

RECEIVED

By Town Clerk at 11:23 am, Jan 18, 2023



OFFICE OF THE
SELECT BOARD
TOWN OF MAYNARD
MUNICIPAL BUILDING
195 MAIN STREET
MAYNARD, MASSACHUSETTS 01754
Tel: 978-897-1301 Fax: 978-897-8457

Meeting Minutes

Tuesday, January 3, 2023

Hybrid meeting (in-person at 195 Main Street, Maynard, and remotely via Zoom)

(This public meeting was recorded.)

Present:

Jeffrey Swanberg, Chair

David Gavin, member

Justine St. John, Clerk

Chris DiSilva, member, remotely attended

Gregory W. Johnson, Town Administrator

Megan Zammuto, Assistant Town Administrator

Gregory Wilson, Executive Assistant

1. **Meeting Opening**

Mr. Swanberg called the meeting to order at 6:30 pm.

A motion was made by Mr. Gavin and seconded by Ms. St. John to enter into Executive Session to consider the Memorandum of Agreement with IAFF Local 1947, as an open meeting may have a detrimental effect on the negotiating position of the public body; and to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body: 1 Summer Street.

Voted: By roll call. **Motion carried unanimously.**

2. **Executive Session**

A. Conduct of Executive Session

3. **Reconvene in Open Session**

Public Comments:

Peggy Brown, 4 Grant Street, spoke on behalf of the “Senior Center Focus Group”, a community group unaffiliated with the town. The focus group has been researching potential new senior center locations due to the lack of expansion opportunities at the current senior center. The group is inviting the Select Board and others to two informal tours at 6 Mill and Main, Suite 100. The dates are Thursday, January 5, 2023 at 11:00 am and Monday, January 9, 2023 at 2:00pm. The Select Board inquired about projected costs as well as current senior center usage numbers, and Ms. Brown explained that there are five-year and ten-year lease options, and costs as well as current usage numbers will be clarified in the future. Additionally, it was clarified that the Select Board will view a full presentation from the focus group following the town’s Council On Aging review.

4. **Appointments**

A. Firefighters: Travis Gross and Dylan Mahoney

Chief Stowers introduced Travis Gross and Dylan Mahoney, and the Select Board expressed warm wishes. Dianne Reardon, Town Clerk, swore in both fire fighters.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to appoint Travis Gross and Dylan Mahoney as Firefighters to the Fire Department.

Voted: By roll call. **Motion carried unanimously.**

B. Zoning Board of Appeals: Page Czepiga

A motion was made by Ms. St. John and seconded by Mr. DiSilva to appoint Page Czepiga to the Zoning Board of Appeals with a term to expire June 30, 2024.

Voted: By roll call. **Motion carried unanimously.**

5. Licenses

A. Common Victualler License- Whitsons for Fowler, Green Meadow, and Maynard High Schools

Scott Berry, District Manager from Whitsons, introduced himself and explained that the organization will continue to provide healthy choices for students. During discussion, it was clarified that the hours of operation listed on the applications are sufficient and there is no need to include extended hours.

A motion was made by Ms. St. John and seconded by Mr. Gavin to approve the Common Victualler licenses for Whitsons at the Fowler School at 3 Tiger Drive; Green Meador School at 5 Tiger Drive; and Maynard High School at 1 Tiger Drive, Maynard MA.

Voted: By roll call. **Motion carried unanimously.**

6. Municipal Naming Nominations

A. 138 Acton Street

David Mark, 10 Maple Street, spoke regarding the park on Acton Street. The Maynard Historic Commission believes that, even though the proposed name does not necessarily fit the guidelines outlined in the policy, the Marble family had been on the land before the Town was founded as "Maynard."

During discussion, the Select Board agreed that the proposed name could be approved under criteria item C of the town's Municipal Naming Policy, by "Compelling facts or circumstances that would justify the town's ongoing and permanent recognition." Additionally, it was clarified that the site is becoming a sort of town park, however, no maintenance will be provided by the town, and the plan is to use volunteers to maintain the site. Due to this distinction about the site, Justin DeMarco, Public Works Director, indicated that including "park" in the official name might mislead the public that the town pays for maintenance. The Select Board agreed on the name "Marble Farm Historic Site."

A motion was made by Ms. St. John and seconded by Mr. Gavin to approve the naming of the area of the Marble Farm historic site at 138 Acton Street as "Marble Farm Historic Site."

Voted: By roll call. **Motion carried unanimously.**

B. 57 Thomas Street

Mr. Mark recommended naming the park after James MacDonald due to his contributions to the development and housing within the town, although it does not meet the necessary criteria under the policy.

During discussion, the Select Board commended Mr. MacDonald's great work for the town, but was unsure if naming the Park was the right avenue given the criteria outlined in the policy. No action was taken.

7. IAFF Local 1947 Fire Fighters Union

A. Memorandum of Agreement

Town Administrator Johnson extended appreciation to Fire Chief Stowers, Human Resources Manger Stephanie Duggan, Fire Department Captain Parr, Firefighter EMT Schrader, and Firefighter EMT Portis, for their efforts on this two-year agreement. Highlights mentioned include that the union is focused on retention as well as incentives for promotion and promotion procedures. Additionally, January 1, 2023 is the effective date for the cost of living adjustment (COLA) increase.

A motion was made by Ms. St. John and seconded by Mr. Gavin to approve the Memorandum of Agreement (MOA) with IAFF Local 1947, as presented.

Voted: By roll call. **Motion carried unanimously.**

8. Contracts

A. Broker Proposal to Market/Advertise 1 Summer Street (old fire station)

Ms. Zammuto explained that town staff collaborated with a working group that included John Cramer, Donna Dodson, and Kara Walsh on the re-use of 1 Summer Street. They developed a draft Request for Proposals (RFP) for the site, and the working group recommended that the town work with a real estate broker to reach a wide audience for proposals to best serve the community. Five brokers were contacted, from which the town received three quotes, and O'Brien Commercial Properties, Inc. (OCP) provided the best pricing option. Luke Lavelle, a Real Estate Advisor from OCP, will assist with marketing and tours of the site.

Mr. Lavelle explained that he will present the property to as many qualified buyers as possible, bring the offers to the town, and have the Select Board make the final decision. During discussion, it was clarified that this is the first municipal building Mr. Lavelle would be showing, however, he has experience with this type of building. Additionally, it was clarified that the contract runs for six months after execution of the proposal, and the town has no financial obligation if no sale is made. Furthermore, it was clarified that the town would be obligated to pay fees to O'Brien even if someone responds directly to the Town without initially interacting with O'Brien (ie no "Named Exceptions" clause). The benefits of using a broker's services were discussed, which included fulfillment of the working group recommendations, increased exposure, better and more competitive proposals, as well as knowledge gained for the future of 61-63 Summer Street.

It was clarified that on page one, item two of the proposal from OCP, "Marketing Exclusive" should specify six months from the signature date, rather than the December 19, 2023 to June 16, 2023 range.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to authorize the Town Administrator to sign the proposal with O'Brien Commercial Properties, Inc. to advertise and market 1 Summer Street, as presented with the start of the contract matching the date of signature.

Voted: By roll call. **Motion carried 3-1 (Mr. DiSilva voted against the motion)**

B. Associated Construction Company: Change Order: Well 4A Water Treatment Plant- Phase 1

Mr. DeMarco explained that this change order will help fund the increased costs to finish the lagoon waste removal process.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the change order ("PCO 002") with Associated Construction Company for the Well 4A Water Treatment Plant upgrades - Phase 1 Construction in the amount of \$120,000.

Voted: By roll call. **Motion carried unanimously.**

C. Stantec: Change Order 003: Well 4A Water Treatment Plant

Mr. DeMarco explained that this change order will fund continued construction administration costs, which is a result of the contract being phased out.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the change order ("PCO 003") with Stantec for the Well 4A Water Treatment Plant Project in the amount of \$679,000.00.

Voted: By roll call. **Motion carried unanimously.**

D. Stantec: Change Order 004: Well 4A Water Treatment Plant

Mr. DeMarco explained that the current contract ends at beginning of the calendar year and the Town should to extend it, as it provides necessary engineering services for the project.

During discussion on the Well 4A change orders, it was clarified that the Town is under budget at this time, and the reason as to why the project costs look so high is since the project has been split into phases with multiple contractors and subcontractors. Other pricing increases are the result of changing economic processes, dynamic projects with modifications, as well as environmental factors. Additionally, it was clarified that the Town is complying with procurement laws because engineering services are exempt.

A motion was made by Ms. St John and seconded by Mr. DiSilva to approve the change order ("PCO 004") with Stantec for the Well 4A Water Treatment Plant Project in the amount of \$235,000.

Voted: By roll call. **Motion carried unanimously.**

E. Stantec Contract Extension

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the first one year extension in accordance with the previously approved contract (1335) with Stantec Consulting Services Inc. for on call Miscellaneous Engineering services for the Department of Public Works.

Voted: By roll call. **Motion carried unanimously.**

9. 61-63 Summer Street

A. Re-Use Committee Charge

The Town Administrator's office has been collecting committee membership applications for review, and applicants will be invited to speak at next meeting, with appointments expected to be made at the Board's February 7, 2023 meeting.

During discussion, the Select Board agreed to vote on the charge at the next meeting after further review. Concern was raised as to any potential preservation restrictions the future committee members should be aware of. Mr. Johnson clarified that there are none identified at this time, however, resident Jack MacKeen is involved with finding out that information, and the Massachusetts Historical Commission can be contacted if needed.

10. Local Initiative Program Application for Local Action Units located at 115 Main Street

Mr. Gavin explained that that Affordable Housing Trust met on this item and supported this application for Local Action Units. Important highlights included a desire for diversity within the units as well as the need to have affordable unit rates that have a higher impact.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the Support for Local Action Units Application of the Local Initiative Program (LIP) submitted for 115 Main Street, as provided.

Voted: By roll call. **Motion carried unanimously.**

11. Green Meadow School Building Project

Ms. St. John reported that the meetings will be recorded and posted online. The next meeting is January 17, 2023. The Green Meadow Building Committee and the Select Board will have access to the schematic design plans one month in advance of submittal date. Once the designs are submitted, details within the plan may change as needed depending on the needs of the project, and contingency plans are built in to help protect the budget. Additionally, there is a town Budget Subcommittee meeting this week to discuss next steps for schematic design as well as handling revisions in the project funds.

12. Annual Town Meeting May 15, 2023

Mr. Johnson explained that the deadline for draft warrant articles submitted by town officials is February 28, 2023 so that the Select Board can review and discuss them at the March 7, 2023 meeting. Ms. St. John reiterated that Town Meeting is scheduled for Monday, May 15, 2023 at 7pm.

13. Correspondences

- A. Maynard Business Alliance Thank You Letter
- B. Verizon Customer Notice: Justice Central HD Added and SD Removed
- C. Congresswoman Trahan Maynard District Change Letter
- D. Maynard Senior Center Focus Group Progress Report

During discussion, it was clarified that the Town Administrator's office is connected with Congresswoman Clark's office and could help arrange a way for the Select Board to meet with her. Ms. St. John spoke about the Maynard Senior Center Focus Group letter and acknowledged the frustration of a lack of funding for the last several years, however, the Capital Planning Committee is aware of the need for a new Senior Center space and reiterated that it is on the town's radar.

A motion was made by Ms. St. John and seconded by Mr. Gavin to accept the correspondences A through D as shown.

Voted: By roll call. **Motion carried unanimously.**

14. Acceptance of Minutes

A motion was made by Mr. Gavin and seconded by Ms. St. John to accept and approve the meeting minutes of December 6 and December 20, 2022 as shown.

Voted: By roll call. **Motion carried unanimously.**

15. Town Administrator Report

Mr. Johnson announced that town offices are closed on Monday, January 16, 2023 for Martin Luther King Jr. Day. He also highlighted the new website, which should be launching on January 17, 2023. Additionally, Mr. Johnson is continuing to finalize his recommended fiscal year 2024 (FY24) town budget. Of note in that development, he reported that after meeting with the town's health insurance consultant, there is a projected 8% increase in health insurance for FY24. Additionally, Mr. Johnson commended Health Director Ivan Kwagala for hosting a training on hoarding that town staff widely attended. Furthermore, Mr. Johnson highlighted the end of year report from the Library, which indicated that over 56,000 books were checked out in 2022.

MBTA Community Action Plan Submitted:

Ms. Zammuto explained that new legislation requires Massachusetts Bay Transportation Authority (MBTA) communities to submit a plan to meet housing density requirements, and Bill Nemser, Planning Director, has been heavily involved in developing the plan. This submission allows the town to apply for several state grants and is the first step at meeting the requirements.

16. Chair Report

Mr. Swanberg welcomed everyone back and wished everyone a happy new year.

17. Board Member Reports

Ms. St. John wished everyone a happy new year and announced that the Green Meadow School Building Committee is meeting on January 17, 2023 at 5:00pm and a Budget Subcommittee meeting on January 10, 2023 at 7pm.

Mr. Gavin appreciated the newly installed crosswalk signals by the football field and Boys and Girls Club.

Mr. DiSilva explained that he will communicate further with the Human Relations Committee about revisiting the charge and future membership.

18. Adjournment

A motion was made by Mr. Gavin and seconded by Ms. St. John to adjourn the meeting at 9:03 p.m.

Voted: By roll call. Motion carried unanimously.

Approved Date: 1/17/23



Justine St. John Clerk

Initials: gw