



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 10:41 am, May 04, 2023*

## Meeting Minutes

**Tuesday, April 18, 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  
Stephanie Duggan, Human Resources Manager  
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; 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: 61-63 Summer Street.

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: None offered.

### **4. Consent Agenda**

A. Maynard Cultural Council- Memorial Park and Naylor Court, Maynard Jazz Festival June 17, 2023

B. Arbor Day Proclamation, April 29, 2023

**A motion was made by Mr. Gavin and seconded by Mr. DiSilva** to approve the Consent Agenda Items A and B, as presented. Authorizing use of digital signatures if approved.

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

### **5. Use of Town Property**

A. Sylvia Smith- Coolidge Park, May 13 and May 27, 2023

**A motion was made by Mr. Gavin and seconded by Ms. St. John** to approve the use of Coolidge Park for a clean-up project on May 13 and May 27, 2023 from 9:00am-12:00pm, contingent upon participants' submission and town acceptance of current liability insurance waiver, and contingent upon adherence to all public health and safety guidelines. Authorizing use of digital signatures if approved.

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

## **6. Appointment**

A. Housing Authority Board: Tenant Member

There were originally three applicants, but one applicant has withdrawn. One applicant has completed the appointment questionnaire. The Select Board decided to postpone voting on a member until they receive all of the applications and can interview the candidates.

## **7. The Assabet Village Food Cooperative, Inc., 86 Powder Mill Road**

Public Hearing: 7:15 PM: Package Store Wines and Malt Beverages Application

Mr. Swanberg opened the public hearing at 7:40pm.

Sam McCormick, the General Manager of the Co-op, presented their application and informed the Select Board that obtaining this license will help to fulfill the Co-op business plan to operate as a full service store.

No public comments were offered.

**A motion was made by Ms. St. John and seconded by Mr. DiSilva** to accept and approve the Section 15 Package Store Wines and Malt Beverages License application for The Assabet Village Food Cooperative, Inc. DBA Assabet Co-op Market at 86 Powder Mill Rd. Authorizing use of digital signatures if approved.

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

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to close the public hearing at 7:47pm.

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

## **8. Tree Committee**

A. CDEF Grant- Summer Street Municipal Parking Lot Pollinator Garden

Daniel Schissler from the Tree Committee presented the plans for the pollinator garden, which is part of the arboretum project.

During discussion, it was clarified that the Committee has chosen drought tolerant plants that are native and resilient, and the Committee has coordinated with the DPW on protection during snow removal as well as watering for the first year. Additionally, Chris Arsenault, Chair of the Planning Board, clarified that the letter he submitted to the Select Board supporting this grant application, is from him, not the whole Planning Board.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to approve application for the use of \$6,000 from the Cultural District Enhancement Fund (CDEF) by the Maynard Tree Committee

for the proposed Summer Street Municipal Parking Lot Pollinator Garden project, as presented. Authorizing use of digital signatures if approved.

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

B. Gift Acceptance- Tree Committee Donation: Summer Street Parking Lot Island

Lee Eyler, Chair of the Tree Committee, informed the Select Board of the native plants the Tree Committee is hoping to donate for the Summer Street parking lot island.

**A motion was made by Mr. Gavin and seconded by Ms. St. John** to accept the native raingarden trees and plants from the Maynard Tree Committee for the Summer Street parking lot island.

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

### **9. Bond Anticipation Notes**

Jenn Welch, Treasurer/Collector, presented the notes to be approved to the Select Board and provided a brief overview of the process, clarifying that this is for Well 4A funds, which will be received next Friday. The votes prepared by bond counsel are as follows:

*To approve the sale of \$1,000,000 4.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated April 28, 2023, and payable April 26, 2024, to Fidelity Capital Markets, a division of National Financial Services LLC at par and accrued interest, if any, plus a premium of \$6,650.00.*

*That in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 4, 2023, and a final Official Statement dated April 12, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.*

*That the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.*

*That we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.*

*That any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.*

*That each member of the Select Board, the Town Clerk, the Assistant Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver*

*such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.*

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to adopt the vote prepared by bond counsel in connection with the approval of the Town's April bond anticipation notes. Authorizing use of digital signatures if approved.

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

## **10. Contracts**

### A. VHB general engineering consulting service contract extension

The current contract is expiring, requiring an extension. Town Counsel advises conducting a Request for Proposals (RFP). Town staff is considering separate procurement procedures for design review services, separate from Town Engineer professional services that VHB provides.

**A motion was made by Mr. Gavin and seconded by Ms. St. John** to approve the extension with Vanasse Hangen Burstlin, Inc ("VHB") for on-call engineer consulting services for a term ending June 30, 2023, as presented. Authorizing use of digital signatures if approved.

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

### B. Winston Builders: Change Order: Well 4A Project

Mr. DeMarco informed the Select Board that the DPW is moving to Phase 2 of the Well 4A project with Winston. This contract is for treatment facility upgrades, and the budget has been accounted for.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to approve the change order (PCO 001), as presented, with Winston Builders for the Well 4A Water Treatment Plant Upgrades – Phase 2 Construction Contract (#1376) in the amount of \$16,916.00.

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

## **11. Public Works**

### A. Crosswalk Painting Plan Presentation

Andy Moerlein, from the Maynard Cultural Council, presented the plan to the Select Board. This is a Cultural District funded project involving re-designing the crosswalk between the Naylor Court lots and Maynard Fine Arts Theatre. High school students are creating the design, and it will hopefully become a repeating project moving forward.

During discussion, it was clarified that the process should take about four hours, with preparations taking place the day before the students start painting. Additionally, Mr. Moerlein is notifying the theatre and discussing schedule logistics with the Police Chief.

**A motion was made by Mr. Gavin and seconded by Ms. St. John** to approve the modifications to the Crosswalk appearances, as presented.

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

**A motion was made by Mr. Gavin and seconded by Ms. St. John** to approve the use of "Community Events" funds in support of the project.

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

## B. Proposed Electric Vehicle Public Charging Station Rate Fees

Justin DeMarco, DPW Director, presented the proposed new rates, explaining the need for the increase.

During discussion, Mr. Gavin suggested working with the Planning Board to ensure charging stations are part of future building projects. Mr. DeMarco agreed it would be a great conversation with the Planning Board and Sustainability Committee.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to approve the Electrical Vehicle public charging stations user rate fees as presented by the Department of Public Works Director's memorandum dated March 29, 2023.

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

## C. Designation of Authority for Grant Application- Water Pollution Abatement and Drinking Water Projects

This designation ensures that the DPW Director can appropriately apply for grants or loans to assist with water improvement projects to help meet and maintain compliance with the Massachusetts Department of Environmental Protection (DEP).

During discussion, it was noted that additional lead notices will need to go out for some period of time, as designated by the DEP. Mr. DeMarco spoke about public outreach efforts to help residents deal with lead pipe issues in homes. The Select Board raised concern about being more proactive with the lead notices to help ensure the public understands that any lead issues would come from piping within individual households, and not from the actual Town water supply going into households. Mr. DeMarco assured the Select Board that the DPW is being as proactive as possible and is focused on educating residents on options and testing resources.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to grant designee authority to the Department of Public Works Director, Justin DeMarco, to act on behalf of the Applicant (Town of Maynard), as its agent, in filing applications for, executing agreements regarding, and performing any and all other actions necessary to secure for the applicant such as grant(s) and/or loan(s) for construction or planning of Water Pollution Abatement Projects or Drinking Water Projects as may be made available to the Applicant pursuant to the provisions of the Massachusetts Clean Waters Act (M.G.L c.21, section 27-33E, inclusive, as amended) and the Water Pollution Abatement Revolving Loan Program (M.G.L c. 29C) for the following project; Establishing a formal inventory of existing water service lines and materials, including data review and documentation, Field investigation support, and summary memorandum.

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

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

### A. Warrant Approval

The Select Board reminded the public of the Town Meeting date and encouraged residents to attend, as Town Meeting represents the most basic form of direct democratic government.

**A motion was made by Ms. St. John and seconded by Mr. Gavin** to approve the Warrant for Annual Town Meeting 2023, as presented. Authorizing use of digital signatures if approved.

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

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

#### A. Status and Membership

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to approve the Green Meadow School Building Committee membership list, as presented.

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

#### B. Review Draft Schematic Design

Chris LeBlanc, Project Manager with MVG Architects; Phil Palumbo, Director of Colliers; and Jerry Culbert, Chair of the Green Meadow School Building Committee (GMSBC), presented on the current draft of the Schematic Design, which has been approved by the GMSBC. The presentation covered membership, the project timeline, the schematic design, the Mass. Department of Elementary and Secondary Education submission process, and the project budget. The entire project budget is \$83.6 million, with a projected Massachusetts School Building Authority (MSBA) share of \$29.48 million and a local share of \$54.12 million.

During discussion, it was clarified that the design will be posted online shortly and the GMSBC will seek project endorsement from the Select Board and School Committee before the Fall. It was also clarified that at the upcoming community forum on May 3, 2023, there will be a project overview and the committee will cover additional feedback on the HVAC system. Additionally, it was clarified that on projects for other Towns, the School Building Committee always has the authority to approve designs without obtaining prior approval from elected boards, such as the Select Board or School Committee; miscommunication likely occurred because the idea of seeking Select Board approval was discussed earlier in the process, but never finalized. Furthermore, it was clarified that the design includes air displacement beams, which are meant to dehumidify, improve, and provide some cooling to the air, but it is not a full AC system.

### **14. Policies**

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

The Select Board plans to vote on this item at the next regular meeting, incorporating language that offers flexibility on whether or not public participation is required at all meetings.

### **15. 61-63 Summer Street**

#### A. Use of Property Following Current Lease

The Select Board discussed doing all they can to continue relationships with Acme Theatre and other organizations affected by the conclusion of the lease with ArtSpace. They decided to provide request for proposals (RFP) guidance to the Town Administrator.

### **16. Correspondences**

#### A. MACC Training Program Certificate of Achievement for Julia Flanary

#### B. C. David Hull COA Resignation

#### C. A. Whitney Jr Request for Reconsideration to Chief Noble

#### D. R. Brown Planning Board Resignation

#### E. Comcast ShopHQ No Longer Available

Mr. Gavin recognized David Hull, thanking him for his time on the COA Board and for the many other roles he has filled.

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

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

**17. Town Administrator Report**

The Select Board acknowledged receipt of the report, reminding the public that the reports can always be found online.

**18. Acceptance of Minutes**

A. March 21, 2023 and April 4, 2023

**A motion was made by Ms. St. John and seconded by Mr. DiSilva to accept and approve the meeting minutes of March 21 and April 4, 2023 as shown.**

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

**19. Chair Report**

Mr. Swanberg did not have any new items to report.

**20. Board Member Reports**


Mr. Gavin provided positive comments about the Library and the programs run there, highlighting the Children's Librarian, Mark Malcolm.

**21. Adjournment**

**A motion was made by Ms. St. John and seconded by Mr. Gavin adjourn the meeting at 9:07p.m.**

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

Approved Date: 5/3/2023

  
\_\_\_\_\_  
Justine St. John Clerk

Initials: gw