Main Street
Middleton, MA 01949**

**TOWN OF MIDDLETON
PRIORITIES AND GOALS
FY2025-2027**

**ADOPTED BY THE SELECT BOARD
NOVEMBER 19TH, 2024**

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.

Period of Performance: FY25-26

Milestones:

- **FY25: Construction, site work. Creation of centralized maintenance oversight for town-owned properties.**
- **FY25-26: Coordination of move-in, project close-out.**

2. Implement long view planning initiatives via Planning Board meetings and the Town website. Utilize these studies to link and leverage grant funding.

Period of Performance: FY25-27

Milestones:

- **FY25: Rt. 114 Northern Corridor Study**
- **FY26: Middleton Square/Town Center Study**
- **FY27: Kick Off Master Plan Review Process**

3. Conduct a Town-Wide Fee Study.

Period of Performance: FY24-27

Milestones:

- **FY25: Continue fee study; recommend changes for Select Board adoption**
- **FY26: Implement findings into FY26 budget**

4. Develop information technology with additional projects through the Regional IT Collaborative and newly funded IT position.

Period of Performance: FY24-27

Milestones:

- **FY25-26: Connect to regional fiber network, continue to migrate away from paper records**
- **FY26: Deliver an IT system for the new Public Safety and Town Hall buildings that will communicate with the rest of the Town network.**

5. Increase recruitment strategies for volunteers and committees.

Period of Performance: FY25-27

Milestones:

- **FY25-27: Promote vacancies using multiple means**
- **FY25-27: Build pipeline of engaged and knowledgeable volunteers and link their experience with pertinent boards and committees.**
- **FY25: Develop and hold citizen academy**

6. Compile complete list of Town Owned properties. Examine paths forward to surplus, develop, or preserve where appropriate.

Period of Performance: FY25-FY27

- **FY25: Update and compile complete list. Development action plan for each property. Implement action plan for each property**
- **FY25: Continue conditions assessments for existing properties and identify funding to repair/maintain properties. Fund and hire dedicated maintenance professional. Upgrade to more energy efficient systems where appropriate.**

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

Period of Performance: FY25-FY27

- **FY25-27: Coordinate with MassDOT to identify opportunities to link traffic remediation with potential development.**
- **FY25-27: Implement action plan where appropriate.**
- **FY25: Begin Design phase for redesign of Rt.114 & Rt.62 intersection.**
- **FY26: Bid/Construction phase for redesign of Rt.114 & Rt.62 intersection.**

8. Renew focus on employee engagement, satisfaction, and appreciation for recruitment and retention

Period of Performance: FY25-FY27

- **FY25: Continue with periodic, systematic review of salary surveys in relation to compensation in peer communities.**
- **FY25: Prioritize employee health and wellness as part of staff trainings.**
- **FY25: Continue where budgeting allows the progress towards increasing the Town contribution to health care split up to 70/30.**
- **FY25: Distribute a quarterly employee newsletter.**

9. Overall communications strategies

Period of Performance: FY25-FY27

- Continue pre town meeting
- Increase public and internal communications with boards and committees.
- Continue Department Head updates on a regular basis.
- Host Town Administrator coffee hours on a quarterly basis.
- Produce quarterly Town Administrator update videos.
- Develop a monthly digital Town Administrator newsletter.

10. Long Term Planning

Period of Performance: FY25-FY27

- Develop and present a long-term plan (beyond goals) mapping out the next 5-10 years in Middleton. Update on an annual basis and present at the start of each Fiscal Year.



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

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November 5, 2024

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

Re: Middleton Food Bank Donation

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

Thank you,

Jillian Smith

Jillian Smith
COA Director

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

Date: 10/21/24

Name: Institution for Savings charitable Foundation, Inc

Donation: \$5,000.00

Check Number 4747

This donor would like to remain anonymous

Yes

xx No

