



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

**RECEIVED**

*By James Alexander at 1:16 pm, Apr 19, 2023*

## Meeting Minutes

**Tuesday, April 4, 2023**

Hybrid meeting (in-person at 195 Main Street, Maynard, and remotely via Zoom)  
*(This public meeting was recorded.)*

### **Present:**

Jeffrey Swanberg, Chair  
Justine St. John, Clerk  
David Gavin, member

Chris DiSilva, member  
Gregory W. Johnson, 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 discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares: AFSCME; LIUNA; NEPBA; IAFF; MEA; MESA.

Voted by roll call: **Motion carried unanimously, 4-0.**

### **2. Executive Session**

Conducted Executive Session

### **3. Reconvene in Open Session**

Mr. Swanberg called the open session to order at 7:30pm.

Public Comments:

Deb Roussell, 4 Grant Street, expressed disappointment concerning the Select Board's decision against funding for the \$35,000 community study, and instead being told that State Representative Hogan may advocate for securing "earmark" funding for this activity. Ms. Roussell hopes that the funding will come through for the study or an interim senior center.

### **4. Consent Agenda**

A. Maynard Stow Baseball Softball Opening Day Parade- Amendment, April 30, 2023

B. Crowe Field Parking Lot: Cub Scout Pack 130 Donation Drive, Apr 29, 2023

C. NEMLEC Interagency Mutual Aid/Assistance Agreement

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to approve the Consent Agenda Items A through C, as presented. Authorizing use of digital signatures if approved.

Voted: **Motion carried unanimously.**

#### **5. 2022 Annual Holiday Parade**

Jen Picorelli, 1 Colbert Avenue, thanked the Board for the opportunity to recognize the students that assisted with the 2022 Holiday parade. Students that were present included Isabella Wellington and Sophia O'Brien. Ms. Picorelli's full comments are included at the end of the minutes.

The Select Board thanked the students for their involvement and for attending the meeting. It is expected that State Representative Hogan's office is sending proclamations to the students.

#### **6. Amory's Tomb Brewing Co., 58 Main Street**

##### **A. Public Hearing: Farmer Series Pouring Permit Application**

Mr. Swanberg opened the public hearing at 7:37pm.

Allen Quinn informed the Select Board that Amory's Tomb Brewing Co. is currently at 76 Main Street noncontiguous with beer garden. The lease is up at the current location, so the company is moving to 58 Main Street, which is attached to beer garden with direct indoor/outdoor access.

No public comments were offered.

**A motion was made by Mr. Gavin and seconded by Mr. DiSilva** to accept and approve the Farmer Series Pouring Permit application for ATBC d/b/a Amory's Tomb Brewing Co at 58 Main Street with the condition that operations are limited to the existing licensed site of the "beer garden" until all health and safety requirements to operate on the full premises are met. Authorizing use of digital signatures if approved.

Voted: **Motion carried unanimously.**

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to close the public hearing at 7:42pm.

Voted via Roll Call: **Motion carried unanimously, 4-0.**

##### **B. Common Victualler and Entertainment License Updates**

This application was submitted to update the Common Victualler and Entertainment licenses to reflect the new address for Amory's Tomb Brewing Co.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to conditionally approve the Common Victualler and Entertainment License for Amory's Tomb Brewing Co. at 58 Main Street, Maynard, MA with the condition that operations are limited to the "beer garden" until all health and safety requirements to operate on the full premises are met. Authorizing use of digital signatures if approved.

Voted: **Motion carried unanimously.**

#### **7. Gift Acceptance**

##### **A. Tree Committee Donation**

Lee Eyler, Chair of the Tree Committee informed the Select Board of the upcoming third Arbor Day Celebration in Maynard. The Committee hopes to plant a Sourwood, or Lily of the Valley, tree in front of Town Hall on Friday, April 28, 2023 and celebrate on Saturday, April 29, 2023 at 10:00am. The Select Board is invited to attend.

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to accept the Sourwood tree from the Maynard Tree Committee in celebration of Arbor Day, as presented.

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

## **8. Municipal Services: Conservation Division**

### **A. Open Space & Recreation Plan**

Julia Flanary, Conservation Agent and Assistant Town Planner, presented an overview of the Open Space & Recreation Plan as well as the submission process. This plan was initiated by Ms. Flanary's predecessor, and the current plan expired in November of 2022. Ms. Flanary is planning to submit this plan for 2023 and must receive comments for a letter of review. Obtaining the Select Board's approval of the plan allows Ms. Flanary to continue the submission process with the state.

During discussion, it was clarified that multiple boards are receiving the same document for comments. Once all comments are received, they will be compiled and provided to the state. The Select Board will review the plan further and generate comments, and approval will be obtained at a future meeting.

## **9. Contracts**

### **A. Waste Water Treatment Facility Operations Contract Extension – Veolia**

The current contract is expiring, and an extension is required. This agenda item ties in with the proposed Town Meeting article on negotiating and entering contracts relating to the Municipal Wastewater Treatment Facility. The Department of Public Works will follow all procurement laws.

**A motion was made by Mr. Gavin and seconded by Mr. DiSilva** to approve the one (1) year extension of the agreement for the operations, maintenance and management services of the waste water treatment facility by Veolia Water North America – Northeast, LLC, effective July 1, 2023.

Voted: **Motion carried unanimously.**

## **10. Public Works**

### **A. Pavement Management Plan**

The 2023 paving plan for the Spring and Summer is under development to be presented to the Select Board at a later date. Justin DeMarco, Public Works Director, highlighted that there has been movement on Allan Drive, Fletcher Street, and Heights Terrace, with hopes to include them on an article for Special Town Meeting for roadwork the following Spring.

### **B. Seasonal Non-Essential Outdoor Water Use Restrictions**

This level one restriction is required from the water withdrawal permit from the Department of Environmental Protection. The restriction would be implemented May 1, 2023, and includes the following: Prohibits non-essential outdoor water use Monday through Friday weekly; permits non-essential outdoor water use Saturday through Sunday before 9:00am and after 5:00pm.

During discussion, it was clarified that watering more heavily on the weekends and allowing for a longer drought period helps the grass survive naturally without an irrigation system. Additionally, it was clarified that 5:00pm-8:59am is when you can water on the weekends, not 9:00am-5:00pm. The DPW will make that distinction noted in the public notice.

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to implement a Declaration of Seasonal Water Use Restriction pursuant to the Town of Maynard's Water Management Act permit special condition 6 "Seasonal Limits on Non-Essential Outdoor Water Use", hereby granting designee authority to the Department of Public Works Director to implement restrictions process, effective May 1st, 2023.

Voted: **Motion carried unanimously.**

### **11. Annual Town Election, May 2, 2023**

The Town Clerk is requesting the election warrant to be formalized, and the Election will take place at the Fowler School, 3 Tiger Drive.

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to approve Annual Town Election Warrant with the indicated date, time and location as Tuesday, May 2, 2023, from 7:00 am – 8:00 pm with all four precincts at the Fowler Middle School, 3 Tiger Drive, Maynard, as presented. Authorizing use of digital signatures if approved.

Voted: **Motion carried unanimously.**

### **12. Annual Town Meeting May 15, 2023**

#### A. Articles Acceptance

Mr. Johnson presented the remaining draft articles for approval. During discussion, Ms. St. John commented on the \$35,000 for the senior center study, acknowledging the need for the funding and expressing that the Select Board believes there is another way to do it.

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to accept the following Draft Controls:

(AA) Perpetual Care Trust Fund Transfer

(AK) Town General Fund Budget Fiscal Year 2024

(AL) Certified Free Cash Appropriation for Fiscal Year 2023

as shown, and forward to the Finance Committee for review and comments.

Voted: **Motion carried unanimously.**

#### B. Preparations

On April 18, 2023, the Select Board will approve the warrant. The office is coordinating the order and logistics with the moderator and will have Town Counsel review the warrant one last time. There is a pre-Town Meeting meeting scheduled for Tuesday, May 9, 2023 at noon via Zoom. Mr. Swanberg will attend the meeting. The office will publicize Town Meeting and Town Election on the front page of the Town website.

### **13. Green Meadow School Building Project**

#### A. Status and Membership

Mr. Johnson obtained information from the project manager, and unless another Select Board member takes the newly vacant position, it is recommended that the Green Meadow School Building Committee offers their input. Otherwise, Mr. DiSilva could fill both roles. During discussion, Mr.

DiSilva indicated that he could fill the role, but will also speak with the committee for their input as well as inquire about designating a non-Select Board member to fill the role.

#### B. Green Meadow School Building Project: Design Services Amendment

This add-service amendment number two for Mount Vernon Group (MVG), the design firm for the proposed Green Meadow School project, covers additional study services around traffic, a site survey, and environmental borings.

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to authorize the Town Administrator to approve the add-service amendment #2 with Mount Vernon Group (MVG) for services relative to the feasibility phase of the Green Meadow Elementary School project, as presented, in the amount of \$107,250.

Voted: **Motion carried unanimously.**

#### 14. Policies

##### A. Verbiage for Public Participation at Meetings

Mr. Johnson provided the updated draft language from Town Counsel, which stems from a recent ruling regarding negative language in public comments.

During discussion, it was clarified that this policy will apply to all boards in the Town and will require public comments at some point in each meeting. Mr. Johnson will check with Town Counsel on whether the language impacts receiving public comments in written form. Natasha Rivera, Chair of the School Committee, raised concerns about this verbiage potentially impacting policies developed with the School's legal counsel. Mr. Johnson proposed the idea of updating the verbiage so that the Chair of each board or committee can decide whether or not to receive public comments at a particular meeting and will check with town Counsel on the verbiage.

#### 15. Correspondences

A. DEP Proposed National Primary Drinking Water Regulation for Per- and Polyfluoroalkyl Substances

B. Comcast Band Internacional and Brazilian 4 Pack Update

C. Alfred Whitney Request of Consideration- Maynard Police Department

D. Maynard Golf Course Report, March 2023

E. Verizon New England DTC Forms 200 & 400 and Condensed Financial Statements

F. M. Arria Alumni Field Facilities Update, March 27, 2023

G. C. David Hull Maynard Housing Authority Resignation Notice

H. COA Board Interim Senior Center RFP

I. COA Board Community Needs Assessment

J. G. Erwin ArtSpace February and March 2023 Report

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to accept and approve Correspondences A through J as shown.

Voted: **Motion carried unanimously.**

**16. Acceptance of Minutes**

A. March 7, 2023 and March 21, 2023

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to accept and approve the meeting minutes of March 7, 2023 as shown.

Voted: **Motion carried unanimously.**

**17. Town Administrator Report**

Mr. Johnson noted the extension of remote meetings through March of 2025. Mr. Johnson will take time off between April 15 and April 23. The RFP submission deadline for 1 Summer Street is May 1, and we have received several proposals already. There is a meeting on May 2, 2023 at noon to review the submission and evaluations to be better prepared for Town Meeting, which Ms. St. John will attend. Also, Mr. Johnson is still conducting the Assistant Town Administrator search, focusing on references and background checks. Additionally, Mr. Johnson highlighted that the Finance Director position was reposted; the office is closed April 17 for Patriots Day; National Telecommuter Week is next week; the Week of Trees is the last week in April; the Maynard Fire Department for their response at the Powder Mill Circle 3 alarm and other departments that helped; and the Community Information Fair at the Library.

**18. Chair Report**

Mr. Swanberg reported that there will be a Powder Mill Focus Group meeting on Thursday, April 13, to discuss the Powder Mill Corridor.

**19. Board Member Reports**

Mr. DiSilva inquired about the water treatment plan project, and Mr. DeMarco clarified that there was about a week delay, but they are getting back on track.

Ms. St. John shared that the next Budget Subcommittee is April 12, 2023 at 7:00pm via Zoom. She also commented on the correspondence from the Council on Aging; the select Board cannot direct the Town Administrator to conduct an RFP without an identified source of funding. Mr. Swanberg clarified that this can be revisited after Town Meeting, balancing this with the needs of the Town. Paul Guthrie, Council on Aging Board Chair, supports the efforts of the Senior Center Focus Group, and the COA Board feels the RFP is the next logical step.

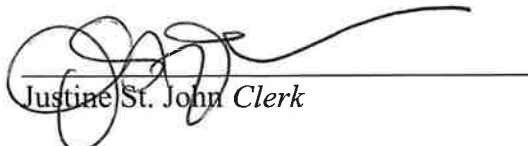
Mr. Gavin did not have an update.

**20. Adjournment**

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to adjourn the meeting at 8:51p.m.

Voted: **Motion carried unanimously.**

Approved Date:

  
Justine St. John Clerk

Initials: gw

\*Highlighted names were in attendance.

Thank you to the Board for allowing me to come on behalf of the Maynard Holiday Parade Committee to publicly thank the Maynard students who volunteered to help during the parade this past December.

**Isabella Wellington** and Evelyn Hickey were the parade's official photographers. Bella was located with me at the start and took some great shots of the participants lining up and getting ready. Evelyn was downtown and took some incredible shots of downtown lined with residents.

Lilly Waguespak and **Sophia O'Brien** were our MCs for the event who announced each and every participant who walked past the Sanctuary where they were stationed. Each group in the parade had a description written for them of who they were and what their group was all about. This was a task that both of these young women did with ease. With over 60 individual floats and participants this was no easy task to line up correctly and they kept it moving like pros.

All 4 of these young women represented Maynard Schools, our town and their families with an impressive amount of professionalism and maturity. I am so proud of them and so happy tonight that the town is recognizing them all for a job well done.

Please check out our website [Maynardholidayparade.com](http://Maynardholidayparade.com) And our facebook page at 57th Maynard Holiday Parade for their photos and while I am at it please check the site out for newest fundraiser at Sanctuary on April 15th in just under 2 weeks the 1st Annual Masquerade Ball.