

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, APRIL 22, 2025
5:00 PM

This meeting is being recorded

5:00 pm	1. Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares: MIIA Claim M24SB000967, M24GL000966 (Middle School)
5:10 pm	2. Business <ul style="list-style-type: none">• Warrant: 2521 and FP59• Minutes: Joint Open Session March 27, 2025, Open Session, April 1, 2025, Executive Session, April 1, 2025• Town Administrator Updates and Reports
5:20 pm	3. Discussion and final approval of Public Health Excellence Grant Intermunicipal Agreement
5:25 pm	4. Vote to approve Police Captain MOU
5:30 pm	5. Review and Vote to affirm Transfer Station Fees
5:40 pm	6. Department Head Update: Paul Goodwin, DPW Superintendent
5:55 pm	7. Police Station (65 N Main Street) Appraisal Review
6:00 pm	8. Public Comment (<i>To be held at 6pm for all Select Board meetings</i>)
6:10 pm	9. Vote to opt-in to in person early voting May 12-May 16, 2025, hours posted on Town Clerk website
6:15 pm	10. FY 26 Budget Update and Discussion, if needed
6:30 pm	11. May 13, 2025 Annual Town Meeting Select Board Article Recommendations vote
6:45 pm	12. Council on Aging Van Grant Denial – Mass DOT FY25 Community Transit Grant Program
7:00 pm	13. Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) & (2) to discuss strategy with respect to collective bargaining negotiation and non-union personnel: Fire Department Staffing

Upcoming Meetings:	May 6	Regular Select Board Meeting
	May 13	Annual Town Meeting
	May 20	Annual Town Election
	June 3	Regular Select Board Meeting
	June 24	Regular Select Board Meeting

MIDDLETON
SELECT BOARD & FINANCE COMMITTEE
PUBLIC HEARING MINUTES
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
March 27, 2025 at 6pm



The Board/Committee 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. This meeting was recorded.

Call to order: With a quorum present, in the absence of the Chair, K. Prentakis called the meeting to order at 6pm. Select Board present: Debbie Carbone, Clerk; Kosta Prentakis; Jeff Garber; Rick Kassiotis, Chair (A 6:24pm). Not present: Brian Cresta.

Finance Committee present: Richard Gregorio, Co-Chair; Thomas Martinuk; Peter Moon. Not present: John Erickson, Co-Chair; Toni Mertz; Jason Vining.

Also attending: Justin Sultzbach, Town Administrator; Jackie Bresnahan, Assistant Town Administrator; Sarah Woods, Finance Director.

The Middleton Select Board and Finance Committee will held a Joint Public Hearing on Thursday, March 27, 2025 at 6PM to review the Fiscal Year 2026 Operating & Capital Budgets .

On a motion by Carbone, seconded by Garber, it was unanimous to open the Public Hearing at 6:03pm.

- Review & Discuss 2025 Annual Town Meeting Warrant for May 13, 2025.

The Warrant Articles were shown on the screen and printed copies were also available.

J. Sultzbach gave a general overview of the Warrant Articles; these are attached as a part of the minutes.

There were 23 Articles on the May 13, 2025 Annual Town Meeting Warrant.

The Select Board closed the Warrant at their last meeting; therefore, only minor grammatical edits and formatting changes would be considered; the warrant goes to print early next week.

Administration fielded clarifying questions from the Board.

- Review & Discuss the FY26 Operating & Capital Budgets

J. Sultzbach reported on updates made to the budgets to reduce the town's deficit from \$ 600,000 to \$ 102,958; this included \$ 150,000 in budgets cuts. A proposal to use additional excess levy capacity is later in the agenda.

The decision was made at the beginning of the budget discussions to level fund the Masco Budget and increases be presented in an override article; the Towns three towns in the district, Middleton, Topsfield and Boxford were all financially impacted this year, and worked together on an approach. Masco's arrogate increase is about 4.27 percent. The Masco override for Middleton is \$ 467,000.

J. Sultzbach noted regional schools systems are complicated and can make what's already challenging, difficult. Significant shifts can make a significant difference in a town's assessment, even with the 5 year rolling average. He reviewed that in an effort to be proactive, a group of the three town's Town Administrators, Select Board & Finance Committee members all attended a Masco School Committee meeting early in the year to share the financial struggle being foreseen on the municipal side and the Town Administrators all met again with Dr. Harvey on February 25 to outline budget guidance.

Revenue was increased based on last year's actuals and interest earned on investments. Capital – the (estimate) of \$2.2MM requested for the Fuller Meadow Roof is being postponed to FY27; the funds to prepare the study were approved at the 2024 town meeting. The School is in the process of working with the Massachusetts School Board Authority on an application for 40 percent reimbursement.

Draft

Funding in the amount of \$ 75,000 in the operating budget for a new police cruiser has been held this year and will be presented in the Capital Plan going forward. This was supported by the Police Chief to make a good faith effort to the taxpayers to "tighten the belt" because it was more important to have another Officer than a new cruiser.

The overrides included as articles in the warrant are the Elementary School, Masconomet Regional District, and additional Fire & Police personal will also be on the ballot.

- Review updates to Financial Policies re: Excess Levy - *Excess Levy is the difference between the levy limit and the amount of real and personal property taxes actually levied in a given year.*

Draft additional language was reviewed for an Excess Levy Capacity amendment to Financial Policy No. 6 as previously discussed during a recent meeting. This amendment to the policy is a part of the minutes and has been summarized for the minutes: The proposed update to the policy would give the ability to the town to reduce the Excess Levy Capacity, currently at 1 percent, to a lesser percentage of the current budgeted General Fund Operating appropriation, prior to the calculation of the override. A three-year plan to return the amount to 1% may be adopted in accordance with the policy. K. Prentakis offered an edit to allow the town to go to zero percent in an emergency with specific majority votes of the Select Board and Finance Committee. To change from 1 percent to 0.5 percent requires a majority vote of both entities; to reduce it to .25 percent requires a 2/3 vote of both entities; and to reduce it to zero would require a unanimous vote of both entities being the Select Board & Finance Committee. The section to bring the percentage back to one percent within three years was also accepted.

The trends in excess levy capacity in the Commonwealth were referenced on the screen; J. Sultzbach noted it was typical for communities to not hold large sums of excess levy capacity.

Select Board: On a motion by Prentakis, seconded by Carbone it was unanimous to accept the policy as amended.

Finance Committee: On a motion by Moon, seconded by Martinuk, it was unanimous to accept the policy as amended.

Select Board: On a motion by Prentakis, seconded by Carbone, it was unanimously to go down to .75% in FY26; .85% in FY27, and back to 1% in FY28 and as per the policy to return to 1% in three years.

Finance Committee: On a motion by Moon, seconded by Martinuk, it was unanimously to go down to .75% in FY26; .85% in FY27, and back to 1% in FY28 and as per the policy to return to 1% in three years.

Review minutes from February 1, 20205 & March 1, 2025 – *The minutes were passed over.*

Documents:

Warrant Articles

Finance Policy – Amendment #6

Adjournment: *The hearing was closed and the meeting adjourned at 7:03 pm.*

Respectfully submitted by

Catherine E. Tinsley 3.28.25

Catherine Tinsley, Recording Secretary

Debbie Carbone, Select Board Clerk

Finance Committee

MEETING MINUTES
 MIDDLETON SELECT BOARD MEETING
 FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
 143 SOUTH MAIN STREET, MIDDLETON, MA 01949
 April 1, 2025 at 5pm

With a quorum present the Chair called the meeting to order at 5pm and announced the meeting was being recorded. Select Board present: Rick Kassiotis, Chair; Debbie Carbone, Clerk; Kosta Prentakis; Brian Cresta; Jeff Garber. Also attending: Justin Sultzbach, Town Administrator; Jackie Bresnahan, Assistant 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.

Business

Warrant: 2520 / April 3, 2025; Payroll: \$ 850,599; Bills Payable \$ 2.1MM; FP58 \$ 3,272,902

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

On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to approve Warrant 2520 & FP58.

Minutes: Joint Open Session February 1, 2025, Joint Open Session March 1, 2025, Open Session, March 18, 2025, Executive Session, March 18, 2025

On a motion by crestas, seconded by Prentakis, the Board voted unanimously by roll call to approve the minutes as presented.

Town Administrator Updates & Reports- J. Sultzbach

- A huge congratulations to our Assistant Assessor Kate Davies for passing Assessing Course 102.
- A thank you to our Stream Team for all of the work they put into litter pickup along Main St and Boston Street. (Thank you to Lynnfield volunteers as well)
- We met with the Council on Aging Board of Directors last week to give them an update on the Municipal Project.
- The Town Administrator reviewed and signed the contract for the OPM for the Fuller Meadow Roof Project.
- We have started the bargaining process with the Flint Public Library Staff. We expect to negotiate throughout the summer.

Middleton Municipal Campus Update & Review Change Order #S with Tom Kerwin, Managing Partner from PCA 360 and Alex **????** were present.

T. Kerwin stated in his introduction there was nothing new to report; the project is on schedule, on budget, and there are no unusual change orders. He gave a high level overview of the status of the project and provided a time laps video and some interior photos of the progress. It was noted with the buildings enclosed, construction is no longer weather pendent and would pick up pace. The project website is updated regularly (www.middleton-mmcc.com)

The project is about 45-48 percent into the budget with about 2 percent (\$400,000) on change orders absorbed; the industry average at this point is 5 percent. It remains anticipated the project will be under budget.

PCA 360 summarized the change orders requested for approval.

On a motion by Prentakis, seconded by Carbone, the Board voted unanimously to approve CPI Resident Engineering Services for the MassDOT permit requirements in the amount of \$ 43,740.

On a motion by Cresta, seconded by Carbone, the Board voted unanimously to approve LW Bills station Alerting System in the amount of \$ 46,944

Change Order no. 5: Vehicle Exhaust System in the Public Safety Building in the amount of \$ 52,177; It was noted a credit was applied to offset the cost and the funding source is the owner's contingency, which increases the W.T. Rich Contract but does not increase the project budge overall.

*On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to approve change order no. 5
In the amount of \$ 52,177*

2. Public Comment

Dianne Anderson, Boston St, spoke regarding the Select Board meeting (5pm) earlier start time and said 6pm or 5:30pm was her preference. She also mentioned the community access channel Comcast 22 and Verizon 28 are great resources for residents to keep informed and watch meetings and advocated for the Board to announce public resources to keep residents informed where/ when possible.

The Board questioned a marque sign at the new facility.

*The agenda was taken out of order with consensus**

3. Department Head Update: Nick Federico, Treasurer/Collector was present and updated the Board.

The Department enrolled in a new user friendly online payment platform for personal property, real estate, and motor vehicle tax. This program also provides a sticker system for inhouse printing i.e. transfer station; this will be considered in the future.

November 1 – Legislative tax title change for when properties go into tax title with a 50 percent reduction in penalty fees to 8 percent. The town has active payment plans for residents.

B. Cresta requested reports of those properties in long term tax title and unpaid real estate taxes to allow the Board to make decisions going forward. The Board recognized N. Federico for his work.

4. *Appointment: Assistant Treasurer/Collector for Payroll & Benefits - *Nick Federico introduced Liz Valentine to the Board as the new Assistant Treasurer/Collector.*

On a motion by Cresta, seconded by Garber, the Board voted unanimously to appoint Liz Valentine to the position of Assistant Treasurer Collector for Payroll and benefits for a term *Through June 30, 2027.*

5. Appointment: Metropolitan Area Planning Council Representative Anna B Carmer, Alternate Jackie Bresnahan

On a motion by Cresta, seconded by Carbone, the Board voted unanimously to appoint Anna Carmer as the town's representative to the Metropolitan Area Planning Council and Jackie Bresnahan as the Alternate.

6. FY26 Budget Update & Discussion, If needed - J. Sultzbach reported no changes on the town's budget. Language for the articles was drafted and being reviewed. He is waiting for feedback from the schools. Masco did not want to break down the details of their \$ 467,00 override for the article and did not offer a purpose; neither Topsfield or Boxford received any comments.

J. Sultzbach drafted a statement for the warrant on the Masco school budget and the Board contributed feedback. Budget updates will remain on the Select Board meeting agenda for the April 22 meeting.

7. *N. Main Corridor Sub Committee - Select Board liaison

The Board discussed appointing a liaison for this committee. K. Prentakis offered to be the board's representative.

On a motion by Cresta, seconded by Garber, the Board voted unanimously, K. Prentakis be the Select Board liaison on the Main Corridor Sub Committee.

8. 6:00pm Public Hearing on the following Liquor Licenses:

On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to open the public hearings at 6pm as published.

- Public Hearing on the application of JU, Inc., 223 Maple Street, Manager Dharmesh D Patel for an Alteration of Premises to its existing licensed premises

Attorney Jill Mann, Mann & Mann, was present on behalf of the applicant, JU Inc., 223 Maple Street, and spoke on the application to alter the building at the licensed location. Att. Mann referenced the 2023 Home Rule petition process and one reason this license was awarded was because of the ample parking on site. The landlord has completed renovations of the building and tenant is requesting to expand the building approximately 580 sq ft (where the garage bay was) to

accommodate for larger cooler space. Att. Mann noted this reduces the parking from 30 spaces to 25 spaces to allow for emergency vehicles; 16 spaces are required by zoning. She referenced the details as included in the application. The Chair opened the meeting for comments/questions for 223 Maple Street.

On a motion by Cresta, seconded by Carbone, the Board voted unanimously to approve the application of JU Incorporated located at 223 Maple Street with the manager Dharmesh Patel, for the proposed alteration of premises to the existing licensed premises and reduce the parking spots by five but still be above the mandated requirement of 16.

- Public Hearing on the application of Ferncroft License Holdings, LLC by Principals William Harrison Binnie, Steven G. Binnie, Mark M. Graham, Adam S. Binnie, for a Transfer of Licenses for the All-Alcohol Beverages On-Premise Restaurant License; the seasonal license DBA Members Lounge; and the seasonal license DBA Halfway House Snack Bar, all currently held by SD Management Group LLC, 8-10 Village Road, Middleton MA 01949.

Attorney Jill Mann, Mann & Mann, was present on behalf of the applicant (the Principals) and provided a brief summary of the status of the purchase and operation of the Ferncroft and referenced the Management Agreement Documents in the application. The current manager will remain after the sale.

Principal Dylan Binnie was present and spoke to the request for transfer of licenses. He referenced the company's 30 year ownership of the Wentworth by the Sea Country Club in Rye, NH as an example of their successful programming of a similar business. The ABCC has not begun the review process of the Liquor License application (pending the Boards vote) and ownership of the Ferncroft cannot be transferred until the license has been approved.

On a motion by Cresta, seconded by Garber, the Board voted unanimously to approve the application of Ferncroft License Holdings, LLC by Principals William Harrison Binnie, Steven G. Binnie, Mark M. Graham, Adam S. Binnie, for a Transfer of Licenses for the All-Alcohol Beverages On-Premise Restaurant License; the seasonal license DBA Members Lounge; and the seasonal license DBA Halfway House Snack Bar, all currently held by SD Management Group LLC, 8-10 Village Road, Middleton MA.

On a motion by Cresta, seconded by Prentakis, the Board voted unanimously to close the public hearings at 6:22pm.

9. *Surplus Town Property Regroup Discussion - Public Input on 38 Maple Street – Council on Aging (COA)

This building is also known as the "old town hall" and was constructed before the Civil War; it is considered a pre-existing non-conforming lot. It has been owned by the town for a number of years and is currently being used for the Council on Aging. The new facility has dedicated space for the COA and this building will be vacated.

The Select Board received a letter from abutters on the parking lot side. These residents were present and spoke to their concern regarding the trees along their property which they believed are both a safety and privacy issue. The resident noted the close proximity of the parking lot to her home with the trees as the only buffer and questioned the next use of the building. The Chair noted these concerns could be considered in any future agreement. It was the consensus of the Board the Town Administrator look into replacing dead trees and do the appropriate cleaning and trimming of this area. It was suggested those parking spaces abutting the neighbors be removed by the town when the COA moves to the new facility.

Ann Tragert Cote, President of the Historical Society & Chair of the Historical Commission, and Shirley Raynard were present. A. Tragert Cote stated the town owns only three historical buildings, and both groups are interested in saving the building and restoring it back to the original use of a town meeting /social gathering space and to create a space for artifacts downstairs. In their discussion, the Board acknowledged there is a cost to renovate and maintain the building, noting maintenance has been deferred due to the anticipation of the COA moving to the new facility.

The Historical Society owns their current building on Pleasant Street and it was questioned if they would consider selling that building to generate funds for i.e. renovations / maintenance of the "old town hall" building or "trade" it for the "old town hall" and all associated costs. The town's ownership and uncertain plans for the Fire Station were a part of the discussion as it related to parking; if the station is razed, additional parking could be created.

J. Bresnahan provided a rough estimate of \$15,000 - \$20,000 for the annual operating costs of the Maple St. building and noted the ADA plan for the building was stopped in 2019 with approval of a new municipal building; these costs are being updated to reflect current market costs.

Public comment included the decisions with these buildings will potentially change the character of the town and supported preserving the town's historical buildings and applying for Community Preservation Act funding.

There was initial support from the Board to not sell the old town hall, Maple Street building.

The next building in the series is Memorial Hall; change of date to June 3.

J. Sultzbach anticipated the Structural Engineer's report on the Fire Station and the appraisal for the police station would be on the April 22 agenda.

10. Review 5pm Select Board Meeting start time - The Board did not receive feedback on the earlier start time other than earlier in the meeting under public comment and reviewed the benefit of the earlier start time for town employees and Department Heads attending meetings. K. Prentakis suggested public comment be later in the meeting.

11. Acceptance of gifts & donations

- Rotary Club of Topsfield, Boxford, Middleton for \$ 1,500 to the Middleton Food Pantry

On a motion by Cresta, seconded by Carbone, the Board voted unanimously to accept the Rotary Club's \$ 1,500 donation to the Middleton Food Pantry with thanks.

12. Updates & Announcements

- The Stream Team is holding Earth Day on May 4th
- Chief Will's Day is set for June 28th with a rain date of June 29th

13. Executive Session - 7:35pm: *On a motion by Cresta, seconded by Prentakis, the Board voted unanimously by roll call to enter into Executive Session, pursuant to G.L. c 30A, s 21(a)(3) to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public and the chair so declares: Discussion of Litigation relative to MBTA Communities Act MGL Ch. 40A § 3a and not return to open session but adjourn directly from executive session.*

The Board adjourned at [REDACTED] pm

Upcoming Select Board Meetings:

- Regular Select Board meetings at 5pm – April 22; May 6 & 20
- Annual Town Meeting – May 13, 2025 & Annual Town Election May 20, 2025

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

- Warrant 2520 & Facility Project 58
- Minutes
- Change Order W.T.Rich Company, 3.26.25
- Construction Contract for Construction Manager at Risk Services – Change Order 05 Amendment
- E. Valentine Resume/Cover Letter 2.3.25
- May 13, 2025 ATM draft Warrant
- N. Main Corridor Sub Committee
- Application: Alteration of Premises Liquor License Application – Ju, Inc -Town Liquors
- Application: Ferncroft Transfer Of Liquor License SD Management to Ferncroft License Holdings LLC
- Surplus Properties Public Forum Series - COA/ Old Town Hall, 38 Maple Street
- Memo - Food Pantry Donation 3.26.25

Adjournment: *The Board voted unanimously by roll call to adjourn at approximately pm.*

Respectfully submitted by

Catherine E. Tinsley 4.12.25

Catherine Tinsley, Recording Secretary

Respectfully submitted as approved by the Select Board at the _____ meeting.

Debbie Carbone, Select Board Clerk

ESSEX TRI-TOWN SHARED SERVICES COLLABORATIVE
Inter-Municipal Agreement (IMA)
for the Public Health Excellence for Shared Services Grant

This Intermunicipal Agreement (hereinafter "Agreement"), is entered into by and between the towns of Middleton, Boxford and Topsfield hereinafter referred to collectively as the "Municipalities," and individually as a "Municipality," and the Town of Middleton, in its capacity as Host Agent of the Essex Tri-Town Shared Services Collaborative, (hereinafter referred to as "ETT") this ____ day ____ 2025, as follows:

WHEREAS, the Town of Middleton was awarded a Public Health Excellence for Shared Services grant by the Commonwealth of Massachusetts (the "Grant Program") to create a cross-jurisdictional public health services sharing program consistent with the recommendations of the Special Commission on Local and Regional Public Health's (SCLRPH) June 2019 Report; and

WHEREAS, the purpose of the Grant Program is to implement the recommendations made in the SCLRPH's June 2019 Report by increasing local public health capacity through cross-jurisdictional shared services programs and agreements; and

WHEREAS, each of the Municipalities offers public health services and resources, and desires to increase its capacity to provide said services and resources and improve regional public health and meet performance standards set by the Commonwealth by entering this Agreement; and

WHEREAS, the Town of Middleton, entering into an agreement with the Commonwealth of Massachusetts governing its participation in the Grant Program, is willing and able to manage the administrative obligations of the Grant Program through its Director of Public Health, who shall hereinafter be referred to as the "Program Manager"; and

WHEREAS each Municipality has authorized this Agreement pursuant to M.G.L. c. 40, §4A by votes of their respective Select Boards;

NOW THEREFORE, the municipalities, in mutual consideration of the covenants contained herein, intending to be legally bound thereby, agree under seal as follows:

1. **The Public Health Services Collaborative.** There is hereby established a collaborative of the Municipalities to be known as the Essex Tri-Town Shared Services Collaborative, which shall hereinafter be referred to as the "Collaborative." The Collaborative, acting by and through an Advisory board ("Advisory Board") as established in Section 5 of this Agreement, and the Shared Services Coordinator, as established in Section 4 of this Agreement, will coordinate, manage, and direct the activities of the parties with respect to the subject matter of the Grant Program, this Agreement, and the annual procurement agreement between the Town of Middleton, and the Commonwealth of Massachusetts, attached hereto as Exhibit A, the terms of which are expressly incorporated herein and shall bind all parties hereto, and any other programs and services related thereto so long as the Grant Program is in

existence. The purpose of the Collaborative is to design and implement a program by which the public health staff and resources of the Municipalities are consolidated and shared such that cross-jurisdictional services, investigations, enforcement and data reporting may be carried out and the public health and safety of the Municipalities may be better protected (the “Shared Services Program”).

2. Term. The term of this Agreement shall commence on the date set forth above and shall expire when the funds for the Grant Program are no longer available, or when terminated in accordance with this Agreement, but in no event shall the Term of this Agreement exceed twenty-five (25) years unless permitted by statute. Nothing herein shall be interpreted to prevent the Municipalities from extending the term of this Agreement beyond the exhaustion of the Grant Funds with the written consent of all parties hereto.
3. Lead Municipality. During the term of this Agreement, the Town of Middleton, acting as the “Lead Municipality,” shall oversee the Grant Program and the shared services program provided for herein (the “Shared Services Program”).

As the Lead Municipality, the Town of Middleton shall act for the Collaborative with respect to all grant applications to be submitted and gifts and grants received collectively by the Municipalities. The Town of Middleton shall act as the Municipalities’ purchasing agent pursuant to G.L. c. 7, §22B, for all contracts duly authorized by the Advisory Board, established pursuant to Section 5 of this Agreement, to be entered into collectively by the Municipalities. Final approval of any such contract is subject to approval of the Advisory Board and appropriation by each Municipality, to the extent required.

4. Shared Services Coordinator. The Town of Middleton, as Lead Municipality, shall hire and employ a Shared Services Coordinator and, through the Shared Services Coordinator and the Lead Municipality’s Health Department, shall perform all necessary fiscal and administrative functions necessary to provide the services contemplated under this Agreement, and shall be the holder of all grant funds related to the Grant Program, and may retain up 15% of the funds received through the Grant Program for wages and resources related to the performance of such duties, in accordance with the Grant Program Scope of Services, attached hereto as Exhibit B and incorporated herein. The Shared Services Coordinator shall report to the Advisory Board and shall keep records of all funding and expenditures for review by the Board and provide periodic financial status updates. For the purposes of employment status and health, retirement and other benefits, and immunities and indemnification as provided by law, the Shared Services Coordinator and any participating Collaborative staff working on behalf of the Collaborative, or the Advisory Board shall be considered employees of Town of Middleton and shall be accorded all benefits enjoyed by other Town of Middleton employees within the same classification as they are or shall be established unless otherwise provided for in this Agreement.

5. Advisory Board

There shall be an Advisory Board which shall be convened not less than quarterly by the Advisory Board Chair/Co-Chairs.

- a. **Composition:** one member and one alternate, both appointed by the Board of Health from each municipality. One representative from each municipality shall be a full voting member whose term shall be as determined by each municipality's local Board of Health. The voting member shall be a Board of Health member or designee of that municipality's Board of Health. Each participating municipality shall also have a second representative who shall be an associate member and who may vote when the full member is not in attendance. Each municipality shall maintain its individual local Board of Health, which shall retain its own legal authority and autonomy as provided by law.
- b. **Voting:** Each participating municipality shall be entitled to one vote on the Advisory Board. Every voting member shall have an equal voice in determining shared priorities, and services to be provided. Any action by the Advisory Board must be a unanimous vote.
- c. **Quorum:** A quorum of the Advisory Board shall consist of all three voting members or their alternates for the purposes of transacting business. The Advisory Board may act by a unanimous vote of members present and voting unless otherwise provided herein.
- d. **Roles and Responsibilities of the Advisory Board:**
 - 1) Select at least a Chair/Co-Chair of the Advisory Board.
 - 2) Meet on a regular basis and at least quarterly.
 - 3) Develop annual and long-term goals for the Collaborative.
 - 4) Advise on Collaborative staff priorities.
 - 5) Collaborate in developing a sustainability plan for ETT.
 - 6) Adopt any Collaborative-wide policies and recommended regulations.
 - 7) Review and provide recommendations on operating budgets.
 - 8) Assure compliance with all mandatory reporting requirements as proscribed by the Department of Public Health ("DPH") and Office of Local and Regional Health ("OLRH").
 - 9) Assure attendance at monthly or other grant holder meetings convened by DPH and OLRH
 - 10) Review financial status and financial statements provided by the Shared Services Coordinator.
 - 11) Review and provide recommendations on reports from staff.
 - 12) Evaluate Shared Services Program staff or consultants, and;
 - 13) Request, authorize and recommend the Lead Municipality hire shared services employees or contractors. Request and/or recommend that the Lead Municipality terminate shared services employees or contractors.
- e. **Meetings.** The Advisory Board shall meet no less than quarterly and may schedule additional meetings, as necessary. Meetings may be held in any one of the Municipalities as decided by the Chair/Co-Chair. All meetings shall be

conducted in compliance with the Massachusetts Open Meeting Law M.G.L. c. 30A, §§ 18-25 as may be amended from time to time.

6. Shared Services Program Participation. Each Municipality as part of this Agreement shall participate in the Shared Services Program as follows:
 - a. Each Municipality will consent to the Collaborative's duly-authorized agents and representatives exercising the powers provided for herein and by the Advisory Board within the boundaries of said Municipality and will direct its agents and employees to work in good faith with the Collaborative's health agents, nurses, and any other employees the Collaborative may employ from time to time.
 - b. Each Municipality will be a member of the Advisory Board as established pursuant to this Agreement, and appoint and maintain two Advisory Board representatives at all times.
 - c. Each Municipality will use best efforts to ensure that a representative of the Municipality will attend all Advisory Board meetings (either in-person or via remote access) throughout the life of this Agreement.
 - d. Each Municipality will use best efforts to ensure that a representative of the Municipality will attend all training sessions which are offered in conjunction with the Grant Program geared towards stakeholders under the Program, as required by the DPH or its representative.
 - e. Each Municipality will assist in collecting the necessary data as agreed to by the Committee and pursuant to the data reporting policy established pursuant to Section 5 of this Agreement to help meet the goals of the Shared Services Program and the Grant Program. The data collection provided for herein will include, but not be limited to, reporting to the Advisory Board, through the Shared Services Coordinator, public health outcomes and services related to the Shared Services Program and the Collaborative's agents and nurses.
 - f. Each Municipality will request from the appropriate legislative body appropriation for any services, costs and expenses associated with the Collaborative and not covered by the Grant Program. Notwithstanding this provision or any other terms of this Agreement, no party shall be obligated to incur any financial cost above the amount made available herein through grants and gifts or other sources, unless the financial obligation is supported by an appropriation made in accordance with law.
 - g. Each Municipality will help promote and market the Shared Services Program and its services within their community.

h. The Municipalities acknowledge that if any inspection as any part of the Shared Services Program identifies the need for or forms the basis for enforcement or other legal proceedings, such proceedings shall be the responsibility of the Municipality in which the inspection was performed to commence and fund.

7. Payment and Funding. Pursuant to G.L. c. 40, §4A, any funds received by the Shared Services Program, Advisory Board, or the Town of Middleton pursuant to this Agreement, shall be deposited with the treasurer of the Town of Middleton and held as a separate grant account and may be expended, with the approval of the Advisory Board, under the provisions of G.L. c. 34, §23 and G.L. c. 44, §53A, for contribution toward the cost of the Shared Services Program and in compliance with established grant guidelines from grantors.

The Advisory Board may authorize a disbursement of funds for any shared contractor, salary, or wages consistent with the terms of this Agreement, and/or for any program, service or benefit that is consistent with the terms of this Agreement.

Except for the 15% of Grant Program funding for administrative costs that the Town of Middleton may retain pursuant to Section 4 of this Agreement, a Municipality may draw on grant funds individually, with prior approval by the Advisory Board, and provided such funds are available, by submitting invoices to the Shared Services Coordinator for reimbursement from the funds, for expenditure consistent with the purposes of the Shared Services Program and applicable grant funding guidelines.

The Town of Middleton, as the holder of Grant Program funds, will pay the invoice within 30 days, subject to the availability of funds; provided, however, that the Town of Middleton shall not be obligated to supply any funding or incur any cost in excess of the amounts made available to the Advisory Board and the Shared Services Program through the Grant Program and/or any other and gifts, grants, or other sources appropriated for the purposes of this Agreement. Individual municipal costs incurred outside the scope of this Agreement and specific to the needs of that Municipality will be borne solely by that Municipality. Any funds contributed by the Grant Program shall only be used for shared public health services consistent with the purposes of this Agreement.

Annually, the Advisory Board will develop and approve a public health services budget for contractual shared services. Initially, these services are funded by a 3-year Public Health Excellence Grant from the Department of Public Health administered by the Town of Middleton. It is the intention of the Town of Middleton to seek additional grant funds to sustain these services but if that is unsuccessful, participating Municipalities will revisit this Agreement and determine whether they will allocate municipal funds to continue participation. The Shared Services Coordinator will provide each Municipality with sufficient notice to allow that Municipality's funding authority to authorize any such expenditure. Until grant funds are expended, there will be no cost to participating municipalities. Execution of this

Agreement does not obligate any other participating Municipality to fund the Grant Program and a mutually acceptable written contract amendment would be required to do so.

Pursuant to G.L. c. 40, §4A, any party may, but shall not be required to, raise money by any lawful means to further the purposes of the Shared Services Program and any such funds shall be held by the Town of Middleton and expended pursuant to the terms of this Agreement.

8. Other Municipal Services. The Municipalities of the Collaborative may request the Advisory Board to add or remove associated services to be delivered as part of the Shared Services Program, and such shall take effect only after this Agreement is so amended in writing and approved by each Municipality. The Municipalities are not limited exclusively to the Grant Program and are not required to use all services of the Grant Program. Municipalities may apply for other grants outside the Collaborative.

The Collaborative through a vote of the Advisory Board may apply for other grants, opportunities, funds, and awards for shared services on behalf of the Municipalities. The Advisory Board must approve any and all grants or grant applications submitted as a Collaborative. The Advisory Board may appoint other Municipalities to act as host agencies for these other grant opportunities and the Municipalities agree that this Agreement shall be amended to account for any associated grant terms and conditions.

9. Employees. Employees and personnel of each Municipality providing services pursuant to this Agreement shall be deemed employees of their respective Municipalities, and not employees of any other Municipality. An employee who performs services, pursuant to this Agreement on behalf of another member Municipality, shall be deemed to be acting within the scope of his current Municipal job duties at all times and remain an employee of the employee's Municipality for insurance coverage purposes. Said Municipal employee shall retain all accrued benefits and shall be subject to standard hiring and personnel practices of such municipality. Pursuant to a vote of the Advisory Board, grant funds may be designated and expended to pay for any and all wages and costs incurred by a Municipality for employing an employee providing services pursuant to this Agreement.
10. Indemnification & Insurance. Pursuant to MGL c. 40, s. 4A, each party shall be liable only for the acts and omissions of its own employees and not for the employees of any other municipality or agency in the performance of this Agreement to the extent provided by the Massachusetts Tort Claims Act, M.G.L. c. 258. By entering into this Agreement, the Municipalities have not waived any governmental immunity or limitation of damages which may be extended to them by operation of law. Should the Collaborative or a Municipality incur any liabilities on behalf of the Grant

Program such as unemployment insurance or other unforeseen expenses not covered by the Grant, each of the member municipalities will proportionally share in the liability for such expenses.

If liability insurance coverage is needed the Collaborative shall obtain and keep in full force and effect public liability insurance in the amount of One Million Dollars (\$1,000,000) combined single limit for bodily injury, death and property damage arising out of any one occurrence, protecting the other party against all claims for bodily injury, Three Million Dollars (\$3,000,000) aggregate, death, or property damage arising directly or indirectly out of the Indemnification Provisions of this Agreement.

11. Entrance. Any municipality may petition the Collaborative to join this Agreement to the extent permitted by the grants. In order to approve the addition of a new entity to the Agreement for the Grant Program requires the approval of the Massachusetts Department of Public Health and no less a unanimous vote of the Advisory Board and amendment of this Agreement in accordance with Section 17, herein.
12. Withdrawal. Any Municipality other than the Lead Municipality, by votes of its respective authorizing Select Board or Chief Executive Officer and Board of Health, may withdraw from this Agreement with the provision of at least three (3) months prior written notice to the Lead Municipality and the Advisory Board. Withdrawal requires the vote of the Select Boards upon recommendation by the Boards of Health. Upon such withdrawal, the Shared Services Coordinator shall prepare full statements of outstanding unpaid financial obligations under this Agreement and present the same to the terminating Municipality for payment within thirty (30) days thereafter. To the extent permitted by the Grant Program and its agreement with the Commonwealth of Massachusetts pursuant thereto, the Lead Municipality, by a vote of its Select Board and Board of Health, may withdraw from this Agreement upon the provision of at least three (3) months prior written notice to the participating Municipalities and the Advisory Board, and a new Lead Municipality shall thereafter be designated by the Advisory Board, by a vote of the representatives of the remaining parties. Prior to the effective date of its withdrawal, the Lead Municipality shall transfer all funds held pursuant to this Agreement to the new Lead Municipality as designated by the Advisory Board any pay any outstanding unpaid financial obligations under this Agreement within thirty (30) days thereafter. Any Municipality may withdraw at the end of any fiscal year in which the Municipality's legislative body has not appropriated funds sufficient to support that Municipality's continued participation in the subsequent fiscal year if such funds are required. In such an event, the Municipality shall give as much notice to the other Municipalities to this Agreement as the circumstances allow. The Advisory Board, by vote of the remaining members, has the authority to reallocate grant resources or other outside

funding that would have been allocated to the withdrawing Municipality. Any data collected from the terminating Municipality through a Shared Services Program project, service, or program will remain with the Advisory Board for analysis by the Shared Services Coordinator and the Advisory Board.

13. Termination. This Agreement may be terminated by a vote of a majority of the Municipalities' representatives of the Advisory Board, at a meeting of the Advisory Board called for that purpose; provided that the representative's vote has been authorized by the Municipality's Select Board. Any termination vote shall not be effective until the passage of at least sixty (60) days and until the Municipalities have agreed to an equitable allocation of all remaining costs, expenses and assets.
14. Conflict Resolution. The Advisory Board may hold additional meetings to discuss and resolve any conflicts that may arise including, but not limited to, disagreements regarding the needs of each Municipality, administration of the shared services programs, the terms of this Agreement, data reporting and any other matters the parties deem necessary.
15. Financial Safeguards. The Lead Municipality shall maintain separate, accurate, and comprehensive records of all services performed for each of the Municipalities, and all contributions received from the Municipalities.
16. Assignment. None of the Municipalities shall assign or transfer any of its rights or interests in or to this Agreement, or delegate any of its obligations hereunder, without the prior written consent of all of the other Municipalities.
17. Amendment. This Agreement may be amended only in writing pursuant to an affirmative vote of all Municipalities' Select Boards
18. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, illegal, or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and the remaining provisions hereof shall not be affected and shall remain in full force and effect.
19. Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts.
20. Headings. The paragraph headings herein are for convenience only, are no part of this Agreement, and shall not affect the interpretation of this Agreement.
21. Non-Discrimination. Neither the Lead Municipality nor the Municipalities shall discriminate against any person because of race, color, religious creed, national origin, gender, ancestry, sexual orientation, age, handicap, gender identity, genetic

information, military service, or any other protected class under the law with respect to admission to, access to, or operation of its programs, services, or activities.

22. Notices. Any notice permitted or required hereunder to be given or served on any Municipality shall be in writing signed in the name of or on behalf of the Municipality giving or serving the same. Notice shall be deemed to have been received at the time of actual receipt of any hand delivery or three (3) business days after the date of any properly addressed notice sent by mail as set forth below:

Town of Middleton:

(contact name)
(email)
(phone)
(address)

Town of Boxford:

Matt Coogan mcoogan@boxfordma.gov
978.887.6000

(contact name)
(email)
(phone)
(address)

7A Spofford Road Boxford

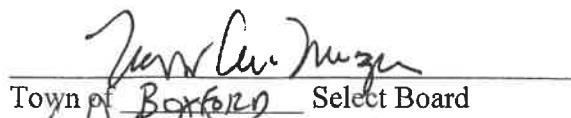
Town of Topsfield:

(contact name)
(email)
(phone)
(address)

23. Complete Agreement. This Agreement constitutes the entire Agreement between the Municipalities concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the Municipalities concerning the subject matter hereof. Each Municipality acknowledges that it has not relied on any representations by any other Municipality or by anyone acting or purporting to act for another Municipality or for whose actions any other Municipality is responsible, other than the express, written representations set forth herein.

24. Counterparts. This Agreement may be executed in counterparts by each Municipality and so executed shall constitute one complete Agreement.

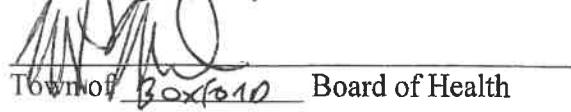
WITNESS OUR HANDS AND SEALS as of the first date written above.



Town of Boxford Select Board

3/31/25

Date



Town of Boxford Board of Health

4/2/2025

Date

Town of _____ Select Board

Date

Town of _____ Board of Health

Date

Town of _____ Select Board

Date

Town of _____ Board of Health

Date

EXHIBIT A

Current Grant agreement between the (NAME OF COLLABORATIVE) and the Commonwealth of Massachusetts – to be attached

EXHIBIT B

The Municipalities will share following services in coordination with the Lead Municipality:

- *A Regional Shared Services Coordinator* shall perform all necessary fiscal and administrative functions necessary to provide the services listed in the work plan and budget, but not limited to, for the public health excellence grant.
- *A Regional Public Health Inspector (Food/Environmental/Housing)* This position will be will be a hired position or contracted out through a third-party vendor and services will include but may not be limited to perform routine food, FOG, and other environmental inspections as assigned by the municipalities. This inspector would assist each municipality to meet required inspections per year as determined by the food code and create a consistent inspectional framework for mobile food services. Manage and inspect tenant complaints, hoarding situations, lead law compliance, and other housing related situations and connect residents to necessary support services. The Inspector will assist with any court-related action necessary as the municipality's representative, but each municipality will be responsible for the legal fees and costs for any court enforcement action proceeding for their own municipality separate and apart from any grant funding. Additional environmental health inspectional services may be requested. Inspection supplies needed for inspection services shall be purchased and provided through the collaborative.
- *Public Health Nursing* services. This position will be a hired position or contracted out through a third-party vendor. The Public Health Nurse will be employed pursuant to the terms of this Agreement and with use of the grant funding. The services provided by the Public Health Nurse will include, but may not be limited to infectious disease surveillance, preventative care, immunizations, education and outreach and emergency planning activities or however envisioned by the collaborative.
- *Regional Social Worker Services*. This position will be a hired position or contracted out through a third-party vendor. The Regional Social Worker will be employed pursuant to the terms of this Agreement and with use of the grant funding. The services provided by the Regional Social Worker will include, but may not be limited to providing social worker outreach across the Municipalities and emergency planning activities or however envisioned by the collaborative.
- *Regional Consultant Services*. Consultants and independent contractors, including for, but not limited to, grant administrative support, technical assistance, policy advisement, emergency inspection/clinical services, and training.

Provide those additional ancillary services and duties as needed to the member municipalities in order to provide the shared services described above.

MEMORANDUM OF AGREEMENT
BETWEEN
TOWN OF MIDDLETON, MASSACHUSETTS AND
POLICE CAPTAIN

THIS AGREEMENT, revised as of _____, 2025, by and between the Town of Middleton, Massachusetts, a municipal corporation (the "Town"), and its Police Captain.

WHEREAS, the Town seeks to secure the services of Mr. Matthew Armitage as Captain under the terms set forth below, and the Captain wishes to accept the position under such terms;

NOW THEREFORE, for mutual consideration, the Town and Captain Armitage agree as follows:

I. TERM

Employment under this Agreement continue as of the original agreement dated July 1, 2022, with a term beginning July 1, 2025 and ending June 30, 2026, and Armitage agrees not to accept other employment or to become employed by any other employer until said termination date. Likewise, during the term of this agreement, the Town agrees to maintain Captain Armitage's employment unless separated for Just Cause. Thereafter, this Agreement shall continue to remain in effect until either party notifies the other in writing, of its intent to terminate this Agreement.

Notwithstanding the above, the Town may terminate this Agreement at any time for Just Cause, the determination of which is at the sole discretion of the Town.

It is expressly understood that a decision not to renew this Agreement shall not be construed as a dismissal, require a hearing or a just cause finding.

II. DUTIES AND RESPONSIBILITIES

During the term of this Agreement, under the general direction of the Chief of Police, the duties of the Captain shall be as follows: be the second in command of the police department, as well as be responsible for the supervision, coordination and control of the Sergeants. The Captain's specific duties are outlined in the Middleton Police Department Police Captain Job Description and as shall be modified from time to time.

The Captain shall diligently, faithfully, and competently perform the duties and responsibilities listed in this policy, as well as responsibilities required or imposed upon him in accordance with the laws and regulations of the Commonwealth; Town policies; Directives of the Middleton Town Administrator and Select Board; and the provisions of this Agreement.

III. HOURS OF WORK

Captain Armitage agrees to devote that amount of time and energy which is

necessary for him to properly and faithfully perform the duties as Captain. The Captain's work week shall ordinarily consist of forty (40) hours per week. The Captain recognizes that the proper performance of his duties and responsibilities under the Agreement will require him to devote time outside of prescribed or regularly scheduled work hours. The Captain shall generally work a Monday through Friday day schedule, or as may be amended by the Chief of Police. Time spent at evening meetings or hearings may be counted towards his forty (40) working hour's weekly commitment. This is a salaried position and all reference to FLSA status and overtime can be found in the separate attached agreement on that topic.

IV. COMPENSATION

- A. In consideration of the faithful, diligent and competent performance of Mr. Armitage and his duties as Captain as provided in this Agreement, the Town shall pay Mr. Armitage \$137,624.03/year pro-rated for the period through June 30, 2026 (not including any merit adjustments), less deductions, and payable in bi-weekly installments at the same time as other employees of the Town are paid.
- B. The Town may increase Captain Armitage's base salary on an annual basis based upon their review of his performance as determined by the Police Chief during the employee evaluation process and/or non-union cost of living adjustments.
- C. In the absence of the Chief, the Captain will assume the powers, duties and responsibilities of the Chief, subject to any limitations set by the Chief.

V. BENEFITS

- A. The Captain shall be entitled to the following sick leave benefits: Accrue one and one quarter (1¼) days of paid sick leave for each month of service with the Town of Middleton. Sick leave may be accumulated to a maximum of one hundred fifty (150 days), with any sick leave used to be deducted from the accumulated total.

After five working days of sickness, a doctor's certificate of disability may be required by the Town Administrator.

The Police Captain shall be eligible to accumulate sick time from year to year up to a total of 1,200 hours, but there is no buy-back of sick time permitted during the course of employment or upon separation from service. The Captain shall be eligible for non-union Sick Bank per the current policy in the Employee Handbook.

- B. During the term of this Agreement, the Captain shall be entitled to an annual clothing and cleaning stipend of \$1,750.00 pro-rated for the first year. Said allowance shall be paid bi-annually, the first payment in the first regular payroll in December, the second in the first regular payroll in June.
- C. The Captain shall be granted three (3) paid days per fiscal year for personal reasons, pro-rated for the first year. Personal leave days may not be carried over from one contract to the next contract year.
- D. In the event of death in the immediate family of the Captain, the Captain shall be granted up to three (3) days leave without loss of pay, to attend the funeral or memorial services. The term immediate family shall be defined in the Employee Handbook.
- E. Captain Armitage shall receive five (5) weeks' vacation per year that shall accrue at a rate of 1.67 vacation days per month, pro-rated for the first year. Up to five (5) unused vacation days may be carried over from one fiscal year to the next; however, at no time will Captain Armitage take more than five (5) weeks of paid vacation time in any one fiscal year. Upon the resignation, retirement, or any other termination of employment, Captain Armitage shall be paid for all vacation days accrued, but not taken. The time of taking said vacation shall be subject to the approval of the Chief of Police.
- F. The following days shall be recognized as paid holidays:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veteran's Day
Patriot's Day	Thanksgiving Day
Memorial Day	Day After Thanksgiving
Juneteenth	Christmas Day
Independence Day	

The Captain shall be compensated at with holiday pay, calculated as eight (8) hours of straight time for all holidays.

- G. Other than as set forth above, the Captain shall be eligible for all retirement, insurance, and such employee benefits as are normally provided to full-time Town employees, pursuant to applicable policies.
- H. Provided it does not conflict with his regular duties or occur during his regular shift, the Captain will be allowed to work outside Police details after all members of the police bargaining unit qualified to work the detail are first offered the opportunity to work and have refused. Outside details shall be defined as extra duty paid by an outside individual, group, organization, or municipal department. The Captain's detail rate will be same rate as the current union detail rate, subject to bargaining with the Middleton Police Benevolent Association.
- I. The Town will furnish the Captain with a standard police vehicle for his use, in connection with the performance of his duties as Captain. Costs associated with the

operations and maintenance of the police vehicle shall be paid by the Town. The Captain's vehicle will be subject to Police Department's Take Home Vehicle Policy.

J. The Town will furnish the Captain with a laptop computer and cell phone for his official use.

VI. MEMBERSHIP FEES AND LEGAL DEFENSE REIMBURSEMENT

The Town shall pay for Captain Armitage's membership as an Associate Member in Massachusetts Chiefs of Police Association, the Legal Defense Fund, and other local associations and organizations necessary and desirable for continued professional growth and advancement and for the good of the Town. The Captain shall be reimbursed for reasonable expenses incurred in the course of his duties, in accordance with the Town's existing policies and procedures. These expenses might include seminars, travel, lodging and meals.

VII. PROFESSIONAL DEVELOPMENT

The Town recognizes its obligations to encourage the professional development of the employee and agrees to provide Matthew Armitage adequate opportunity to develop his skills and abilities as a Captain. Accordingly, the Town shall allow and pay for the Captain to attend courses and seminars. To also include attending speaking, writing, lecturing or other engagements of a professional nature, without loss of vacation or other leave, subject to the availability of funding and prior approval of the Chief of Police and provided that they do not interfere with or detract from his duties as Police Captain.

VII. MISCELLANEOUS

The Town shall defend, save harmless, and indemnify the Captain from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, action, or suit, whether groundless or otherwise, arising out of any act or omission if the Captain at the time of such act or omission was acting in the performance of his duties as a Captain of the Police Department for the Town and to the extent allowable by law. This section shall survive the termination of this agreement.

This Agreement supersedes any and all prior Agreements or understanding of the parties, and may not be changed except by agreement in writing, signed by all parties.

Any and all notices required or permitted to be given under this agreement will be sufficient if furnished in writing, sent by certified mail to the Captain's last known address or to the Town's principal office in Town Hall, with a copy to Town Counsel.

The Captain understands and agrees that all compensation and benefits provided in this Agreement are subject to Town Meeting appropriation. In the event Town Meeting fails to sufficiently appropriate to fund this agreement, the parties shall attempt to renegotiate this Agreement. As part of said negotiation, the Town agrees to negotiate in good faith with the Middleton Police Benevolent Association the

reinstatement of the Captain as a Sergeant in said Department.

This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Police Captain.

No waiver of satisfaction of a condition or nonperformance of an obligation under this agreement will be effective unless it is in writing and signed by the party granting the waiver.

This Agreement shall be executed in duplicate to take effect as a sealed instrument, and each copy thereof shall be deemed an original.

This contract shall be construed and governed by the laws of the Commonwealth of Massachusetts.

If any provision, or any portion thereof, contained in this Agreement is determined to be illegal by a court of competent jurisdiction or otherwise, it shall be considered null and void but the remainder of this Agreement shall not be affected, and shall remain in full force and effect.

This Agreement is the result of negotiation and compromise by and among the parties and no party shall be prejudiced as having been the drafter of the Agreement.

IN WITNESS THEREOF, the Town of Middleton has caused this Agreement to be executed in its corporate name by its Select Board, and Captain Matthew Armitage has set his hand and seal, as of the day and year first written above.

Deborah J. Carbone, Clerk

Jeffrey P. Garber

Brian M. Cresta

Kosta E. Prentakis

Date

Matthew Armitage

Date

Justin Sultzbach, Town Administrator

Date



Transfer Station Costs and Sticker Price Calculation

		Detail		Bud/Act	% Tax Rate	% Sticker	Previous FY-2	Previous FY-1	Current FY	Budget FY	Budget FY Tax	Comments	
Wages	FT/PT/OT Personnel	B	100%		0%	\$133,000	\$ 136,000	\$149,000	\$ 163,533	\$ -	\$163,533	Does not include Supt., Asst. Supt., Clerk	
Services	Utilities: Electric, Septic, etc.	B	100%		0%	\$ 4,300	\$ 3,800	\$ 4,100	\$ 5,500	\$ -	\$ 5,500		
Eq. Repair	Repairs to all Xfer Sta Equipment	B	100%		0%	\$ 10,000	\$ 13,000	\$ 16,000	\$ 21,000	\$ -	\$ 21,000		
	Trash Disposal	A	0%		100%	\$186,960	\$ 168,266	\$191,743	\$ 232,867	\$ 232,867	\$ -	Tipping Fees	
	Fuel/Oil for trucks	B	0%		100%	\$ 35,000	\$ 32,000	\$ 35,000	\$ 39,600	\$ 39,600	\$ -	Consumables for Trucks and equipment	
	Recycling Disposal	A	0%		100%	\$ 35,313	\$ 19,524	\$ 36,761	\$ 52,000	\$ 52,000	\$ -	Recycling Disposal Fees	
Average	Cost to have a Transfer Station						\$147,300	\$ 152,800	\$169,100	\$ 190,033		\$190,033	Taxes should cover this number
38%							36%	41%	39%	37%			
62%	Cost to dispose of Trash/Recycling						\$257,273	\$ 219,790	\$263,504	\$ 324,467	\$ 324,467		Stickers should cover this number

\$404,573 \$ 372,590 \$432,604 \$ 514,500

Number Sold	% Stickers	Price Ratio	% Cost	Calculated Price	Rounded Price	Revenue	All Stickers
1500	68%	100%	90%	\$ 193.71	\$ 195.00	\$ 292,500	
500	23%	25%	7%	\$ 48.43	\$ 50.00	\$ 25,000	
200	9%	25%	3%	\$ 48.43	\$ 50.00	\$ 10,000	

Principes

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A REAL ESTATE APPRAISAL REPORT

PREPARED FOR

TOWN OF MIDDLETON

BY

MINCO CORPORATION

DATE OF VALUATION: APRIL 9, 2025

DATE OF INSPECTION: APRIL 9, 2025

DATE OF REPORT: APRIL 13, 2025

FOR THE PROPERTY LOCATED AT

65 NORTH MAIN STREET

MIDDLETON, MASSACHUSETTS

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SUBJECT DEED	
FLOOD MAP	

MINCO

CORPORATION

April 13, 2025

Justin Sultzbach, Town Administrator
Town of Middleton
48 South Main Street
Middleton, Massachusetts 01949

Dear Mr. Sultzbach:

In answer to your request and authorization letter dated February 27, 2024, we have performed an appraisal of the fee simple interest of the commercial property located at 65 North Main Street, Middleton, Massachusetts. This appraisal report is intended to comply with the reporting requirements set forth under Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice (USPAP). This report presents discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses are retained in our file. The depth of discussion contained in this report is specific to the needs of the client. The appraiser is not responsible for unauthorized use of this report.

This appraisal is made subject to limiting conditions and underlying assumptions set forth in this appraisal, including those regarding the presence of asbestos, lead paint, or hazardous waste as governed by applicable state, local or federal laws. The information contained herein is considered confidential in nature and is specifically prepared for the exclusive use of the Town of Middleton for potential marketing purposes.

In our opinion, the market value of the fee simple interest of the subject property as of April 9, 2025 is \$1,000,000 (One Million Dollars). This valuation assumes marketing and exposure times of two to four months.

Respectfully submitted,
Minco Corporation



John F. McCarthy, Vice President
Mass. Certified General Appraiser #401
File #: C2508180.10

SUMMARY OF SALIENT FACTS

LOCATION	65 North Main Street Middleton, Massachusetts
OWNER OF RECORD	Town of Middleton
CURRENT DEED	South Middlesex County Registry of Deeds Book 5649, Page 560 recorded 1/25/2017
PROPERTY TYPE	Commercial
LAND AREA	43,560 square feet
BUILDING AREA	6,926 square feet
ASSESSED VALUATION	\$1,284,400
CURRENT R.E. TAXES	Exempt
ZONING	B Business District
HIGHEST AND BEST USE	as improved
EXTRAORDINARY ASSUMPTION	none
HYPOTHETICAL CONDITION	none
EASEMENTS OR RESTRICTIONS	none observed
INTEREST APPRAISED	Fee Simple
DATE OF VALUATION	April 9, 2025
DATE OF INSPECTION	April 9, 2025
DATE OF REPORT	April 13, 2025
INTENDED USE	Potential Marketing Purposes
INTENDED USER	Town of Middleton, MA
MARKET VALUE	\$1,000,000

SUBJECT PROPERTY EXTERIOR PHOTOGRAPHS

Front View



Additional Front View



Rear View



Additional Rear View



North Main Street Looking Northwest



North Main Street Looking Southeast



SCOPE OF WORK

The appraiser was engaged by the client to appraise the market value of the subject property. It is my understanding that this report will be used by the client for potential marketing purposes. The property was inspected on April 9, 2025 and this is the effective date of value. To develop the appraisal, the property was inspected and public records were investigated to obtain information on it. These sources include, but were not limited to, municipal records and the registry of deeds.

The Sales Comparison and Income Approaches were developed in this appraisal. In gathering market data, the following sources were used: CoStar, Banker and Tradesman / Warren Group, Multiple Listing Service Property Information Network (MLS-PIN), real estate agents, brokers, appraisers and other professionals knowledgeable of the market area. This appraisal report contains sufficient data and analysis for the client to make an informed business decision. Supporting documentation is retained in my file.

EXTRAORDINARY ASSUMPTION

According to USPAP, an extraordinary assumption is "...directly related to a specific assignment, which, if found to be false, could alter the appraisers opinions or conclusions." There is no extraordinary assumption in this appraisal.

HYPOTHETICAL CONDITION

According to USPAP, a hypothetical condition "...is known to be false but is presumed to be true." There is no hypothetical condition in this appraisal.

INTEREST APPRAISED

The subject property is appraised in its Fee Simple interest. Fee Simple, is "a fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power, and taxation. An inheritable estate."¹ In other words, Fee Simple assumes that the property is appraised as if free and clear of liens or other encumbrances, except for any existing or proposed easements or other restrictions as noted in this report. No trade fixtures, personal property, specialized equipment, intangible items, or business value (going concern) is included in the value indication set forth in this report. As requested, we appraised only the subject real estate.

1. Boyce, Burl N., ed., Real Estate Appraisal Terminology, Revised Edition, Cambridge, Massachusetts, Ballinger Publishing Company, 1984, p. 102.

DEFINITION OF VALUE

Market Value

As used in this report, Market Value is defined as: *The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: 1. Buyer and seller are typically motivated; 2. Both parties are well informed or well advised, and acting in what they consider their best interests; 3. A reasonable time is allowed for exposure in the open market; 4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; 5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*²

EXPOSURE TIME

According to USPAP, an appraisal must state an opinion of reasonable exposure time linked to a market value opinion. In USPAP, exposure time is defined as follows: "the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market." Based on our study of the marketplace, this appraisal of market value assumes a market exposure time of two to four months prior to the date of the appraisal. Exposure time differs from marketing time which, according to USPAP, is defined as: "an opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal." If offered for sale, the forecast marketing time is two to four months, if priced relative to the appraised market value opinion.

OWNERSHIP HISTORY

The subject property is under the ownership of Town of Middleton who purchased the property from The Richardson Trust in 1972 in consideration of \$20,000 on February 1, 1972. The property is described in Book 5849, Book 560 at the South Essex County Registry of Deeds, Salem, Massachusetts recorded March 14, 1972. The subject property is not listed for sale or under purchase and sale contract nor has it been offered for sale on the open market within the last three years.

² *Interagency Appraisal and Evaluation Guidelines, December 10, 2010, Federal Register, Volume 75, Number 237, Page 77472*

PROPERTY TAX INFORMATION

The following is assessment information applicable to the subject property as it appears in municipal records at the Middleton Assessors Office.

Assessors Address	65 North Main Street
Parcel ID	17 / 96
Assessment	\$ 691,400 Land \$ 593,000 Improvements \$1,284,400 Total
Tax Rate	\$11.89/\$1,000 (Single Tax Rate - Fiscal Year 2025)
Annual Taxes	Exempt

Middleton assessments are effective July 1, 2024, for Fiscal Year 2025. The subject is a municipal property exempt from real estate taxes. Middleton recognizes a single tax rate for all classifications of real estate. The Fiscal year 2025 is \$11.89 per \$1,000. If the subject was sold and used for private use, the taxes would equate to about \$15,275.

LOCATION DESCRIPTION

Town of Middleton

Middleton is in northeastern Massachusetts, in central Essex County. It is bordered by Peabody and North Reading to the west, North Andover and Boxford to the north and North Andover and Topsfield to the east. The town's population is about 10,000 persons and total land area is 14.45 square miles. Middleton is conveniently located just north of the Interstate Route 95 (I-95) and Route 1 interchanges in neighboring Danvers and Peabody. Route 114 is the primary roadway in town, connecting with North Andover at the north and Danvers at the south. Route 62 is the other state-numbered roadway in town.

Boston is about 35 minutes driving time, via I-95. There is no Massachusetts Bay Transportation Authority (MBTA) commuter rail service in Middleton, but there is access in nearby Andover, Reading and Beverly. Logan International Airport in Boston provides the nearest scheduled air service, while Beverly Municipal Airport in neighboring Danvers and nearby Beverly provides the nearest general aviation service. The overall quality of this access is considered good for the area.

Middleton has an Open Town Meeting form of government. A part-time elected selectboard appoints a full-time town administrator. Town services are typical of medium-sized suburban communities in this area and include full-time fire and police departments, and K-12 school system. There is one elementary school that serves children from grades one through five, while middle and High School students attend Masconomet Regional School

in neighboring Boxford. Middleton is served by municipal water and electricity. There is no public sewer in the town. Some areas of town are serviced by natural gas.

Middleton has experienced considerable commercial growth along the Route 114 corridor during the past 20 or so years, including retail properties of various types. Despite this, the town is primarily a bedroom community. Most residents commute to the greater Boston area to work.

Nearly all residential development is single-family. According to MLS-PIN there are 10 current offerings priced from \$675,000 to \$3,495,000, with an average listing price of \$1,481,900 or \$354 per square foot of gross living area (GLA). The average days on market (DOM) is 60. There are 13 houses current under agreement to be sold, with an average asking price of \$921,900 or \$407 per square foot, with 26 DOM. There were 22 sales over the past six months with an average price of \$1,087,700 or \$341 per square foot and 50 DOM.

Demographics

Middleton has about 3,150 housing units of which about 83 percent are single-unit dwellings. Town occupancy is about 95 percent and 74 percent of units are owner-occupied. The average value of owner-occupied units is about \$555,600. There are about 3,000 households, of which 80 percent are married couples. The average household size is 2.9 and the median age is about 43 years.

About 91 percent of adults have a high school diploma and about 40 percent have a college bachelor degree or higher. The median household income is about \$125,200 and the median per capita income is about \$52,900. About 26 percent of households earn more than \$200,000 annually and about 14 percent earn less than \$50,000. The average travel time for commuters is about 33 minutes. About 2.8 percent of the population is below the poverty level, including 3.0 percent of children under the age of 18 and 4.0 percent of adults over the age of 65.

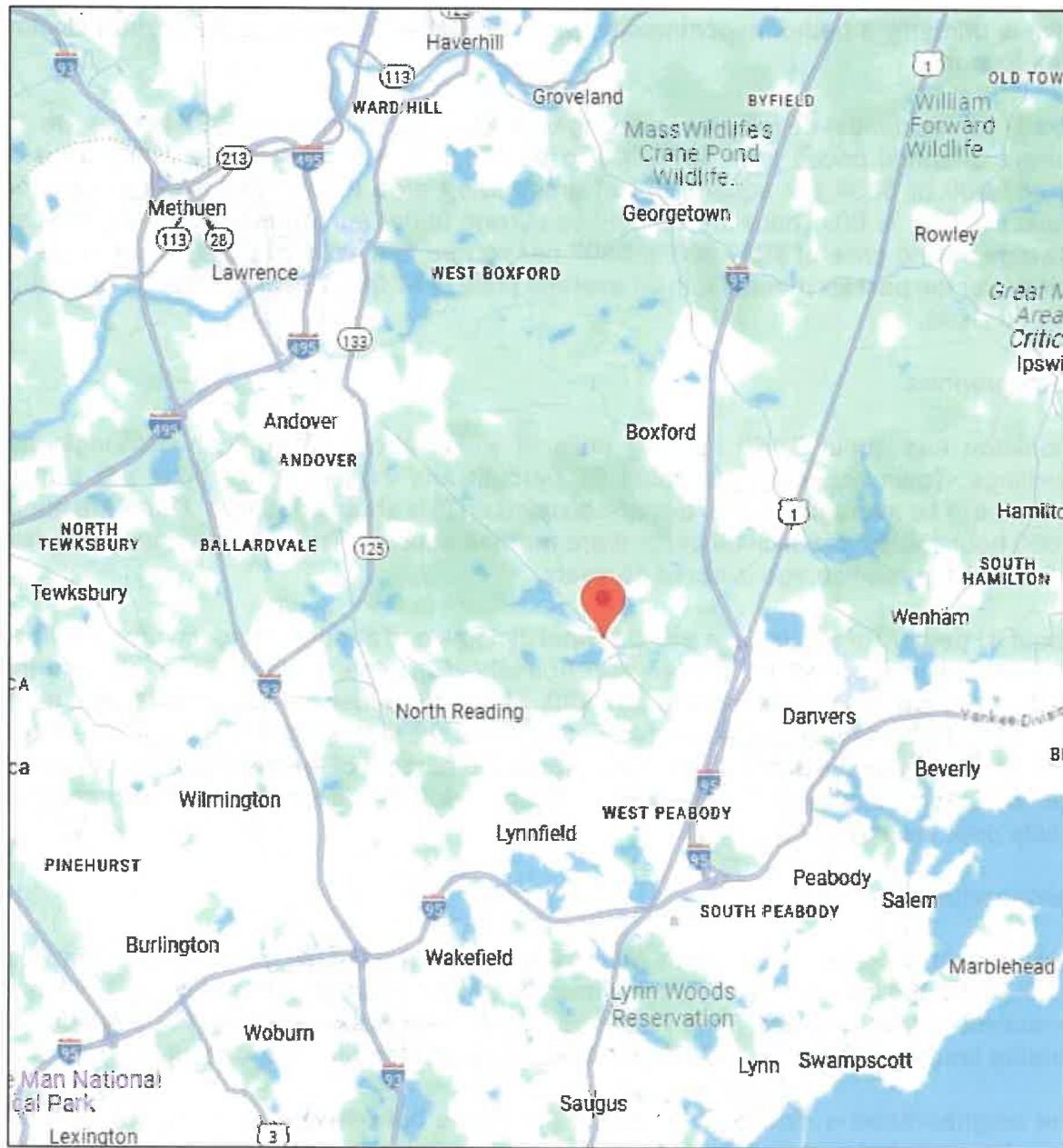
Neighborhood

The subject property is on North Main Street, also known as State Route 114, just southeast of the intersection of Essex, Forest and North Main Streets and about 1,500 feet northwest of Maple Street, State Route 62. North Main Street is a heavily traveled road running southeast from North Andover, through Middleton and into Danvers.

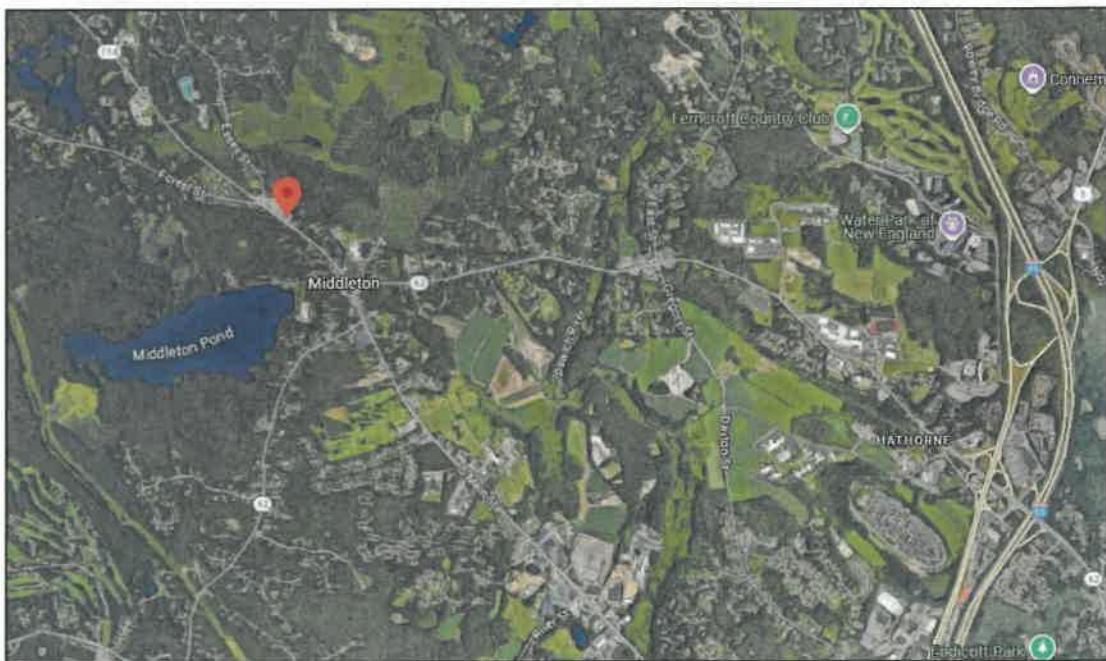
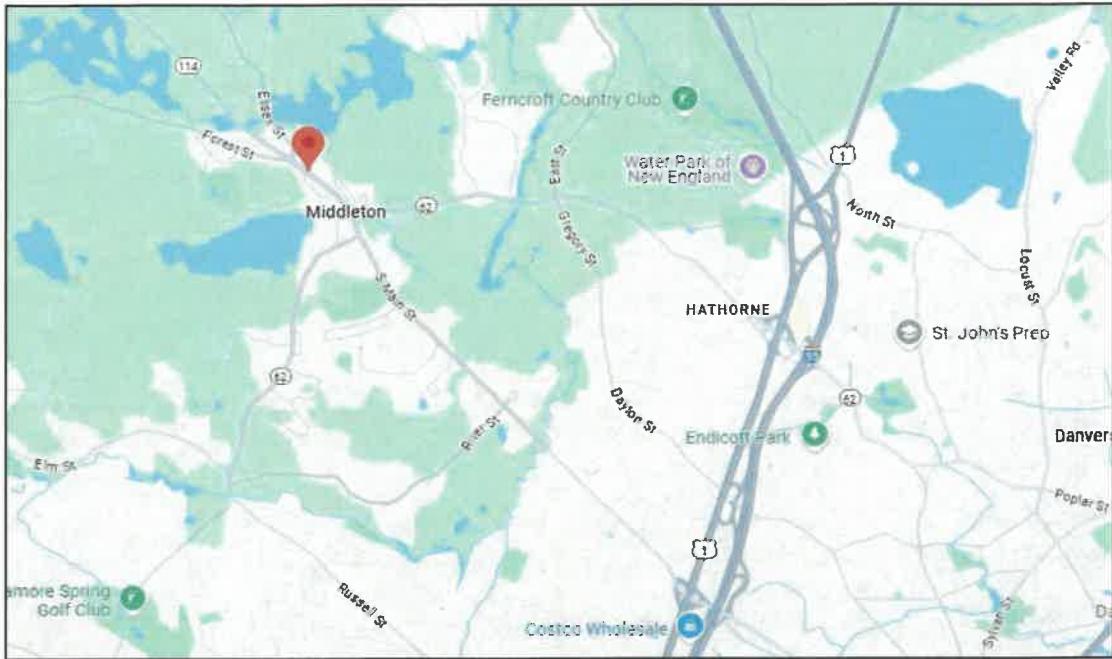
The neighborhood is established and the properties between these two points of North Main Street include a mix of local commercial and retail properties including restaurants, automotive sales and service, small retail shops and some professional office uses. The balance of this section of the neighborhood is largely single family uses with a higher concentration of commercial uses as you near the intersection with Maple Street to the south. No detrimental uses were observed.

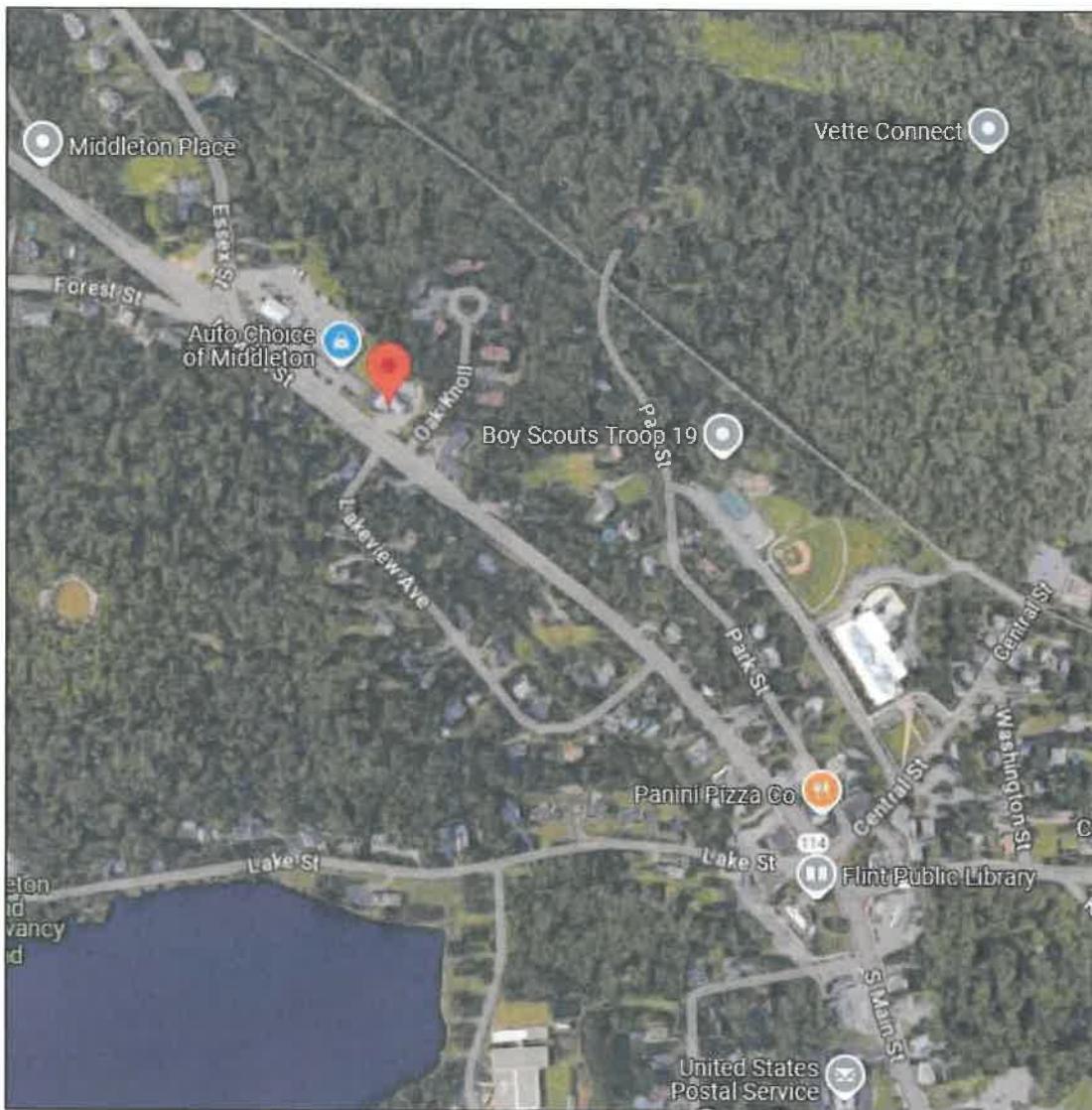
REGIONAL MAP

(not to scale)



LOCATION MAP AND AERIAL VIEW





ECONOMIC & MARKET CONDITIONS

Economic Overview

Despite almost universal expectations to the contrary, the U.S. economy did not fall into recession in 2023. A 4.9 percent annualized growth rate in Q3 of 2023 surprised most analysts. This was on the heels of about 2.25 percent annualized growth in the first half of the year. Much higher borrowing costs over the past two years have not yet slowed economic activity as expected. Many economists now see a Federal Reserve (Fed) engineered “soft landing” and perhaps avoiding a recession entirely in 2024. By Q3 of 2024, there was greater expectation of a recession for early 2025.

There is evidence of a slowdown in certain sectors of economic activity. Manufacturers report that demand for new products fell, resulting in a decline in factory activity for more than a year. The (national) housing market saw both sales transactions and prices drop in 2023 as higher mortgage rates and still-elevated prices eroded affordability. Conversely, demand for services remained strong, with travel, entertainment, and dining out keeping that sector in expansion mode.

The Fed has made some headway in its attempt to tamp inflation down. The personal consumption expenditures price index (PCE), the Fed's preferred measure of inflation, eased from its peak of 7.1 percent in June 2022 to 3.0 percent in October of 2023. The index stood at 2.5 percent in July 2024, so the downward trend has continued. Core PCE, which excludes food and energy prices, has been slower to retreat but edged lower to 2.8 percent in July 2024.

Despite tightening financial conditions and higher business costs, the labor market remained resilient. Employers had become cautious in trimming staff during the post-pandemic period, when hiring was difficult. Initial claims for unemployment remained low and job openings high, although the total number of job openings declined fairly dramatically in the second half of 2023. A high percentage of new jobs created in Q4 of 2023 were part-time positions.

Recent revisions to economic data show that households spent at a slower pace than was previously reported, and business investment weakened in response to higher borrowing costs. These trends are expected to continue, which should slow the economy in the coming months.

Bank Failures In 2023

There were three large bank failures in March 2023, including two in the U.S. (Silicon Valley Bank and Signature Bank) and one in Switzerland (Credit Suisse Group AG). As a result, there was cause for concern of major trouble looming in the banking sector. However, only two more major banks failed in the U.S. through the end of 2023, alleviating this concern, at least for the near term. Across the banking industry, the total number of branches fell for the 14th straight year in 2023. There were 77,690 active bank branches nationwide at the end of October 2023, according to S&P data, down from 79,000 branches at the end of 2022, a decline of about 1.7 percent.

Macro Economic Analysis

The Covid-19 Pandemic-induced economic shutdown in March 2020 is still impacting the economy in various ways. The U.S. Congress, the U.S. Treasury Department, and the U.S. Federal Reserve Bank (Fed) combined forces to inject about \$5 trillion of liquidity into the economy beginning in March 2020. Unlike previous bailouts, where financial institutions were the primary beneficiaries, these funds were put into the hands of businesses, institutions, and consumers. The result was that demand for all types of goods and services

increased dramatically, while pandemic-related shutdowns hampered supply chains, causing worldwide shortages of key resources like petroleum products, lumber, and food.

The Fed balance sheet stood at \$7.6 trillion at the beginning of 2024, down from \$8.7 trillion a year earlier, but up from \$4.2 trillion prior to the pandemic. To put that in perspective, the Fed balance sheet had never exceeded \$1 trillion prior to March 2008. The U.S. Federal Budget deficit stood at \$1.7 trillion in early 2024, up from about \$723 billion a year earlier but down from the average of about \$3.0 trillion in 2020 and 2021. The 2022 decline in the annual deficit was due to dramatically higher tax receipts in 2022 and early 2023 due to inflation-assisted economic activity. This trend reversed in 2023 as stimulus liquidity was drained from the economy.

The pandemic disrupted supply chains significantly, resulting in dramatic inflation in 2021 and 2022, rising to about 9.0 percent by mid 2022. While price increases dropped to about 3.0 percent annualized by the end of 2023, supply chain disruption was prolonged by the Russia-Ukraine War and was further threatened in early 2024 by the Hamas blockades of the Red Sea shipping lanes. Shippers are reporting two to three times higher costs resulting from the necessary re-routing.

Crude oil futures peaked at about \$92 per barrel in September 2023, but were hovering between \$70 and \$75 in Q3 of 2024. The recent high was about \$87 in April. Recent price declines are attributed to recessionary economic activity in other parts of the world, particularly Europe. OPEC cut oil production in early 2023 and announced in early 2024 that they would cut crude oil production by 2.2 million barrels per day for the foreseeable future in order to keep prices high.

The U.S. stock markets continue to reach new all-time highs throughout 2024. The Dow Jones Average reached a new all-time high of about 42,000 in mid September, as did the S&P 500 at nearly about 5,700. The tech-heavy NASDAQ lagged the other indicators, but has also reached a new all-time high of about \$18,700 in July 2024. Bond markets continued to struggle in the wake of much higher interest rates since early 2022. Following several strong years, most sectors of real estate struggled in 2023, again in the aftermath of increasing borrowing rates.

Cryptocurrencies (cryptos) continued to gain acceptance in 2023. Bitcoin is the best known and is considered to be different than other cryptos, due to its fixed supply and decentralized management. As a result, Bitcoin is considered a commodity by the Securities and Exchange Commission (SEC), while other cryptos are considered securities. Despite recent fluctuations in price, these attributes result in Bitcoin being considered a reliable store of value. After reaching an all-time high price of more than \$63,000 per "coin" in November 2021, the price collapsed to less than \$17,000 in late December 2022 in the aftermath of the FTX scandal. Since then, however, the price returned more or less steadily to nearly \$46,000 by early 2024. On January 10, 2024, the SEC approved Bitcoin / crypto exchange traded funds (ETFs), which will allow investment firms to add the asset to their IRA 401K offerings. Due to the expectation of greatly increased demand, the price is expected to climb to new highs in the coming months. For most of 2024, the price has

hovered between about \$50,000 and \$65,000. Many long-term proponents believe as public adoption continues to increase the price fluctuations will flatten and price will continue to rise over time.

Between 2012 and 2020, real U.S. Gross Domestic Product (GDP) growth averaged about 2.2 percent annually. Between the 1970s and the 1990s, average annual GDP growth was 3.3 percent. Between 1996 and 2000 (the dot com run-up), GDP growth ranged from 3.8 to 4.7 percent and averaged 4.3 percent. In 2019, the last year of the previous recovery, real GDP grew by about 2.3 percent for the year. In 2020, GDP contracted by 3.5 percent on the heels of the pandemic. GDP grew by 5.7 percent in 2021, but a good deal of this was due to inflation. Following GDP contraction in the first half of 2022, the economy rebounded in the second half of the year to an annualized year-over-year growth rate of 2.1 percent. As stated previously, GDP growth was stronger than expected in 2023, particularly in Q3.

Prior to the pandemic, the expectation was for GDP growth of less than 2.0 percent in 2020 and the years that followed. The continuing demographic shift is a major issue in the expected GDP growth rate decline, as the U.S. birth rate is currently 1.8 per family, less than the rate of 2.1 required for "zero population growth." The U.S. rate of population growth has been bolstered in recent years by immigration, both legal and illegal. The rates of population growth in other developed nations, particularly Europe, are much less than in the U.S.

Interest Rates / Money Supply / Inflation

At an emergency meeting on March 3, 2020, the Fed announced a 50 basis point rate cut in response to financial turbulence resulting from the pandemic-related economic shutdown. Less than two weeks later, the Fed cut the rate by another 100 basis points resulting in a Federal Funds Rate range of zero to 0.25 percent. Over the next 14 months, the Fed and the U.S. Treasury added nearly \$3.0 million in stimulus to the economy. Since then, another \$2.0 trillion or so has been added, resulting in a total of \$5.0 trillion of new spending power in the economy added since the pandemic.

Consequently, demand for all types of goods and services increased dramatically. This, combined with pandemic-related supply chain issues, led to a dramatic increase in inflation, with the core inflation index topping out at about 9.0 percent in mid 2022.

At its Open Market Meeting (OMM) on June 10, 2020 (about three months into the pandemic), the Fed announced that the Federal Funds rate would remain unchanged through the end of 2022. The Federal Funds rate is the interest rate at which depository institutions (banks and credit unions) lend reserve balances to other depository institutions overnight, on an uncollateralized basis. In early 2021, the Fed announced that rising inflation at that time would be "transitory" (short-term), a statement that proved to be more than a bit embarrassing, and a retraction was issued in November 2021. As inflation continued to increase, the Fed changed course. Starting at its March 15, 2022 OMM. The Fed raised its key interest rate a total of 11 times in 2022 and 2023 from a range of zero

to 0.25 percent up to a range of 5.25 to 5.50 percent (the highest in 22 years) at the July 13, 2023 OMM. The U.S. annualized inflation rate rose to 9.1 percent by mid 2022, the highest since November 1981. Since then, the rate of annualized inflation has declined steadily to 3.0 percent by the end of 2023.

At the Fed's September 17-18, 2024 OMM, a 50 basis point decrease (to 4.75 to 5.00 percent) in the key interest rate was announced, which a sign that the overall economy is softening. There is broad speculation that there will be another 25 basis point rate decrease before the end of 2024. Lower borrowing rates allows more potential buyers to enter the marketplace, which could trigger another inflation spike.

Increases in asset prices were the primary backbone of the post 2008 / 2009 economic recovery, driven largely by historically low short-term interest rates keyed-in by the Fed. Inflation and the resulting currency debasement remain concerns for the near future. There is increasing interest in hard assets like precious metals, fine art, and other collectibles. In addition, there has been growing interest in crypto currencies, which are seen as potential replacements (worldwide) for fiat money.

Unemployment

National - March 2025

By February 2020, the U.S. unemployment rate had dropped to 3.5 percent. Between October 2010 and February 2020, the U.S. economy added jobs for 113 consecutive months. Nearly 20 million jobs were added during this period. However, in April 2020, the unemployment rate rose to 14.7 percent in the wake of the Coronavirus Pandemic economic shutdown. This was the highest unemployment rate since the Great Depression. About 22 million jobs were lost in only three months, more than double those jobs that were created during the recent ten-plus year recovery.

In March 2025, the U.S. unemployment rate was 4.2 percent. The unemployment rate has remained between 4.0 and 4.2 percent since May of 2024. Total non-farm jobs were essentially unchanged with about 228,000 added in March 2025. The Bureau of Labor Statistics (BLS) reported that the economy has recovered all of the jobs that were lost as a result of the pandemic-related economic shutdown. An average of about 157,000 jobs per month were added in the past twelve months. The chart below shows jobs added per month since 2023.

2023	444	306	85	216	227	257	148	157	158	186	141	269
2024	119	222	246	118	193	87	88	71	240	44	261	323
2025	111	117(P)	228(P)									

P : preliminary

The number of long-term unemployed (27 weeks or longer) in March 2025 was 21.3 percent or 1.5 million, little changed over the past two months. This measure is below its pre-pandemic level of about 22.9 percent of total unemployment. BLS did not publish any data for March 2025 related to persons unable to work because their employer was closed or lost business due to the pandemic, or the number of persons who teleworked due to the pandemic.

The number of people not in the labor force who currently want a job increased by 220,000 to 5.915 million in March. Those individuals were not counted as unemployed because they were not actively looking for work during the 4 weeks preceding the survey or were unavailable to take a job..

“U-6,” the broadest category of the unemployment rate, was 7.9 percent in March, down from 8.0 in February 2025, up from 7.5 percent in December and January and unchanged from 7.9 percent in March of 2024. It is also a good deal lower than the 18.3 percent rate in May 2020, just past the peak of the pandemic shutdowns. The U-6 rate was 8.9 percent in February 2020. The current rate is also less than the 17.2 percent rate at the peak of the 2007 / 2008 Great Recession. The U-6 rate includes everyone in the official unemployment rate plus marginally attached workers, meaning those who have stopped looking for work. The main unemployment rate includes everyone who actively sought work in the previous four weeks. Many non-economists feel that the U-6 is the “real” unemployment rate.

The average hourly earnings for employees on private nonfarm payrolls in March 2025 was \$36.00, up from \$35.91 in February of 2025 and up from \$34.67 year-over-year. The average hourly workweek for all employees on nonfarm payrolls was 34.2 hours, unchanged from February 2025 and down from 34.4 hours year-over-year.

The March 2025 labor force participation rate was 62.5 percent, up down from 62.4 percent in February and down from 62.6 percent in January. It is down from the rate at this time a year earlier of 62.7 percent. The current rate remains below the pre-pandemic rate of 63.4 percent in February 2020. The labor force participation rate is defined as the percentage of people over age 16 who either have a job or are actively searching for one. This rate peaked at 67.3 percent in January of 2000 and the recent high was 66.4 percent in January 2007. The employment to population ratio in February 2025 was 59.9 percent, down from 60.1 percent in January and showing little change from the previous year. The measure is up from the post-pandemic low of 51.3 percent in April 2020 but still lower than the 61.2 percent figure in February 2020, pre-pandemic.

Despite the optimistic employment reports, there are concerns, particularly in the high-paying high technology sector. Technology firms have cut more than 190,000 jobs since the beginning of 2022, according to Layoffs.fyi, a website that tracks job cuts in the industry. Analysts say the job losses are likely indicative of future layoffs across a spectrum of industries within the labor market. Alphabet Inc., Google's parent company, became the latest technology company to reduce its workforce, announcing in mid January that it plans to cut 12,000 jobs, or about six percent of its workforce. Microsoft also announced that it will cut 10,000 jobs while Amazon has begun the process of cutting 18,000 employees.

Other notable tech firms that announced major layoffs recently include Twitter, Salesforce, and Facebook's parent company, Meta.

Nonetheless, there were about 7.6 million U.S. job openings in December 2024, a number that has held fairly steady since the pandemic shutdowns eased in mid to late 2020. The pre-pandemic high was about 7.7 million job openings. These jobs are across the pay spectrum, and include relatively low paying food service jobs to much higher paying construction sector jobs. Among the reasons given include older employees that chose to retire instead of returning to work, as well as cash infusions of government stimulus that eased the pain of not working.

Massachusetts Employment Rate - March 2025

The Massachusetts seasonally adjusted employment rate was 4.3 percent in March 2025, unchanged from February, up from 4.2 percent in January and up from 3.9 percent year over year and down from the post-pandemic high of 15.3 percent in May 2020. The March 2020 rate was 2.7 percent, just ahead of the pandemic shutdowns. Prior to April 2020, the unemployment rate had been under 4.0 percent for 48 consecutive months. About 3,516 jobs were lost in February, following the (revised) loss of 2,843 jobs in January and the (revised) loss of 4,100 jobs in December. Over the past year, a total of 26,200 jobs were added, and about 680,200 jobs have been added since the April 2020 employment trough. The labor force increased by an estimated 1,990 in November, as 3,100 more residents were employed and 3,500 more were unemployed. The labor force participation rate in Massachusetts was 66.5 percent in February, unchanged over the previous month and little changed from 66.2 percent year over year.

Real Estate

Lending rates for residential mortgages increased dramatically in response to the Fed rate hikes, with 30 year fixed interest rates for single-family mortgages rising to the 7.5 to 8.0 percent range by the end of 2023. Commercial lending rates were impacted in a similar manner, but were between 100 and 150 basis points less than residential. Following a dramatic increase in prices for virtually all classes of real estate between mid 2020 and late 2022, prices for all property types began to fall in 2023 nationwide, as did transaction volume.

National Retail

Despite longstanding concerns of a softening economy and eventual pullback in consumer spending, U.S. retail space markets remained resilient through 2023, thanks to steady demand from a diverse array of sectors, a significant pullback in store closures, and minimal new supply. Only 4.9 percent of retail space was available as of the end of 2023, down by 20 basis points year-over-year and 200 basis points below the historical average of 6.8 percent. As a result, potential tenants are reporting difficulty in finding spaces in target locations. Leasing activity has been lower over the past two years, with trailing four-quarter leasing activity falling to 200 million square feet, the lowest total since 2020,

and nearly 25 percent below the average recorded during the five-year period preceding the pandemic (2015-2019).

While demand for space continues to rise, new retail development activity remains minimal. Just under 50 million square feet of new retail space delivered nationwide over the past year, which is more than 35 percent below the prior 10-year average. The vast majority of retail construction activity consists of single-tenant build-to-suits or smaller ground-floor spaces in mixed-use developments. In addition, given strong demand for alternative uses, over 145 million square feet of space was demolished over the past five years.

With over three-quarters of new development having a tenant in-place at delivery, the national retail market has faced virtually no threat from new supply. This looks set to continue for the foreseeable future, as retail construction starts fell to their lowest levels in multiple decades in 2023, due largely to significant shifts in the cost and availability of construction financing capital. Asking rents for retail spaces increased by 3.2 percent over the past year to a new record high of \$25.00 per square foot. Looking forward, rent gains are forecast to moderate over the coming year, as an expected pullback in consumption will negate an otherwise tight fundamental environment.

Regional - Boston Market Area Retail

A resilient consumer base and a continuing lack of new supply kept retail availabilities at or near record lows in Boston in 2023, mirroring the nationwide trend. Renewed hopes for an economic soft landing and the lowest level of annual construction starts on record mean that the initial outlook for 2024 is for more of the same. Retail sales (excluding automobiles) advanced by an estimated 1.4 percent in the Boston metro area during 2023, also in line with the national average. This was a little over twice the estimated population growth rate of 0.6 percent, which turned positive after two years of mild pandemic-driven urban outmigration.

The retail space availability rate in Boston is 3.2 percent, well below the historically low national figure of 4.8 percent. The general economic mood is cautiously optimistic for 2024. The job market remains strong despite slowing employment growth. As stated previously, many analysts have been moderating their forecasts for a recession in favor of the “soft landing” scenario. This all bodes well for consumption and, therefore, for retailers. The construction pipeline is smaller than it has been since early 2011, and with starts in 2023 at only 10 percent of the 15-year average, which should bolster rents in Boston.

Total leasing volume exceeded its 15-year average of 3.0 million square feet, and there was 4.0 million square feet in gross move-ins. However, there were only 500,000 square feet of new deliveries in 2023, up from less than 300,000 square feet in 2022 but well below the 2010s average of 1.1 million square feet. Average retail rent held steady at about \$27 per square foot throughout 2023 after advancing by nearly 5.0 percent in 2022. The mall sector drove weak rent performance in Boston, with mall rents declining by 3.5 percent in 2023. Conversely, rents grew by about 1.0 percent at suburban general retail properties but fell by nearly 2.0 at properties in urban areas.

Retail sales volume in Boston decreased dramatically in the first half of 2023, this on the heels of two years of record volume. Elevated interest rates appear to have finally depressed capital markets, and the expectation is that 2023 will be one of the lightest investment years in a decade. Average capitalization rates rose to 6.7 percent in 2023, about 400 basis points higher year-over-year.

Conclusion

The economic issues resulting from the Covid-19 Pandemic-induced economic shutdown in March 2020 continue to impact the world economy. The \$5 trillion U.S. Government stimulus put cash in the hands of most citizens, businesses, and institutions. While most businesses struggled to find workers post-pandemic, the stimulus-based liquidity resulted in inflation spiking to 9.1 percent by mid 2022, the highest since 1981. In response, the U.S. Federal Reserve (Fed) raised its key interest rate a total of 11 times in 2022 and 2023 from a range of zero to 0.25 percent up to a range of 5.25 to 5.50 percent (the highest in 22 years). As a result, the rate of annualized inflation declined steadily to 3.0 percent by the end of 2023.

Total U.S. Federal Government Debt stood at about \$36.5 trillion in January of 2025, up from \$21.7 trillion only four years earlier. U.S. Treasury Bonds and other forms of debt rolling over in 2024 and 2025 will put pressure on the Fed to lower interest rates in 2024, which is now expected by most analysts, economists and market participants. Other forms of outstanding debt include U.S. household debt (\$17.3 trillion), corporate debt (\$11.8 trillion, with \$5.4 trillion maturing in 2024 and 2025), U.S. student loan debt (\$1.8 trillion). Total U.S. debt now stands at nearly \$95 trillion. Including unfunded liabilities like government pensions, Social Security, Medicare and Medicaid, total government debt is estimated to be in excess of \$250 trillion.

The Russia - Ukraine War that began in February 2022 may be coming to an end in the very near future. New economic alliances for crude oil settlements are being formed in Europe, the Middle East and China that will threaten the global reserve currency status that the U.S. has enjoyed since the end of World War II. If this takes hold, demand for dollars will decline over time.

PROPERTY DESCRIPTION

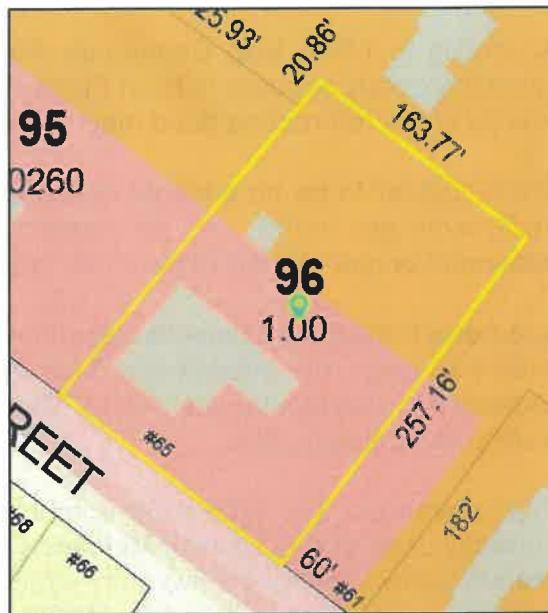
Site: The subject site is a mostly rectangular-shaped parcel of land on the northeast side of North Main Street. An image of the site from Middleton's GIS map is to the right and an aerial view from Google Earth is below.

The land area is approximately 43,560 square feet with road frontage of 175 feet. As can be seen in the image to the right, the subject is situated within two zoning districts, with the pink area identified as B Business and the rear mustard color as R2 Village Residential. Paved on-site parking for about 27 cars extends into the R2 zone. The far rear of the site behind the paved areas is unimproved and serves as a buffer to the residential uses in the rear.

North Main Street at the subject's location is a two lane, two way, undivided, bituminous concrete paved publicly maintained road with curbing and sidewalks on the subject side of the road. Storm water is drained from the travelway by a municipal storm drainage system. Utilities serving the site include town water, utility company electric and high speed communication. Utility cables are above ground. The site is serviced by a private on site septic system and bottled propane gas.

The subject's split zoning includes B Business and R2 Village Residential. The Business zone allows for a wide variety of uses including retail, personal service, trade shop, funeral home, restaurant, medical and professional office and banks. Other uses are allowed by the Board of Appeals.

The dimensional requirements in the B zoning district include a minimum 40,000 square foot lot with 100 feet of road frontage and width. The site meets these requirement. Setbacks are 100 feet front, 25 feet side, 35 feet rear when abutting a residential zone.



Maximum building height is 35 feet. It appears that the existing improvements do not meet the minimum dimensional requirements of the zoning district for building setbacks.

According to FIRM Map Community Panel 25009C0382F, effective July 3, 2012, the subject property appears to be in Flood Hazard Zone X, "Area of Minimal Flood Hazard." A copy of the referenced flood map is included in the Addendum.

There appear to be no adverse easements impacting the subject property. If any such easements are found, we can render an opinion regarding the impact of any such easement on the market value of the subject property at that point in time, if desired.

According to the Massachusetts Department of Environmental Protection (DEP) searchable sites web page, the subject site does not appear to be included on a list of sites with "Activity and Use Limitations" (AUL). This appraisal assumes no adverse impact resulting from soils contamination.

Improvements: The subject site is improved with a one and two story commercial building currently used as the Town of Middleton's police station. The main building (rose colored area in below sketch) is a two story structure with a 2,916 foot print over a full foundation and basement. Due to its gambrel style roof line, the second floor is about 25 percent smaller in size.

A second section of the building (green section) is a single story 1,848 square foot modular addition with a partial basement of poured concrete. In total, the subject building has 6,926 square feet of finished area above grade.



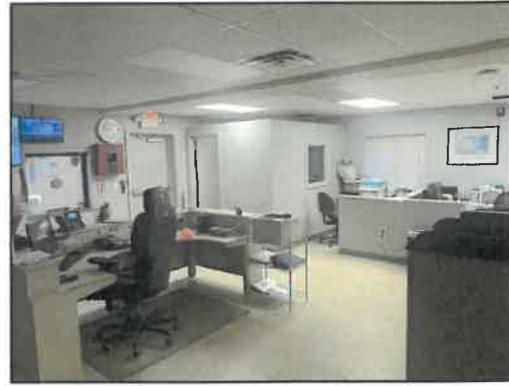
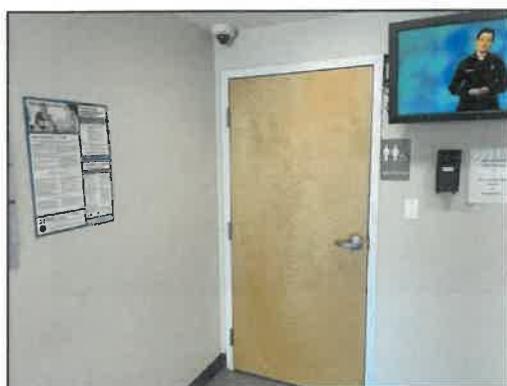
According to municipal records, the main building was constructed around 1949 for its current use in a neighboring town. It was moved to its current location around 1981. The garage wing was added a few years later and the modular addition was reportedly added in 2010.

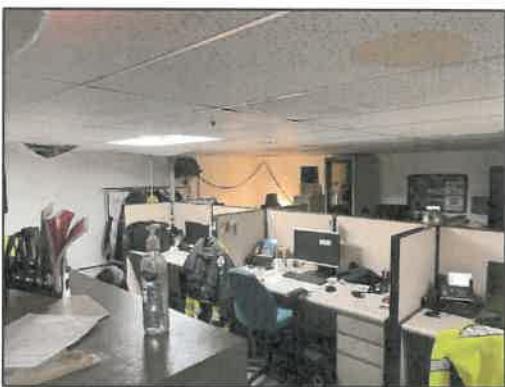
The main building is largely concrete block construction on the first level and wood frame on the upper level. The exterior is brick veneer in the front and south side, with painted block in the rear and vinyl siding on the eves. The composition shingles on the gambrel roof appear to be reaching the end of their economic life.

The modular section is wood frame with vinyl siding, and rubber membrane roof cover. The windows are largely double hung vinyl replacement. The exterior was observed to be in average overall condition.

The building interior is divided into several areas including reception, administration, private offices, large bull-pen areas, training areas and prison cells. There is also a 754 square foot two stall garage. A handicap accessible restroom is located just off the main entrance along with a full bath with shower on the first floor. One restroom is located on the second floor as well. Each cell area has a toilet and two larger janitor sinks are located in this area. Finishes include a variety of floor coverings typically found in a high traffic commercial setting. Ceilings are a mix of gypsum and suspended acoustical tiles. Walls in the main building are solid masonry with the remaining ones wood frame and painted gypsum. The overall physical condition of the interior is average overall.

The basement area is used for utilities, storage and a gym for staff. Mechanicals include a 200 amp main electric service, an oil fired boiler and two 275 gallon oil tanks. The building is 100% wet sprinklered and has modern fire protection throughout. The modular area is climate controlled by a roof-top propane/electric package unit. The building is equipped with a propane fired back up generator. Overall quality of the building is average. The interior concrete partitions in the main building, along with the approximate one-third of the building area being modular construction renders the overall appeal to be below average in our opinion. Interior photos begin below.







HIGHEST AND BEST USE

Highest and Best Use is "The reasonably probable and legal use of vacant land or an improved property which is physically possible, appropriately supported, financially feasible and that results in the highest value."³ The appraiser must determine the highest and best use of the subject property both as if vacant and as currently improved.

The subject property lies within two zoning districts. The front portion is Middleton's B Business district where a wide variety of retail and service uses are allowed by right. The rear is R2 Village Residential where multi family is allowed by right. As stated previously, the site meets minimal dimensional requirements. If vacant, commercial and retail uses would be the highest and best use given the limitations of local zoning.

It is our opinion that the existing improvements contribute value demonstrably in excess of the vacant site for this or any other potential use at the present time. We know of no other use of the subject site which would bring a higher return to the land to justify razing the existing improvements. As a result, the highest and best use of the subject site is "as currently improved." This conclusion of highest and best use meets the four criteria for highest and best use including Legally Permissible, Physically Possible, Financially Feasible and Maximally Productive.

THE VALUATION PROCESS

Appraisers commonly think of value in three ways: 1. The value indicated by recent sales of comparable properties in the market, known as the Sales Comparison Approach. 2. The current cost of replacing a property, less depreciation from all sources, that is, physical deterioration as well as functional and external obsolescence, known as the Cost Approach. 3. The value that the property's net earning power will support, based upon a capitalization of net income, known as the Income Approach.

The Sales Comparison and Income Approaches were developed in this appraisal. The Cost Approach was not developed, as it tends to be unreliable for the valuation for aged improvements like the subject. Determining accrued depreciation for various forms of obsolescence (physical, functional, and economic) would be speculative at best. The omission of the Cost Approach did not result in a misleading or unreliable value opinion, and the Sales Comparison Approach and Income Approach are sufficient to meet the needs of the client.

SALES COMPARISON APPROACH

The Sales Comparison Approach is developed in almost every appraisal of real property. The value opinion by this approach is frequently defined as "the price at which a willing seller would sell and a willing buyer would buy, neither being under abnormal pressure." This definition assumes that both buyer and seller are fully informed as to the property and state of the market for that type of property and that the property has been exposed in the open market for a reasonable time.

In completing the Sales Comparison Approach, recent sales of properties similar to the subject property have been analyzed for the purpose of establishing a range of value for the subject. To this end, we have analyzed recent sales of commercial and retail properties located in the market area. The sales are summarized below and photographs of the sale properties follow.

Sale #	Location	Sale Date	Book/ Page	Land s.f.	Sale Price	Bld. Size s.f.	Price/ s.f.
SUBJECT	65 North Main Street	N/A	N/A	43,560	N/A	6,926	N/A
	Middleton						
1	325 Main Street	8/16/24	83139/	34,237	\$1,100,000	6,228	\$176.62
	North Reading		355				
2	204 Main Street	5/12/23	82277/	13,504	\$899,000	8,054	\$111.62
	North Reading		388				
3	654 Main Street	3/4/25	LC 1625/	9,150	\$575,000	4,976	\$115.55
	Woburn		128				
4	986 Main Street	12/3/24	38940/	44,000	\$600,000	2,183	\$274.85
	Tewksbury		1				
5	581 Great Road	2/26/25	83817/	54,014	\$1,100,000	8,400	\$130.95
	Acton		335				
6	442 Water Street	7/29/24	83060/	19,035	\$1,499,000	5,967	\$251.22
	Wakefield		286				

COMPARABLE SALE PHOTOGRAPHS

Sale 1: 325 Main Street, North Reading

Sale 2: 204 Main Street, North Reading



COMPARABLE SALE PHOTOGRAPHS

Sale 3:654 Main Street, Woburn

Sale 4:986 Main Street, Tewksbury



COMPARABLE SALE PHOTOGRAPHS
Sale 5:581 Great Road, Acton
Sale 6:442 Water Street, Wakefield



Adjustment Grid
 65 No. Main St.
 Middleton, MA
 Date of Value 4-9-2025

	SUBJECT	SALE 1	SALE 2	SALE 3	SALE 4	SALE 5	SALE 6
Location	65 N. Main St. Middleton	325 Main St. No. Reading	204 Main St. No. Reading	654 Main St. Woburn	986 Main St. Tewksbury	581 Great Rd. Acton	442 Water St. Wakefield
Sale Price	N/A	\$1,100,000	\$899,000	\$575,000	\$600,000	\$1,100,000	\$1,499,000
Date of Sale	8/16/24	5/12/23	3/4/25	12/3/24	2/26/25	7/29/24	
Time Adjustment	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Time Adj. Sale Pr.	\$1,100,000	\$899,000	\$575,000	\$600,000	\$1,100,000	\$1,499,000	
Building Size (s.f.)	6,926	6,228	8,054	4,976	2,183	8,400	5,967
Sale Price/sf	N/A	\$176.62	\$111.62	\$115.55	\$274.85	\$130.95	\$251.22
Location	+average	+average	+average	+average	+average	+average	+average
	0.00	0.00	0.00	0.00	0.00	10%	-20%
	0.00	0.00	0.00	0.00	0.00	13.10	-50.24
Quality / Appeal	-average	average	-average	-average	average	average	average
	-20%	-10%	0%	-20%	-20%	-20%	-20%
	-35.32	-11.16	0.00	-54.97	-26.19	-50.24	
Condition	average	average	-average	-average	average	average	+average
	0%	20%	10%	0%	0%	0%	-10%
	0.00	22.32	11.56	0.00	0.00	0.00	-25.12
Building Size	6,926	6,228	8,054	4,976	2,183	8,400	5,967
	-1%	2%	-2%	-15%	5%	-1%	
	-1.77	2.23	-2.31	-41.23	6.55	-2.51	
Land Area (s.f.) *	43,560	34,237	13,504	9,150	44,000	54,014	19,035
Land/Bldg Ratio	6.29	5.50	1.68	1.84	20.16	6.43	3.19
	0%	15%	20%	-10%	0%	0%	10%
	0.00	16.74	23.11	-27.49	0.00	25.12	
Net Adjustment							
	-21%	27%	28%	-45%	-5%	-41%	
	-37.09	30.14	32.36	-123.68	-6.55	-103.00	
Adjusted \$/sf							
	\$139.53	\$141.76	\$147.91	\$151.17	\$124.40	\$148.22	

Due to differences between the subject and the sales, adjustments were made to make the sales appear more like the subject. Ideally, adjustments made to the sales are derived directly from market data. However, in the present market climate, insufficient data is available to quantify each adjustment. As a result, the majority of the adjustments are determined by our knowledge of the marketplace and represent reasonable and informed opinions as to how these differing elements of comparison would most likely impact market value.

The six sales sold between May of 2023 and March of 2025. Over this period, sale prices have remained relatively steady for commercial and retail properties like the subject. As a result, no adjustment for time has been recognized.

The unadjusted price range indicated by the sales is \$111.62 to \$274.85 per square foot, which is broad. Adjustments were made for differences in location, building quality and appeal, physical condition and land/building ratio. The adjustments are shown on the previous page.

The subject's location is above average overall due to traffic exposure and proximity to area highway. Sale 5 is a somewhat rural location and considered inferior to the subject. Sale 6 is considered a superior location due to its proximity to I95 and metro-Boston. Both were adjusted accordingly. The subject is considered below average in quality and appeal for a few reasons. Some of the interior partitions are masonry, which renders the building somewhat challenging to remodel for alternative uses. Additionally, about one-third of the building area is modular construction. Given this, five of the six sales were adjusted for their superior overall quality and appeal.

The subject's physical condition was observed to be average overall. Three of the six sales were adjusted for their varying degree of condition, with Sales 2 and 3 being inferior and Sale 6 being superior. All six sales were adjusted to varying degrees for differences in building size. Typically, larger properties sell for less per unit than smaller properties, all other things being equal, due to economies of scale.

Finally, four of the six sales were adjusted for differences in land/building ratio to varying degrees. Although Sales 2 and 3 have similar ratios, Sale 3 has no on-site parking whereas Sale 2 has on site parking, resulting a more severe adjustment to Sale 3..

The adjusted price indicated by the six sales is \$124.40 to \$151.17 per square foot, which is narrow. Five of the six indicate a very narrow range from \$139.53 to \$151.17 per square foot, with Sale 5 an outlier at the low end. With most weight placed on the predominant range, a value of \$145 per square foot is considered reasonable and well supported. Calculated, \$145 times the subject's 6,926 square feet equals \$1,004,270, say \$1,000,000.

Value by Sales Comparison Approach
\$1,000,000

INCOME APPROACH

In developing the Income Approach, the appraiser examines the present value of the future benefits of a property. The work to be done in assembling and processing income data is of three kinds: 1. Forecasting potential gross income. 2. Forecasting operating expenses. 3. Selecting a capitalization rate and the applicable technique and method for processing the net income. Given that the subject will be evaluated on the basis of income it will produce, an analysis of prospective gross income is necessary.

The subject is a special use property with some features not found in most properties. However, it most closely resembles an office or general commercial building with an attached two car garage.

As a result we've listed a number of general commercial and office rents in the general market area. The subject is owner occupied (Town of Middleton). Therefore, a market rent will be applied to complete our income analysis. Below is a list of competing properties in the Middleton market area used to estimate the subject's market rental rate.

Rental #	Address	Date	Use	M'thly Rent	Unit s.f.	Rent/s.f.	Terms
R1	171 N. Main St., Middleton	current	office	\$1,500	1,400	\$16.29	Net
R2	171 N. Main St., Middleton	current	office	\$1,500	1,400	\$17.14	Net
R3	275 N. Main St. Middleton	current	office	\$2,500	1,500	\$20.93	NNN
R4	191 S. Main St., Middleton	current	office	\$1,650	1,350	\$15.55	NNN
R5	1740 Turnpike, No. Andover	current	office	\$2,250	1,700	\$15.88	Net
R6	87 Main St., N. Reading	current	office	\$3,620	2,100	\$14.00	Net

The six rentals include a mix of first and second floor general office spaces in the market area. The rentals range in size from 1,400 to 2,100 square feet. Rents range from \$14.00 to \$20.93 per square foot. Terms of the rentals are "Net" meaning that tenants are responsible for utilities and general maintenance, or "NNN", meaning the tenant is responsible for their share of the property's expenses including real estate taxes, insurance and common area maintenance.

The subject does not lend itself to multi-tenant occupancy. As a result, it is much larger than the comparables above. Typically larger spaces rent for less per square foot than smaller, all things being equal.

Being a single user building, a NNN rent forecast is appropriate, meaning that most property expenses would be passed along to the tenant. Given the subject's size, layout and non-handicap accessible upper floor, a rent of \$12.00/sf NNN is considered reasonable and applied in this analysis.

Potential Gross Income (PGI)

Potential Gross Income for the subject is calculated at \$12.00/sf times the subject's 6,926 square feet, or \$83,112 annually. This equates to about \$6,925 per month.

Vacancy

A vacancy factor is included to account for lost rent due to tenant turnover and collection costs. CoStar analytics shows vacancy within various office properties throughout the market area is between 2.0% and 10.0% overall. CoStar's forecast is for vacancy to remain in this range into the foreseeable future. Given reasonable market-based PGI and the free standing nature, a vacancy factor of 3.0 percent is applied here. Once the vacancy factor is deducted from PGI, what remains is Effective Gross Income (EGI).

Operating Expenses

Because the subject's PGI is forecast on a "NNN" with the tenant responsible for most property expenses. In this instance we have applied a management expense, which includes bookkeeping and accounting, professional fees, property manager and office expense. Professional management expense for properties like the subject typically range between 3.0 and 6.0 percent of EGI. For this analysis and given the single tenant occupancy, we have used a fee of \$300 monthly or \$3,600 annually. This equates to about 4.5% of EGI.

Reserves for capital replacement are applied to cover the replacement of various short-lived capital items that require replacement, like roof, exterior windows and entries, HVAC systems and fire protection systems. In this instance we've applied an expense of 5.0 percent of forecast EGI.

Direct Capitalization

Direct capitalization is a method utilized to convert the net income stream of a property into value by the use of an appropriate capitalization rate. The band of investment (or weighted-average) technique has been utilized in order to develop an overall capitalization rate. This calculation is based on a 10 percent return to equity, which is based on an analysis of anticipated rates of return for small retail properties.

Area banks are quoting a range of 6.5 to 7.5 percent for most types of commercial loans. For less risky properties like small retail properties, the rates can be lower. RealtyRates.com shows a range of commercial mortgage loan interest rates for small retail properties in Q4 of 2024 ranging from 5.25 to 9.75 percent, at 75 percent loan to value and a 20 to 30 year amortization. For this analysis, a 75 percent loan to value ratio is anticipated at a 6.5 percent mortgage interest rate. Interest rates have risen significantly over the past two years and quoted rates are somewhat higher at the present time. However, the OAR is based on a multi-year forecast with the expectation that rates will fluctuate over time. The loan is amortized over 25 years, resulting in a mortgage constant of 0.0810. From the resulting weighted rate is deducted the percentage paid off, which

assumes a five year holding / loan period, the result being the overall capitalization rate. This calculation is shown below.

Overall Capitalization Rate Calculation

Equity Yield	.1000	X	.25	=	0.0250
Mortgage Constant	.0810	X	.75	=	<u>0.0608</u>
Total					0.0858
Less Credit for Equity Build-up:					
Loan to Principal Paid Off				=	0.094378
Loan To Value Ratio				X	0.750000
SF ^F @ Equity Rate				X	<u>0.163797</u>
					(0.0116)
Overall Rate					0.0742
say					7.4%

CoStar analytics shows a range of 6.5 to 8.0 percent for overall capitalization rates based on recent sales in the Middleton Danvers commercial sub-market. The average is about 7.25 percent. The analytics show that capitalization rates in the submarket are about 25 basis points higher on average than they were in Q4 of 2023, which covers the period of the sales in the Sales Comparison Approach.

CoStar is projecting a 20 basis point increase in overall capitalization rates in the next 12 to 24 months. The overall capitalization rate by the band-of-investment of 7.4 percent is well within the market range and is applied to convert NOI to market value. The Reconstructed Operating Statement is below.

Potential Gross Income			\$83,112
Less Vacancy and Collection Loss		3.00%	<u>-\$2,493</u>
Effective Gross Income (EGI)			\$80,619
 <u>Less Operating Expenses</u>			
Management			-\$3,600
Reserves for Capital Replacement		5%	<u>-\$4,031</u>
Total Non-reimbursed Expenses			<u>-\$7,631</u>
Net Operating Income (NOI)			\$72,988
Cap Rate			7.40%
Estimated Value			\$986,320

Value by the Income Approach

Say \$985,000

RECONCILIATION

In this appraisal, the Sales Comparison and Income Approaches were developed. The Cost Approach was not developed for reasons discussed previously. The results are shown below.

SALES COMPARISON APPROACH	\$1,000,000
INCOME APPROACH	\$ 985,000
COST APPROACH	N/A

The two approaches indicate rounded values within 1.5 percent of each other, which adds confidence to the final market value opinion. Properties like the subject are more often purchased for owner occupancy and the Sales Comparison Approach provides the most confidence. As a result, our market value opinion of the fee simple interest of the subject property as of April 9, 2025 is \$1,000,000. This appraisal assumes both marketing and exposure times of two to four months.

MARKET VALUE	\$1,000,000
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In the immediate aftermath of the Covid-19 Pandemic economic shutdown in early 2020, U.S. policymakers responded with record cash stimulus, totaling about 5.0 trillion by mid-2022. This spiked demand for all types of products, including real estate. Inflation became a major issue starting in 2021, spiking to 9.1 percent by mid 2022. U.S. Federal Reserve (Fed) responded by increasing the Federal Funds Rate 11 times in 2022 and 2023 up to a range of 5.25 to 5.50 percent, the highest in 22 years. As a result, the inflation rate declined steadily to about 3.0 percent by the end of 2023.

Much higher borrowing rates for commercial and residential mortgages have put pressure on both pricing and sales volume. Higher interest rates will have an impact on the re-pricing of all types of debt in 2024 and 2025 and Fed rate cuts are expected in 2024. Rapidly increasing U.S. Government debt raises concerns about additional inflation or eventual default. In early 2024, policy makers expressed greater concern about liquidity than inflation. Many believe that continuing fiscal stimulus has postponed the long-anticipated economic recession. Political instability in Europe and the Middle East continue to be an area of concern for supply chains.

CERTIFICATION OF APPRAISER

I certify that, to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results. Neither my engagement to make this appraisal (or any future appraisals for this client), nor any compensation therefore, are contingent upon the reporting of a predetermined value or direction in that value that favors the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) and in conformity with requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

I have made an interior and exterior inspection of the property that is the subject of this report and performed the majority of the tasks involved in completing this assignment.

Laurence Marocco assisted in the development of the approaches to value in this report.

I have not performed any professional services (appraisal or otherwise) on the subject property in the three years prior to the acceptance of this appraisal assignment.

As of the date of this report, I, John F. McCarthy, have completed the Standards and Ethics Education Requirements of the Appraisal Institute for Practicing Associates.

Minco Corporation



John F. McCarthy
Mass. Cert. General Appraiser #401
N.H. Cert. General Appraiser NHCG230

April 13, 2025

GENERAL LIMITING CONDITIONS

An appraisal is an unbiased opinion of value of a property reached through an analysis of that property and from data from the marketplace. An appraisal is not a certification of the soundness of the building, a survey, or a legal document, though assumptions regarding these and other matters are made. The major assumptions and limiting conditions are as follows:

1. The appraiser is not required to give testimony or appear in court because of having made the appraisal, with reference to the property in question, unless arrangements have been previously made.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety.
3. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
4. Neither all or any part of the contents of this report, or a copy thereof, shall be conveyed to the public through advertising, public relations, news, sales, or any other media without written consent and approval of the appraiser. Nor shall the appraiser, firm, or professional organization of which the appraiser is a member be identified without written consent of the appraiser.

GENERAL UNDERLYING ASSUMPTIONS

1. The legal description used in this report is assumed to be correct.
2. No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. Sketches in this report are included only to assist the reader in visualizing the property.
3. No responsibility is assumed for matters of a legal nature affecting title to the property nor is an opinion title rendered. The title is assumed to be good and marketable.
4. Information furnished by others is assumed to be true, correct, and reliable. A reasonable effort has been made to verify such information; however, no responsibility for its accuracy is assumed by the appraiser.

5. All mortgages, liens, encumbrances, leases and servitudes have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structure which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover such factors. No certification is made regarding the absence of any substances, regarding potential, unapparent structural defects or the proper placement of smoke detectors and potential flood hazards. Unless otherwise stated in this report, it is assumed that no adverse conditions affect the subject.
7. In this appraisal assignment, the existence of potentially hazardous material used in the construction or maintenance of the building, such as the presence of Urea-formaldehyde foam insulation, and/or the existence of toxic waste, which may or may not be present on the property, was not observed by me; nor do I have any knowledge of the existence of such materials on or in the property. The appraiser is not qualified to detect such substances. The existence of Radon Gas, Urea-formaldehyde foam insulation or other potentially hazardous materials may have an effect on the property value. The client is urged to retain experts in these fields, if desired.
8. It is assumed that there is full compliance with all federal, state and local environmental regulations and laws unless non-compliance is stated, defined and considered in the appraisal report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted within the appraisal report.
11. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state or national governmental or private entity organization have been or can be obtained or renewed for any use on which the value opinion contained herein is based.

APPRAISER'S QUALIFICATIONS

JOHN F. MCCARTHY

CERTIFICATION: Massachusetts Certified General Real Estate Appraiser
License #401, Expiration 5/24/2025

New Hampshire Certified General Real Estate Appraiser
License # NHCG 230, Expiration 5/31/2027

CONTINUING EDUCATION: Appraisal Institute, Chicago, IL

Course 530: Advanced Sales Comparison & Cost Approaches (1994)
Course 520: Highest & Best Use and Market Analysis (1993)
Course 2-2: Report Writing and Valuation Analysis (1992)
Course 102: Applied Residential Property Valuation (1991)
Course SPP: Standards of Professional Appraisal Practice & Ethics,
Part A&B (1995)
Course 101: Introduction to Appraising Real Property (1991)
Course 201: Principles of Income Property Appraising (1990)
Course 202: Applied Income Property Valuation (1991)

Massachusetts Board of Real Estate Appraisers (MBREA)
National USPAP Update 2024-2025 (2024)

University of New Hampshire, Durham, NH

Course DCE 101: Real Estate Principals (1976)
Course DCE 102: Real Estate Appraising (1977)
Course DCE 103: Real Estate Law & Finance (1978)

EDUCATION: University of New Hampshire (1974-1976)

Major: Business Administration, Whittemore School of Business and
Economic
Study Area: Business Management, Marketing

New England Aeronautical Institute (1972-1974)

Major: Business Management
Study Area: Accounting, Federal Income Taxation

John F. McCarthy (Continued)

**PROFESSIONAL
EXPERIENCE:**

1983-Present MINCO Corporation, North Andover, MA

Senior Vice President/CEO. Director of Commercial Appraisal Division. Performing Narrative Appraisals and Appraisal Review of Residential, Commercial, Industrial, and Special Use Properties; Providing consulting services in Residential, Commercial and Industrial Real Estate.

1976-1979 Patriot Real Estate, Inc., Derry, NH & Andover, MA

Sales Manager, NH Office. Duties included Personnel management, advertising and marketing, real estate sales and property evaluation.

**OTHER
ORGANIZATIONS:**

Rebuilding Together * Greater Haverhill, Inc. (formerly Christmas in April)

Founding Member (1991), Former President, Treasurer, Member Board of Directors, past Chairman of the Board. Nationally chartered 501(c)(3) non-profit charity providing free home repair and renovations for low income home owners, especially the elderly and disabled, in the greater Haverhill, MA area.

**PROFESSIONAL
AFFILIATIONS:**

Practicing Affiliate - The Appraisal Institute: MAI Candidate
Licensed Real Estate Broker:

Commonwealth of Massachusetts:

Board of Registration of Real Estate Brokers & Salesmen
License #103094, Expiration 5/24/2026

State of New Hampshire:

New Hampshire Real Estate Commission
Licensed #64615, Expiration 11/28/2025

Approved Appraiser: U.S. Dept. of Housing and Urban Development (HUD)
Expert Witness: Strafford County (NH) Superior Court

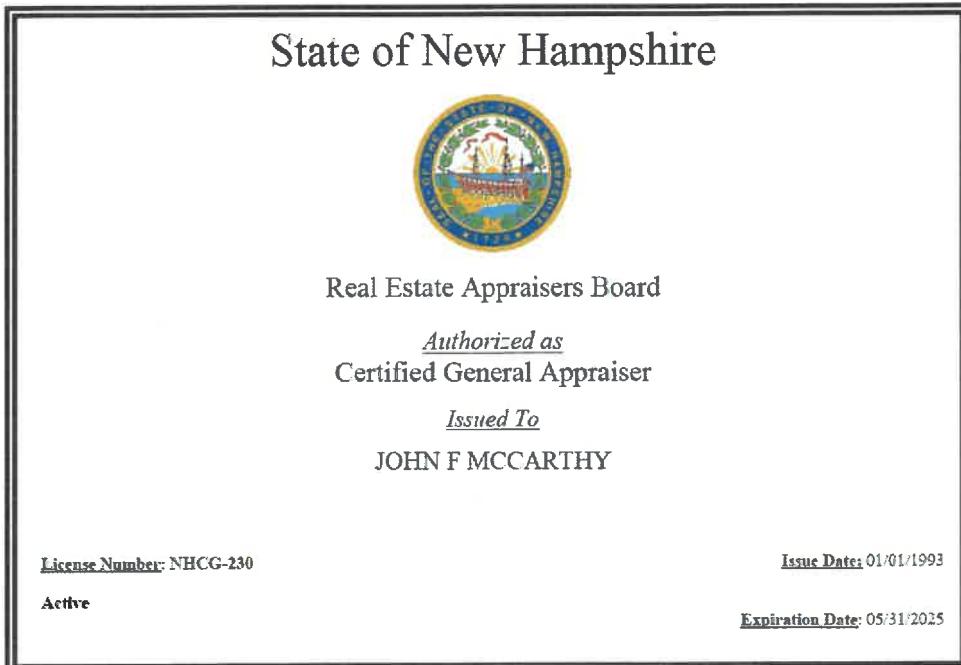
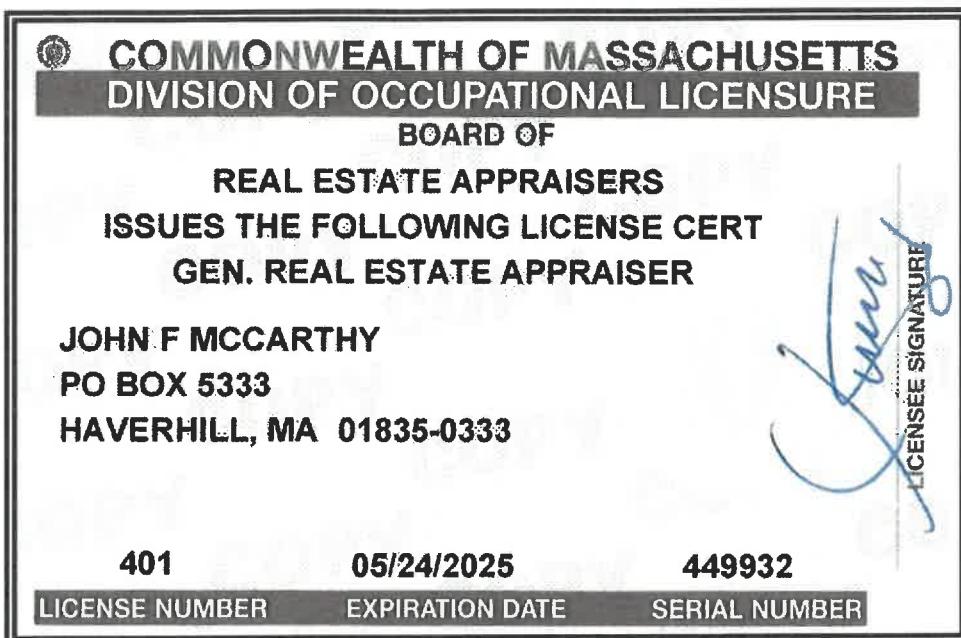
Rockingham County (NH) Superior Court
United States Bankruptcy Court, Worcester, MA
Lynn District Court, Lynn, MA

Member: Pentucket Kiwanis Club, Haverhill, MA

John F. McCarthy (Continued)

Current Appraisal

Licenses:



SUBJECT PROPERTY DEED

See Plan
Rec. G.
5859
Pg. 210

BK5849 PG560

Massachusetts Cont'd. (See Information, *Mass. Power & Light*)

KNOW ALL MEN BY THESE PRESENTS, that we, Benjamin K. Richardson, Hazel M. Richardson and Anne M. Richardson, Trustees of The Richardson Trust under a Declaration of Trust dated September 30, 1964, recorded in Essex South District Registry of Deeds Book 5211, Page 214

the mill of Middleton

Essex County, Massachusetts.

Being acknowledged, for consideration paid, grant to (in the sum of \$20,000.00) grant to the Inhabitants of the Town of Middleton, a body corporate in the County of Essex.

四

with multiple requirements

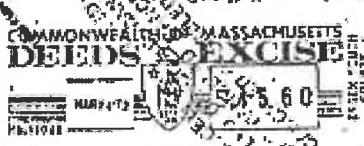
the land is said Middleton on the northerly side of North Main Street, bounded
(Description and boundaries, if any)

and described as follows:

Beginning at an iron pipe on the northerly side of North Main Street and land now or formerly of Nellie J. Muzichuk and thence running NORTH 40° 80' 00" East by land of said Nellie J. Muzichuk and The Richardson Trust two hundred fifty-seven and 40/100 (257.40') Feet to an iron pipe; thence turning and running SOUTH 52° 22' 00" East by land of The Richardson Trust one hundred sixty-three and 77/100 (163.77') feet to an iron pipe; thence turning and running SOUTH 37° 38' 00" West by land of The Richardson Trust two hundred fifty-seven and 17/100 (257.17') to North Main Street; thence turning and running NORTH 52° 22' 00" West by North Main Street one hundred seventy-five (175') feet to land of said Nellie J. Muzichuk and the point begun at.

Containing 43,560 square feet as shown on "Plan of Land Located in
Middleton, Mass. owned by Richardson Trust Scale 1" equals 40'
Oct. 15, 1971 John A. Goodwin, Surveyor, Middleton, Mass."; said plan to
be recorded herewith.

If there is any discrepancy between the metes and bounds in this deed and those shown on the said plan, those shown on the said plan will control.



BK5849 PG561

husband _____ wife _____ of said grantor.

Witness our hand & and seals this first day of February 1972.

Benjamin K. Richardson
Elaine H. Richardson
Elaine H. Richardson

The Commonwealth of Massachusetts

Essex, ss.

February 1, 1972

Then personally appeared the above named Benjamin K. Richardson, in his capacity as Trustee of The Richardson Trust

and acknowledged the foregoing instrument to be his free act and deed before me

Notary Public

My commission expires 4/14/74

Essex ss. Recorded Mar. 14, 1972, 34 m. past 2 P.M. #196

FLOOD MAP

Town of Middleton

Massachusetts



ANNUAL TOWN MEETING

Tuesday, May 13, 2025

7:00PM

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

Acknowledgements

Retirements

- **Charles “Chucky” Clinch IV - MELD**

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/HR Director

Sarah Wood, Finance Director/Town Accountant

**MAY 13, 2025 ANNUAL TOWN MEETING
PRELIMINARY LIST**

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Summary of Spending by Warrant Article

Fiscal Year	Article #	Description	Tax Levy	Community Preservation Fund	Ambulance Fund	Free Cash	Enterprise Fund	Stabilization Fund	Other	Notes
FY25	2	Prior Year Bills		\$ -	\$ -	\$ -	\$ 10,772.99	\$ -	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ 10,772.99	\$ -	\$ -	\$ -
FY25	3	FY25 Snow and Ice deficit		\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -	- Article only if needed
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -	- Article only if needed
FY26	5	Omnibus Budget	\$ 47,240,536	\$ -	\$ 700,000	\$ -	\$ -	\$ 104,128	\$ 133,145	\$ 144,658 \$ 144,658 of PEG Funds
		Total Article	\$ 47,240,536	\$ -	\$ 700,000	\$ -	\$ -	\$ 104,128	\$ 133,145	\$ 144,658
FY26	6	Public Safety Override	\$ 975,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		Total Article	\$ 975,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY26	7	Elementary Schools Operating Override	\$ 537,276	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		Total Article	\$ 537,276	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY26	8	Masconomet Regional Operating Override	\$ 467,194	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		Total Article	\$ 467,194	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY26	9	CPA Budget - Ongoing		\$ 186,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		Total Article	\$ -	\$ 186,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY26	10	CPA Budget - New Projects		\$ 178,260	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		Total Article	\$ -	\$ 178,260	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FY26	12	SESD Sewer Enterprise Fund Budget						\$ 108,530	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 108,530	\$ -	\$ -
FY26	13	Water Enterprise Fund						\$ 233,287	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 233,287	\$ -	\$ -
FY26	15	Funding to Reserves						\$ 550,000	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 550,000	\$ -	\$ -
FY26	16	Capital Budget								Stabilization Fund: Facilities Project Stabilization.
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,936,995	\$ -	Other: \$2,200,000 - authorization to borrow;
								\$ 1,936,995	\$ -	\$ 300,000 \$ 2,500,000
FY26	17	MASCO Capital Request						\$ 230,652	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 230,652	\$ -	\$ -
FY26	18	Litigation Expense for 3A (MBTA) Zoning						\$ 25,000	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -
FY26	19	Middleton 300th Committee						\$ 15,000	\$ -	\$ -
		Total Article	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ -	\$ -
		Warrant Book Totals	\$49,220,006	\$ 364,510	\$ 700,000	\$ 2,793,420	\$ 445,945	\$ 633,145	\$ 2,644,658	



**FINANCE COMMITTEE
TOWN OF MIDDLETON
Report for Annual Town Meeting
May 13, 2025**

April 7, 2025

Dear Residents of Middleton:

Welcome to Middleton's Annual Town Meeting. Town Meeting is your time to review the proposed plan our elected and appointed officials have for FY26 and voice your questions and concerns. This is a collaborative process between Town Government and the Citizens which is designed to keep Middleton the wonderful community we all enjoy.

This year's Annual Town Meeting has 23 articles. The Town Administration, Select Board and Finance Committee have worked diligently on your behalf to present a budget that we believe addresses the concerns and priorities of the entire community. It places a focus on Middleton's overall appeal and quality of life, while at the same time balancing available revenues to be financially responsible.

There are 4 articles for the FY26 budget (Articles 6-9). Article 6 is the proposed FY26 budget of \$48,322,467 funded by taxation within Proposition 2 ½. This is an increase of 4.3%. The impact to taxation on an "average home" valued at \$963,000 is an increase of \$414. The following table outlines the budget changes:

Function	Approved FY		Approved FY		Change	% Inc
	Act FY 23	24	25	FY 26 Budget		
General Government	\$ 2,139,901	\$ 2,530,829	\$ 2,610,857	\$ 2,684,544	\$ 73,687	2.8%
Public Safety	\$ 4,872,208	\$ 4,946,151	\$ 5,290,020	\$ 5,467,116	\$ 177,096	3.3%
Education	\$ 24,391,690	\$ 26,495,357	\$ 27,398,521	\$ 28,450,392	\$ 1,051,871	3.8%
Public Works	\$ 1,749,840	\$ 2,018,177	\$ 2,175,202	\$ 2,333,272	\$ 158,070	7.3%
Human Services	\$ 468,680	\$ 531,246	\$ 576,954	\$ 638,566	\$ 61,612	10.7%
Culture and Recreation	\$ 688,132	\$ 797,026	\$ 868,607	\$ 870,828	\$ 2,221	0.3%
Debt Service	\$ 4,212,243	\$ 3,805,331	\$ 3,828,178	\$ 3,859,476	\$ 31,298	0.8%
Unclassified	\$ 3,139,299	\$ 3,555,087	\$ 3,579,082	\$ 4,018,273	\$ 439,191	12.3%
Total	\$ 41,661,993	\$ 44,679,204	\$ 46,327,421	\$ 48,322,467	\$ 1,995,046	4.3%

This budget includes two new positions, Facilities Director and Program and Volunteer Coordinator due to the new Municipal Complex. However, Public Safety Department Heads advised the Select Board and Finance Committee of several new positions required. Article 7 proposes increases to Police and Fire personnel. Also, the Middleton Elementary Schools and MASCO have requested additional funding for FY26 above the Town's guideline. These requests in Article 8 for Elementary and Article 9 for MASCO are merited. These requests cannot be accommodated within Proposition 2 ½ limits, and they are requested as an Operating Override. If approved by Town Meeting and on the subsequent Ballot, the total increase in spending in FY26 would be 8.6%. Article 7-9 requests the following appropriation:

Department	Need	FY 25	
		Override request	Column
Middleton Elementary	Maintain Core programs, contractual obligations, and SPED	\$ 537,276	
MASCO	Out of District, SPED and Healthcare	\$ 467,194	
Fire	Four Full-time Firefighters/Paramedic	\$ 437,800	
Fire	Insurance Benefits/Equipment/Training/Certifications/Taxes	\$ 147,200	
Police	Three Full-time Police Officers	\$ 278,700	
Police	Insurance Benefits/Equipment/Training/Certifications/Taxes	\$ 111,300	
Total		\$ 1,979,470	8.6%

We estimate the impact of the Override to the Tax Rate for FY26 to be an additional \$0.60 per thousand. The projected dollar value impact for an "average home" in FY26 would be \$578. This article is to vote for the

appropriation of expenditure. Beyond a favorable Town Meeting vote, an affirmative vote is also required on a Town Ballot on May 20, 2025.

As voters consider these two articles, the voters should also consider future years. We have all seen costs rise considerably over the past few years. Cost growths are impacting all of us, and as well as local governments. The Finance Administration is doing a 5-year model for the Select Board and Finance Committee. For FY27 the model currently shows a deficit of \$697,000. This is a forecast, which is based on various assumptions. What FY27 will actually look like a year from now, may differ. However, we all need to bear that in mind as we vote for FY26.

The Town Meeting is also being asked to approve various capital projects in Article 16 paid from Free Cash, PEG, Facilities Stabilization fund and Borrowing in the amount of \$4,976,995. These requests are made to properly position our departments to provide the necessary services Middleton residents expect, and to maintain the Taxpayer's public assets. Within Article 16 of the ATM Warrant is a breakout of the requested expenditures by department for your consideration.

Here is a summary of all articles, and the Finance Committee recommendations:

Article	Description	Sponsor	Amount of Article	Funding Source	Fincom Rec
2	Prior Year Bills	SB\Fincom	\$10,773	Free Cash	Yes
3	FY 25 Snow & Ice Deficit	SB\Fincom		Free Cash	TBA
4	Salaries of Elected Officials	SB\Fincom		Taxation	Yes
				Tax Levy, Ambulance Fund, Enterprise Fund, PEG Fund, SPED Stabilization	
5	FY26 Omnibus Budget	SB\Fincom		Fund	Yes
6	FY26 Public Safety Operating Budget Override	SB\Fincom	\$975,000	Taxation	Yes
7	FY26 Elementary School Operating Budget Override	SB\Fincom	\$537,276	Taxation	Yes
8	FY26 Masconomet Regional School Operating Override	SB\Fincom	\$467,194	Taxation	Yes
9	CPA Budget-Existing Projects	SB\CPC	\$314,599	Community Preservation Fund	Yes
10	CPA Budget-New Projects	SB\CPC	\$178,260	Community Preservation Fund	Yes
11	FY26 Revolving Funds	SB\Fincom	\$55,000		Yes
12	Sewer Enterprise Fund	SB\Fincom	\$115,454	Enterprise Fund	Yes
13	Water Enterprise Fund	SB\Fincom	\$330,491	Enterprise Fund	Yes
14	Accept Fund from MELD	SB\Fincom	\$260,000		Yes
15	Reserves Funding	SB\Fincom	\$550,000	Free Cash	Yes
				Free Cash, PEG, Borrowing, Facilities Stabilization Fund	
16	FY 26 Capital Budget	SB\Fincom	\$4,976,995	Stabilization Fund	Yes
17	MASCO Capital Request	SB\Fincom	\$230,652	Free Cash	Yes
	Litigation Expenses for 3A (MBTA)				
18	Zoning	SB\Fincom	\$25,000	Free Cash	Yes
19	300th Committee Charter Review	SB	\$15,000	Free Cash	Yes
20	Recommendations	Charter Review Committee	N/A	N/A	Deferred
21	Floodplain Zoning Bylaw	Planning Board	N/A	N/A	Deferred
	Surplus Town Property 65 North				
22	Main Conservation Restriction 105 S	SB	N/A	N/A	Yes
23	Main	SB	N/A	N/A	Deferred

Finally, thank you for joining us at the Town Meeting!

Sincerely, *Middleton Finance Committee*

John Erickson, Co-Chair
Michelle Cresta
Toni Mertz

Jason Vining

Richard S. Gregorio, Co-Chair
Tom Martinuk
Peter C. Moon

COMMUNITY PRESERVATION PLAN

TOWN OF MIDDLETON

MARCH 31, 2025

The voters of Middleton adopted the Community Preservation Act (CPA) with a 1% surcharge at Town Meeting in May 2004 and at the ballot on November 2, 2004.

The Community Preservation Committee (CPC) was authorized by the Annual Town Meeting in May 2004 with the Town Moderator as the appointing authority. The members are:

Jeff Garber, Selectmen Board, 2025
Robert Murphy, Master Plan Committee, 2027
John Erickson, Finance Committee, 2025
Anthony DeGregorio, Planning Board, 2027
Ilene Twiss, Housing Authority, 2026
Peter Goodwin, Conservation Commission, 2027
Bob LeBlanc, Historical Commission, 2026
Herman Learmond-Criqui, Citizen-at-large, 2027
Kosta Prentakis, Citizen-at-large, 2026

The CPA requires at least 10% of each year's funds be spent or reserved for open space, historic preservation and affordable housing. CPA funds that are not expended in one year may be carried over to subsequent years. However, once CPA funds are reserved for a specific purpose, they must ultimately be used for that purpose. The remaining 70% of CPA funds in each fiscal year are available to be appropriated or reserved, according to the Town's discretion, for open space, historic preservation, affordable housing and recreation. Also 5% of annual CPA funds may be appropriated and used for administrative activities of the Community Preservation Committee.

The CPC is primarily a source of funding, rather than an initiator of projects. Town Boards, Departments and citizens may bring proposals for funding to the CPC. The CPC will give favorable consideration to those proposals that best meet our guidelines and goals. While the CPC does not have the power to appropriate funds for particular projects, Town Meeting may use CPA funds only with the recommendation of the CPC.

Goals:

Open Space:

1. Preserve Middleton's small town image
2. Protect valuable water resources and unique wildlife habitat areas
3. Increase and connect existing protected areas
4. Protect large tracts of undeveloped land

Recreation:

1. Provide for better recreational utilization of currently town owned land and facilities
2. Decentralize appropriate activities to neighborhood locations

Historic Preservation:

1. Preservation and enhancement of municipally owned properties of historical, archeological, architectural or cultural significance
2. Acquisition of threatened properties of particular historical, archeological, architectural or cultural significance
3. Encouraging the private sector to preserve assets of historical, archeological, architectural or cultural or cultural significance
4. Cataloguing resources of historical, archeological, architectural or cultural or cultural significance

Affordable Housing:

1. Meet local housing needs along the full range of incomes, while promoting diversity and stability of individuals and families in Middleton
2. Ensure that new affordable housing is harmonious with the community and its neighborhood
3. Leverage other public and private resources to the greatest extent possible.

Selection Criteria:

1. Consistency with Master Plan, Open Space and Recreation Plan and other planning documents that have or will receive wide community scrutiny and input
2. Preservation of currently owned Town assets
3. Affordability and provision for cost/funding that is compatible with the Town's financial plan
4. Preservation of a resource or opportunity that would otherwise be lost
5. Feasibility
6. Involvement of multiple CPA purposes
7. Involvement of multiple sources of funding
8. Compliance with Middleton Zoning By-laws

Adopted by the Community Preservation Committee on March 31, 2025

Community Preservation Plan - 2025 Annual Town Meeting Update

	ANTICIPATED REVENUE	OPEN SPACE RESERVE	HISTORIC PRESERVATION RESERVE	AFFORDABLE HOUSING RESERVE	FUND BALANCE	TOTAL AVAILABLE CPA FUNDS	PROJECT TOTAL
Interest Earned		0	0	0	0	0	0
Unused appropriations		0	0	0	0	0	0
6/30/25 Projected balances		\$39,598	\$146	\$672	\$396,475	\$436,892	
				RECEIVABLE	\$0		
				CASH BALANCE	\$396,475		
Fiscal Year 2026 Revenue							
FY26 Anticipated Town Share (Estimated)		\$ 325,000					
FY26 State Match Based on 20% of FY24 (Estimated)		\$ 46,500					
6/30/26 Projected balances		\$371,500	42,783.00	42,783.00	42,783.00	\$243,151	
Fiscal Year 2026 Expenses							
Flint Public Library Renovation and Expansion		5/10/05 ATM (HP)		(42,929)	(142,821)		185,750.00
Community Preservation Committee Administration Budget					(500)		500.00
Digitize Historic Planning Files					(55,000)		55,000.00
Open Space & Recreation Plan					(55,000)		55,000.00
Time Capsule					(7,000)		7,000.00
Rail Trail					(25,000)		25,000.00
Bart Brown Memorial Trails					(7,619)		10,000.00
Digitize Historic Assessor Files					(2,381)		(26,260)
Interest Earned							-
Unused Appropriations							
6/30/26 Balances					0.00	43,455.12	400,426.44
				RECEIVABLE		\$0	\$443,882
				CASH BALANCE		\$400,426	

**TOWN OF MIDDLETON
ANNUAL TOWN MEETING
COMMONWEALTH OF MASSACHUSETTS
MAY 13, 2025**

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, May 13, 2025, at 7:00PM, then and there to act on the following articles:

FY2025 AND PRIOR YEAR FINANCIAL ARTICLES

ARTICLE 1. Hear Committee Reports

ARTICLE 2. Pay Bills of Prior Fiscal Years

On petition of the Select Board and Finance Committee, to see if the Town will vote to pay prior fiscal year bills; or take any other action relative thereto.

Purpose: This article authorizes payment of bills from prior fiscal years. Under General Law c. 44, s. 64, bills from prior fiscal years can only be paid if approved by Town Meeting unless funds were encumbered. Requires a 4/5 majority vote.

• Assessing – Catalis	\$ 500.00
• Town Buildings – Rocky's Ace Hardware	\$ 59.67
• MELD – Insurance Reconciliation	\$ 9,504.32
• <u>Board of Health – Medicare Application Fee</u>	\$ 709.00
Total:	\$10,772.99

ARTICLE 3. FY25 Snow & Ice Deficit

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 a certain sum to be used to fund the deficit incurred in the Department of Public Works (snow removal and winter road maintenance) budget; or take any other action relative thereto.

Purpose: This article will transfer funds to close the deficit for snow and ice removal. At the time of printing, the snow and ice deficit was \$25,000. The snow and ice deficit is typically funded through a transfer from Free Cash.

FY2026 FINANCIAL ARTICLES

ARTICLE 4. Approve FY2026 Compensation for Elected Officials

On petition of the Select Board and Finance Committee, to see if the Town will vote to set the salaries of elected officials pursuant to Massachusetts General Law Chapter 41, Section 108; or take any other action relative thereto.

Purpose: This article establishes the compensation of elected officials. The schedule of salaries which shows the compensation of elected officials and employees is located in the back of the warrant book in Table A. Requires a simple majority vote.

ARTICLE 5. FY2026 Omnibus Budget

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 a certain sum to fund the Omnibus Budget for Fiscal Year 2026; or take any other action relative thereto.

Purpose: This article requests approval of the Town's operating budget for the coming fiscal year beginning on July 1, 2025 and running through June 30, 2026. Detailed descriptions of expenditures are presented in the warrant book on the following page. Requires a 2/3 majority vote.

ARTICLE 6. FY2026 Public Safety Operating Budget Override

On petition of the Select Board and Finance Committee to see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$975,000** to fund the following in the Fiscal Year 2026 Omnibus Budget, contingent upon the passage of a Proposition 2 1/2 referendum under Massachusetts General Laws, Chapter 59, Section 21C; or take any other action relative thereto.

Town of Middleton	
Three (3) Police Officer Salaries	\$278,700
<u>Insurance Benefits/Equipment/Training/Certifications/Taxes</u>	<u>\$111,300</u>
Funding Additional Police Officers (Compensation Subtotal)	\$390,000
Four (4) Firefighter/Paramedic Salaries	\$437,800
<u>Insurance Benefits/Equipment/Training/Certifications/Taxes</u>	<u>\$147,200</u>
Funding Additional Firefighter/Paramedics (Compensation Subtotal)	\$585,000
 Town of Middleton FY2026 Public Safety Override Grand Total: \$975,000	

Purpose: The funding under Article 6 is contingent on the passage of a Proposition 2 1/2 override vote that will appear on the May 20, 2025 Annual Town Election ballot. The total amount of the Public Safety override is \$975,000. An override of this amount is being requested to fund total compensation packages for three (3) Police Officers and four (4) Firefighter/Paramedics. Requires a simple majority vote at Town Meeting and on the May 20, 2025 Ballot Question.

		Actual FY 2023	Actual FY 2024	Approved FY 2025	Approved FY 2026	Finance Committee Recommendation FY 2026	Select Board/ Finance Committee Recommendation FY 2026
FUNCTION 100: GENERAL GOVERNMENT							
Department #114 TOWN MODERATOR							
5100 Personal Services		\$200	\$200	\$500	\$500	\$500	\$500
DEPARTMENT TOTAL		\$200	\$200	\$500	\$500	\$500	\$500
Department #122 SELECTBOARD/ADMINISTRATOR							
5100 Personal Services		\$299,307	\$336,423	\$362,262	\$391,048		
5200 Purchase of Services/Supplies		49,400	24,009	49,535	43,040		
DEPARTMENT TOTAL		\$348,707	\$360,432	\$411,797	\$434,088		
Department #131 FINANCE COMMITTEE							
5100 Personal Services		\$1,072	\$411	\$2,224	\$700		
5200 Purchase of Service/Supplies		184	190	1,780	200		
5200 Reserve fund		17,340	81,124	100,000	100,000		
DEPARTMENT TOTAL		\$18,596	\$81,725	\$104,004	\$100,900		
Department #135 TOWN ACCOUNTANT							
5100 Personal Services		\$168,734	\$204,865	\$215,075	\$227,762		
5200 Purchase of Services/Supplies		38,611	33,323	44,500	52,000		
DEPARTMENT TOTAL		\$207,345	\$238,188	\$259,575	\$279,762		
Department #141 ASSESSORS							
5100 Personal Services		\$184,799	\$202,594	\$208,699	\$217,419		
5200 Purchase of Services/Supplies		19,356	17,812	29,550	28,166		
DEPARTMENT TOTAL		\$204,155	\$220,406	\$238,249	\$245,585		

		Select Board/ Finance Committee	
		Actual FY 2023	Approved FY 2025
		Actual FY 2024	Recommendation FY 2026
Department #145 TREASURER/COLLECTOR			
5100 Personal Services	\$216,760	\$225,666	\$243,368
5200 Purchase of Services/Supplies	44,787	39,938	46,230
DEPARTMENT TOTAL	\$261,547	\$265,605	\$289,598
Department #146 CUSTODIAN OF TOWN LANDS			
5100 Personal Services	\$2,500	\$2,500	\$2,500
DEPARTMENT TOTAL	\$2,500	\$2,500	\$2,500
Department #151 TOWN COUNSEL			
5200 Purchase of Services	\$90,576	\$92,663	\$96,000
DEPARTMENT TOTAL	\$90,576	\$92,663	\$96,000
Department #155 INFORMATION TECHNOLOGY			
5100 Personal Services	\$60,255	\$63,271	\$74,461
5200 Purchase of Services/Supplies	324,114	425,317	485,107
DEPARTMENT TOTAL	\$384,368	\$488,587	\$559,568
Department #161 TOWN CLERK			
5100 Personal Services	\$164,871	\$170,092	\$194,937
5200 Purchase of Services/Supplies	14,659	16,267	27,200
5800 Capital Outlay	9,108	3,250	20,000
DEPARTMENT TOTAL	\$188,638	\$189,609	\$233,330
Department #162 ELECTIONS/ REGISTRATIONS			
5100 Personal Services	\$22,273	\$15,581	\$22,095
5200 Purchase of Services/Supplies	16,977	18,490	22,900
DEPARTMENT TOTAL	\$39,250	\$34,070	\$44,995

		Actual FY 2023	Actual FY 2024	Approved FY 2025	Select Board/ Finance Committee Recommendation FY 2026
Department #171 CONSERVATION COMMISSION					
5100	Personal Services	\$91,173	\$93,559	\$96,268	\$98,674
5200	Purchase of Services/Supplies	1,751	1,760	9,050	8,950
DEPARTMENT TOTAL		\$92,923	\$95,319	\$105,318	\$107,624
Department #175 PLANNING DEPARTMENT					
5100	Personal Services	\$110,910	\$109,324	\$108,311	\$103,161
5200	Purchase of Services/Supplies	6,157	4,442	11,810	11,810
DEPARTMENT TOTAL		\$117,067	\$113,767	\$120,121	\$114,971
Department #176 BOARD OF APPEALS ***					
5100	Personal Services	\$1,638	\$2,279	\$0	\$0
5200	Purchase of Services/Supplies	928	215	0	0
DEPARTMENT TOTAL		\$2,566	\$2,494	\$0	\$0
Department #181 MASTER PLAN COMMITTEE/LAND ACQUISITION ***					
5100	Personal Services	\$134	\$136	\$0	\$0
5200	Purchase of Services/Supplies	63	0	0	0
DEPARTMENT TOTAL		\$197	\$136	\$0	\$0
Department #192 TOWN BUILDINGS					
5100	Personal Services	\$36,921	\$49,338	\$53,816	\$53,816
5200	Purchase of Services/Supplies	70,198	72,685	100,000	100,000
DEPARTMENT TOTAL		\$107,119	\$122,023	\$153,816	\$153,816
Department #195 TOWN REPORTS					
195	Town Warrants/Reports	\$10,362	\$14,247	\$11,000	\$12,500
DEPARTMENT TOTAL		\$10,362	\$14,247	\$11,000	\$12,500
TOTAL GEN. GOVERNMENT FUNCTION 100		\$2,076,116	\$2,321,970	\$2,610,857	\$2,684,544
*** BUDGETS CONSOLIDATED INTO PLANNING DEPARTMENT BUDGET					

		Select Board/ Finance Committee			
		Actual FY 2023	Actual FY 2024	Approved FY 2025	Recommendation FY 2026
FUNCTION 200: PUBLIC SAFETY					
Department #210 POLICE DEPARTMENT					
5100 Personal Services	\$1,906,906	\$2,044,608	\$2,262,816	\$2,319,195	
5200 Purchase of Services/Supplies	189,548	175,533	220,018	221,988	
5800 Capital Outlay	54,749	55,000	75,000	0	
DEPARTMENT TOTAL	\$2,151,204	\$2,275,142	\$2,557,834	\$2,541,183	
Department #220 FIRE DEPARTMENT					
5100 Personal Services	\$2,063,930	\$2,098,187	\$2,102,014	\$2,278,287	
5200 Purchase of Services/Supplies	354,845	234,651	268,261	275,036	
5800 Capital Outlay	9,243	20,933	23,500	23,500	
DEPARTMENT TOTAL	\$2,428,018	\$2,353,771	\$2,393,775	\$2,576,823	
Department #241 INSPECTIONS DEPARTMENT					
5100 Personal Services	\$250,688	\$253,724	\$279,466	\$288,638	
5200 Purchase of Services/Supplies	21,678	24,941	33,250	34,250	
DEPARTMENT TOTAL	\$272,366	\$278,665	\$312,716	\$322,888	
Department #292 ANIMAL CONTROL					
5100 Personal Services	\$20,421	\$20,649	\$21,295	\$21,822	
5200 Purchase of Services/Supplies	0	1,137	3,900	3,900	
DEPARTMENT TOTAL	\$20,421	\$21,786	\$25,195	\$25,722	
Department #296 TOWN CONSTABLE					
5100 Personal Services	\$200	\$200	\$500	\$500	
DEPARTMENT TOTAL	\$200	\$200	\$500	\$500	
TOTAL PUBLIC SAFETY FUNCTION 200	\$4,872,209	\$4,929,563	\$5,290,020	\$5,467,116	

		Actual FY 2023	Actual FY 2024	Approved FY 2025	Recommendation FY 2026	Select Board/ Finance Committee
FUNCTION: 300: EDUCATION						
Department #301 MIDDLETON SCHOOL DEPARTMENT						
5100 Personal Services		\$9,980,548	\$10,359,984	\$10,732,460	\$11,306,215	
5200 Purchase of Services /Supplies		3,731,061	4,360,157	4,580,102	4,881,905	
DEPARTMENT TOTAL		\$13,711,609	\$14,720,141	\$15,312,562	\$16,188,120	
Department #314 MASCONOMET SCHOOL DISTRICT						
5600 Middleton Assessment		\$10,477,590	\$10,896,460	\$11,103,806	\$11,103,806	
DEPARTMENT TOTAL		\$10,477,590	\$10,896,460	\$11,103,806	\$11,103,806	
Department #315 ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL DISTRICT						
5600 Middleton Assessment		\$756,518	\$804,846	\$910,615	\$1,085,714	
5900 Essex Tech Debt Service		68,506	67,215	71,538	72,752	
DEPARTMENT TOTAL		\$825,024	\$872,061	\$982,153	\$1,158,466	
TOTAL SCHOOL DEPARTMENT						
FUNCTION 300: EDUCATION						
		\$25,014,223	\$26,488,662	\$27,398,521	\$28,450,392	

		Select Board/ Finance Committee	Recommendation FY 2026
	Actual FY 2023	Actual FY 2024	Approved FY 2025
FUNCTION 400: PUBLIC WORKS			
Department #420 PUBLIC WORKS DEPARTMENT			
5100 Personal Services	\$672,403	\$719,349	\$789,855
5200 Purchase of Services/Supplies	294,317	353,332	365,900
5800 Capital Outlay	18,692	18,127	19,000
DEPARTMENT TOTAL	\$985,413	\$1,090,809	\$1,174,755
Department #423 SNOW AND ICE			
5700 General Expenditures	\$285,591	\$233,120	\$351,520
DEPARTMENT TOTAL	\$285,591	\$233,120	\$351,520
Department #425 TRANSFER STATION/SOLID WASTE			
5100 Personal Services	\$136,806	\$139,848	\$161,727
5200 Purchase of Services/Supplies	342,029	335,529	487,200
DEPARTMENT TOTAL	\$478,835	\$475,377	\$648,927
TOTAL PUBLIC WORKS	\$1,749,838	\$1,799,306	\$2,175,202
			\$2,333,272

		Actual FY 2023	Actual FY 2024	Approved FY 2025	Finance Committee Recommendation FY 2026	Select Board/
FUNCTION 500: HUMAN SERVICES						
Department #511 BOARD OF HEALTH						
5100 Personal Services	\$115,506	\$155,500	\$149,404	\$155,655		
5200 Purchase of Services/Supplies	17,155	20,496	23,050	23,300		
DEPARTMENT TOTAL	\$132,660	\$175,996	\$172,454	\$178,955		
Department #541 COUNCIL ON AGING						
5100 Personal Services	\$226,138	\$194,942	\$238,181	\$293,383		
5200 Purchase of Services/Supplies	39,506	41,311	47,158	47,158		
DEPARTMENT TOTAL	\$265,644	\$236,252	\$285,339	\$340,541		
Department #543 VETERAN SERVICE OFFICER						
5100 Personal Services	\$17,323	\$19,633	\$37,336	\$37,245		
5200 Purchase of Services/Supplies	20,146	25,809	46,900	46,900		
DEPARTMENT TOTAL	\$37,468	\$45,442	\$84,236	\$84,145		
Department #545 TRI-TOWN COUNCIL						
5200 Purchase of Services	\$29,925	\$29,925	\$29,925	\$29,925		
DEPARTMENT TOTAL	\$29,925	\$29,925	\$29,925	\$29,925		
Department #548 MIDDLETON GARDEN CLUB						
5200 Purchase of Services	\$2,983	\$5,348	\$5,000	\$5,000		
DEPARTMENT TOTAL	\$2,983	\$5,348	\$5,000	\$5,000		
TOTAL HUMAN SERVICES FUNCTION 500	\$468,680	\$492,963	\$576,954	\$638,566		

				Actual FY 2023	Actual FY 2024	Approved FY 2025	Approved FY 2026	Select Board/ Finance Committee Recommendation FY 2026
FUNCTION 600: CULTURE & RECREATION								
Department #610 FLINT PUBLIC LIBRARY				\$450,222	\$482,713	\$548,843	\$553,405	
5100 Personal Services				193,825	209,877	238,160	245,919	
5200 Purchase of Services/Supplies								
DEPARTMENT TOTAL				\$644,047	\$692,591	\$787,003	\$799,324	
Department #630 RECREATION COMMISSION				\$25,676	\$32,009	\$38,229	\$38,229	
5100 Personal Services				11,542	10,696	30,875	20,775	
5200 Purchase of Services/Supplies								
DEPARTMENT TOTAL				\$37,217	\$42,705	\$69,104	\$59,004	
Department #691 HISTORICAL COMMISSION				\$0	\$550	\$1,000	\$1,000	
5100 Personal Services								
5200 Purchase of Services								
DEPARTMENT TOTAL				\$0	\$550	\$1,000	\$1,000	
Department #692 MEMORIAL DAY				\$1,867	\$5,527	\$6,500	\$6,500	
5100 Personal Services								
5200 Purchase of Services								
DEPARTMENT TOTAL				\$1,867	\$5,527	\$6,500	\$6,500	
Department #693 CHIEF WILLS DAY FAMILY FESTIVAL				\$5,000	\$5,000	\$5,000	\$5,000	
5100 Personal Services								
5200 Purchase of Services								
DEPARTMENT TOTAL				\$5,000	\$5,000	\$5,000	\$5,000	
TOTAL CULTURE & REC. FUNCTION 600				\$688,131	\$746,372	\$868,607	\$870,828	

		Select Board/ Finance Committee			
		Recommendation FY 2026			
		Actual FY 2023	Actual FY 2024	Approved FY 2025	
FUNCTION 700: DEBT SERVICE					
Department #710 DEBT SERVICE					
5801 Principal	\$1,237,500	\$1,785,250	\$1,893,000	\$2,009,250	
5915 Interest	2,975,143	2,020,080	1,935,178	1,850,226	
TOTAL DEBT SERVICE FUNCTION 700	\$4,212,643	\$3,805,330	\$3,828,178	\$3,859,476	
FUNCTION 900: UNCLASSIFIED					
Department: UNCLASSIFIED					
910 Compensation Reserve	\$68,856	\$3,500	\$49,019	\$40,000	
911 Retirement	1,882,538	2,127,694	2,083,090	2,149,917	
913 Unemployment	24,796	8,417	15,000	15,000	
914 Health Insurance	782,293	872,434	976,433	1,290,335	
915 Group Insurance	2,119	2,271	2,450	2,450	
916 Medicare	108,567	109,716	122,590	127,371	
945 All Other Insurance	270,130	296,299	330,500	393,200	
DEPARTMENT TOTAL	\$3,139,300	\$3,420,331	\$3,579,082	\$4,018,273	
TOTAL OPERATING BUDGET					
GENERAL FUND 01	\$42,221,140	\$44,004,497	\$46,327,421	\$48,322,467	

ARTICLE 7. FY2026 Elementary School Operating Budget Override

On petition of the Middleton School Committee, to see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$537,276** to fund the following in the Fiscal Year 2026 Omnibus Budget, contingent upon the passage of a Proposition 2 ½ referendum under Massachusetts General Laws, Chapter 59, Section 21C; or take any other action relative thereto.

Middleton Elementary School

Three (3) Classroom Teachers	\$195,000
Two (2) Special Education Teachers	\$124,724
One (1) Reading Teacher	\$65,000
Instrumental Music Program	\$21,000
1/3 (.3) Assistant Principal	\$32,000
Administrative Salaries	\$20,000
Instructional Aides	\$69,933
<u>Overall Consumables</u>	<u>\$9,619</u>
Middleton Elementary School FY2026 Grand Total:	\$537,276

Purpose: The funding under Article 7 is contingent on the passage of a Proposition 2 ½ override vote that will appear on the May 20, 2025 Annual Town Election ballot. The total amount of the Elementary School's override is \$537,276. A no vote on this override will result in some increased class sizes, reductions in special education and reading services, and administrative reductions. This will also result in the elimination of the instrumental music program. The School Committee has bottom line budget authority and this list is informational only. Requires a simple majority vote at Town Meeting and on May 20, 2025 Ballot Question.

ARTICLE 8. FY2026 Masconomet Regional School District Operating Budget Override

On petition of the Masconomet Regional District School Committee, to see if the Town will vote to raise and appropriate or transfer from available funds the sum of **\$467,194** to fund the following in the Fiscal Year 2026 Omnibus Budget, contingent upon the passage of a Proposition 2 ½ referendum under Massachusetts General Laws, Chapter 59, Section 21C; or take any other action relative thereto.

Masconomet Regional School District

<u>Additional FY26 Operating Budget Assessment</u>	<u>\$467,194</u>
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Masconomet Regional School District FY2026 Grand Total: \$467,194

Purpose: The proposed FY26 Masconomet Total Assessment budget inclusive of Capital Costs represents an increase of 8.2% over FY25, none of which has been included in Article 5 of the omnibus budget. Middleton's share of the Operating Assessment increase as calculated in accordance with the Regional Agreement considers 5-year enrollment fluctuations (a 33.90% average decrease in Middleton enrollment over the past 5 years). This override is requesting an

additional \$466,848 which represents Middleton's share of an increase of 4.27% over the FY25 approved omnibus budget. Additional information relative to the proposed FY26 Masconomet budget can be found at <https://www.masconomet.org/mascoplanning>. The funding under Article 8 is contingent on the passage of a Proposition 2 ½ override vote that will appear on the May 20, 2025 Annual Town Election ballot. Requires a simple majority vote at Town Meeting and on the May 20, 2025 Ballot Question.

ARTICLE 9. FY2026 Community Preservation Budget - Debt Service, Projects, Expenses
On petition of the Select Board and Community Preservation Committee, to see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for debt service, community preservation projects, and other expenses in Fiscal Year 2026 with each item to be considered a separate appropriation; or take any other action relative thereto.

Proposed Fiscal Year 2026 Community Preservation Budget

The Community Preservation Committee recommends that the following amounts be appropriated or reserved from Fiscal Year 2026 Community Preservation Fund Revenues, unless otherwise specified for Fiscal Year 2026 Community Preservation Purposes, with each item considered to be a separate appropriation:

<u>Purpose</u>	<u>Recommended Amount</u>	<u>Funding Source</u>
A. Reserves: Open Space	\$42,783	FY 2025 Estimated CPA Receipts
Reserves: Historic Resources	\$42,783	FY 2025 Estimated CPA Receipts
Reserves: Community Housing	\$42,783	FY 2025 Estimated CPA Receipts
B. Flint Library Debt Service	\$185,750	\$42,929.09 from Historic Resources Reserve and \$142,820.91 from Fund Balance
C. CPA Committee Admin. Expenses	\$500	From Fund Balance
Community Preservation Total	\$314,599	

Purpose: Each year the Town Meeting must appropriate or reserve for future appropriation at least 10% of the estimated annual fund revenues for acquisitions and initiatives in each of the following three categories of allowable community preservation purposes:

Open space (excluding recreational uses) - Historic resources - Community housing

The "annual fund revenues" in Fiscal Year 2026 are estimated at \$371,500 and are composed of the estimated receipts from the local surcharge of \$325,000 and monies from the State Trust Fund, which will make its nineteenth payment in October 2025 providing an additional estimated \$46,500 in matching funds based upon the local share raised in Fiscal Year 2025. Requires a simple majority vote.

ARTICLE 10. FY2026 Community Preservation Budget - New Projects

On petition of the Select Board and Community Preservation Committee, to see if the Town will vote to appropriate from the Community Preservation Fund annual revenues the following amounts recommended by the Community Preservation Committee for new community preservation projects in Fiscal Year 2026 with each item to be considered a separate appropriation; or take any other action relative thereto.

<u>Project</u>	<u>Amount</u>	<u>Funding Source</u>
Assessors Historic Records Digitalization	\$26,260	Fund Balance
Open Space & Recreation Plan Update	\$55,000	Open Space
Rail Trail Improvements	\$25,000	Open Space
Planning/Zoning Board Historic Records Digitalization	\$55,000	Fund Balance
Time Capsule	\$7,000	Fund Balance
Bart Brown Memorial Trail System	\$10,000	Fund Balance/Open Space
Community Preservation Total	\$178,260	

Purpose: The Community Preservation Committee reviews proposed projects on an annual basis and provides recommendations to Town Meeting. Requires simple majority vote.

ARTICLE 11. Authorize FY2026 Revolving Fund Spending Limits

On petition of the Select Board and Finance Committee, to see if the Town will vote to authorize the spending limits of the following revolving funds established under the Town Bylaw and General Laws Chapter 44, Section 53E ½; or take any other action relative thereto.

<u>Revolving Fund</u>	<u>Spending Limit</u>
Council on Aging	\$35,000
Recreation	\$15,000
Stormwater Management	\$5,000

Purpose: Massachusetts General Law Chapter 44, Section 53E ½ requires annual reauthorization of Revolving Funds which are self-supporting and pay for departmental expenses from user fees and charges. Requires simple majority vote.

ARTICLE 12. FY2026 South Essex Sewerage District Enterprise Budget

On petition of the Select Board and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Sewer Enterprise receipts to pay expenses and contractual services required to operate the Sewer Enterprise Fund for Fiscal Year 2026; or take any other action relative thereto.

Direct Costs

SESD Assessment	\$ 107,430
Expenses	\$ 100
Extra/Unforeseen	<u>\$ 1,000</u>
Total Direct Costs:	\$ 108,530

Indirect Costs *

Salaries and Wages	\$5,562
Insurance & Benefits	<u>\$1,362</u>
Total Indirect Costs:	\$6,924

Total FY2026 Budget \$115,454

****(to be raised and appropriated in the General Fund Operating Budget)***

The Town shall raise the sum of \$108,530 from the Sewer Enterprise Revenues and approve the sum of \$6,924 of indirect costs appropriated in the general fund under Article 5 to be funded from Sewer Enterprise Revenues.

Purpose: This article funds the operation of that portion of the Town served by the South Essex Sewerage District (SESD). The revenues fully fund the operating costs. Requires a simple majority vote.

ARTICLE 13. FY2026 Water Enterprise Budget

On petition of the Select Board and Finance Committee, to see if the Town will vote to appropriate a certain sum from the Water Enterprise receipts to pay expenses and contractual services required to operate the Water Enterprise Fund for Fiscal Year 2026; or take any other action relative thereto.

Direct Costs

Salaries and Wages	\$108,687
Expenses	\$ 74,600
Extra/Unforeseen	<u>\$ 50,000</u>
Total Direct Costs:	\$ 233,287

Indirect Costs *

Salaries and Wages	\$58,559
Insurance & Benefits	<u>\$38,645</u>
Total Indirect Costs:	\$97,204

Total FY2026 Budget \$330,491

**(to be raised and appropriated in the General Fund Operating Budget)*

The Town shall raise the sum of \$233,287 from the Water Enterprise Revenues and approve the sum of \$97,204 of indirect costs appropriated in the general fund under Article 5 to be funded from Water Enterprise Revenues.

Purpose: This article funds the operation of the Water Department. The revenues fully fund the operating costs. Requires a simple majority vote.

ARTICLE 14. Accept Sum from Middleton Electric Light Department (MELD)

On petition of the Electric Light Commissioners, to see if the Town will vote to accept a sum of money from the earnings of the Electric Light Department, said sum to be used for the reduction of taxes; or take any other action relative thereto.

Purpose: Each year the Light Commission votes a sum to be used to reduce taxes. The FY2026 amount is expected to be \$260,000. Requires a simple majority vote.

ARTICLE 15. Transfers to Reserve Accounts

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 various reserve, stabilization and trust funds; or take any other action relative thereto.

Purpose: This article transfers funds from Free Cash to various reserve funds as noted below. Requires a simple majority vote.

Fund	Amount
OPEB Trust Fund	\$100,000
Facilities Stabilization Fund	\$250,000
Stabilization Fund	\$50,000
Pension Stabilization Fund	\$50,000
Capital Stabilization Fund	\$100,000
Total	\$550,000

ARTICLE 16. FY2026 Capital Budget

On petition of the Select Board and Finance Committee, to see if the Town will vote to appropriate, borrow or transfer from available funds in the amount of \$4,936,995 to fund the Capital expenditures for Fiscal Year 2026; and to authorize the Town Administrator to sell or trade items rendered surplus by such purchases; or take any other action relative thereto.

See table on next page

Department/Location	Project	Expenditure	Funding Source
Information Technology	Public, Educational, and Government (PEG) Technology Installation at Municipal Campus	\$ 300,000	PEG RRFA
	Server Refresh - Library	6,000	Free Cash
	Network Refresh - Library	25,000	Free Cash
	Endpoint Refresh - Library	18,000	Free Cash
	IT & Cybersecurity	30,103	Free Cash
	<i>Information Technology Subtotal</i>	\$ 379,103	
Town Buildings	Funding for Municipal Campus Project	\$ 500,000	Free Cash
	Funding for Municipal Campus Project	500,000	Facilities Stabilization
	Disposition of Town Properties & Land - Phase 2	75,000	Free Cash
	<i>Town Buildings Subtotal</i>	\$ 1,075,000	
Fire Department	Purchase Ladder Truck	\$ 2,200,000	Debt Service
	Town Match - Assistance to Firefighter Grant	105,279	Free Cash
	Purchase of Utility Terrain Vehicle (UTV)	58,545	Free Cash
	Mobile Radio Replacement - Phase 2	24,055	Free Cash
	Purchase of Forestry Firefighting Equipment	6,000	Free Cash
	<i>Fire Subtotal</i>	\$ 2,393,879	
Building Inspection	Replace Building Inspector's Vehicle	\$ 50,000	Free Cash
	<i>Building Inspection Subtotal</i>	\$ 50,000	
Elementary Schools	English Language Arts Curriculum Materials	\$ 235,000	Free Cash
	<i>Elementary Schools Subtotal</i>	\$ 235,000	
Essex North Shore Tech	Capital Assessment	\$ 56,953	Free Cash
	<i>Essex North Shore Tech Subtotal</i>	\$ 56,953	
Dept. of Public Works	Replace Loader	\$ 267,000	Free Cash
	Town match for Future 114 Transportation Improvement		
	Program Grant	150,000	Free Cash
	Additional Roadway Improvement Funds	150,000	Free Cash
	Per- and Polyfluoroalkyl Substances "PFAS" Monitoring		
	and/or Remediation	50,000	Free Cash
	Stormwater Compliance	50,000	Free Cash
	Replace Truck #1 - Pickup Truck	61,000	Free Cash
	Purchase New Mower	14,060	Free Cash
	Purchase New Landscape Trailer	5,000	Free Cash
	<i>Dept. of Public Works Subtotal</i>	\$ 747,060	
Capital Projects Total		\$ 4,936,995	

Purpose: This article requests approval of the capital budget for the coming fiscal year. Capital items are assets that have a useful life of five (5) or more years and a cost of more than \$5,000. Regular capital investment is critical to maintaining the Town's infrastructure, including the vehicle fleet, buildings, equipment, and acquisition of land. Annually, a capital improvement plan (CIP) is developed looking ahead for the next five years. Year one of the CIP is the ensuing year's capital budget. The FY26 Capital Budget is proposed to be funded in the amount of \$4,936,995. Note that capital items funded through the Community Preservation Fund are reflected in that warrant article; capital items funded through outside funds are not subject to appropriation. Requires a 2/3rds majority vote.

ARTICLE 17. Masconomet Regional Capital Request

On petition of the Masconomet Regional School District, to see if the Town will appropriate \$230,652 to pay a portion of the costs of Fiscal Year 2026 capital needs, to be funded by Free Cash; or take any other action relative thereto.

Department/Location	Project	Expenditure	Funding Source
Masconomet	HVAC Electrification Feasibility Study	\$ 156,500	Free Cash
	Softball and Track & Field Feasibility Study	16,150	Free Cash
	High School Elevator Modernization Project	207,639	Free Cash
	Middle School Elevator Modernization Project	198,711	Free Cash
	Press Box Building Lift Replacement	111,000	Free Cash
<i>Masconomet Capital Total</i>		<i>\$ 690,000</i>	

Purpose: The Masconomet Regional School District has identified \$690,000 in smaller sized capital needs. This is split proportionally between Middleton, Boxford and Topsfield, with Middleton's share for FY26 being the \$230,652 listed above. Requires a simple majority vote.

ARTICLE 18. Litigation Expenses for 3A (MBTA) Zoning

On the petition of the Select Board, to see if the Town will vote to appropriate, borrow or transfer from available funds, \$25,000 to be expended under the direction of the Select Board for the purpose of expected legal expenses relative to non-compliance with 3A (MBTA) Zoning.

Purpose: 3A (MBTA) Zoning was voted down at both the May 14, 2024 Annual Town Meeting and December 12, 2024 Special Town Meeting. The Town of Middleton is now out of compliance with this law. Article 18 appropriates additional legal fees to defend the town relative to this matter, with the understanding that additional funds may be required at a later date.

ARTICLE 19. Middleton 300th Anniversary Committee Appropriation

On the petition of the Select Board, to see if the Town will vote to appropriate, borrow or transfer from available funds, \$15,000 to be expended under the direction of the Middleton 300th Anniversary Committee for the purpose of planning and executing a 300th Anniversary Celebration for the community.

Purpose: The Town of Middleton will see its 300th year in 2028. This funding would help kick off planning and fund-raising efforts for the Middleton 300th Anniversary Committee. Requires a simple majority vote.

CITIZEN PETITIONS, BYLAW ADOPTIONS, AND REAL PROPERTY

ARTICLE 20. Charter Review Recommendations

On petition of the Charter Review Committee, to see if the Town will accept the revisions to the Town Charter (as outlined in Appendix A and on file in the Town Clerk's Office); and authorize the Select Board to submit a home rule petition relative to those changes; or take any other action relative thereto.

Purpose:

Created by Annual Town Meeting 2021, the Charter Review Committee brought an initial recommendation to Annual Town Meeting 2023. This article is the second and final recommendation and will complete the task set forth by the vote of Annual Town Meeting 2021. Requires a simple majority vote.

ARTICLE 21. Floodplain Zoning Bylaw

On petition of the Planning Board, to see if the Town will accept the revisions to the Town Bylaws (as outlined in Appendix B and on file in the Town Clerk's Office); or take any other action relative thereto.

Purpose:

This update is required for property owners in Middleton to remain eligible flood insurance. Requires a 2/3rds majority vote.

ARTICLE 22. Surplus Town Properties – Police Station – 65 North Main Street

On petition of the Select Board, to see if the Town will vote to authorize the Select Board to dispose of real property at 65 North Main Street shown on the Assessors maps as Parcel# 0017-0000-0096 at terms and conditions determined by the Select Board to be in the best interests of the Town; or take any other action relative thereto.

Purpose:

The proceeds of this sale are intended to offset the project cost of the new Municipal Campus at 99 & 105 South Main Street. Requires a 2/3rds majority vote.

ARTICLE 23. Conservation Restriction for 105 S Main Street

On petition of the Select Board, to see if the Town will authorize the Select Board to convey the Conservation Restriction for a certain parcel of land at 105 South Main Street: Lot 184 on Middleton Assessor's Map 29 consisting of 51.576 acres more or less; and to authorize the Select Board to convey and accept easements relative thereto; or take any other action relative thereto.

Purpose:

This article authorizes the Select Board to convey a conservation restriction on a portion of the property at 105 South Main Street. The conservation restriction will cover approximately 22.85 acres of land. See exhibit below for reference. Requires a 2/3 majority vote.

END OF ANNUAL TOWN MEETING WARRANT

Anyone in need of special accommodations for the Town Meeting, please contact the Office of the Select Board at 978-777-3617 by April 24 2025 in order that reasonable accommodations may be made.

TO THE TOWN CONSTABLE:

You are hereby ordered to notify and warn said qualified voters to meet at the Fuller Meadow School, 143 South Main Street, Middleton, MA on **Tuesday, May 20, 2025**, next for the following purposes, VIZ: To choose by ballot the following Town Officers for the ensuing year:

One Constable for three (3) years
Two Select Board Members for three (3) years
One Board of Assessors Member for three (3) years
Two Elementary School Committee Members for three (3) years
One Regional School Committee Member for three (3) years
One Planning Board Member for five (5) years
One Electric Light Commissioner for three (3) years
One Library Trustee for three (3) years
One Housing Authority Member for five (5) years

And to vote on the following ballot questions:

Shall the Town of Middleton be allowed to assess an additional \$975,000 in real estate and personal property taxes for the purposes of funding Public Safety expenses for the fiscal year beginning July 1, 2025?

Shall the Town of Middleton be allowed to assess an additional \$537,276 in real estate and personal property taxes for the purposes of funding Middleton Elementary School expenses for the fiscal year beginning July 1, 2025?

Shall the Town of Middleton be allowed to assess an additional \$467,194 in real estate and personal property taxes for the purposes of funding the Masconomet Regional School District assessment for the fiscal year beginning July 1, 2025.

The Polls open at 7:00 a.m. and close at 8:00 p.m. Voting takes place at the Fuller Meadow School, 143 South Main Street, Middleton, MA.

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

Memorial Hall	Flint Public Library	Ferncroft Towers
Post Office	Howe Station Market	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 _____ day of _____ in the year Two Thousand Twenty Five.

MIDDLETON SELECT BOARD







A true copy Attest:

Constable of the Town of Middleton

Date Posted

Exhibit "A"
PROPOSED CHANGES TO TOWN CHARTER
For review at Annual Town Meeting on May 13, 2025

CHAPTER 2 – TOWN MEETING

2-2-3 **AMEND** to read as:

"When the number of voters in attendance at Town Meeting is determined to be less than the established quorum, the meeting shall be adjourned forthwith to a stated date, time, and place, or, at the option of Town Meeting, dissolved."

2-3-2 **AMEND** to read as:

"Where required by applicable law, the Town Meeting shall consider and act upon, with or without amendments, all proposed operating and capital budgets, bond issues, and other financial proposals of the Town."

2-4-2 **AMEND** to read as:

*"In all procedural matters, the Town Meeting shall follow the latest edition of **Town Meeting Time**, except as provided by General Law, this Charter or by the By-law."*

2-4-5 **AMEND** to read as:

*"A copy of the Warrant for any Town Meeting shall be **mailed** to each residence in the Town at least seven days prior to commencement of said meeting."*

2-4-6 **AMEND** to read as:

*"The order of consideration of the articles on the Warrant may be changed **at the discretion of the Town Moderator.**"*

2-4-8 **AMEND** to read as:

*"The Town Meeting shall **receive** Finance Committee recommendations **on all Town Meeting articles concerning financial matters, provided that failure to submit a recommendation may not preclude Town Meeting action.**"*

2-4-9 **AMEND** to read as:

*"**The Town Meeting shall receive a Planning Board recommendation on all Articles involving planning, zoning, subdivision control, land acquisition, conservation extension of sewer lines, and all other matters relating to land and the environment, provided that a failure to submit a recommendation may not preclude Town Meeting action.**"*

2-4-10 **AMEND** to read as:

"The substance of any article defeated at Town Meeting shall not again be placed on the warrant for the period of one year."

2-4-11 **AMEND** to read as:

"The substance of any article entailing zoning, which has been defeated at any Town Meeting shall not again be voted on by the Town Meeting for a period of two years thereafter, unless the Planning Board shall have recommended resubmission of the Article."

CHAPTER 3 - ELECTIONS

3-1-1 **AMEND** to read as:

*"The regular Election for all Town offices shall be by official ballot held on the third Tuesday in May of each year. **The Select Board may change the date of the Town Elections due to reasons relating to public health, safety and welfare, provided that the new date is in conformance with state law.**"*

3-1-2 **AMEND** to read as:

*"Any person duly elected to any office or board shall take up the duties of **their** office immediately, provided that they first shall have been sworn to the faithful performances of **their** duties."*

3-4-1 **AMEND** to read as:

*"An elected officer of the Town may be recalled and removed from public office by the voters of the Town as herein provided. Any voter of the Town may file with the Select Board a petition containing the name and title of the elective officer whose removal is sought together with a statement of the grounds for their removal. Said petition shall be filed with said Board and shall be signed in ink or indelible pencil by qualified voters of the Town equal in number to at least **twelve percent of the voters** registered at the last regular municipal election, provided that no recall petition may be filed against any officer until he shall have their office before the taking of such vote. Said recall vote shall be called and conducted in the same manner as is provided by General Law for the call and conduct of a special election."*

3-4-2 **AMEND** to read as:

*"If, within five **business** days after receipt of the petition.....special election."*

3-4-3 **AMEND** to read as:

*"The form of the question to be voted upon shall be substantially as follows: "Shall (here insert the name and title of elective officer whose recall is sought) be recalled?" A majority vote of the voters to recall such elective officer shall not be effective unless a total of at a **majority of twelve percent** of the electorate entitled to vote on the question shall be voted. Recall of such elective officer shall become effective upon certification of the results of the voting thereon, regardless of any technical deficiency in the recall petition. If any elective officer shall be recalled, the vacancy*

created thereby shall be filled in accordance with the provisions of this Charter and General Law.”

CHAPTER 4 - SELECT BOARD

AMEND Chapter 4 title to read as:

***CHAPTER 4 – SELECT BOARD”**

4-1-1 AMEND to read as:

*“A **Select Board** of five members shall be elected for three year overlapping terms. The regular election for the office of **Select Board** shall be held in accordance with Chapter 3 of this Charter.”*

4-1-2 AMEND to read as:

*“Vacancies in the office of the Select Board **may** be filled by special election in accordance with the provisions of General Law.”*

4-4-1 AMEND to read as:

*“The Select Board may make investigations and may authorize the Town Administrator or other agent to investigate the affairs of the town and conduct of any **town board**, department or office including any claims against the Town.*

CHAPTER 5 – OTHER ELECTED TOWN BOARDS

AMEND Chapter 5 title to read as:

“CHAPTER 5 - “OTHER ELECTED BOARDS AND OFFICIALS”

5-1-1 AMEND to read as:

*“**Other Town Boards and Officials** to be elected by vote of the Town shall be: An Elementary School Committee, a Regional School Committee, a Planning Board, a Board of Assessors, a Board of Library Trustees, a Town Clerk, a Housing Authority, Electric Light Commissioners, a Constable, and a **Town Moderator**.”*

5-1-4 AMEND to read as:

*“Members of boards and commissions established under this Charter who serve without compensation may receive actual and necessary expenses incurred in the **rightful** performance of their duties, within limits of **both their authority and** an appropriation made for that purpose.”*

5-2-1 AMEND to read as:

*“Vacancies in the Town Boards established under this **Chapter** shall be filled by the Select Board together with the remaining members of the respective board, in accordance*

with General Law. **Vacancies in other elected offices shall be filled in accordance with state law.**"

5-3-3 **AMEND** to read as:

"At least two weeks prior to submitting a budget to the Town Accountant, the **Elementary School Committee** shall conduct a public hearing on the school budget. Said Committee shall have preliminary summaries of its recommendations available at said hearing, which shall be distributed to those who request them."

5-4-2 **AMEND** to read as:

"*Two alternate members shall be appointed jointly by the **Select Board** and the Planning Board For one-year terms. The chairperson of the Planning Board may designate an alternate member to sit on the Planning Board to vote and act on all **zoning and subdivision** matters in the event of a board member's absence, inability to act, conflict of interest or vacancy on the board. [Added by Ch.375 of the Acts of 2014]*"

CHAPTER 6 – APPOINTMENTS MADE BY THE SELECT BOARD

6-1-1 (a) **AMEND** to read as:

"*The following officers each for a term of three years: a Town Counsel **and** a Town Accountant.*

(c) **AMEND** to read as:

"*The following officers for indefinite term: a Police Chief **and** a Fire Chief.*

6-3-1 (d) **AMEND** to read as:

"*A Conservation Commission, a Recreation Commission, and an Historical Commission, such boards to be composed of five members each, who shall be appointed for three year overlapping terms.*"

6-5-1 **AMEND** to read as:

"*Any appointed officer or **salaried** employee of the Town, not subject to the provisions of the State Civil Service law, whether appointed for a fixed or an indefinite term, may be suspended or removed from office by the appointing authority for good cause. The term good cause shall include, but not be limited to the following: incapacity other than temporary illness, inefficiency, insubordination and conduct unbecoming of office.*"

6-5-2 **AMEND** to read as:

"*Any appointed officer or **salaried** employee of the Town may be placed on paid administrative leave from office by the appointing authority if such action is deemed to them to be necessary to protect the interests of the Town. Administrative leave may be conterminous with the removal and shall not interfere with the rights of the officer or employee under the removal procedure given below.*"

6-5-3 AMEND to read as:

- (b) "Within five days of delivery of such notice the officer or employee may request a public hearing at which **they** may be represented by counsel, shall be entitled to present evidence, call witnesses, and to question any witness appearing at the hearing."
- (c) "Between one and ten days after a public hearing is adjourned, or if the officer or employee fails to request a public hearing between six and fifteen days after delivery of the notice intent to remove, the appointing authority shall take final action either removing the officer or employee, or notifying **them** that the notice is rescinded."

6-7-1 AMEND to read as:

*"The Town Administrator shall be directly responsible to the **Select Board** for the performance of **their** duties, and shall be principal full-time administrative officer of the Town.*

6-7-4 AMEND to read as:

*"They shall assemble and present to the Select Board, **in-coordination with the Town Accountant**, the annual budgetof this Charter."*

*** ADD NEW SECTION:

"The Town Administrator shall supervise all appointed department heads. The Town Administrator shall be the Select Board's agent for collective bargaining and may request The Town Counsel to assist in the performance of these duties. The Town Administrator shall Administer the Town's personnel by laws, including, but not limited to, personnel policies and practices, rules and regulations, including provisions for recruitment, an annual employee performance review, employee grievance procedures and discipline, workplace safety and collective bargaining agreements entered into by the Town. The Town Administrator shall inquire, at any time, into the conduct of an office or the performance of the duties of any officer or employee, department board, commission or other town agency."

6-7-7 AMEND to read as:

*"The Town Administrator shall serve as the Town's Chief Procurement Officer and shall be responsible for purchasing all material, equipment, supplies **and services** for the Town except those which Town Bylaw requires competitive bids. A vote of the Select Board is required to award a contract other than the lowest bidder (Amended 5-18-1984 ATM by Art.52, approved 5-10-85)."*

6-7-11 AMEND to read as:

"The Town Administrator shall perform any other duties as required to be performed by the Town Administrator By-laws, administrative codes, binding votes of Town Meeting, votes of the Select Board or otherwise."

6-8-3 AMEND to read as:

*"The adoption of said resolution shall serve to **place** the Town Administrator **on administrative***

*leave for a period of not more than forty-five days, unless extended by the vote of the Select Board, during which his salary shall continue to be paid. A copy of such resolution shall be delivered to the Town Administrator who shall have **five business days** in which to request a hearing, **in accordance with the Open Meeting Law**. If hearing shall be requested, the Select Board shall schedule it within two weeks."*

6-8-4 **DELETE** section.

6-9-1 **AMEND** to read as:

*"In the event of temporary absence, disability, suspension, or vacancy in the office of the **Town** Administrator, the Select Board by an affirmative vote of at least three members may appoint an acting Town Administrator. The term of the acting **Town** Administrator shall not exceed 90 days, **except as may be extended by the Select Board, and they shall perform all duties required of the Office of the Town Administrator**. An acting **Town** Administrator appointed under this section shall receive compensation as set by the affirmative. An acting **Town** Administrator appointed under this section shall receive compensation as set by the affirmative."*

CHAPTER 7 – FINANCES AND FISCAL PROCEDURES

7-2-1 **AMEND** to read as:

*"**An annual audit** of all accounts, books, records, and financial transactions of every department, board, and commission of the Town government, including the **elementary** school department, **shall be conducted as required by M.G.L.**"*

7-4-2 **DELETE** section.

7-4-3 **DELETE** section.

7-4-4 **DELETE** section.

*** **ADD NEW SECTION:**

*"**No later than 90 days prior to Annual Town Meeting, the Town Administrator shall submit to the Select Board and Finance Committee a proposed operating budget of the ensuing fiscal year. No later than 60 days prior to the Annual Town Meeting, the Town Administrator shall submit to the Select Board and Finance Committee a proposed capital budget of the ensuing fiscal year.**"*

7-4-5 **AMEND** to read as:

*"**The Finance Committee shall prepare and present a budget message concerning its recommendations to the Annual Town meeting. The budget message shall also be included in the annual Town Report.**"*

7-4-6 **AMEND** to read as:

*"**The budget message shall explain the budget both in fiscal terms and in terms of work programs. It shall: (1) outline the proposed financial policies of the Town for ensuing fiscal year;**"*

*(2) describe the features of the budget; (3) indicate any major changes from the current year in financial policies, expenditures, revenues together with the reasons for such; (4) summarize the Town's debt positions; (5) estimate the impact of the total budget upon ensuing tax rate; (6) include such other material as the Finance Committee shall deem desirable. **The Select Board may also submit a budgetary message to the Town Meeting.**"*

7-5-1 **AMEND** to read as:

*"The Town Administrator shall submit a capital improvement program to the Select Board and the Finance Committee at least one hundred fifty days before the start of each fiscal year. It **may** be based on material prepared by **Department Heads**, including: (1) a clear, concise general summary of its contents; (2) a list of all capital improvements proposed to be undertaken during the next ensuing five years, with supporting information as to the need for each such capital improvements; (3) cost estimates, methods of financing and recommended time schedules for each improvement; and (4) the estimated annual cost of operating and maintaining each facility and piece of major equipment involved. This information is to be annually revised by **the Town Administrator** with regard to the capital improvements still pending or in the process of being acquired, improved or constructed."*

7-6-1 **AMEND** to read as:

*"The Finance Committee **shall make available to the residents of the Town**, a notice stating: (1) the time and places where copies of the operating budgets and capital improvement program are available for inspection; and (2) the date, time and place, not less than seven days after such publication, when the Finance Committee and Select Board jointly conduct one or more public hearings on proposed operating budget and capital improvements program."*

7-10-1 **AMEND** to read as:

"An appropriation made by a separate Warrant Article shall continue in force until the purpose for which it was made shall have been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if three years shall pass without any disbursement from or encumbrance by contract of the appropriation."

7-11-1 **AMEND** to read as:

*"In addition to the prohibitions prescribed by law, the submission of a bid by any compensated town officer or employee on any contract to be awarded by the Town shall serve **as notice to resign their office**, unless otherwise authorized by General Law."*

CHAPTER 8 – ENVIRONMENTAL MATTERS

8-1-1 **AMEND** to read as:

*"The Planning Board established under Chapter 5, Section 4 of this Charter **may** make recommendations to the Select Board on all matters concerning the physical, economic, and environmental development of the Town, as prescribed by General Law, and this Charter."*

8-2-1 **DELETE** section.

CHAPTER 9 - ADMINISTRATION

9-5-2 AMEND to read as:

"The Town Administrator, shall propose, and the Select Board may adopt personnel rules relating to all Town positions, except as otherwise provided by law or as may be superseded by collective bargaining agreements. Such rules shall provide for: (1) the classification of all positions based on the duties, responsibility and authority of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances, (2) a salary and pay plan for all positions, (3) methods of determining the merit and fitness of candidates for appointment and promotion, (4) policies and procedures regulating the removal of employees, consistent with this Charter, (5) hours of work, attendance regulations, and provisions for sick, vacation, military and other leave of absence, (6) policies and procedures governing persons holding provisional appointments, (7) policies and procedures governing relationships with employee organizations, (8) policies regarding service training programs, (9) grievance procedures, and (10) such other practices and procedures as may be necessary for the administration of the personnel system."

CHAPTER 10 – GENERAL PROVISIONS

10-1-1 AMEND to read as:

"The Town Moderator shall appoint a new Charter Review Committee every 10 years. The Charter Review Committee shall review the Town Charter and make recommendations for appropriate revisions to Town Meeting."

10-4-1 AMEND to read as:

"It shall be the responsibility of the Select Board to insure, through an appointed By-law Committee, that the General By-laws of the town shall be reviewed at least every five years, and copies shall be made available to all registered voters requesting them"

10-5-1 AMEND to read as:

"All boards, commissions and committees of the Town shall: organize annually and elect a Chair and other necessary officers; adopt rules of procedure and voting; maintain meeting minutes, copies which shall be a public record."

10-6-1 AMEND to read as:

"No meeting of any Town board, commission, committee or subcommittee shall be held in executive session except as allowed by Massachusetts General Law."

MISC CHANGES

RENUMBER Charter Pages. After discussion, put Introduction in Appendix and renumber pages starting at Preamble Page as C-1 through C-19.

**Renumbering will be done by General Code*

Exhibit "B"
SECTION 8.0
Special District Regulations

8.1. Floodplain Overlay District (FPOD). [Amended 5-8-2012 ATM by Art. 7]

8.1.1. Overlay district

The Floodplain District is herein established as an overlay district. The purpose of the Floodplain Overlay District is to:

- 1.) Ensure public safety through reducing the threats to life and personal injury
- 2.) Eliminate new hazards to emergency response officials
- 3.) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding
- 4.) Avoid the loss of utility services which, if damaged by flooding, would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
- 5.) Eliminate costs associated with the response and cleanup of flooding conditions
- 6.) Reduce damage to public and private property resulting from flood waters

The district includes all special flood hazard areas within the Town of Middleton designated as Zone A, AE, AH, AO, A99, V, or VE on the Essex County Flood Insurance Rate Map (FIRM) ~~issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Essex County FIRM dated July 8, 2025 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. that are wholly or partially within the Town of Middleton are panel numbers 25009C0243F, 25009C0244F, 25009C0263F, 25009C0381F, 25009C0382F, 25009C0383F, 25009C384F, 25009C0401F,~~

~~25009C0402F, and 25009C403F dated July 3, 2012. The exact boundaries of the district may be defined by the one hundred year 1%-chance base flood elevations shown on the FIRM and further defined by the Essex County Flood Insurance Study (FIS) report dated July 3, 2012 July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, and the Building Commissioner and the Conservation Commission of the Town of Middleton.~~

The Town of Middleton hereby designates the Town Administrator to be the official floodplain administrator for the Town.

8.1.2. Permitted uses

The underlying permitted uses are allowed provided that they meet the following requirements, as well as those of the Massachusetts State Building Code dealing with construction in floodplains. The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses such as farming, grazing, truck farming, horticulture, etc.

2. Forestry and nursery uses.
3. Outdoor recreational uses, including fishing, boating play areas, etc.
4. Conservation of water, plants, wildlife.
5. Wildlife management areas, foot, bicycle, and/or horse paths.
6. Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
7. Buildings lawfully existing prior to the adoption of these provisions.

8.1.3. Permitting

The Town of Middleton requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities, or drilling, mining or paving and any other development that might increase flooding or adversely impact flood risks.

The Town's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

8.1.4. Zone A requirements

1. Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Commissioner for its reasonable utilization toward meeting the elevation or floodproofing requirements of the State Building Code, as appropriate. In A Zones, in the absence of FEMA BFE data and floodway data, the Building Department will obtain, review and reasonably utilize base flood elevation and floodway data available from Federal, State or other sources as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
2. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within unnumbered A zones.

8.1.5. Floodway requirements

In Zones A, A1-A30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-A30 and AE, along watercourses that have a regulatory floodway designated on the FIRM, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase

~~in flood levels within the community during the occurrence of the base flood discharge. In the floodway, designated on the Flood Insurance Rate Map, the following provisions shall apply:~~

- ~~1. All encroachments, including fill, new construction, substantial improvements to existing structures, and other developments, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one hundred year flood base flood discharge.~~
- ~~2. Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.~~
- ~~3. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available federal, state, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.~~

8.1.6. Recreational Vehicles

In A, A1-30, AH, AO and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

8.1.7. Use regulations

1. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal hazard areas

Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00)

Inland Wetlands Restriction, DEP (currently 310 CMR 13.00)

Minimum requirements for Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5)

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

2. All subdivision proposals must be designed to assure that:
 - a. Such proposals minimize flood damage;

- b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
- c. Adequate drainage is provided to reduce exposure to flood hazards.

In a riverine situation, the Middleton Conservation

8.1.8. Watercourse alterations or relocations of riverine areas

In a riverine situation, the Conservation Agent shall notify the following of any alteration or relocation of a water course:

Adjacent communities

NFIP State Coordinator

Massachusetts Department of Conservation and Recreation
~~251 Causeway Street, Suite 600-700~~
~~Boston, MA 02114-2104~~

NFIP Program Specialist

Federal Emergency Management Agency, Region 1
~~99 High Street, 6th Floor~~
~~Boston, MA 02110~~

8.1.9. Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

NFIP State Coordinator
Massachusetts Department of Conservation and Recreation

NFIP Specialist
Federal Emergency Management Agency, Region 1

8.1.10. Variances to building code floodplain standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of hearing related to the variance, and will maintain this record in the community's files.

The Town shall issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as

\$25 and \$100 of insurance coverage and (2) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

8.1.11. Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance from the floodplain bylaw must meet the requirements set out by State law, and may only be granted if (1) good and sufficient cause and exceptional non-financial hardship exist, (2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public, and (3) the variance is the minimum action necessary to afford relief.

8.1.12. Abrogation and greater restriction

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

8.1.13. Disclaimer of liability

The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

8.1.14 Severability

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

8.1.15 Floodplain Overlay District (FPOD) definitions.

AREA OF SPECIAL FLOOD HAZARD — The land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE, or V.

BASE FLOOD — The flood having a one-percent chance of being equaled or exceeded in any given year.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT — Floodplain district.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — Administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD BOUNDARY AND FLOODWAY MAP — An official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD INSURANCE RATE MAP (FIRM) — An official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY — An examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE — A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE — The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE — Any structure that is:

- a. Listed individually in the National Register of Historic Places (as listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - i. By an approved state program as determined by the Secretary of the Interior or
 - ii. Directly by the Secretary of the Interior in States without approved programs.

LOWEST FLOOR — The lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

NEW CONSTRUCTION (FOR FLOODPLAIN MANAGEMENT PURPOSES) — Structures for which the "start of construction" commenced on or after the effective date of the first floodplain management regulation adopted by a community. For the purpose of determining insurance rates, new construction means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later. New construction includes subsequent and substantial improvements to such structures.

ONE-HUNDRED-YEAR FLOOD — See "base flood."

RECREATIONAL VEHICLE — A vehicle which is:

- a. Built on a single chassis;

- b. 400 square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

REGULATORY FLOODWAY — See "floodway."

SPECIAL FLOOD HAZARD AREA — The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map a Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. An area having special flood and/or flood related erosion hazards, and shown on a FHB or FIRM as Zone A, AO, A1-30, AE, A99, AH, V, V1-30, VE.

START OF CONSTRUCTION — The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or shed not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual 'start of construction' means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE (for floodplain management purposes) — Any construction, erection, assemblage or other combination of materials in a fixed location to give support or shelter A walled and roofed building, including a gas or liquid storage tank that is primarily above ground as well as a manufactured home.

SUBSTANTIAL DAMAGE — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT — Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

SUBSTANTIAL REPAIR OF A FOUNDATION — When work or repair to replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 5% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute a substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

VARIANCE – A grant of relief by a community from the terms of a floodplain management regulation.

VIOLATION – The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided.

ZONE A — The one-hundred-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available federal, state, local, or other data.

ZONE AE (FOR NEW AND REVISED MAPS) — The one-hundred-year floodplain where the base flood elevation has been determined.

ZONE X — Areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

Middleton Compensation Plan for Non-Union Employees

	Adopted (FY 25) July 1, 2024	Proposed (FY 26) July 1, 2025
Table A - Elected Officials		
Town Moderator	\$500/Yr.	\$500/Yr.
Town Constable	\$500/Yr.	\$500/Yr.
Town Clerk	\$108,171/Yr.	\$113,580/Yr.
Select Board Chair	\$2,100/Yr.	\$2,100/Yr.
Select Board Member	\$1,600/Yr.	\$1,600/Yr.
School Committee Member	\$600/Yr.	\$600/Yr.
Assessor - Each Member*	\$1,000-\$2,000/Yr.	\$1,000-\$2,000/Yr.
* Depends upon education/training level		

Table B - Non-Union Appointed Positions

General Government and Miscellaneous

Superintendent of Burials	\$500/Yr.	\$500/Yr.
Custodian of Town Lands	\$2,500/Yr.	\$2,500/Yr.
Board Recording Secretary	\$139/Mtg	\$140/Mtg
Cable Access Director	\$26,384/Yr.	\$27,043/Yr.
Veteran Services Officer	\$36,336/Yr.	\$37,244/Yr.

Administration

Assistant Town Administrator/HR Director	\$122,683/Yr.	\$130,044/Yr.
Administrative Secretary	\$31.50/Hr.	\$32.29/Hr.

Finance

Treasurer/Collector	\$106,063/Yr.	\$108,715/Yr.
Assistant Treasurer/Collector	\$68,974/Yr.	\$66,175/Yr.

Town Clerk

Assistant Town Clerk	\$67,430/Yr.	\$69,116/Yr.
Office Coordinator	\$26.55/Hr.	\$27.21/Hr.
Census Workers	\$15.00/Hr.	\$15.00/Hr.
Elections Officers	\$15.00/Hr.	\$15.00/Hr.
Poll Workers	\$15.00/Hr.	\$15.00/Hr.
Registrar of Voters	\$100/Election	\$100/Election
Registrar of Voters - Clerk	\$400/Yr.	\$400/Yr.

Assessing

Chief Assessor	\$114,799/Yr.	\$117,669/Yr.
Deputy Assessor	\$64,136/Yr.	\$65,740/Yr.

Middleton Compensation Plan for Non-Union Employees

	Proposed (FY 25) July 1, 2024	Proposed (FY 26) July 1, 2025
Health Department		
Director	\$102,936/Yr.	\$105,510/Yr.
Public Health Nurse	\$46.13/Hr.	\$47.28/Hr.
Animal Control Officer	\$21,292/Yr.	\$21,822/Yr.
Health Inspector	varies per inspection	varies per inspection
Council on Aging		
Director	\$90,505/Yr.	\$92,767/Yr.
Assistant Director	\$58,217/Yr.	\$59,672/Yr.
Front Desk and Programs Coordinator	\$20.10/Hr.	\$20.60/Hr.
Administrative Assistant	\$20.10/Hr.	\$20.60/Hr.
Outreach Coordinator and Case Worker	\$29.07/Hr.	\$29.80/Hr.
Van Driver	\$17.07/Hr.	\$19.00/Hr.
Kitchen Aide	\$15.86/Hr.	\$16.26/Hr.
Food Bank Facilitator	\$15.86/Hr.	\$16.26/Hr.
Inspectional Services		
Building Commissioner	\$101,465/Yr.	\$104,001/Yr.
Inspector (Wiring or Gas/Plumbing)	\$22,580-\$25,414/Yr.	\$23,144-\$26,049/Yr.
Building Inspector	\$31,049-\$31,985/Yr.	\$31,825-\$32,785/Yr.
Alternate Inspector (Building/Wiring/Gas/Plumbing)	\$28.48 - \$32.37/Hr.	\$29.19 - \$33.18/Hr.
Planning		
Town Planner	\$94,362/Yr.	\$96,721/Yr.
Conservation		
Conservation Agent	\$96,267/Yr.	\$98,374/Yr.
Public Works		
Superintendent	\$126,571/Yr.	\$134,165/Yr.
Deputy Superintendent	\$93,099/Yr.	\$95,426/Yr.
Transfer Station Attendant	\$17.76/Hr.	\$18.20/Hr.
Part-Time Laborer	\$15.00 - \$17.00/Hr	\$15.50 - \$16.50/Hr
Flint Public Library		
Director	\$103,329/Yr.	\$105,912/Yr.
Assistant Director	\$79,093/Yr.	\$79,093/Yr.

Middleton Compensation Plan for Non-Union Employees

	Proposed (FY 25) July 1, 2024	Proposed (FY 26) July 1, 2025
Summer Recreation Program		
Director	\$26.65/Hr.	\$27.32/Hr.
Program Assistant Directors	\$19.98-22.55/Hr.	\$20.49-23.11/Hr.
Senior Counselors	\$17.00/Hr.	\$17.00-17.50/Hr.
Junior Counselors	\$15.25/Hr.	\$15.76/Hr.

Table C - Town Contractual Positions & School Leadership

Town Administrator	\$195,000/Yr.	\$212,000/Yr.
Finance Director/Town Accountant	\$157,500/Yr.	\$168,525/Yr.
Police Chief	\$162,000/Yr.	\$168,000/Yr.
Fire Chief	\$141,080/Yr.	\$168,000/Yr.
Middleton Electric Light Manager*	\$219,392/Yr.	\$251,182/Yr.
Masconomet School Superintendent	\$222,417/Yr.	\$222,417/Yr.
Masconomet Assistant Superintendent for Finance and Operations	\$193,800/Yr.	\$205,614/Yr.
Masconomet High School Principal	\$150,000/Yr.	\$154,500/Yr.
Masconomet Middle School Principal	\$143,208/Yr.**	\$143,208/Yr.**
Tri-Town School Union Superintendent	\$225,000/Yr.	\$229,500/Yr.
Tri-Town School Union Assistant Superintendent of Operations	\$192,000/Yr.	\$201,600/Yr.
Tri-Town School Union Assistant Superintendent of Student Services	175,559/Yr.	189,603/Yr.
Fuller Meadow Principal	\$136,984/Yr.	\$123,000/Yr.
Howe Manning Principal	\$136,984/Yr.	\$140,751/Yr.

*MELD salaries based on calendar year (not fiscal)

** Not available at time of printing

Fiscal Year 2026-2030
Five Year Capital Budget Plan (Town Funded Portion of Projects Only)

Department	Request Title	FY2026	FY2027	FY2028	FY2029	FY2030
Town Administration	Legal Expenses for 3A Litigation	\$ 25,000	\$ -	\$ -	\$ -	\$ -
Total Town Administration		\$ 25,000	\$ -	\$ -	\$ -	\$ -
Assessors	Historic records digitalization	\$ 26,260	\$ -	\$ -	\$ -	\$ -
Total Assessors		\$ 26,260	\$ -	\$ -	\$ -	\$ -
Management Information Systems	Endpoint Refresh (Library) Server Refresh (Library) Network Refresh (Library) IT & Cybersecurity (FY27 move to Operating Budget) PEG Installation at Municipal Campus	\$ 18,000 \$ 6,000 \$ 25,000 \$ 30,103 \$ 300,000	\$ 12,000 \$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ - \$ -
Total Management Information Systems		\$ 379,103	\$ 12,000	\$ -	\$ -	\$ -
Conservation Commission	Open Space and Recreation Plan Update	\$ 55,000	\$ -	\$ -	\$ -	\$ -
Total Conservation Commission		\$ 55,000	\$ -	\$ -	\$ -	\$ -
Planning Board	Housing Production Plan Digital Files PB/ZBA Comprehensive Plan	\$ - \$ 55,000 \$ -	\$ 42,000 \$ - \$ 75,000	\$ - \$ - \$ -	\$ - \$ - \$ -	\$ - \$ - \$ -
Total Planning Board		\$ 55,000	\$ 117,000	\$ -	\$ -	\$ -
Town Building	Middleton Municipal Campus MMC - Time Capsule Additional disposition of Town properties and land Bart Brown Memorial	\$ 1,000,000 \$ 7,000 \$ 75,000 \$ 10,000	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ -
Total Town Building		\$ 1,092,000	\$ -	\$ -	\$ -	\$ -
Police	Purchase Off-Road Side-by-Side vehicle Police Drone Radio upgrades Cruiser Replacements	\$ - \$ - \$ - \$ -	\$ 50,000 \$ - \$ 28,000 \$ 75,000	\$ - \$ 12,000 \$ - \$ 75,000	\$ - \$ - \$ - \$ -	\$ - \$ - \$ - \$ 75,000
Total Police		\$ -	\$ 153,000	\$ 87,000	\$ -	\$ 75,000

Fiscal Year 2026-2030
Five Year Capital Budget Plan (Town Funded Portion of Projects Only)

Department	Request Title	FY2026	FY2027	FY2028	FY2029	FY2030
Fire	Utility Terrain Vehicle (UTV)	\$ 58,545	\$ -	\$ -	\$ -	\$ -
	Assistance to Firefighter Grant Program Town Match	\$ 105,279	\$ -	\$ -	\$ -	\$ -
	Replace Car-2	\$ -	\$ -	\$ 80,000	\$ -	\$ -
	Purchase of Forestry Firefighting Equipment	\$ 6,000	\$ -	\$ -	\$ -	\$ -
	Mobile Radio Replacement	\$ 24,055	\$ 24,200	\$ 24,200	\$ -	\$ -
	Replacement of Firefighter Turnout Gear (PPE)	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ -
	Replacement of Fire Hose	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,000
	Replace Squad-5	\$ -	\$ -	\$ -	\$ 100,000	\$ -
	Replace Ladder-1	\$ 2,200,000	\$ -	\$ -	\$ -	\$ -
	Replace Engine-3	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -
	12-Lead Cardiac Monitor/Defibrillator	\$ -	\$ 42,000	\$ 42,000	\$ 42,000	\$ -
	Total Fire	\$ 2,393,879	\$ 66,200	\$ 1,358,200	\$ 164,000	\$ 10,000
Building Inspection	Replace Building Commissioner Truck	\$ 50,000	\$ -	\$ -	\$ -	\$ -
Total Building Inspection		\$ 50,000	\$ -	\$ -	\$ -	\$ -
School Department	Fuller Meadow Site ReConfiguration	\$ -	\$ -	\$ 500,000	\$ 140,000	\$ 1,500,000
	Fuller Meadow School Roof Replacement (96 Addition & Modular Building)	\$ -	\$ 2,200,000	\$ -	\$ -	\$ -
	English Language Arts Curriculum Materials	\$ 235,000	\$ -	\$ -	\$ -	\$ -
	Public Address/Master Clock System at Fuller Meadow School	\$ -	\$ 150,000	\$ -	\$ -	\$ -
	Boiler & Boiler Controls - Fuller Meadow School	\$ -	\$ 200,000	\$ 1,500,000	\$ -	\$ -
	Window Replacement - Fuller Meadow School	\$ -	\$ -	\$ 200,000	\$ 2,000,000	\$ -
	Floor Replacement at Fuller Meadow School	\$ -	\$ 150,000	\$ -	\$ -	\$ -
	Bathroom Replacement and Upgrade	\$ -	\$ -	\$ 100,000	\$ 500,000	\$ 500,000
Total School Department		\$ 235,000	\$ 2,700,000	\$ 2,300,000	\$ 2,640,000	\$ 2,000,000
DPW Administration	Rail Trail	\$ 25,000	\$ -	\$ -	\$ -	\$ -
	PFAS monitoring and/or remediation	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
	Repair salt storage building	\$ -	\$ -	\$ 40,000	\$ -	\$ -
	Maintenance requirements for unaccepted, private or public unaccepted roads	\$ -	\$ 50,000	\$ -	\$ -	\$ -
	Stormwater Compliance	\$ 50,000	\$ -	\$ -	\$ -	\$ -
	Additional Chapter 90	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000
	Local Match for Future 114 TIP Project	\$ 150,000	\$ -	\$ -	\$ -	\$ -
	Replace 1 ton dump-truck #6	\$ -	\$ -	\$ -	\$ -	\$ 147,875
	replace truck #13-pickup	\$ -	\$ -	\$ -	\$ -	\$ 92,036

Fiscal Year 2026-2030
Five Year Capital Budget Plan (Town Funded Portion of Projects Only)

Department	Request Title	FY2026	FY2027	FY2028	FY2029	FY2030
	New Landscape trailer	\$ 5,000	\$ -	\$ -	\$ -	\$ -
	Purchase new backhoe	\$ -	\$ -	\$ -	\$ -	\$ 151,125
	Replace truck #2	\$ -	\$ -	\$ 125,000	\$ -	\$ -
	Replace truck #1 Pickup	\$ 61,000	\$ -	\$ -	\$ -	\$ -
	Purchase loader	\$ 267,000	\$ -	\$ -	\$ -	\$ -
	New Bobcat	\$ -	\$ 70,168	\$ -	\$ -	\$ -
	Replace 2 -6 wheel sanders. Alternating years	\$ -	\$ -	\$ 266,865	\$ -	\$ -
	Repair wall at Miriam cemetery	\$ -	\$ -	\$ 75,000	\$ -	\$ -
	New mowers	\$ 14,060	\$ 13,820	\$ 14,060	\$ -	\$ -
Total DPW Administration		\$ 772,060	\$ 333,988	\$ 720,925	\$ 466,865	\$ 591,036
Transfer Station	Maintenance/painting of canopy at Transfer Station	\$ -	\$ -	\$ -	\$ -	\$ 40,000
	Milling/Paving of Transfer Station facility and entrance	\$ -	\$ 50,000	\$ -	\$ -	\$ -
Total Transfer Station		\$ -	\$ 50,000	\$ -	\$ -	\$ 40,000
Council On Aging	Replace COA 14 person Passenger Van	\$ -	\$ -	\$ 155,000	\$ -	\$ -
Total Council On Aging		\$ -	\$ -	\$ 155,000	\$ -	\$ -
Essex Tech Assessment	Essex North Shore Tech Capital Assessment	\$ 56,953	\$ -	\$ -	\$ -	\$ -
Total Essex Tech Assessment		\$ 56,953	\$ -	\$ -	\$ -	\$ -
Masconomet Assessment	Masconomet Capital Assessment	\$ 230,652	\$ -	\$ -	\$ -	\$ -
Total Masconomet Assessment		\$ 230,652	\$ -	\$ -	\$ -	\$ -
Water Department	Design and construct water main on Central St	\$ -	\$ -	\$ -	\$ 800,000	\$ -
	Regulatory/violation consulting	\$ -	\$ 50,000	\$ -	\$ -	\$ -
	New water utility truck	\$ -	\$ 105,000	\$ -	\$ -	\$ -
	Water Main extension off Piedmont for help with contaminated wells	\$ -	\$ -	\$ 350,000	\$ -	\$ -
	Water Main extension off Piedmont for help with contaminated wells	\$ -	\$ 155,000	\$ 350,000	\$ 800,000	\$ -
Total Water Department		\$ 5,370,907	\$ 3,587,188	\$ 4,971,125	\$ 4,070,865	\$ 2,716,036
Total Departments						

Common Municipal Finance Terms

Abatement: A complete or partial cancellation of a real or personal property tax, motor vehicle excise tax, fee, charge, or special assessment imposed by a governmental unit. Abatements are granted by the committing authority, e.g. Board of Assessors in the case of taxes.

Appropriation: An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and the time when it can be expended.

Assessments: Amounts the State automatically deducts from Local Aid to cover the cost of certain State and county programs. These include the MBTA, Essex Regional Emergency Communications Centers, Mosquito Control, and others. Assessments are shown on the Cherry Sheet.

Assessed Valuation: The value placed upon a particular property by the Board of Assessors for the purpose of apportioning the town's tax levy among individual property owners equitably and in accordance with the legal requirement that property be assessed at "full and fair cash value". Assessed Valuations are certified periodically by the Commonwealth's Commissioner of Revenue.

Audit: An examination of a community's financial systems, procedures, and data by a certified public accountant, along with a report on the fairness of financial statements and on local compliance with statutes and regulations.

Balance Sheet: A statement that discloses the assets, liabilities, reserves and equities of a fund or government unit at a specified date.

Budget: See *Omnibus or Operating Budget*

Capital Budget: A plan of proposed capital outlays for a fiscal year and the means of financing them. Capital items are those items costing \$5,000 or more and having a useful life of five or more years.

Capital Exclusion: A vote to exclude from the levy limit the cost of a capital project. This exclusion only affects the levy limit for the year in which the project was undertaken.

Chapter 70: Chapter 70 is the statute that describes the school funding formula and education aid distributed by the State.

Chapter 90: Funds distributed to cities and towns to fund highway projects. C. 90 is based on a formula consisting of road local mileage, local employment level, and population estimates.

Cherry Sheet: The official notification to cities, towns, and regional school districts of the next fiscal year's State aid and assessments. The name comes from the cherry colored paper on which they used to be printed.

Classification of the Tax Rate: The annual action by the Board of Selectmen to exercise certain tax rate options, including establishing a residential factor and determining certain discounts and exemptions. A single rate taxes all classes of property at the same rate.

Debt Exclusion: A vote to exclude from the levy limit the costs of debt service for capital projects. This exclusion remains in effect for the life of the debt; once the debt (principal and interest) is paid off the

excluded amount is removed from the tax rate.

Debt Service: Payment of interest and principal related to debt.

Encumbrance: Obligations such as purchase orders and contracts which are chargeable to an appropriation and for which a part of the appropriation is reserved to be paid in the next fiscal year.

Enterprise Fund: A standalone fund with its own assets, liabilities, fund balance, revenues and expenses in which a municipal service is operated as a business unit. Costs of the service are primarily recovered from user charges and may be supplemented by general revenues.

Equalized Valuation (EQV): The determination of the full and fair cash value of all property in the Commonwealth as determined by the Commissioner of Revenue biennially. EQV is used as a factor in certain aid distributions.

Excess and Deficiency: Also called the "surplus revenue" account, this is the amount by which cash, accounts receivable, and other assets exceed a regional school district's liabilities and reserves as certified by the Director of Accounts. The calculation is based on a year-end balance sheet which is submitted to the Department of Revenue by the district's auditor, accountant, or comptroller as of June 30. The regional school committee must apply certified amounts exceeding five percent of the district's prior year operating and capital costs to reduce the assessment on member cities and towns.

Excess Levy Capacity: The difference between a community's Levy and its Levy Limit. This is an additional amount the community could, but chooses not to, levy.

Expenditure: The spending of money by the town and schools for the programs or projects within the approved budget.

FTE: A full-time equivalent employee based on a 40-hour work week. May be one or more employees, but the total weekly hours equal 40.

Fiscal Year (FY): A 12-month period, beginning July 1 and ending June 30, to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The numbers of the fiscal year is that of the calendar year in which its ends; for example, FY17 is the fiscal year which begins July 1, 2016 and ends June 30, 2017.

Foundation Budget: The spending target under the Education Reform Act of 1993 for each school district as the level necessary to provide an adequate education for all students.

Free Cash: Certified as of each July 1 by the State, this is the portion of Undesignated Fund Balance available for appropriation. It is not cash per se, but rather is the total of cash and receivables less current liabilities and earmarked reserves, reduced also by reserves for uncollected taxes. It is made up of Turn Backs (unexpended appropriations), revenues that came in higher than budgeted, and Free Cash carried forward from the prior fiscal year.

General Fund: The fund into which the general (non-earmarked) revenues of the town are deposited and from which money is appropriated to pay expenses.

General Obligation Bonds: Bonds issued by the Town that are backed by the full faith and credit of its taxing authority.

Level-Service Budget: A budget that describes the funding required for maintaining current levels of service or activity, plus cost increases for contractual and mandated obligations. It brings previously-approved programs forward at existing levels of service.

Levy or Property Tax Levy: The revenue a community can raise through real and personal property taxes.

Levy Ceiling: The maximum amount of property taxes a community can levy. The Levy Ceiling is equal to 2 ½ percent of the total full and fair cash values of all taxable real and personal property in the community.

Levy Limit: The maximum the levy can be in a given year. It is equal to the previous year's levy limit times 2 ½% plus new growth and amounts authorized by overrides. The Levy Limit is determined annually by the Massachusetts Department of Revenue.

Local Aid: Revenue allocated by the State to cities, towns, and regional school districts. Local Aid is distributed by the Cherry Sheets.

Local Receipts: Locally generated revenues, other than real and personal property taxes. Examples include motor vehicle excise, hotel/motel/meals excise, permit fees, rentals, and charges.

New Growth: The additional value of new development and other growth in the tax base that is not the result of revaluation. New growth is calculated by multiplying the increases in assessed valuation by the tax rate.

Omnibus or Operating Budget: A plan for allocating resources to support particular services, purposes, and functions over a specified period of time. The Omnibus Budget is the spending plan for a particular fiscal year.

Other Post-Employment Benefits (OPEB): The set of benefits, other than pensions, that government employees earn while actively working, but do not receive until they retire. The most significant is health insurance for retirees, their spouses, and in some cases their beneficiaries.

Overlay: The amount raised from the property tax levy in excess of appropriations and other charges. It is used to cover property tax abatements and exemptions granted locally or on appeal, and cannot exceed an amount deemed reasonable by the Commissioner of Revenue.

Override: A vote to increase the amount of property tax revenue in excess of the automatic 2 ½ percent allowed under Proposition 2 ½. An override permanently raises the Levy Limit unless later reversed.

Personnel Services: The cost of salaries, wages and related employment benefits.

Payment in Lieu of Taxes (PILOT): An agreement between a municipality and an entity not subject to taxation, such as a charitable or educational organization, in which the payer agrees to make a voluntary payment to the municipality.

Proposition 2 ½: A State law, enacted by citizen initiative petition in 1980, that regulates local property tax administration and limits the amount of revenue – the levy – a city or town may raise from local property taxes each year.

Purchased Services: The cost of services that are provided by a vendor.

Property Tax: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation.

Raise or Raise and Appropriate: A phrase used to identify a funding source for an expenditure which refers to money generated by the tax levy or other local receipt.

Reserve Fund: A fund appropriated each year that may be used by vote of the Finance Committee for "extraordinary or unforeseen expenditures."

Revolving Fund: Those funds that may be used for special uses. For example, Recreation fees may be paid into a revolving fund and expenditures made without further appropriation. Revolving funds are established by State law and Town bylaw. Spending limits of revolving funds must be annually reauthorized by Town Meeting.

Stabilization Fund: A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §SB). Stabilization Funds may be established for different purposes and interest generated by such funds is added to and becomes part of the Stabilization Fund. A two-thirds vote of Town Meeting is required to establish, amend the purpose of, or appropriate money out of a Stabilization Fund.

Tax Title: A collection procedure that secures a city's or town's lien on real property and protects the municipality's right to payment of overdue property taxes. The lien expires if five years elapse from the January 1 assessment date and the property has been transferred to another owner. If amounts remain outstanding on the property after issuing a demand for overdue property taxes and after publishing a notice of tax taking, the Collector may take the property for the city or town. After properly recording the instrument of taking, the Collector transfers responsibility for collecting overdue amounts to the Treasurer. After six months, the Treasurer may initiate foreclosure proceedings.

Turn Back: Unexpended funds from a prior fiscal year's operating budget which are returned to the Town and which ultimately revert to Free Cash.

Unclassified: Expenditure items that are not within a particular department's budget. Examples include regional pension assessments, insurances, unemployment, and others.

Underride: A vote to decrease the levy limit under Proposition 2 ½. An underride permanently reduces the Levy Limit unless later reversed.

Warrant: A list of items to be acted on by Town Meeting.

Warrant Article: Each of the individual items listed in a warrant for action by a Town Meeting.

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.

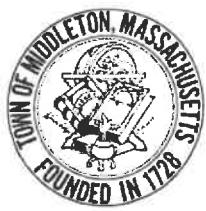
Amend: Many types of motions can be amended. After the amendment is disposed of by a vote, the primary motion, either so amended or not, comes back to the body for further discussion and vote.

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
<input type="checkbox"/> Council on Aging	<input type="checkbox"/> Historical Commission
<input type="checkbox"/> Finance Committee	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Zoning Board of Appeals	<input type="checkbox"/> Industrial Commercial Development Review Committee
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Zoning Bylaw Review Committee
<input type="checkbox"/> Cultural Council	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> 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:
jackie.bresnahan@middletonma.gov

Date



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



**MAY 13, 2025 ANNUAL TOWN MEETING
LIST OF SELECT BOARD RECOMMENDATIONS
VOTE TUESDAY, APRIL 22, 2025**

Art #		Y	N	A
	Current & Prior Year Financial Articles			
1.	Hear Committee Reports			
2.	Pay Bills of Prior Fiscal Years			
3.	Snow and Ice Deficit			
	FY2026 Financial Articles			
4.	Approve FY2026 Compensation for Elected Officials			
5.	FY2026 Omnibus Budget			
6.	FY2026 Public Safety Operating Budget Override			
7.	FY2026 Elementary School Operating Budget Override			
8.	FY2026 Masconomet Regional Operating Budget Override			
9.	FY2026 Community Preservation Budget - Debt Service, Projects, Expenses			
10.	FY2026 Community Preservation Budget - New Projects			
11.	Authorize FY2026 Revolving Fund Spending Limits			
12.	FY2026 South Essex Sewerage District Enterprise Budget			
13.	FY2026 Water Enterprise Budget			
14.	Accept Sum from Middleton Electric Light Department (MELD)			
15.	Transfers to Reserve Accounts			
16.	FY2026 Capital Budget			
17.	Masconomet Regional Capital Request			
18.	Litigation Expenses for 3A (MBTA) Zoning			
19.	Middleton 300 th Anniversary Committee Appropriation			
	Citizen Petitions, Bylaw Adoptions, & Real Property			
20.	Charter Review Recommendations			
21.	Floodplain Zoning Bylaw			
22.	Surplus Town Properties – Police Station			
23.	Conservation Restriction for 105 S Main Street			



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbets-Nutt, Secretary & CEO
Meredith Slesinger, MassDOT Rail & Transit Administrator



April 4, 2025

Jillian Smith
Town of Middleton – Council on Aging
38 Maple Street
Middleton, MA 01949

Dear Jillian Smith:

We regret to inform you that the Town of Middleton – Council on Aging has not been selected to receive a State Fiscal Year 2025 Community Transit Grant Program award for fully accessible vehicles.

Due to funding constraints, we were only able to award 115 vehicles out of 250 requested. We would like to thank you for your application and hope to work with you in the future. We urge you to consider applying again. Please feel free to contact Rachel Fichtenbaum, Manager of Grant Programs and Mobility Management, at Rachel.L.Fichtenbaum@dot.state.ma.us if you have any questions or would like technical assistance with your mobility efforts.

Sincerely,

Meredith Slesinger

Meredith Slesinger
Rail & Transit Administrator
Massachusetts Department of Transportation

Justin Sultzbach

12
2

From: Justin Sultzbach
Sent: Friday, April 11, 2025 11:34 AM
To: Richard Kassiotis; Kosta Prentakis; Brian Cresta; Jeffrey Garber; carbod@verizon.net
Cc: Jackie Bresnahan
Subject: FW: FY25 CTGP vehicle cycle

Good morning, all.

Unfortunately we have been notified that our team did not receive the Mass DOT grant for a new COA van.

As described below by the Mass DOT Grant Manager, we are ineligible because of our non-compliance with 3A zoning.

As info only, no action needed.

Thank you,

Justin

From: Jillian Smith <Jillian.Smith@middletonma.gov>
Sent: Monday, April 7, 2025 3:16 PM
To: Justin Sultzbach <justin.sultzbach@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>; Sarah Wood <sarah.wood@middletonma.gov>
Subject: Fw: FY25 CTGP vehicle cycle

Good afternoon,

We did not receive the MASS DOT grant for the new van.

You may be interested in reading the feedback I received.

Have a great day!

*Jillian Smith, CDP
(she, her, hers)*
Director
Council on Aging
Town Of Middleton
38 Maple St.
Middleton, MA 01949
jillian.smith@middletonma.gov
978-777-4067

Note to all presenters: solicitation is prohibited at the Middleton COA and is grounds for immediate dismissal. Thank you for your time and service to the Middleton COA.

From: Jillian Smith <Jillian.Smith@middletonma.gov>
Sent: Friday, April 4, 2025 4:48 PM

To: Fichtenbaum, Rachel (DOT) <Rachel.L.Fichtenbaum@dot.state.ma.us>
Cc: Schiavone, Thomas (DOT) <Thomas.Schiavone@dot.state.ma.us>
Subject: Re: FY25 CTGP vehicle cycle

Hi Rachel,
Thank you for your quick response. This is very helpful, thank you.
Have a great weekend!
Jillian

Jillian Smith, CDP
She / Her / Hers
Director
Council on Aging
Town Of Middleton
38 Maple St.
Middleton, MA 01949
jillian.smith@middletonma.gov
978-777-4067

From: Fichtenbaum, Rachel (DOT) <Rachel.L.Fichtenbaum@dot.state.ma.us>
Sent: Friday, April 4, 2025 3:49:11 PM
To: Jillian Smith <Jillian.Smith@middletonma.gov>
Cc: Schiavone, Thomas (DOT) <Thomas.Schiavone@dot.state.ma.us>
Subject: [EXTERNAL] - RE: FY25 CTGP vehicle cycle

[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 Jillian,

Grant awards under this program are contingent upon the municipality being able to certify that it will comply with all applicable laws, including the Massachusetts General Laws. We understand that the Executive Office of Housing and Livable Communities has determined Middleton to be out of compliance with G.L. c. 40A, § 3A, the MBTA Communities Act. We invite you to apply next year.

Thank you,
Rachel

Rachel Fichtenbaum
Manager of Grant Programs & Mobility Management
MassDOT Rail & Transit
Rachel.L.Fichtenbaum@dot.state.ma.us
(857) 368-8584

From: Jillian Smith <Jillian.Smith@middletonma.gov>
Sent: Friday, April 4, 2025 1:02 PM
To: Fichtenbaum, Rachel (DOT) <Rachel.L.Fichtenbaum@dot.state.ma.us>
Subject: Re: FY25 CTGP vehicle cycle

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Rachel,

Thank you for your consideration of the Middleton COA Grant Application.

May I set up a time to connect with you (via phone or email)? I value your feedback and I am eager to learn how I can better improve our application in the future.

Thank you again for your time and dedication to this process and for helping so many communities improve their transportation services to those in need.

Have a great weekend,

Jillian Smith

Director

Middleton Council on Aging

Jillian.smith@middletonma.gov

978-777-4067

Jillian Smith, CDP

She / Her / Hers

Director

Council on Aging

Town Of Middleton

38 Maple St.

Middleton, MA 01949

jillian.smith@middletonma.gov

978-777-4067

From: Fichtenbaum, Rachel (DOT) <Rachel.L.Fichtenbaum@dot.state.ma.us>

Sent: Friday, April 4, 2025 12:26:40 PM

To: Jillian Smith <Jillian.Smith@middletonma.gov>

Subject: [EXTERNAL] - FY25 CTGP vehicle cycle

[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.

Good afternoon,

Thank you for your interest in the FY25 Community Transit Grant Program vehicle cycle. Your decision letter is attached.

Best,

Rachel

Rachel Fichtenbaum

Manager of Grant Programs & Mobility Management

MassDOT Rail & Transit

Rachel.L.Fichtenbaum@dot.state.ma.us

(857) 368-8584

From: Justin Sultzbach
Sent: Friday, April 11, 2025 12:14 PM
To: Jeffrey Garber; Richard Kassiotis; carbod@verizon.net; Kosta Prentakis; Brian Cresta
Subject: FW: Van Grant
Attachments: Know Your Rights.pdf; Town of Middleton MA Financial Management Policies.pdf

All,

Please see the correspondence below from last fall relative to the van grant. I'll include it as backup for your next meeting if desired.

Thanks,

Justin

From: Jillian Smith <Jillian.Smith@middletonma.gov>
Sent: Friday, November 1, 2024 12:05 PM
To: Justin Sultzbach <justin.sultzbach@middletonma.gov>; Sarah Wood <sarah.wood@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>
Subject: Re: Van Grant

Good morning,

I have obtained the answers to your questions regarding the Mass DOT FY25 Community Transit Grant Program. The grant provides the Town/COA with a van that is valued at \$117,089. The town's portion will be \$17,563 (the paperwork notes that the actual costs will vary depending on the Producer Price Index (PPI)). Our portion will be due at the time the van is delivered (estimated time of arrival 2026). The title will be in the name of the town and Mass DOT will hold a lien on the vehicle for the duration of its useful life (approx. 8 years/150,000 miles).

There a few questions the application asks, that I am seeking either confirmation or guidance regarding:

- Is the town registered in sam.gov? I checked the sam.gov website and could not find Middleton, MA or Town of Middleton. (they are looking for a yes or no, not sure)
- If so, what is our UEL number?

- They are asking if we are a registered vendor of the commonwealth, I see online that not all municipalities are registered vendors. I could not find a lookup site. (they are looking for a yes or no, not sure)

- Has the town previously received vehicles through the community transit grant program? (yes or no, they are not asking for details)
- What type of funds will be used to pay the 15%? They require a local match letter on letterhead attesting that we have the funds to pay the 15% local match. They would like the town's portion of \$17,563 to be listed in the letter (the final match will be calculated in late spring of 2025)
 - The following categories of cash revenue can be used as a local match:
 - local government appropriations
 - local dedicated tax revenues
 - private donations
 - net income generated from advertising and concessions
 - organization contracts such as human service program funding
 - state funding, such as formula grants from EOEA
 - non-dot federal funds
- Is the attached document (that I found on our website: <https://www.middletonma.gov/DocumentCenter/View/3569/Know-Your-Rights?bidId=>) the process for handling discrimination complaints? They are asking that I explain this process, I want to be sure I am referring to the proper information.
- Aside from this grant, how much funding do we receive from the Federal Transit Administration?
- Are we currently subject to an audit or investigation? Please describe if so. (is this the same as the audit that was happening last week?)
- In the past, have we had any finding from an audit or investigation? Please describe if so.
- Is the 2nd attachment, the Town's Accounting Policies and Procedures manual?
<https://middletonma.gov/DocumentCenter/View/3744/Financial-Management-Policies>

Thank you in advance for your guidance and information.

Have a great weekend!

Jillian Smith, CDP

(she, her, hers)

Director

Council on Aging

Town Of Middleton

38 Maple St.
Middleton, MA 01949
jillian.smith@middletonma.gov
978-777-4067

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From: Justin Sultzbach <justin.sultzbach@middletonma.gov>
Sent: Monday, October 7, 2024 1:22 PM
To: Jillian Smith <Jillian.Smith@middletonma.gov>; Sarah Wood <sarah.wood@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>
Subject: RE: Van Grant

Jillian,

What is the value of the proposed vehicle, and what would 15% of that be? Just to better understand how much we're talking about.

When would you need the match? In hand to apply? Within 60 days of the grant award? Any guidance on this would be helpful.

Ultimately, either way I would say we can find the money. Please keep Sarah and I in the loop.

Thanks,

JS

From: Jillian Smith <Jillian.Smith@middletonma.gov>
Sent: Monday, October 7, 2024 1:05 PM
To: Sarah Wood <sarah.wood@middletonma.gov>; Jackie Bresnahan <Jackie.Bresnahan@middletonma.gov>; Justin Sultzbach <justin.sultzbach@middletonma.gov>
Cc: Jillian Smith <Jillian.Smith@middletonma.gov>
Subject: Van Grant

Good afternoon,

Pam Surette is SVTWO participant who has been helping me with larger grant applications. We are currently looking into the **Community Grant Transit Program Training** for a grant for a new van.

This grant requires 15% Matching Funds. Is this something the town can do? Is there something I need to ensure before moving forward?

Vehicle Grants

Matching funds: while we do require a local match for nonprofits and municipalities applying for vehicle, this year we will only be requiring a 15% match. In the past, we required a 20% match. This year, MassDOT will fund 85% of the cost of vehicles for the organizations that receive awards.

Thank you for any feedback or guidance you may have regarding this

Jillian Smith, CDP

(she, her, hers)

Director

Council on Aging

Town Of Middleton

38 Maple St.

Middleton, MA 01949

jillian.smith@middletonma.gov

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