

**MIDDLETON SELECT BOARD**  
**MEETING AGENDA**  
**FULLER MEADOW ELEMENTARY SCHOOL**  
**NATHAN MEDIA CENTER**  
**143 SOUTH MAIN STREET, MIDDLETON, MA 01949**  
**TUESDAY, JUNE 18, 2024**  
**6:00 PM**

*This meeting is being recorded*

- |         |  |
|---------|--|
| 6:00 pm | 1. Reorganization: Elect Chair, Elect Clerk  |
| 6:05 pm | 2. Business <ul style="list-style-type: none"><li>a. Warrant: 2425 and FP 38</li><li>b. Minutes: May 23, 2024 OS; May 23, 2024 ES; May 28, 2024</li><li>c. Town Administrator Updates and Reports</li></ul>  |
| 6:10 pm | 3. Public Comment  |
| 6:15 pm | 4. Appointment of new Police Officer Ryan Duval  |
| 6:20 pm | 5. Officer Jordan Kemp – Acceptance of Donation of Street Sign for Couture Way from the Middleton Police Benevolent Association  |
| 6:25 pm | 6. Executive Session pursuant to G.L. c. 30A, s. 21(a)(6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body: 49 S. Main St/10-18 Boston St Project Villebridge Middleton Development Agreement (If needed) |
| 6:30 pm | 7. 49 S. Main St/10-18 Boston St Project Villebridge Middleton Development Agreement   |
| 6:50 pm | 8. Joint appointments with the Zoning Board of Appeals   |
| 7:00 pm | 9. Update of Board and Committee Vacancies (see attached list) <ul style="list-style-type: none"><li>a. Usual Annual Appointments</li><li>b. Library Board of Trustees Mid-Term Vacancy</li></ul>  |
| 7:30 pm | 10. Department Head Update: Information Technology Liam Welch and Colby Cousens  |
| 7:50 pm | 11. One Day Liquor Licenses for The Lot  |
| 8:00 pm | 12. Annual Ambulance Write-Offs  |
| 8:05 pm | 13. Acceptance of grants: <ul style="list-style-type: none"><li>a. Bottleneck Reduction Grant</li></ul>  |
| 8:10 pm | 14. Town Administrator Annual Evaluation Process   |
| 8:15 pm | 15. Updates & Announcements  |

|                    |          |                              |
|--------------------|----------|------------------------------|
| Upcoming Meetings: | July 9   | Regular Select Board Meeting |
|                    | August 6 | 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.*

MEETING MINUTES  
MIDDLETON SELECT BOARD MEETING  
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER  
143 SOUTH MAIN STREET, MIDDLETON, MA 01949  
May 28, 2024 at 6:00 PM

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

Select Board present: Jeff Garber, Chair; Brian Cresta; Kosta Prentakis; Not present: Debbie Carbone, Rick Kassiotis, Clerk. Also attending: Justin Sultzbach, Town Administrator; others as noted.

*The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

**1. Reorganization:** Elect Chair; Elect Clerk - *This agenda item was deferred to the next meeting for a full Board.*

**2. Business**

- a. May 16, 2024 Warrant 2423: Payroll: \$ 811,944; Bills Payable: \$ 900,000; FP 37: \$ 3,800  
May 30, 2024 Warrant 2424: Payroll: \$ 950,252; Bills Payable: \$ 927,528; FP 38: \$ 53,000

*On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to approve Warrant 2423, 2424, FP 37 & 38.*

- b. Minutes: March 2, 2024; April 9, 2024 ES; April 23, 2024; May 7, 2024 OS; May 7, 2024; ES; May 14, 2024

*On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to approve the minutes as presented.*

**c. Town Administrator Updates & Reports**

- Elections have come and gone, a huge thanks to our Town Clerk's Office as well as support staff and volunteers. The ballot also featured two questions, both of which failed to pass. One pertaining the override for the Town and Schools, and the other pertaining to a Masco debt exclusion for the roof and HVAC system. Congratulations to all of those that ran!
- J. Sultzbach thanked town staff, Moderator, Board and committees, for all the hard work that went into Annual Town Meeting. The warrant featured several high profile items, including the MBTA Communities bylaw which failed 101 yes to 161 no. As committed throughout this process, we continue to keep a watchful eye on legislation related to this law. Most recently Sen. Tarr has released Amendments 176, 178, 180, and 181, which among other things would provide an appeal process based on infrastructure capacities and extend the compliance deadline by a year.
- Last week was DPW Appreciation week. Thank you for all the work our team does year-round.
- Thank you to Kevin Welch, our outgoing VSO, for planning an excellent Memorial Day Ceremony yesterday. Also thank you to all the residents and civic groups that came out to remember our Veterans.
- J. Sultzbach toured the Club House at the former golf course last week in advance of its demo. Permits have been pulled to raze the structure, and we expect action shortly.
- Our team has been monitoring conversations pertaining to the Mill Pond Dam. As you are aware, this dam is considered a high hazard by the state and is privately owned. Out of an abundance of caution the Office of Dam Safety has lowered this body of water to provide relief to the failing dam. This is not something controlled on the local level. With that said, our team is in the process of exploring options, if any, and will report back to the public what we find.



- We are kicking off employee evaluations for the year. Thank you to the department heads that have filed self-evaluations and scheduled a time to sit down for a review.

**3. Public Comment – There was none.**

**4. Quarter 3 Update** from Finance Director/Town Accountant Sarah Wood

S. Wood noted there is one more month in the FY and the town is on track. She gave a brief overview of the third quarter finances. As of March 31, 2024 the general fund expenditures were at 71.6 percent expended; everything is trending as anticipated. Department transfers are expected to be presented to the Board in July. Regarding the Capital Budget, \$1.7 million is outstanding of which \$300,000 is from FY22; approximately \$ 100,000 in this budget will be closed out at the end of the FY. The General Fund revenues are in line with estimates at 82 percent collections. B. Cresta observed the final Cherry Sheet will include a PILOT (Payment In Lieu of Taxes) payment from the Middleton House of Correction, “for the first time in history.”

There was a side discussion on the so called Opioid Funding spending. S. Wood briefly reviewed the process and noted there is still funding from FY23.

**5. Reclassification of ARPA** (American Rescue Plan Act) monies

a. Coneco Proposal – Couture Way Pipe

S. Woods stated designated ARPA funds not used for the water pump station upgrades in the amount of \$ 10,421.57 may be reappointed. She proposed retaining \$ 5,000 of the \$ 35,985.96 balance of Administrative expenses for next year’s single audit. This was a total of \$ 46,407.63 available for reappropriation; the funding must be committed by December 31, 2024. S. Woods also mentioned ten cents of ARPA funding was inadvertently not appropriated.

J. Sultzbach recommended \$ 5,300 of the ARPA money be used to engage Coneco to review the site plans, perform drainage evaluation, and put together a technical review letter for the town’s pipe on Couture Way.

He also suggested ARPA funding be used towards the Memorial Hall bypass intersection study of Routes 114 and 62.

*On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to approve the three task process as proposed by Coneco in the amount of \$ 5,300.*

*On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to approve the Administrative Expenses at \$ 35,985.96, as well as the water pump station upgrades of \$10,421.57 including unappropriated amount of 10 cents and a total of \$ 46,407.63 that is now available for reappropriation .*

**6. Follow up discussion on Annual Town Meeting & Annual Town Election**

a. Middleton Masconomet Regional District School Committee Representatives

J. Sultzbach reviewed neither the MBTA Zoning or the override passed this year; the override passed at town meeting but was defeated at the ballot. The Board agreed the need for this funding will not just go away in the new FY and supported continued discussion on strategical budget cuts and informing residents on the fiscal needs.

Middleton members of the Masconomet Regional School Trevor Carrier, Kendra Petrone, Lisa Macinnis were present for this agenda item to further discuss next steps. K. Prentakis initiated a discussion going forward that the school Committee determine a budget to fix all identifiable problems and ask for a total cost of the repairs. He noted projects over \$1.5 million need an OPM (Owner Project Manager) and there is savings by consolidating all projects at one time under one OPM. The School Committee plans to create a building committee to prepare the scope of work.

A lengthy discussion followed. The Select Board recommended a clear capital plan for presenting to residents.

J. Sultzbach suggested the School Committee use money from their stabilization fund for a feasibility study at the start of FY25 to present an article for funding at the 2025 annual town meeting, that would be supported by documentation. He further recommended immediately reaching out to the MSBA (Massachusetts School Building Authority) for support through the process and to understand the necessary steps in the event state funding is available. J. Sultzbach offered the Town’s support to the School Committee.

*Draft*

**7. 6:30 PM - Public Hearing Flammable and Combustible License** application for Michael McGrath, Incorporated, DBA Michael McGrath Heating Oil & Diesel, 156 North Main Street, owner Michael McGrath.  
*The Board voted unanimously to open the public hearing at 6:32 PM.*

Attorney Jill Mann was present representing the applicant, Michael McGrath. M. McGrath recently purchased the property and has been approved for an 8,000 sq ft five unit building. Attorney Mann provided photos to the Board of the project. This lot is in both the residential and business district with expansive wetlands in the rear of the 1.5 acre property. M. McGrath is a Middleton resident with a home heating oil business and would like to relocate his business to this location and would use garage bays, in part, for parking his fleet; the trucks can have the capacity to hold 3,000-4,000 gallons of oil in the tanks and there will be two tanks of diesel fuel stored inside for business equipment use. As a flammable substance a license issued by the Select Board is required.  
*The Board voted unanimously to close the public hearing at 6:40 PM.*

*On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to approve the Flammable & Combustible License application for Michael McGrath, Incorporated, DBA Michael McGrath Heating Oil & Diesel, 156 North Main Street, as described in the application signed by the Fire Chief.*

**8. Vote on staff & committee reappointments** and potential new appointments (see attached list)

*On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to approve the following appointments:*

2-year terms – June 30, 2026 Affordable Housing Trust Finance Committee: Richard Gregorio; Housing Authority: Maria Paikos-Hantzis; Select Board: Brian Cresta; Planning Board: Jason Bernhard

3-year terms- June 30, 2027

- Conservation Commission: Peter Goodwin; Susan Piccole (2 seats)
- Industrial & Commercial Design Review Committee: Kendra Petrone
- Patriotic Observances Committee: Scot Saulnier; Jillian Kemp (2 seats)

Staff Appointments: 3 Year terms June 30, 2027

- Assistant Town Administrator/HR Director: Jackie Bresnahan
- Conservation Agent: Kristin Kent
- Finance Director/Town Accountant (term to align to new contract dates): Sarah Wood-
- Treasurer/Collector: Nick Federico
- Food Inspector, Health Dept: Frank Giacalone
- Plumbing and Gas Inspector: Gary Paul
- Local Building Inspector: Michael Mercurio

**9. Locust St. Parcel engineering discussion** with Scott Cameron of the Morin-Cameron Group, Inc.

J. Sultzbach reviewed the Board previously asked for two zoning options, conventional and dense housing, for Locust Street property. S. Cameron was present and spoke on the findings for property and referenced a slide deck including photos of the property, history, and general data on the characteristics of the land. The soils were generally sandy and seemed favorable for construction, there are extensive wetlands due in part to heavy beaver activity, and the upland is predominantly deciduous forest with mature trees. He noted adjacent land is publicly owned conservation land with marked trails.

S. Cameron pointed out potential areas for building and unsuitable sections, and provided a “massing diagram” to show what a subdivision could look like with 40,000 sq ft lots under the current regulations; there is potential of 12 house lots but a waiver would be needed for the road. He summarized the wetlands and topography would impact any development design. On a side note, S. Cameron observed because of the limiting factors of the land, six of the twelve lots are over 880,000 sq. ft and would support two family homes, an allowable use, therefore increasing the number of potential units to 18; this maximizes the density. Due to environmental limitations and soils there appears to be no buildable lots on the South side of the property.

Regarding a smaller lot concept similar to Brigadoon neighborhood, S. Cameron noted topography would still be a challenge and zoning does not exist for this configuration, but with reduced road width and various waivers, along with

*Draft*

other creative approaches, using 11,000-16,000 sq ft lots, 17 smaller home units could be created. The trail network would be maintained. S. Cameron reiterated engineering studies and evaluations need to be done. S. Cameron fielded questions from the Select Board. Some questions will be brought to Town Counsel for an opinion. The Select Board specifically discussed the possible option to incorporate affordable units and design guidelines. The Board will determine objectives for selling the land, tax revenue impact, and an appraisal value of development under both scenarios. The Board realized as town owned land, there will be an impact of this decision to set a tone for future development in Middleton i.e. compact developments, preservation of green space, and meeting the need to provide smaller homes as a more affordable approach to homeownership.

Next steps include additional studies, title examination, discussion with South Essex Sewerage District, and meetings with other town Boards/staff.

**10. Traffic Count Study Proposal for Memorial Hall** bypass at the intersection of Routes 114 & 62

J. Sultzbach said in response to community input on the Memorial Hall parcel if Boston Street traffic could be rerouted through that parcel onto Maple Street, he followed up with Pete Ellison TEC, working on the Peer Review for the parcel across the street and asked about an origin destination study (\$6,800). This would determine the percentage of cars that would potentially use that route. J. Sultzbach recommended using recently available ARPA funding.

*On a motion by Cresta seconded by Prentakis, the Board voted unanimously **to approve** the origin study for \$6,800 as proposed.*

**11. Board vote to authorize MassWorks application** for intersection of Boston Street and S. Main Street.

On a motion by Cresta, seconded by Prentakis, the Board voted unanimously **to authorize** the Town Administrator to submit a MassWorks application for intersection of Boston Street and S. Main Street.

**12. Municipal Complex contract approvals-** OPM Brian LaRoche PCA 360 was present and updated the Board a construction manager has been negotiated, and referenced and summarized the updated documents.

B. LaRoche gave an overview of the work to date and provided an updated timeline with the project slated to be completed in January 2026.

There is currently a \$1.5 million savings from the target budget of \$ 59,461,354 to the final GMP (Guaranteed Maximum Price) of \$58,124,797 including Amendment 002 in the amount of \$ 18,911,235 for the GMP Contract Amendment.

The demolition of the buildings on site will be done over the next couple of months. The site is being prepared with tree removal and earth moving. B. LaRoche noted there is some concern Fish and Wildlife may not approve the proposed location of the generator in the back of the building due to the proximity of the eagle nest; he is waiting for the report.

*On a motion by Cresta, seconded by Prentakis, the Board voted unanimously **to approve Amendment 2** of the GMP amendment as presented.*

Under discussion it was noted pricing for the gazebo and porticos are in the base contract and may be withdrawn through September. During discussion it was noted if these items are disallowed in this vote, the town would need to renegotiate the cost at another time.

**Upcoming Select Board Meetings:** June 18; July 9; August 6

**Adjourn:** *On a motion by Prentakis, seconded by Carbone, the Board voted unanimously to adjourn at 8:36pm.*

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

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Rick Kassiotis, Select Board Clerk

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

- Agenda: May 28, 2024
- Warrant 2423 & 2424. FP 37 & 38
- Minutes- March 2, 2024; April 9, 2024 ES; April 23, 2024; May 7, 2024 OS; May 7, 2024; ES; May 14, 2024
- FY 24 Q3 Report S. Wood 4.30.24
- ARPA Fund Close Outs S. Wood 4.2.24
- Coneco Proposal to Conduct Stormwater System Capacity Assessment 5.13.24
- Application for License – 156 N. Main St.
- Locust St. Engineering update J. Sultzbach 5.28.24
- TEC Client Authorization Rt. 62/114 Origin Destination Study 4.18.24
- MassWorks Update J. Sultzbach 5.28.24
- Community One Stop for Growth Expression of Interest – 4.26.24
- Construction contract for Construction Manager at Risk Services – GMP Amendment 002

MEETING MINUTES  
MIDDLETON SELECT BOARD MEETING  
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER  
143 SOUTH MAIN STREET, MIDDLETON, MA 01949  
May 23, 2024 at 5:00 PM



*This meeting was held on Zoom.*

With a quorum present the Chair called the meeting to order at 1:30 pm.

Select Board present: Jeff Garber, Chair; Brian Cresta; Kosta Prentakis; Debbie Carbone. Not present: Rick Kassiotis, Clerk. Also attending: Justin Sultzbach, Town Administrator; Jackie Bresnahan Assistant Town Administrator /Human Resource Director; Catherine Tinsley, Recording Secretary (via Zoom); others as noted.

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**Recommend & Appointment of new Director of Veterans Service Officer (VSO)**

J. Bresnahan gave a brief overview of the recommendation to appoint Nathan Stedman, a US Army Veteran and Middleton resident as the new VSO for Middleton. She introduced Kevin Welch, the exiting VSO to formally make the recommendation. K. Welch thanked the Board for their confidence in him and their support and recommended the appointment of N. Stedman who would serve the town well.

N. Stedman spoke on his interest in serving as Middleton's VSO and thanked the Board for the opportunity to serve the Veterans of his home town, and the importance of building community.

K. Prentakis asked if N. Stedman would be interested in the position if it went to full time. N. Stedman responded he would accept the position regardless if it was full time or part time.

*On a motion by Prentakis, seconded by Carbone, the Board voted unanimously by roll call **to appoint Nathan Stedman** as Veterans Service Officer through June 30, 2027.*

1:39 pm **Executive Session-** *On a motion by Prentakis, seconded by Carbone, the Board voted unanimously by roll call to enter into executive session pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to collective bargaining negotiations: AFSME Representation Petition, and not return to open session but adjourn directly from executive session.*

The Board adjourned executive session by unanimous roll call vote at 2:07pm.

Respectfully submitted by,

Catherine E. Tinsley

Catherine Tinsley, Recording Secretary

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Rick Kassiotis, Select Board Clerk

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

- Agenda: May 23, 2024
- J. Bresnahan Letter of Recommendation of Director of Veterans Service Officer, May 21, 2024



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Ryan Duval

Matthew Armitage <matthew.armitage@middletonma.gov>

Fri 6/14/2024 11:49 AM

To: Justin Sultzbach <justin.sultzbach@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>

Cc: William Sampson <william.sampson@middletonma.gov>

The Middleton Police Department recommends, and requests the Selectboard's support for, the appointment of Ryan Duval as the department's next full time police officer. (This is a replacement position created by the retirement of Officer Thomas McParland.) Mr. Duval is married and lives in Gróveland but was raised in Middleton and educated in the Middleton school system. Mr. Duval received his bachelor's degree in computer science from Salem State University and a master's degree in information technology from UMass-Lowell, and has worked for the past 4 years as a database analyst/manager. Mr. Duval's family has a history of service in law enforcement, and he is enthusiastic and excited to join our profession. The department has Mr. Duval scheduled to start a police academy at the end of July, which would have him begin the field training process with our department in January 2025.

Start date to be finalized, but likely July 22.

\*\*\*\*\*

Captain Matthew Armitage

Middleton Police Department

65 North Main Street

Middleton, MA 01949

978-774-4424 (p) | 978-774-4466 (f)

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## Jackie Bresnahan

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**From:** Jordan Kemp  
**Sent:** Thursday, June 13, 2024 1:06 AM  
**To:** Jackie Bresnahan  
**Subject:** Select Board Meeting 6/18/24

Hi Jackie,

The Middleton Police Benevolent Association would like to be put on the agenda for the 6/18/24 Select Board meeting to present the town with a sign for Couture Way that acknowledges Sgt Couture's sacrifice. We have spoken to both the DPW and the contractors of Couture Way and have approval from both for the sign. I look forward to hearing from you.

Thank you,  
Jordan

**Ofc. Jordan Kemp**  
**Middleton Police Department**  
65 North Main Street  
Middleton, MA 01949  
Phone: (978) 774-4424  
Fax: (978) 774-4466



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## OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton  
Memorial Hall  
48 South Main Street  
Middleton, MA 01949-2253  
978-777-3617  
[www.middletonma.gov](http://www.middletonma.gov)

9a.

### MEMORANDUM

TO: Select Board  
FROM: Jackie Bresnahan  
DATE: June 14, 2024  
RE: Re-appointments and potential new appointments

Below you will find a list of incumbents seeking reappointment. This is not all inclusive, but Boards who had all incumbents respond are included on this list:

#### **Board and Committee Appointments:**

##### **3 year terms**

- Bylaw Review: Richard Cardinale (1 seat)
- Council on Aging: Gerald Gove; Francis Leary Jr.; Leah Magnifico (3 seats)
- Historical Commission: Shirley Raynard (1 seat)
- Municipal Property Tax Relief Committee Assessors Rep: Debbie Carbone
- Rails to Trails: Martin Emmick (1 seat)
- Recreation Commission: Jennifer Pavenski

##### **Other term lengths**

- Solid Waste Advisory Committee – 2 year term: Jeff Garber, John Erickson, Rich Gregorio, Carolyn MacPherson, Annie Wilton
- Zoning Board of Appeals – 5 year term – 1 seat: Rich Benevento
- Zoning Board of Appeals Alternate – 1 year term: Anne LeBlanc Snyder

#### **Staff Appointments:**

- Municipal Property Tax Relief Committee: Nick Federico (3 year term)
- Solid Waste Advisory Committee ex-officios: Jackie Bresnahan; Nick Federico; Paul Goodin (2 year terms)

## Resignation

Erin Bennett <bennettforflint@gmail.com>

Wed 6/12/2024 1:30 PM

To: Ilene Twiss <ilene.twiss@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>  
Cc: Loretta Johnson <ljohnson@flintpublib.org>

[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.

Hi Ilene and Justin,

I am writing to inform you of my resignation from the Flint Public Library Board of Trustees as of today, June 12, 2024 because I am moving out of town.

Please feel free to reach out should you have any questions.

Thank you,

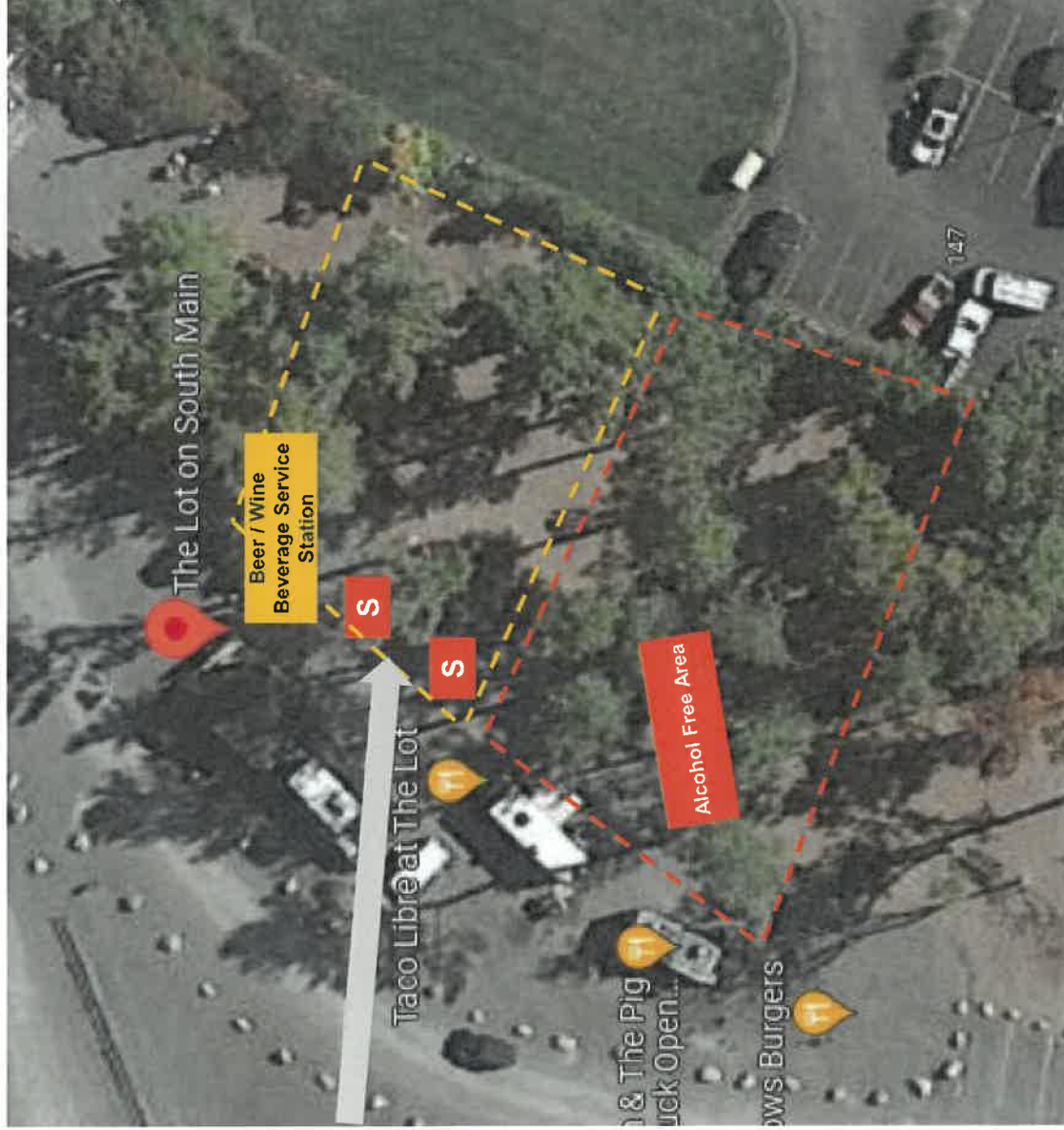
Erin Bennett

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# Beverage Service Area

Entrance to beer garden area.  
Only area alcohol consumption will be allowed.  
No outside alcohol allowed at The Lot.



**S**

Signage



Denotes  
perimeter of  
fencing for beer  
garden area  
(liquor control  
area)





**Town of Middleton**  
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## **ONE DAY SPECIAL LIQUOR LICENSES**

### **One Day Special Liquor License Requirements:**

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

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

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

### **You will be required to submit the following documents:**

- Completed Application for Special License
- Certificate of Insurance Liability
- Certificate of Insurance Liability to the Town of Middleton for Workers Compensation Insurance, if applicable
- Signed Workers' Compensation Certificate
- Copy of TIPS for specific employees working event
- Check for \$50 per date payable to the Town of Middleton

Please complete and sign all forms and return to:  
Middleton Select Board, 48 South Main Street, Middleton, MA 01949



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

## **One Day Liquor License Application**

**License Fee Payable to the Town of Middleton**

**ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED**

Business Name Winter Hill Brewing Co (Indignant Brewing Co LLC)

Business Address 328 Broadway, Somerville, MA 02145

Social Security Number/FID Number 47-3990183

### **Applicant Information**

Individual's Name Hannah Fayne

Home Address 20 Harriet Street, Apt 3, Brighton, MA 02135

Mobile Number 508-494-1293

Is the Applicant a United States Citizen? ☒ Yes ☐ No

Driver's License Number & State \_\_\_\_\_

E-Mail Address hannahfayne@gmail.com

Date of Event See attached schedule Time from Noon - 8p

Location of Licensed Activity The Lot on South Main (145 South Main Street, Middleton, MA)

Purpose of Event Beer Garden at The Lot on South Main

Will there be entertainment? ☐ Yes ☒ No

Is the event being catered? ☐ Yes ☒ No

Name of Caterer Existing Food Vendors on Premises (Salty's, Taco Libre, etc.)



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Number of People Attending Adults 100 Children 20

**Type of License (select one)**

☐ One-Day All-Alcoholic (only available for non-profit purposes) ☒ One-Day Beer & Wine

☐ Charitable Wine Pouring

☐ Charitable Wine Auction

Is the alcohol being donated? ☐ Yes ☒ No

Where is the liquor being purchased from? Winter Hill Brewing (Farmer Brewer) & Hogs Head Wine Co.

Are they a licensed wholesaler? ☒ Yes ☐ No

Who will be serving the alcohol? Winter Hill Brewing Co. Employees

Does the server have liquor liability insurance? ☒ Yes ☐ No

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

Business ☒ Yes ☐ No Non-Profit ☐ Yes ☐ No

Will there be a cash bar? ☒ Yes ☐ No

Is there an entrance fee or donation required? ☐ Yes ☒ No

Is the event open to the general public? ☒ Yes ☐ No

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



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**Liability Disclaimer for Special One Day License**

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

Signature of Applicant

6/13/2024  
Date



## **Beer Garden Dates**

August 31

September 1, 5, 6, 7, 8, 12, 13, 14, 15, 19, 20, 21, 22, 26, 27, 28, 29



**Town of Middleton**  
**Memorial Hall**  
**48 South Main Street**  
**Middleton, Massachusetts**  
**01949-2253**  
**978-777-3617**  
*[www.middletonma.gov](http://www.middletonma.gov)*

## **ONE DAY SPECIAL LIQUOR LICENSES**

### **One Day Special Liquor License Requirements:**

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

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

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

### **You will be required to submit the following documents:**

- Completed Application for Special License
- Certificate of Insurance Liability
- Certificate of Insurance Liability to the Town of Middleton for Workers Compensation Insurance, if applicable
- Signed Workers' Compensation Certificate
- Copy of TIPS for specific employees working event
- Check for \$50 per date payable to the Town of Middleton

Please complete and sign all forms and return to:  
Middleton Select Board, 48 South Main Street, Middleton, MA 01949



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## One Day Liquor License Application

License Fee Payable to the Town of Middleton

**ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED**

Business Name Winter Hill Brewing Co (Indignant Brewing Co LLC)

Business Address 328 Broadway, Somerville, MA 02145

Social Security Number/FID Number 47-3990183

### Applicant Information

Individual's Name Breck Bailey

Home Address 76 Wellesley Street, Weston, MA 02493

Mobile Number 203-249-2890

Is the Applicant a United States Citizen? ☒ Yes ☐ No

Driver's License Number & State \_\_\_\_\_

E-Mail Address breck@winterhillbrewing.com

Date of Event See attached schedule Time from Noon - 8p

Location of Licensed Activity The Lot on South Main (145 South Main Street, Middleton, MA)

Purpose of Event Beer Garden at The Lot on South Main

Will there be entertainment? ☐ Yes ☒ No

Is the event being catered? ☐ Yes ☒ No

Name of Caterer Existing Food Vendors on Premises (Salty's, Taco Libre, etc.)



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Number of People Attending Adults 100 Children 20

**Type of License (select one)**

☐ One-Day All-Alcoholic (only available for non-profit purposes) ☒ One-Day Beer & Wine

☐ Charitable Wine Pouring

☐ Charitable Wine Auction

Is the alcohol being donated? ☐ Yes ☒ No

Where is the liquor being purchased from? Winter Hill Brewing (Farmer Brewer) & Hogs Head Wine Co.

Are they a licensed wholesaler? ☒ Yes ☐ No

Who will be serving the alcohol? Winter Hill Brewing Co. Employees

Does the server have liquor liability insurance? ☒ Yes ☐ No

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

Business ☒ Yes ☐ No Non-Profit ☐ Yes ☐ No

Will there be a cash bar? ☒ Yes ☐ No

Is there an entrance fee or donation required? ☐ Yes ☒ No

Is the event open to the general public? ☒ Yes ☐ No

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



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### Liability Disclaimer for Special One Day License

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

Signature of Applicant

6/13/24  
Date



**Beer Garden Dates**

June 20, 21, 27, 28

July 4, 5, 6, 7



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License Fee Payable to the Town of Middleton

**ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED**

Business Name Winter Hill Brewing Co (Indignant Brewing Co LLC)

Business Address 328 Broadway, Somerville, MA 02145

Social Security Number/FID Number 47-3990183

### Applicant Information

Individual's Name Bert Holdredge

Home Address 224 Willow Ave, Apt 1, Somerville, MA 02144

Mobile Number 508-265-8175

Is the Applicant a United States Citizen? ☒ Yes ☐ No

Driver's License Number & State \_\_\_\_\_

E-Mail Address bert@winterhillbrewing.com

Date of Event See attached schedule Time from Noon - 8p

Location of Licensed Activity The Lot on South Main (145 South Main Street, Middleton, MA)

Purpose of Event Beer Garden at The Lot on South Main

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Business ☒ Yes ☐ No Non-Profit ☐ Yes ☐ No

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Is there an entrance fee or donation required? ☐ Yes ☒ No

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Signature of Applicant

6-13-2024  
Date

**Beer Garden Dates**

July 11, 12, 13, 14, 18, 19, 20, 21, 25, 26, 27, 28

August 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23, 24, 25, 29, 30



*The Commonwealth of Massachusetts*  
*Department of Industrial Accidents*  
*Office of Investigations*  
*Lafayette City Center*  
*2 Avenue de Lafayette, Boston, MA 02111-1750*  
*www.mass.gov/dia*

**Workers' Compensation Insurance Affidavit: General Businesses**

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: Indignant Brewing Co LLC (d/b/a Winter Hill Brewing Co)

Address: 328 Broadway

City/State/Zip: Somerville, MA 02145

Phone #: MA

**Are you an employer? Check the appropriate box:**

1. ☒ I am a employer with 25 employees (full and/ or part-time).\*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

5. ☐ Retail
6. ☒ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

***I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.***

Insurance Company Name: Salem Five Insurance Services

Insurer's Address: 445 Main Street

City/State/Zip: Woburn, MA 01801

Policy # or Self-ins. Lic. # WWC3689123 Expiration Date: 1/15/2025

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

***I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.***

Signature: \_\_\_\_\_ Date: 5/22/2024

Phone #: 203-249-2890

***Official use only. Do not write in this area, to be completed by city or town official.***

City or Town: \_\_\_\_\_ Permit/License # \_\_\_\_\_

Issuing Authority (check one):

1. ☐ Board of Health 2. ☐ Building Department 3. ☐ City/Town Clerk 4. ☐ Licensing Board
5. ☐ Selectmen's Office 6. ☐ Other \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_



# Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an **employee** is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An **employer** is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that **"every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required."**

Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

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## Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

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## City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

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The Department's address, telephone and fax number:

The Commonwealth of Massachusetts  
Department of Industrial Accidents  
**Office of Investigations**  
Lafayette City Center  
2 Avenue de Lafayette,  
Boston, MA 02111-1750

Tel. (857) 321-7406 or 1-877-MASSAFE

Fax (617) 727-7749

[www.mass.gov/dia](http://www.mass.gov/dia)

**Initial Permit Approval - Breck Bailey as Manager**

|       | <u>Thurs</u> | <u>Fri</u> | <u>Sat</u>               | <u>Sun</u>               |
|-------|--------------|------------|--------------------------|--------------------------|
| April |              |            | 20<br>27                 | 21<br>28                 |
| May   |              |            | 4<br>11<br>18<br>25      | 5<br>12<br>19<br>26      |
| June  |              |            | 1<br>8<br>15<br>22<br>29 | 2<br>9<br>16<br>23<br>30 |

**Second Permit Application - Existing Manager (Breck Bailey)**

|      | <u>Thurs</u> | <u>Fri</u> | <u>Sat</u> | <u>Sun</u> |
|------|--------------|------------|------------|------------|
| June | 20<br>27     | 21<br>28   |            |            |
| July | 4            | 5          | 6          | 7          |

**Second Permit Application - New Manager of Record (Bert Holdredge)**

|        | <u>Thurs</u>             | <u>Fri</u>               | <u>Sat</u>          | <u>Sun</u>          |
|--------|--------------------------|--------------------------|---------------------|---------------------|
| July   | 11<br>18<br>28           | 12<br>19<br>29           | 13<br>20<br>30      | 14<br>21<br>31      |
| August | 1<br>8<br>15<br>22<br>29 | 2<br>9<br>16<br>23<br>30 | 3<br>10<br>17<br>24 | 4<br>11<br>18<br>25 |

**Second Permit Application - New Manager of Record (Hannah Fayne)**

|           | <u>Thurs</u>        | <u>Fri</u>          | <u>Sat</u>          | <u>Sun</u>               |
|-----------|---------------------|---------------------|---------------------|--------------------------|
| August    |                     |                     | 31                  |                          |
| September | 5<br>12<br>19<br>26 | 6<br>13<br>20<br>27 | 7<br>14<br>21<br>28 | 1<br>8<br>15<br>22<br>29 |



Maura Healey, Governor  
Kimberley Driscoll, Lieutenant Governor  
Monica Tibbitts-Nutt, Secretary & CEO  
Jonathan L. Gulliver, Highway Administrator



June 11<sup>th</sup>, 2024

Justin Sultzbach  
Town Administrator  
48 S. Main Street  
Middleton, MA 01949

Via email: [justin.sultzbach@middletonma.gov](mailto:justin.sultzbach@middletonma.gov)

Dear Justin Sultzbach,

Thank you for your submission to the Local Bottleneck Reduction Program during the Fiscal Year 2024 application solicitation. I am pleased to notify you that Middleton's application for improvements at Maple Street (Rte. 62) from Washington Street to South Main Street (Rte. 114) has been approved for \$166,961.71 in construction funding.

Awarded municipalities must enter into a contract with MassDOT for the funding of the approved work. To initiate this contract, our grants team will send forward the attached documents to our contracts and records department for processing. It is anticipated that the Notice to Proceed (NTP) for this award will be issued by September 1, 2024, and that the deadline for construction will be December 31, 2026. MassDOT-funded work may not proceed until the NTP is issued.

Reimbursement requests are processed by your District State Aid Engineer on MassDOT's Grant Central Portal. Learn more about this process as well as other implementation details on the program at: <https://madothway.my.site.com/GrantCentral/s/>

Please email [LocalBottleneckGrants@dot.state.ma.us](mailto:LocalBottleneckGrants@dot.state.ma.us) with questions related to this award. Thank you for your commitment to addressing bottleneck congestion on local roadways and for your participation in the Local Bottleneck Reduction Program.

Sincerely,

Jonathan L. Gulliver  
Highway Administrator

cc: Kristen Rebelo, MassDOT Community Grants Program Administrator