

Town of Middleton Massachusetts



SPECIAL TOWN MEETING

Tuesday, October 17, 2023

**Howe Manning School Gymnasium
26 Central Street, Middleton, MA**

DEDICATIONS

Retirements

David Ogden – Middleton Electric Light Department – over 34 years of service
Ken Rollins – Middleton Electric Light Department – over 32 years of service
Bill Donovan – Middleton Fire Department – over 17 years of service

In Memoriam

William Mugford – Select Board, Middleton Fire Department, Public Works Department
John “Red” Caulfield – Select Board
Tynne Sweeney – Tri-Town School Union
James Muise – Middleton Fire Department

Middleton Select Board

Jeffrey P. Garber, Chair
Richard W. Kassiotis, Jr.
Brian M. Cresta

Kosta E. Prentakis
Deborah J. Carbone

Justin Sultzbach, Town Administrator
Jackie Bresnahan, Assistant Town Administrator/Human Resources Director

OCTOBER 17, 2023 SPECIAL TOWN MEETING
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**TOWN OF MIDDLETON
SPECIAL TOWN MEETING
COMMONWEALTH OF MASSACHUSETTS
OCTOBER 17, 2023**

ESSEX s.s.

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

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs, to meet at the Howe Manning School Gymnasium, 26 Central Street, on Tuesday, October 17, 2023 at 7:00PM, then and there to act on the following articles:

ARTICLE 1. To hear Committee Reports.

ARTICLE 2. On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds to supplement the Fiscal Year 2024 operating budget; and to rescind the appropriation of the opioid settlement funds for FY 24 (Article 19 from May 2023); or take any other action relative thereto.

Purpose: This article transfers funds and supplements monies to meet departmental expenses in the current fiscal year ending on June 30, 2024. The primary transfer is an increase of \$26,501.65 to the Board of Health budget from the revenues from the Opioid Settlement. This article also includes rescinding the original vote for those funds as the appropriating requirements have been changed by the Department of Revenue.

Additionally, this article amends the Finance Department Salaries and Wages based on recent non-union salary negotiations for the Finance Director/Town Accountant by an increase of \$21,714. Requires a simple majority vote.

ARTICLE 3. On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds to supplement the Fiscal Year 2024 capital budget; or take any other action relative thereto.

Purpose: This article transfers funds and supplement monies to fund capital appropriations in the current fiscal year ending on June 30, 2024. This includes \$40,551.61 for Opioid Settlement Fund activities to be funded from Free Cash. Requires a simple majority vote.

ARTICLE 4. On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate; and raise funds from Water Enterprise Revenues to fund collective bargaining agreements; or take any other action relative thereto.

Purpose: This article funds costs associated with contracts negotiated with collective bargaining groups (public employee unions). At the time of printing agreements have been reached with the Middleton Administrative Assistants (formerly Clericals), Middleton Public Works, and Middleton Firefighters. The anticipated total amount for FY 24 is \$143,000. Of that total, \$7,000 is to be funded by Water Enterprise Revenues to the Water Salary and Wages. Of the remaining \$136,000, funds will be distributed to the budget lines as outlined below:

- \$50,000 to Compensation Reserve;
- \$50,000 to Fire Salary and Wages;
- \$11,000 to Transfer Station Salary and Wages;
- \$25,000 to DPW Salary and Wages.

Requires a simple majority vote.

ARTICLE 5. On petition of the Select Board and Finance Committee, to see if the Town will vote to raise and appropriate, borrow, or transfer from available funds to the following reserve accounts:

- Stabilization Fund - \$50,000
- Capital Stabilization Fund - \$100,000
- Pension Stabilization Fund - \$50,000
- Other Post-Employment Benefits Liability Irrevocable Trust Fund - \$100,000
- Special Education Stabilization Fund - \$100,000
- Facilities Complex Stabilization Fund - \$300,000

Or take any other action relative thereto.

Purpose: This article will transfer funds to various reserve accounts from Free Cash. The total amount anticipated to be requested is \$700,000 with amounts identified above for each listed fund. Requires a simple majority vote.

ARTICLE 6. On petition of the Building Committee, to see if the Town will vote to appropriate an additional \$9,950,000 to pay costs of the design, permitting, construction, and furnishing of a combined Fire and Police Public Safety Building and a combined Community Center and Town Hall on the Town-owned land located at 105 South Main Street, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise; and to authorize the Select Board and Town Administrator to execute such other documents and contracts as are needed to effectuate the vote taken hereunder; or take any other action relative thereto.

Purpose: This article would increase the borrowing for the Municipal Facilities Project by an amount not to exceed \$9,950,000. Inflation has negatively impacted material and labor costs for construction. The original borrowing was approved by Town Meeting in June 2021 at \$61,700,000. Should this article pass, the fully designed project will go out to bid this winter with construction to begin in spring 2024. Requires a 2/3 majority vote.

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 26th day of September in the year Two Thousand Twenty-Three.

MIDDLETON SELECT BOARD

Deborah Carbone

KES

A true copy Attest:

Constable of the Town of Middleton

Deborah

Date Posted

9/27/93

Summary of Spending by Warrant Article

Fiscal Year	Article #	Description	Tax Levy/Local Receipts	Free Cash	Enterprise Fund	Other	Notes
FY 24	ATM 2	FY 24 Operating Supplemental	\$ 48,215.65				
		Total Article	\$ 48,215.65				
FY 24	ATM 3	FY 24 Capital Supplemental			\$ 40,551.61		
		Total Article	\$ 40,551.61				
FY 24	ATM 4	Fund Collective Bargaining	\$ 136,000		\$ 7,000		DPW, Admin Assts, Fire
		Total Article	\$ 136,000		\$ 7,000		
FY24	ATM 5	Transfers to Reserve Funds					
		Stabilization Fund			\$ 50,000		
		Capital Stabilization Fund			\$ 100,000		
		Pension Stabilization Fund			\$ 50,000		
		OPEB Trust Fund			\$ 100,000		
		Special Education Stabilization Fund			\$ 100,000		
		Facilities Complex Stabilization Fund			\$ 300,000		
		Total Article	\$ 700,000				
FY24	ATM 6	Municipal Complex					
		Total Article	\$ 9,950,000				
		Warrant Book Totals	\$ 184,215.65	\$ 740,551.61	\$ 7,000.00	\$ 9,950,000.00	

Parliamentary Procedures and Rules for Town Meeting

Town Meetings operate under a version of parliamentary procedure described in *Town Meeting Time*, a manual written and updated by the Massachusetts Moderators Association. In addition to the procedures set forth in *Town Meeting Time*, Town Meetings also are subject to various laws, local rules and habits that evolved over time. The following describes some of the most frequently used rules and procedures of Town Meeting in an effort to help Middleton voters enjoy and participate in our Town Meeting.

Rules and Procedures:

1. The Moderator presides over Town Meeting and regulates the proceedings, decides all questions of order, and makes public declarations of all votes.
2. Any registered Middleton voter may speak to any Article, but all must speak politely and respectfully. Civility is required at all times
3. Voters must be recognized by the Moderator before speaking on any Article.
4. All debate must be directed through the Moderator and not to any individual.
5. Many voters may wish to speak on a topic. Therefore, it is important that speakers be direct and to the point. Speakers are encouraged to add new points to the debate rather than repeat what has already been stated.
6. Attendees are advised to listen closely to the motion as read and projected on the screen. The motion puts the Warrant Article in play and it is the motion that is voted on, not the Article as written in the Warrant. However, there should be a strong similarity between the motion and the Article.
7. Voting is most often done by voice vote. When a voice vote is not clear, the Moderator may call for a standing or counted vote to be taken.
8. The Moderator's judgment can be questioned as to the accuracy of a voice or standing vote as announced. If seven (7) people request a recount of the votes, it shall be done.
9. A voter may move to Amend an Article. Any amendment a voter intends to offer at the meeting should be submitted and reviewed by the Town Clerk, Town Counsel, and the Moderator at least two weeks in advance of the Meeting. There are times that an amendment that was not anticipated is offered by a voter during the Meeting. In such a case, the Meeting will be recessed for the Town Clerk, Town Counsel, and Moderator to review the proposed amendment and make legal and procedural recommendations if appropriate.
10. Any slide presentations, documents or demonstrations a Voter wishes to submit at Town Meeting must be made available for review by the Moderator and Town Clerk at least two weeks in advance of the meeting.

More Formal Parliamentary Procedures:

Quorum is the minimum number of voters who must be present before the Town Meeting can transact business. Middleton's quorum is 100.

Consent Agenda

A Consent Agenda groups non-controversial Articles together under one motion in order to save time in a Town Meeting. A Consent Agenda motion allows for multiple motions, under selected Warrant Articles, to be acted upon as one consolidated motion and voted without sponsor presentation and debate. If seven (7) voters raise their cards and state "Hold" on any Article, the Moderator will remove that Article from the Consent Agenda and that Article will be considered in the usual course of business. The remaining Articles will be voted as a unit.

Motions

Dissolve: The motion to *dissolve* ends the Town meeting and is appropriate only when all business is completed.

Fix the time to adjourn indicates when a given Town Meeting session will end and when the next session will begin.

Lay on the table is a motion used to end debate temporarily or permanently on a given motion. A motion laid on the table may remain there forever, or may be retrieved by the appropriate "take from the table" vote.

The previous question cuts off debate immediately and causes a vote on the article or amendment under discussion.

Limit debate is a motion generally used to put a specific time limit on a motion or time limits on individual speakers.

Postpone to a time certain is a motion generally used to rearrange the order of the articles (or a single article) in the warrant.

Amend: Many types of motions can be amended. After the amendment is disposed of by a vote, the primary motion, either so amended or not, comes back to the body for further discussion and vote.

Postpone Indefinitely serves the same basic purpose as laying a motion on the table except that it is debatable and requires only a majority vote. If the postpone motion carries, the motion to which it applies is dead.

Point of Order - Anyone at any time may rise to a point of order and interrupt the speaker, simply stating, "Point of order, Madame Moderator." The Moderator will immediately stop discussion, listen to the point of order and rule on its validity. Points of order may relate to many issues; for example, the right of a speaker to the floor, proper procedures, indecorous conduct, or an error on the part of the Moderator.

Main Motions are made when no other business is pending and are the devices used to bring a warrant article to the floor for discussion.

Reconsideration Moderators in Middleton traditionally have not allowed motions to reconsider.



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

Date



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

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