



TOWN OF MAYNARD TOWN CLERK

MUNICIPAL BUILDING
195 MAIN STREET
MAYNARD, MASSACHUSETTS 01754
Tel: 978-897-1300 Fax: 978-897-8553

June 16, 2022

To the Town Administrator, Assistant Town Administrator, Finance Director, Treasurer-Collector, Board of Assessors, Finance Committee

Listed below are the results of the **June 11, 2022** Annual Town Meeting:

Article 1 Town Report Acceptance	NO FINANCIAL IMPACT
Article 2 Obsolete Equipment, Material	NO FINANCIAL IMPACT
Article 3 Citizen's Petition for Maynard Climate Emergency Declaration	NO FINANCIAL IMPACT
Article 4 Citizen's Petition Amend By-Laws Chapter Section 1 Recording of Public Meetings	NO FINANCIAL IMPACT
Article 5 Petition for a Special Act – Police Details by 65 to 70 Years Old	NO FINANCIAL IMPACT
Article 6 Authorize Revolving Funds / Chapter 44, Section 53E1/2	NO FINANCIAL IMPACT
Article 7 Fiscal Year 2023 - Salary Administration Plan	NO FINANCIAL IMPACT
Article 8 Certified Free Cash Appropriation Fiscal Year 2022	\$1,533,278.00
Article 9 Town General Fund Budget Fiscal Year 2023	\$47,952,983.00
Article 10 Citizen's Petition to Appropriate to the Schools Fiscal Year 2023 Budget Appropriation	NO FINANCIAL IMPACT
Article 11 Citizen's Petition to Appropriate the difference in the Fiscal Year 2023 budget and \$22,028,934.00 for the schools	PASSED OVER
Article 12 Citizen's Petition to Amend By-Law Chapter 37, Section 4 Solid Waste Collections	PASSED OVER
Article 13 Sewer Enterprise Fund Budget Fiscal Year 2023	\$3,148,761.00
Article 14 Water Enterprise Fund Budget Fiscal Year 2023	\$2,048,188.00
Article 15 Transfer from Sewer Retained Earnings Fiscal Year 2023	\$200,000.00



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Article 16 Transfer from Water Retained Earnings Fiscal Year 2023	\$500,000.00
Article 17 Allocation of Bond Premium to costs of the Well 4A Treatment Project Fiscal Year 2022	\$19,229.08
Article 18 Amend By-Law chapter 31, Water Resource Management	NO FINANCIAL IMPACT
Article 19 Community Preservation Reserve Fund Appropriations Fiscal Year 2023	\$260,594.00
Article 20 Community Preservation Fund Budget Fiscal Year 2023	\$131,900.00
Article 21 Community Preservation Reserve Fund Appropriation Fiscal Year 2020	\$50,000.00
Article 22 Amend By-Law Chapter 38, Periodic Financial Reports	NO FINANCIAL IMPACT
Article 23 Leasing Authorization Through Ambulance Receipts Fund Appropriation for Fire Department	\$118,000.00
Article 24 Transfer Funds from Ambulance Receipts Reserved for Lease Appropriation Fiscal Year 2023	\$76,555.26
Article 25 Maynard Golf Course Receipts Transfer Fiscal Year 2022	\$65,000.00
Article 26 Prior Years Bills Fiscal Year 2022	\$25,096.80
Article 27 Easement at 129 Parker Street Property	NO FINANCIAL IMPACT



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TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 1

ARTICLE: 1 TOWN REPORT ACCEPTANCE

To hear and act upon the reports of Town Officers and Committees.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) This is an annual procedural article to accept reports from various Town committees. The town's Annual Report is the specific report propose for acceptance.


Comments: (Finance Committee) This is an annual procedural article to accept reports from various Town committees.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 1 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED UNANIMOUSLY BY SHOW OF HANDS.

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 2

ARTICLE: 2 OBSOLETE EQUIPMENT, MATERIAL

To see if the town will vote to authorize the Select Board to dispose of surplus and or obsolete equipment or materials, as authorized by M.G.L. Chapter 30B

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor): Annual article to allow sale/disposal of surplus equipment, if any, in accordance with state law.

Comments: (Finance Committee) This is an annual procedural article to allow the Select Board to sell or dispose of surplus equipment in accordance with state law.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 2 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED UNANIMOUSLY BY SHOW OF HANDS.

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 3

**ARTICLE: 3 CITIZENS' PETITION FOR MAYNARD CLIMATE EMERGENCY
DECLARATION**

To see if the Town will vote to adopt the following declaration:

The residents of the Town of Maynard hereby declare that a Climate Emergency threatens our town, our state, and our nation, as well as humanity broadly. To meet this imperative, the Commonwealth of Massachusetts has set a goal of 50% reduction in greenhouse gas emissions by 2030. Meeting this challenge is both an urgent and an unprecedented opportunity to stabilize the climate, remedy environmental harms, create clean energy jobs, and improve human lives. We pledge to work collectively and individually to achieve the Commonwealth of Massachusetts goal of net-zero greenhouse gas emissions by 2050 with intermediate goals.

1. We ask the Select Board to charge the Sustainability Committee with producing a Climate Action Plan, studying and making recommendations for specific strategies for Maynard. The Committee will provide a plan to the Select Board annually, and it will report the town's progress towards those goals for the annual Town Meeting.
2. We commit to take actions to promote clean energy and reduce fossil fuel use, including promoting energy efficient upgrades in all town facilities, schools, vehicles, and in private homes and businesses, purchasing the highest percentage of clean, renewable energy as feasible, and reducing waste.
3. We request that the Climate Action Plan will not unfairly burden any residents nor threaten the security of our natural resources: water, wetlands, waterways, forests, and open land.

To do or act thereon.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does Not Recommend

Comments: (Sponsor) Maynard is a unique small town with a big heart and engaged citizens. Over the past few years, we have made many environmentally friendly choices together. We have long had a recycling program. We put a solar farm on the closed landfill, and installed "solar ready" roofs on the high school and fire station. We have taken advantage of state and federal funding to build the Assabet Rail Trail through town and to upgrade an abandoned school into a full-service library. Maynard citizens were instrumental in the creation of the Assabet River National Wildlife Refuge. We are a designated Green Community. We have established the Maynard Litter League, the Maynard Tree Corps, the Maynard Community Gardeners, and Green Maynard, as well as partnering with the non-profit OARS. These are achievements we can



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celebrate as a community that help keep the town clean, beautiful, and green. They have moved us toward greater climate responsibility and a brighter climate future. The Climate Emergency Declaration is our way of bringing us together to meet the challenges ahead.

In March 2021, landmark climate legislation was passed by the Massachusetts State House. *An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy* sets the goal of net-zero greenhouse gas emissions by the year 2050. To meet this imperative, the Commonwealth of Massachusetts has set a goal of 50% net reduction in greenhouse gas emissions by 2030. Additionally, it sets targets in 5-year increments that require us to reduce our emissions along the way. These emission reductions are based on the findings of the United Nations stating that we must keep global warming to no more than 1.5 degrees Celsius (2.7 degrees F) over pre-industrial levels to avoid the most serious consequences to our planet.

We have a tremendous challenge, as well as great opportunities, to help shape our climate future. In order for our state to meet its goal, we, here in Maynard, need to do our part. By passing the Climate Emergency Declaration, the voters of Maynard support the Select Board in developing a comprehensive Climate Action Plan that will recognize the urgency of the situation, develop comprehensive proposals that take advantage of state and federal funds, and affirm our belief that town government can create and act upon practical, equitable climate actions that help all Maynard's citizens move forward together. We owe it to our children and grandchildren.

Comments: (Finance Committee) The Finance Committee (FinCom) was divided in not recommending this article. FinCom acknowledges the efforts that Green Maynard, the Sustainability Committee, and the Town have made for climate change action. This article does not commit to actionable items, but rather asks, in an advisory capacity only, to charge the Selectboard to take action. FinCom is also uncertain as to the potential costs of the Climate Action Plan. FinCom is aware of the State law to reduce emissions by 2030, and is hoping for future connection to regional and state efforts by our Sustainability Committee.

MOTION MADE: Ms. Cranmer moved that the Town vote to approve Article 3 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED BY SHOW OF HANDS.

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 4

**ARTICLE: 4 CITIZENS' PETITION AMEND BY-LAWS CHAPTER ____ SECTION 1
RECORDING OF PUBLIC MEETINGS**

To see if the town will vote to amend the by-laws by adding the following chapter:
Public Meetings

“Section 1: Recording of Public meetings.

All public meetings of the Town Government shall be video and audio recorded and all recordings shall be available on the internet. The meeting chair shall have the responsibility to ensure compliance with this by-law”.

To do or act thereon.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does Not Recommend

Comments: (Sponsor) This article is intended to improve the accessibility of public meetings to citizens. Citizens have found the recordings of public meetings on Youtube to be extremely useful and wish to expand the practice.

This article is written in similar form as to the governing procedures of committees established by town by-laws [<https://www.townofmaynard-ma.gov/wp-content/uploads/2022/01/maynard-town-by-laws-20211016.pdf>]. The by-laws establishing committee procedures generally do not specify a penalty nor an enforcement mechanism if those procedures are breached and neither does this article. The primary enforcement mechanism of this by-law, similar to other by-laws governing government procedures, is that egregious violations of this by-law would be grounds for removal of appointed officials or recall of elected officials.

As for the potential costs this would impose on the town, Youtube provides WAVM with unlimited storage of video and there are easy-to-use streaming web cameras available for less than \$50. The costs of compliance with this by-law would be miniscule compared to even the smallest of department's budget.

Compliance with this article may require miniscule spending without specifying a funding source. This is explicitly permitted for citizen petitions under Section 2-7, Paragraph c, Subparagraph 3, Item ii of the Maynard Town Charter [<https://www.townofmaynard-ma.gov/wp-content/uploads/2021/04/maynard-town-charter-20200613.pdf>].



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Furthermore, such a practice, is allowed for in the Handbook for Massachusetts Selectmen on Page 109:

“Nevertheless, budgets with a higher level of appropriations than supported by estimated revenues could be in place at the beginning of the fiscal year. Appropriations are valid spending authority in such cases until they are rescinded by the local appropriating body. Departments may continue to spend at appropriated levels, even though spending cuts will probably be needed to bring the budget into balance. Alternatively, additional revenue may be sought by placing an override or exclusion before the voters. Approval of the referendum would bring the budget into balance and allow a tax rate to be set. Defeat of such a referendum, however, does not, of its own force, cause the rescission of the budget as a whole, or any particular appropriations made for the purposes described in the question.”

The Handbook further elaborates on page 61:

“Given the financial challenges facing local government, a fall town meeting is often held to make adjustments to the annual budget when more information may be known and additional funds may be available.”

[In Ouellette, J., Massachusetts Selectmen's Association., & Massachusetts Municipal Association. (2014). Handbook for Massachusetts Selectmen.] Also available online as a public record from the Town of Pembroke, MA, [https://www.pembroke-ma.gov/sites/g/files/vyhlif3666/f/uploads/mma_bos.pdf].

Comments: (Finance Committee) FinCom does not recommend passage of this article. FinCom encourages citizen participation in public meetings, and in fostering an open legislative process. FinCom acknowledges that opportunities exist in leveraging technology to make meetings more accessible. However, there are many weekly public meetings in town, and recording each could incur unknown costs, particularly when we go back to face-to-face meetings as only one room in town hall is equipped for such recordings. We recommend bringing this article to the By-law Committee to be incorporated into the legislative process to refine this article further before potential future adoption.

MOTION MADE: Cavan Stone moved that the Town vote to approve Article 4 as printed in the Warrant, except the words “to do or act thereon”.

MOTION WAS SECONDED.

MOTION FAILED BY A SHOW OF HANDS.

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



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TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 5

**ARTICLE: 5 PETITION FOR A SPECIAL ACT – AUTHORIZING THE
APPOINTMENT OF SPECIAL POLICE OFFICERS IN THE TOWN OF
MAYNARD POLICE DETAILS BY 65 TO 70-YEAR-OLDS**

To see if the town will vote to authorize the Select Board to submit a proposed Special Act to the General Court of the Commonwealth as follows:

**AN ACT AUTHORIZING THE APPOINTMENT OF SPECIAL POLICE OFFICERS IN THE
TOWN OF MAYNARD**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and
by the authority of the same, as follows:*

SECTION 1. (a) The police chief of the Town of Maynard may appoint, as the chief considers necessary in the chief's sole discretion and judgment, police officers who resigned or retired in good standing, with at least twenty (20) years of continuous full-time service for a municipal police department in the Commonwealth, as special police officers to perform police details and any other duties arising from or during the course of police detail work if the special police officer is on detail assignment and an emergency response by the special police officer is required due to the inability of a regular police officer to timely respond to the emergency. No retired police officer shall be appointed under this act unless the officer is retired based on superannuation under chapter 32 of the General Laws. No resigned or retired police officer shall be appointed under this act as a special police officer if the officer has been retired from a municipal police department for more than 4½ years unless the police officer has since maintained employment as an active police officer in the commonwealth. No retired police officer shall be eligible for appointment under this act if the officer has attained the age of 70 and any police officer so appointed shall be terminated upon attaining the age of 70. Prior to appointment under this act and in order to be eligible for such appointment, a resigned or retired police officer shall successfully pass a medical examination by a physician or other certified professional chosen or agreed to by the police chief to determine whether the resigned or retired police officer is capable of performing the essential duties of a special police officer under this act. The cost of the medical examination shall be borne by the resigned or retired police officer.

(b) Special police officers appointed under this act shall not be subject to chapter 31, sections 96B and 99A of chapter 41 or chapter 150E of the General Laws.

(c) When performing the duties set forth in this section, officers appointed under this act shall have the same power to make arrests and to perform other police functions as do regular police officers of the town of Maynard.



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(d) Special police officers appointed under this act shall be appointed for a 1-year term subject to renewal at the sole discretion of the chief and shall be subject to suspension or removal by the chief at any time.

(e) Special police officers appointed under this act shall be subject to such rules, regulations, policies, procedures and requirements as the chief may impose in the police chief's sole discretion, including, but not limited to, restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications, requirements for maintaining a medical or liability insurance policy and requirements regarding uniforms and equipment. The chief shall, in the chief's sole discretion, set a schedule of fees associated with the costs of training, medical examinations, equipment and uniforms and any other requirements considered necessary by the chief that shall be paid by the special police officer. Nothing in this act shall establish the right or entitlement of any officer appointed under this act to a specific assignment and all such assignments shall be made by the chief and in the chief's sole discretion.

(f) Special police officers appointed under this act shall be sworn in by the police chief of the town of Maynard.

(g) Special police officers appointed under this act shall be subject to sections 100 and 111F of chapter 41 of the General Laws. The weekly amount payable to a qualified officer under said section 111F of said chapter 41 shall be determined by calculating the weekly average of the total amount earned by the officer as a special police officer working police details during the 52 weeks preceding the date of a qualifying incapacity. If a special police officer's appointment under this act occurred less than 52 weeks before the date of qualifying incapacity, the weekly amount payable under said section 111F of said chapter 41 shall be determined by calculating the weekly average of the total amount earned by the officer during the number of weeks served before the date of incapacity. No payments made under said section 111F of said chapter 41 shall exceed, in a calendar year, the limitation on earnings set forth in paragraph (b) of section 91 of chapter 32 of the General Laws. Payments made under said section 111F of said chapter 41 shall terminate in accordance with said section 111F of said chapter 41 or at the conclusion of the term of appointment, whichever first occurs. Special police officers appointed under this act shall not be subject to section 85H or 85H½ of said chapter 32 and shall not be eligible for any benefits pursuant to said sections 85 or 85H½ of said chapter 32.

(h) Appointment as a special police officer under this act shall not entitle the appointee to assignment to any detail.

(i) If retired, special police officers appointed under this act shall be subject to the limitations on hours worked and on total earnings as provided in paragraph (b) of section 91 of chapter 32 of the General Laws.

(j) Pursuant to subsection (e), fees associated with the costs of training, medical examinations, equipment, uniforms and any other requirements considered necessary by the chief of police shall be paid by the special police officer.



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SECTION 2. The Select Board are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition or do or act anything in relation thereto.

SECTION 3. This act shall take effect upon its passage. Or take any other action relative thereto.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) Maynard Police Department: The law is unclear about whether part-time officers, no longer in the pension system, may work past 65 years of age, which is the age of mandatory retirement for full-time officers in the pension system. This Article will remove any doubt as to whether the officers may work past 65 years of age, which has caused past litigation.

Comments: (Finance Committee) Passage of this article would clarify language allowing former police officers who have met certain service and training requirements to be appointed as special police officers and work police details within the Town of Maynard until the age of 70, thereby enabling regular police officers to focus on their customary duties.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 5 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED UNANIMOUSLY BY A SHOW OF HANDS.

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



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OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 6

**ARTICLE: 6 AUTHORIZE REVOLVING FUNDS CHAPTER 44, SECTION
53E 1/2**

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to MGL Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2022, (FY23) to be expended in accordance with the bylaws heretofore approved.

Revolving Fund	Spending Limit
Conservation Commission - Wetlands Bylaw Consultant Fees	\$25,000.00
Planning Board - Site Plan Review	\$25,000.00
Disposal - Drop Off Center	\$15,000.00
Board of Health - Licensing Fees	\$25,000.00
Council on Aging - COA Van Service	\$85,000.00
Sealer of Weights & Measures	\$5,000.00
Electrical/Wiring Inspection Services	\$65,000.00
Plumbing & Gas Inspection Services	\$60,000.00
Municipal Permitting	\$40,000.00
Recreation	\$20,000.00
Electric Vehicle Charging Stations	\$35,000.00
TOTAL OF ALL REVOLVING FUNDS	\$400,000.00

To do act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends



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Comments (Sponsor): Revolving funds provide the flexibility to deposit funds and pay expenditures across fiscal years. The Town Meeting has previously established the funds listed above with specific allowed purposes and this article authorizes each fund's annual revolving limit.

Comments (Finance Committee): This is an annual procedural article to authorize revolving funds in the amounts detailed in the article, so that the Town can collect and disburse money for certain stated purposes.


MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 6 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 101 / NO: 8

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



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TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 7

ARTICLE: 7 FISCAL YEAR 2023 SALARY ADMINISTRATION PLAN

To see if the Town, under the authority of G. L. c.41 sec. 108A, will vote to amend the Maynard Salary Administration Plan Salary Table:

Appendix A: Salary Table

	<i>Minimum</i>	<i>Maximum</i>
Full-Time Employees	\$20.00	\$ 45.00
Part-Time Employees <i>(no less than MA minimum wage)</i>	\$14.25	\$ 40.00
Part-Time Specialized <i>(i.e. certified/licensed)</i>	\$20.00	\$ 50.00
Veterans' Agent	Annually	\$10,283.64
Inspector of Animals	Annual Stipend	\$ 105.00
Registrar of Voters	Annual Stipend	\$ 105.00
Clerk, Registrar of Voters	Annual Stipend	\$ 515.00
Moderator	Annual Stipend	\$ 75.00

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments (Sponsor: Part-time Employee minimum wage has been increased from \$13.50 per hour to \$14.25 per hour, staying current with Massachusetts Minimum Wage.



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Comments (Finance Committee): This is an annual procedural article to make adjustments to the salary table and other terms in the Town's Salary Administration Plan. The changes over last year's plan are an increase of Part-Time Employees Minimum from \$13.50 to \$14.25, and a 2% increase (approx. \$200) to the Veteran's Agent.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 7 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 101 / NO: 8

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 8

ARTICLE: 8 CERTIFIED FREE CASH APPROPRIATION FOR FISCAL YEAR 2022

To see if the town will vote to appropriate from available free cash the following amounts for designated purposes:

Snow & Ice Deficit	\$ 300,000.00
Capital Stabilization Fund	\$ 50,000.00
General Stabilization Fund	\$ 75,000.00
Other Post Employment Benefits Fund	\$ 25,000.00
Police Cruiser	\$ 55,000.00
Fire Hose Replacement	\$ 40,000.00
Town Website Upgrade	\$ 35,000.00
1 Summer Street Re-Use	\$ 300,000.00
Personnel Contract Settlements	\$ 50,000.00
Alumni Field Bleachers Design/Engineering	\$ 174,903.00
Computer Servers/Workstation Replacement	\$ 39,000.00
Roads/Sidewalks Repairs	\$ 114,375.00
Rail Trail Parking Lot Lighting	\$ 5,000.00
Dispatch Communications Upgrades	\$ 160,000.00
School District Roof Repairs	\$ 40,000.00
School District HVAC Repairs	\$ 50,000.00
School District Doorways Repairs	\$ 20,000.00
Total Requested Appropriation	\$ 1,533,278.00

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$1,533,278.00
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor):

Free Cash is taxpayer money that has not been appropriated for spending. Traditionally, Maynard uses these funds to pay for one-time items or events, like a deficit in the snow and ice budget or capital projects. The capital items listed above are submitted in accordance with the priorities of the Capital Planning Committee. The Police Cruiser is intended to be a "hybrid" fuel-efficient model. 1 Summer Street is the town-owned address of the existing fire station. The listed funds for union contract settlements are for current fiscal year 2022 expenses. The funding for construction of new bleachers is



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not yet determined. Funding for roadway and sidewalk repairs is meant to supplement formulaic state allocations.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 8 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

AMENDMENT: Cavan Stone, 17 Rice Road, moved to delete the words "Capital Stabilization Fund \$50,000.00" and "General Stabilization Fund \$75,000.00."

Motion on Amendment failed to receive a second.

MOTION PASSED (unamended) YES: 101 / NO: 8

True Copy

Attest:



Patricia A. Clifford, Assistant Town Clerk



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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
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Vote on Article 9

ARTICLE: 9 TOWN GENERAL FUND BUDGET FISCAL YEAR 2023

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide to meet the salaries and wages of Town Officers and employees, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the Town for Fiscal Year 2023 (July 1, 2022 – June 30, 2023) and further, to accept and expend Federal and State Funds to offset certain salaries or expenses or outlays.

General Government	\$3,357,110.00
Public Safety	\$ 5,228,418.00
Public Works	\$ 2,354,663.00
Cultural & Recreation	\$ 640,750.00
Education - Maynard	\$21,666,408.00
Education - Assabet	\$ 1,190,983.00
Employee Benefits	\$ 9,153,590.00
Debt Service	\$ 3,744,627.00
Reserve Fund	\$ 250,000.00
Peg Access	\$ 366,434.00

Total General Fund Expenses \$47,952,983.00

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$ 47,952,983.00
FINCOM RECOMMENDATION: Recommends

Comments (Sponsor): See Attachment Appendix "A" – the appendix information is only a guide and is non-binding except to the single raise and appropriation vote of **\$47,952,983.00**. The categories noted above are for explanation purposes.

Comments (Finance Committee): Passage of this article would adopt the proposed Town General Fund Budget for Fiscal Year 2023 (FY23) in the amount of \$47,952,983.00. The breakdown by nine major Town functions in the table above shows how the budget is to be allocated to various purposes. The budget process begins months in advance of Town Meeting and is discussed in numerous public meetings by town boards and committees. It is a combined effort



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of the Selectboard, Town Administrator, FinCom, School Committee, and all department heads. FinCom encourages Town Meeting voters to participate in these discussions. FinCom acknowledges that there are always budget constraints and difficult decisions are made during the budget process. Particularly, this budget funds the school department at a lower percentage increase (2.5%) than years past (average FY16-FY22 is 4.52%). Nevertheless, FinCom voted to recommend this article because it presents a balanced budget that weighs the needs of the Town with the revenue available. (Please refer also to Appendix A in the Warrant for more context.)

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 9 as printed in the Warrant, except the words “to do or act thereon”.

MOTION WAS SECONDED.


MOTION TO AMEND: Cavan Stone, 17 Rice Road, moved to amend the Budget by decreasing the Public Safety Budget and increasing the Education Budget by deleting the words “Public Safety \$5,228,418.00” and “Education – Maynard \$21,666,408” and substituting the words “Public Safety \$5,092,418” and “Education – Maynard \$21,802,408.00.”

AMENDMENT FAILED ON A SHOW OF HANDS.

MOTION PASSED (UNAMENDED) YES: 88 / NO: 19

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 10

**ARTICLE: 10 CITIZENS' PETITION TO APPROPRIATE TO THE SCHOOLS FISCAL
YEAR 2023 BUDGET APPROPRIATION**

To see if the town will vote to appropriate to the schools, in addition to its Fiscal Year 2023 budget appropriation, \$120,000.00 as compensation for revenue lost due to the COVID Pandemic.

To do or act thereon.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does Not Recommend

Comments: (Sponsor) This article is intended to mitigate the financially troubling and unsustainable pattern of exponential growth in Maynard's out-of-district educational costs. Maynard's out-of-district education costs represent our town's total expenditures for students in charter schools, school choice, and out-of-district placements. Out-of-district education costs are non-discretionary. They are legally mandated by Massachusetts General Law and driven by parent choice. The only means the town has to abate the growth of out-of-district costs is to make our in-district schools more appealing to parents than their out-of-district options.

In Maynard, our out-of-district costs grew at a cumulative average growth rate of 13.5% per year between Fiscal Year 2009 and Fiscal Year 2020. For comparison, Maynard's total school expenditures, excluding the out-of-district spending, had a growth rate of 3.1% over the same time period. Absent new growth or annual Proposition 2½ overrides, the out-of-district expenses are growing faster than the rate the town can legally raise revenue. If these out-of-district costs continue to grow unabated, they will grow exponentially beyond the ability of the town to financially manage. Even if we were to freeze the growth in all expenditures except for out-of-district education spending, by 2030 the projected year-over-year growth in the total town budget would exceed the 2.5% limit imposed by Proposition 2½.

Fiscal Year vs Maynard Out-of-District Education Costs



TOWN OF MAYNARD OFFICE OF THE TOWN CLERK

195 Main Street
Maynard, MA 01754



Figure and financial data derived from ClearGov

[\[https://cleargov.com/massachusetts/school/maynard/2020/expenditures?breakdowntype=department&objectid=951541\]](https://cleargov.com/massachusetts/school/maynard/2020/expenditures?breakdowntype=department&objectid=951541).

According to the latest ClearGov data, it costs the town \$51,036 per out-of-district student per year but we spend, in-district, \$20,315 per student per year. On a per student basis, we are paying more than double when parents opt to send their children out of district. It is financially prudent to spend at least some of this difference addressing parents' concerns and persuading them with tangible actions to keep their children in-district.

In their budget presentation, the School Committee proposed a plan of action to address the growth of the out-of-district costs and that plan has the full confidence of the petitioner. However, as of April 1st, 2022, the budget proposal contemplated by the selectboard does not fund the schools at the level required for the School Committee's plan to keep children in the district and start abating these out-of-district costs.

The typical but not required procedure for town meetings to correct this issue would be a budget amendment. However, given the highly atypical circumstances our town finds itself in, coming out of a once in a century pandemic emergency, followed by inflation at a 40 year high, with record setting gas prices, it is prudent to put all funding options, even atypical ones, on the table for the people and town government to consider. This is especially important given the severity of the above projections for our out-of-district spending and the fact that in the next couple of years our town has very few prospects for new growth as a means to increase revenues. This article archives this goal by appropriating spending without specifying a funding source. This is explicitly permitted for citizen petitions under Section 2-7, Paragraph c, Subparagraph 3, Item ii of the Maynard Town Charter [\[https://www.townofmaynard-ma.gov/wp-content/uploads/2021/04/maynard-town-charter-20200613.pdf\]](https://www.townofmaynard-ma.gov/wp-content/uploads/2021/04/maynard-town-charter-20200613.pdf).

Furthermore, this act is also in compliance with Massachusetts General Law per the Handbook for Massachusetts Selectmen on Page 109:



TOWN OF MAYNARD OFFICE OF THE TOWN CLERK

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“Nevertheless, budgets with a higher level of appropriations than supported by estimated revenues could be in place at the beginning of the fiscal year. Appropriations are valid spending authority in such cases until they are rescinded by the local appropriating body. Departments may continue to spend at appropriated levels, even though spending cuts will probably be needed to bring the budget into balance. Alternatively, additional revenue may be sought by placing an override or exclusion before the voters. Approval of the referendum would bring the budget into balance and allow a tax rate to be set. Defeat of such a referendum, however, does not, of its own force, cause the rescission of the budget as a whole, or any particular appropriations made for the purposes described in the question.”

The Handbook further elaborates on page 61:

“Given the financial challenges facing local government, a fall town meeting is often held to make adjustments to the annual budget when more information may be known and additional funds may be available.”

[In Ouellette, J., Massachusetts Selectmen's Association., & Massachusetts Municipal Association. (2014). Handbook for Massachusetts Selectmen.] Also available online as a public record from the Town of Pembroke, MA, [https://www.pembroke-ma.gov/sites/g/files/vyhlf3666/f/uploads/mma_bos.pdf].

Should the town meeting pass the article, then the effect will be to appropriate to the schools \$120,000 as relief from revenues lost due to the COVID pandemic. The amount was chosen because this amount represents nearly the total amount of revenue loss of the schools attributable to the COVID Pandemic. The COVID Pandemic is specifically called out in the article because this designation qualifies the appropriation for more funding sources than if the designation had not been made.

The options to provide funding for this article include but are not limited to:

1. Amendment of the budget at this annual town meeting or at a subsequent special town meeting
2. Transfer of free cash
3. Stabilization fund transfer
4. Proposition 2½ override

Town meetings can only initialize some of these options. Others have to be initialized or may need requirements waived by the selectboard. The design and wording of this article maximizes the flexibility for all parts of the town government to fund it. The petitioner maintains that for the purposes of qualifying for these funding sources, the cumulative catastrophic events of the last two years and the impact it has had on not only the education of children but on our town revenues represent a “catastrophic act”, and a “unforeseen emergency.” Further details regarding these funding sources can be found in the Handbook for Massachusetts Selectmen and in Maynard’s Financial Policy Manual [<https://www.townofmaynard-ma.gov/wp-content/uploads/2020/09/financial-policy-manual-202008.pdf>]



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

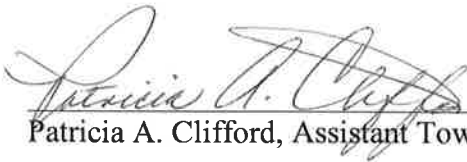
MOTION MADE: Cavan Stone moved that the Town vote to approve Article 10 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION FAILED YES: 34 / NO: 70

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 11

**ARTICLE: 11 CITIZENS' PETITION TO APPROPRIATE THE DIFFERENCE IN THE
FISCAL YEAR 2023 BUDGET AND \$22,028,934.00 FOR THE SCHOOLS**

To see if the town will vote to appropriate to the schools, in addition to it's FY 2023 budget appropriation, the difference between \$22,028,934.00 and the Fiscal Year 2023 budget appropriation to the schools. If the Fiscal Year 2023 budget appropriation to the schools exceeds \$22,028,934.00 this article instead shall have no effect.

To do or act thereon.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does Not Recommend

Comments: (Sponsor) This article is intended to mitigate the financially troubling and unsustainable pattern of exponential growth in Maynard's out-of-district educational costs. Maynard's out-of-district education costs represent our town's total expenditures for students in charter schools, school choice, and out-of-district placements. Out-of-district education costs are non-discretionary. They are legally mandated by Massachusetts General Law and driven by parent choice. The only means the town has to abate the growth of out-of-district costs is to make our in-district schools more appealing to parents than their out-of-district options.

In Maynard, our out-of-district costs grew at a cumulative average growth rate of 13.5% per year between Fiscal Year 2009 and Fiscal Year 2020. For comparison, Maynard's total school expenditures, excluding the out-of-district spending, had a growth rate of 3.1% over the same time period. Absent new growth or annual Proposition 2½ overrides, the out-of-district expenses are growing faster than the rate the town can legally raise revenue. If these out-of-district costs continue to grow unabated, they will grow exponentially beyond the ability of the town to financially manage. Even if we were to freeze the growth in all expenditures except for out-of-district education spending, by 2030 the projected year-over-year growth in the total town budget would exceed the 2.5% limit imposed by Proposition 2½.

Fiscal Year vs Maynard Out-of-District Education Costs



TOWN OF MAYNARD OFFICE OF THE TOWN CLERK

195 Main Street
Maynard, MA 01754

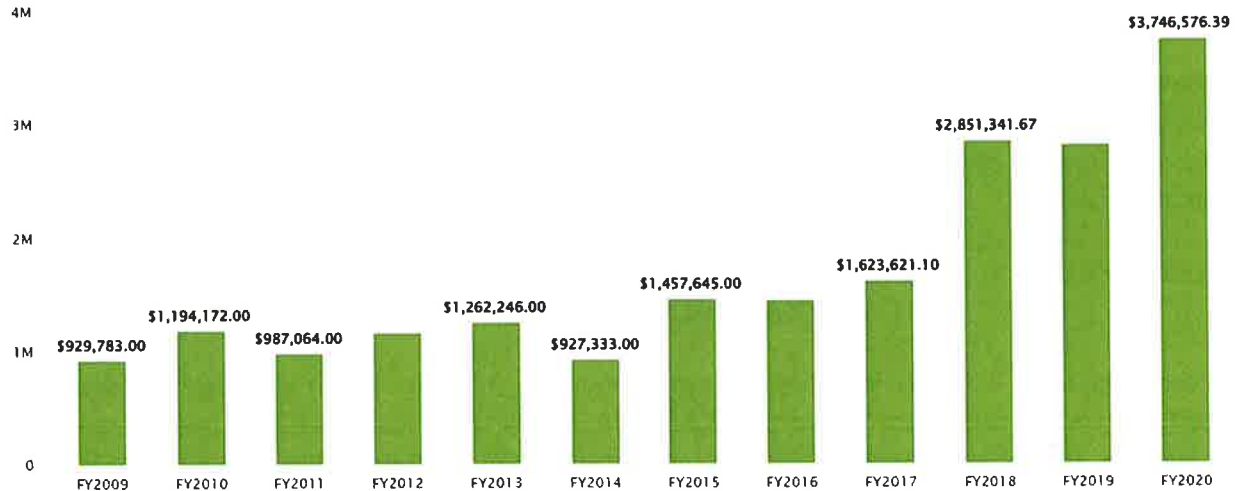


Figure and financial data derived from ClearGov

[\[https://cleargov.com/massachusetts/school/maynard/2020/expenditures?breakdowntype=department&objectid=951541\]](https://cleargov.com/massachusetts/school/maynard/2020/expenditures?breakdowntype=department&objectid=951541).

According to the latest ClearGov data, it costs the town \$51,036 per out-of-district student per year but we spend, in-district, \$20,315 per student per year. On a per student basis, we are paying more than double when parents opt to send their children out of district. It is financially prudent to spend at least some of this difference addressing parents' concerns and persuading them with tangible actions to keep their children in-district.

In their budget presentation, the School Committee proposed a plan of action to address the growth of the out-of-district costs and that plan has the full confidence of the petitioner. However, as of April 1st, 2022, the budget proposal contemplated by the selectboard does not fund the schools at the level required for the School Committee's plan to keep children in the district and start abating these out-of-district costs.

Should the town meeting pass the article, then the effect will be to fix the resultant total appropriation of the schools from the omnibus budget article appropriation originally proposed by the selectboard and from this article to \$22,098,934.00 which represents the School Committee's original budget request and fully funds their plans to abate our out-of-district costs. If after amendments, the omnibus budget article appropriates more than this amount, then this article shall have no effect.

The typical but not required procedure for town meetings to correct this issue would be a budget amendment. However, given the highly atypical circumstances our town finds itself in, coming out of a once in a century pandemic emergency, followed by inflation at a 40 year high, with record setting gas prices, it is prudent to put all funding options, even atypical ones, on the table for the people and town government to consider. This is especially important given the severity of the above projections for our out-of-district spending and the fact that in the next couple of years our town has very few prospects for new growth as a means to increase revenues.



TOWN OF MAYNARD OFFICE OF THE TOWN CLERK

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Maynard, MA 01754

This article archives this goal by appropriating spending without specifying a funding source. This is explicitly permitted for citizen petitions under Section 2-7, Paragraph c, Subparagraph 3, Item ii of the Maynard Town Charter [<https://www.townofmaynard-ma.gov/wp-content/uploads/2021/04/maynard-town-charter-20200613.pdf>].

Furthermore, this act is also in compliance with Massachusetts General Law per the Handbook for Massachusetts Selectmen on Page 109:

“Nevertheless, budgets with a higher level of appropriations than supported by estimated revenues could be in place at the beginning of the fiscal year. Appropriations are valid spending authority in such cases until they are rescinded by the local appropriating body. Departments may continue to spend at appropriated levels, even though spending cuts will probably be needed to bring the budget into balance. Alternatively, additional revenue may be sought by placing an override or exclusion before the voters. Approval of the referendum would bring the budget into balance and allow a tax rate to be set. Defeat of such a referendum, however, does not, of its own force, cause the rescission of the budget as a whole, or any particular appropriations made for the purposes described in the question.”

The Handbook further elaborates on page 61:

“Given the financial challenges facing local government, a fall town meeting is often held to make adjustments to the annual budget when more information may be known and additional funds may be available.”

[In Ouellette, J., Massachusetts Selectmen's Association., & Massachusetts Municipal Association. (2014). Handbook for Massachusetts Selectmen.] Also available online as a public record from the Town of Pembroke, MA, [https://www.pembroke-ma.gov/sites/g/files/vyhlf3666/f/uploads/mma_bos.pdf].

The options to provide funding for this article include but are not limited to:

1. Amendment of the budget at this annual town meeting or at a subsequent special town meeting
2. Transfer of free cash
3. Stabilization fund transfer
4. Proposition 2½ override

Town meetings can only initialize some of these options. Others have to be initialized or may need requirements waived by the selectboard. The design and wording of this article maximizes the flexibility for all parts of the town government to fund it. The petitioner maintains that for the purposes of qualifying for these funding sources, the cumulative catastrophic events of the last two years and the impact it has had on not only the education of children but on our town revenues represent a “catastrophic act”, and a “unforeseen emergency.” Further details regarding these funding sources can be found in the Handbook for Massachusetts Selectmen and in Maynard’s Financial Policy Manual [<https://www.townofmaynard-ma.gov/wp-content/uploads/2020/09/financial-policy-manual-202008.pdf>].



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**


MOTION MADE: Cavan Stone moved to pass over the article.

MOTION WAS SECONDED.

MOTION PASSED BY A SHOW OF HANDS

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 12

**ARTICLE: 12 CITIZENS' PETITION TO AMEND BY-LAW CHAPTER 37, SECTION 4
SOLID WASTE COLLECTIONS**

To see if the town will vote to amend the Town By-Laws by adding the following section to chapter 37:

Section 4: All appropriations and subsidies to private solid waste collection companies shall be available to all companies legally able to operate in the town and shall be based upon residents and local businesses utilization of their services.

To do or act thereon.

SPONSORED BY: Citizens' Petition
APPROPRIATION: None
FINCOM RECOMMENDATION: Does Not Recommend

Comments: (Sponsor) This article is intended to improve the financial efficiency of solid waste disposal. While people are free to choose their own solid waste disposal provider. The subsidy the town currently provides to EL Harvey significantly distorts the market. This subsidy is economically wasteful in the net total spending of tax dollars and fees because the town government is picking winners and losers among private companies and inhibiting economic competition

The town's actions are also biased against our local Maynard companies. There are numerous companies located inside Maynard that can provide trash pickup services at comparable rates to even the subsidized fees we are currently paying the town. EL Harvey is not one of them. EL Harvey is actually owned by Waste Connections, a giant corporation headquartered in Woodlands, Texas. Our town government should be helping our local businesses thrive, not subsidizing the giant and distant corporate competitors squashing them.

Comments: (Finance Committee) FinCom does not recommend passage of this article. Should this article pass, it will be an advisory request only. The Board of Health and Select Board are the statutory authorities on waste management for the town. Due to laws prohibiting public funds for the use of private contract payment, this request cannot be granted.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

MOTION MADE: Cavan Stone moved to pass over the article.

MOTION WAS SECONDED.

MOTION PASSED BY SHOW OF HANDS.

True Copy

Attest:



Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 13

ARTICLE: 13 SEWER ENTERPRISE FUND BUDGET FISCAL YEAR 2023

To see if the town will vote to recommend that the following sums be appropriated to operate the Sewer Enterprise Fund, in accordance with the provisions of M.G.L. c. 44 § 53F ½. Such sums of money as may be necessary, together with revenue from the Sewer Enterprise Fund operations, to defray the expenses for Fiscal Year 2023 (July 1, 2022 – June 30, 2023).

TOTAL REVENUES **\$3,494,227.00**

EXPENSES - DIRECT

Sewer - Salaries	\$ 346,803.00
Sewer – Expense	\$ 419,450.00
Sewer - Capital	\$ 350,456.00
Sewer - Long Term Debt Principal	\$ 620,759.00
Sewer - Long Term Debt Interest	\$ 157,366.00
Sewer - Waste Water Treatment Plant Expense	<u>\$ 1,253,927.00</u>
TOTAL EXPENSES - DIRECT	\$ 3,148,761.00

EXPENSES - INDIRECT

Insurance - Health/Life/Unemployment	
Retirement	\$ 110,936.00
Shared Employee Costs	<u>\$ 234,530.00</u>
TOTAL EXPENSES - INDIRECT	\$ 345,466.00

TOTAL FY2023 BUDGET **\$ 3,494,227.00**

To do or act thereon.

SPONSORED BY:	Select Board
APPROPRIATION:	\$ 3,148,761.00
FINCOM RECOMMENDATION:	Recommends

Comments: (Sponsor) The Fiscal year 2023 Sewer Enterprise Budget is an (-0.76%) reduction from Fiscal Year 2022. The reduction in Fiscal Year 2023 Sewer Enterprise Fund Budget is a result of an indirect cost analysis that shifted allocation funding proportionality between water and sewer enterprise funding accounts.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

Comments: (Finance Committee) Passage of this article would adopt the proposed Sewer Enterprise Fund Budget for FY23, total \$3,494,227, and appropriate \$3,148,761 for Direct Expenses. (While the \$345,466 in Indirect Expenses is appropriated through the Town General Fund Budget, this amount is reimbursed by the Sewer Enterprise Fund.) The FinCom supports the decrease in the Sewer Enterprise Fund budget, which is a result of an indirect cost analysis that shifted allocation funding proportionality between water and sewer enterprise funding accounts.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 13 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 96 / NO: 4

True Copy

Attest:


Patricia A. Clifford



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 14

ARTICLE: 14 WATER ENTERPRISE FUND BUDGET FISCAL YEAR 2023

To see if the town will vote to recommend that the following sums be appropriated to operate the Water Enterprise Fund, in accordance with provisions of M.G.L. c. 44 §53F ½ such sums of money as may be necessary, together with revenue from Water Enterprise Fund operations, to defray the expenses for FY2022 (July 1, 2022 – June 30, 2023).

TOTAL REVENUES	\$2,488,423.00
EXPENSES - DIRECT	
Water - Salaries	\$ 371,942.00
Water – Expense	\$ 919,101.00
Water - Capital	\$ 109,660.00
Water – Long Term Debt Principal	\$ 530,535.00
Water – Long Term Debt Interest	<u>\$ 116,950.00</u>
TOTAL EXPENSES - DIRECT	\$2,048,188.00
EXPENSES - INDIRECT	
Insurance - Health/Life/ Unemployment	
Retirement	\$ 145,418.00
Shared Employee Costs	<u>\$ 294,817.00</u>
TOTAL EXPENSES - INDIRECT	\$ 440,235.00
TOTAL FY2023 BUDGET	\$ 2,488,423.00

To do or act thereon.

SPONSORED BY:	Select Board
APPROPRIATION:	\$ 2,048,188.00
FINCOM RECOMMENDATION:	Recommends

Comments: (Sponsor Select Board / DPW) “The Fiscal year 2023 Water Enterprise Budget is a 9.5% increase from Fiscal Year 2022. The increase in Fiscal Year 2023 Water Enterprise Fund Budget is a result of rising expenditures due to several factors including inflation, contract services, collective bargaining, state and federal unfunded mandates, indirect cost proportionate allocation, and increased need for capital improvements to distribution and treatment. Including debt service for the #4 Water treatment facility upgrades to support the installation of the utilities new Water source, Well “4A”.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

Comments: (Finance Committee) Passage of this article would adopt the proposed Water Enterprise Fund Budget for FY2023, total \$2,488,423, and appropriate \$2,048,188 for Direct Expenses. (While the \$440,235 in Indirect Expenses is appropriated through the Town General Fund Budget, this amount is reimbursed by the Water Enterprise Fund.) The Finance Committee supports the increase in the Water Enterprise Fund budget, as it reflects needed spending for water infrastructure, including debt service for the #4 Water treatment facility upgrades to support the installation of the utilities new Water source, Well "4A".

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 14 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 96 / NO: 4

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 15

**ARTICLE: 15 TRANSFER FROM SEWER RETAINED EARNINGS FISCAL
YEAR 2023**

To see if the town will vote to transfer from "Sewer Retained Earnings" the sum \$200,000.00 for the purpose of establishing a reserve fund within the Fiscal Year 2023 (FY23) Sewer Enterprise operating budget to provide for unanticipated expenditures.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$200,000.00
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The transfer of Sewer Retained Earnings for the purpose of establishing a reserve fund within the Sewer Enterprise budget allows the Select Board, as the town's water and sewer enterprise commissioners, in conjunction with the Department of Public Works (DPW) Director, to efficiently respond to unanticipated failures within the town's public sewer (effluent) utility system. Swift response is required for issues that arise from the aging system. Large amounts of the utility's infrastructure are well beyond its designed life cycle. Establishing dedicated reserve funds follows established best practice policies for fiscal responsibility.

Comments: (Finance Committee) This article would use \$200,000 of the \$961,699 of Sewer Retained Earnings to establish a reserve fund within the Sewer Enterprise Fund for unanticipated expenses like pipe failures. Sewer Retained Earnings are the surplus funds from the Sewer Enterprise Fund from FY21. The balance of the Sewer Retained Earnings is held in the Sewer Enterprise Fund and would require Town Meeting action to appropriate the money. We are deliberately building a surplus in the Sewer Enterprise Fund for our aging infrastructure needs.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**


MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 15 as printed in the Warrant, except the words “to do or act thereon”.

MOTION WAS SECONDED.

MOTION PASSED YES: 99 / NO: 5

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 16

**ARTICLE: 16 TRANSFER FROM WATER RETAINED EARNINGS FISCAL
YEAR 2023**

To see if the town will vote to transfer from “Water Retained Earnings” the sum \$500,000.00 for the purpose of establishing a reserve fund within the Fiscal Year 2023 (FY23) Water Enterprise operating budget to provide for unanticipated expenditures.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$500,000.00
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The transfer of Water Retained Earnings for the purpose of establishing a reserve fund within the Water Enterprise budget allows the Select Board, as the town’s water and sewer enterprise commissioners, in conjunction with the Department of Public Works (DPW) Director, to efficiently respond to unanticipated failures within the town’s public drinking water utility system. Swift response is required for issues that arise from the aging system. Large amounts of the utility’s infrastructure are well beyond its designed life cycle. Establishing dedicated reserve funds follows established best practice policies for fiscal responsibility.

Comments: (Finance Committee) This article would use \$500,000 of the \$857,417 of Water Retained Earnings to establish a reserve fund within the Water Enterprise Fund for unanticipated expenses like pipe failures. The Water reserve fund is larger than the Sewer reserve fund because we anticipate more issues with Water infrastructure. Water Retained Earnings are the surplus funds from the Water Enterprise Fund from FY21. The balance of the Water Retained Earnings is held in the Water Enterprise Fund and would require Town Meeting action to appropriate the money. We are deliberately building a surplus in the Water Enterprise Fund for our aging infrastructure.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 16 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 99 / NO: 5

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 17

**ARTICLE: 17 ALLOCATION OF BOND PREMIUM TO COSTS OF THE WELL 4A
TREATMENT PROJECT FOR FISCAL YEAR 2022**

To see if the Town will vote to appropriate \$19,229.08 to pay costs of the Well 4A Treatment Plant Improvement Project, so-called, and that to meet this appropriation, said amount shall be transferred from the balance of bond sale premium received upon the sale of the Town's \$1,900,000 General Obligation Municipal Purpose Loan of 2018 Bonds, dated August 8, 2018, or otherwise, or to take any other action relative thereto.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$19,229.08
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) On August 8, 2018, the Town issued \$1,900,000 General Obligation Municipal Purpose Loan of 2018 Bonds (the "Bonds"). A premium is generated when the stated interest rate on a bond, called the coupon rate, is greater than the yield (the rate of return) to the investor. For the "Bonds" issuance the town received \$19,229.08 in premium associated with the \$1,900,000 bond issuances for capital expenses that include the Well 4A Treatment Plant Project. Bond authorizations at Town Meeting often include the value of a premium to be applied to the specified project. This vote would allow the town to allocate the \$19,229.08 in premium received from the August 8, 2018, bond sale to the Well 4A project to pay for any additional costs. This appropriation is not derived from any new utility rate changes or new tax collection.

Comments: (Finance Committee) Passage of this article will appropriate \$19,229.08 from premium received for the sale of the Bonds to pay for costs of the Well 4A Treatment Plant Improvement Project. Town entities offer municipal bonds for sale to investors as a form of debt used to raise funds. Such bonds provide the investor with fixed interest payments at future dates. In 2018, the Town of Maynard issued \$1,900,000 General Obligation Municipal Purpose Loan of 2018 Bonds (the "Bonds") with maturity dates from 2019 through 2038 and coupon rates between 3.125% and 4%. The Bonds were issued for the purpose of sewer improvements (\$1,000,000) and water improvements (\$900,000). When bonds are purchased by an investor at a yield less than the coupon (stated interest) rate, a premium exists for the issuer.



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**195 Main Street
Maynard, MA 01754**

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 17 as printed in the Warrant, except the words “to do or act thereon”.

MOTION WAS SECONDED.

MOTION PASSED YES: 99 / NO: 5

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 18

ARTICLE: 18 AMEND BY-LAW CHAPTER 31 WATER RESOURCE MANAGEMENT

To see if the town will vote to amend the Town of Maynard General By-Laws Chapter 31 Pumps, Wells, Fountains, Etc., by deleting it in its entirety and replacing it with the language contained below, so as to comply with a condition of Water Management Permit #9P4-2-14-174.01 received from the MA Department of Environment Protection (MA DEP) and bring the Bylaw into compliance with the Permit's requirements.

CHAPTER 31

WATER RESOURCE MANAGEMENT

Section 1: Authority

This By-law is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c.40, §§21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c. 41, §69B. This by-law also implements the Town's authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §15-17. This by-law is also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00.

Section 2: Purpose

The purpose of this by-law is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this by-law and/or by the Department of Environmental Protection under its state law authorities.



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Section 3: Applicability

All Town residents that are customers of the public water supply system shall be subject to this by-law. This by-law shall be in effect year-round.

Section 4: Definitions

Agriculture - shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.¹

Automatic irrigation system - including sprinklers, shall mean any system for watering vegetation other than a hand-held hose or a bucket.

Nonessential outdoor water use - shall mean those uses that are not required:

- A. for health or safety reasons;
- B. by regulation;
- C. for the production of food and fiber;
- D. for the maintenance of livestock; or
- E. to meet the core functions of a business.

Nonessential outdoor water uses that are subject to mandatory restrictions include:

- A. irrigation of lawns via sprinklers or automatic irrigation systems;
- B. washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
- C. washing of exterior building surfaces, parking lots, driveways, or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

Exceptions to nonessential outdoor water uses are:

- A. irrigation of lawns, gardens, flowers, and ornamental plants by means of a hand-held hose controlled by a nozzle or a drip-irrigation system; and
- B. irrigation with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and approval by the Town, through its Select Board acting as the Department of Public Works or as Water Commissioners or their designee:

- A. irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM;
- B. irrigation to establish replanted or resodded lawn or plantings during the months of May and September.

¹ This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aquacultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.



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- C. irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and
- D. filling of privately owned outdoor pools.

Person - shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Water Supply Emergency - shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G, §15-17.

State of Water Supply Conservation - shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 5 of this by-law.

Water Customers - shall mean all persons using the public water supply irrespective of that person's responsibility for billing purposes for use of the water.

Section 5: Declaration of a State of Water Supply Conservation

The Town, through its Select Board acting as the Department of Public Works or as Water Commissioners or their designee authorized to act as such:

- A. may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands; and
- B. shall declare a State of Water Supply Conservation as necessary to ensure compliance with the Water Management Act.

Upon notification to the public that a State of Water Supply Conservation has been declared, no water user shall violate any provision, restriction, requirement or condition of the declaration. The Town, through its Select Board acting as the Department of Public Works or as Water Commissioners or their designee may designate the Town Administrator, DPW Director, or Water Superintendent to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under Section 8 of this by-law before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.

Section 6: Declaration of a State of Water Supply Emergency

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no water user shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. Public notice of a State of Water Supply Emergency shall be given under Section 8 of this by-law before it may be enforced. The applicable restrictions, conditions or requirements shall be included in the public notice.



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Section 7: Restricted Water Uses²

A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency shall include one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers (and water users²) as necessary to control the volume of water pumped each day, except as provided as acceptable in Section 4. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 8.

- A. Nonessential outdoor water use days:** Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Conservation or a State of Water Supply Emergency and public notice thereof. During a State of Water Supply Conservation, nonessential outdoor water use is restricted as necessary to ensure compliance with the Water Management Act, or for a Town or Water District without a Water Management Act permit, to two days or fewer per week.
- B. Nonessential outdoor water use hours:** Nonessential outdoor water use is permitted only during the hourly periods specified in the State of Water Supply Conservation or State of Water Supply Emergency and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.
- C. Nonessential outdoor water use method restriction:** Nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle.
- D. Nonessential outdoor water use ban:** Nonessential outdoor water use is prohibited at all times.
- E. Automatic irrigation systems, including sprinklers:** The use of automatic irrigation systems, including sprinklers is prohibited.

Section 8: Public Notification and Notification of DEP

- A. Public Notification of a State of Water Supply Conservation** – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town of Maynard as part of a Public Water Supply Utility's conservation procedures shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such means reasonably calculated to reach and inform all water customers.
- B. Public Notification of a State of Water Supply Emergency** – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department shall be made as soon as possible, but not later than 48 hours after the public water system receives notice of the Department's declaration of a State of Water Supply Emergency, by publication in a newspaper of general circulation with the Town and by signage on major roadways or intersections. Notification may also include email, Web sites, public service announcements on local media, reverse 911 calls or other such

² Many Water Management permits include specific language restricting outdoor water uses. Each town, city or district should consult their Water Management permit to ensure consistency with permit requirements.



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means reasonably calculated to reach and inform all water customers of the State of Water Supply Emergency.

- C. Any restriction imposed pursuant to Section 5 or Section 6 or in the Department's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided.
- D. **Notification of DEP:** Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

Section 9: Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Select Board acting as the Department of Public Works or as Water Commissioners or their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist, or in accordance with the Water Management Act permit conditions. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 8a for notice of its imposition.

Section 10: Termination of a State of Water Supply Emergency; Notice

Upon notification to the Town through its Select Board acting as the Department of Public Works or as Water Commissioners or their designee that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required in Section 8b for notice of its imposition.

Section 11: Penalties

The Town, through its Select Board acting as the Department of Public Works or as Water Commissioners or their designee including the water superintendent, building inspector and/or local police may enforce this by-law. Any person violating this by-law shall be liable to the Town in the amounts listed below:

Penalty:	First violation: Warning
	Second violation: \$50.00 Fine
	Third violation: \$100.00 Fine
	Fourth and subsequent violations: \$200.00 Fine

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with section 21D of chapter 40 of the general laws. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the water superintendent or the superintendent's designee. If a State of Water Supply Emergency has been declared, the Select Board acting as the Department of Public Works or as Water Commissioners may, in accordance with G.L. c. 40, s. 41A, shut off the water at the meter or the curb stop



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Section 12: Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

To do or act thereon.

SPONSORED BY: By-Law Committee
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) Presented amendment of the Town of Maynard's current Water Pumps, Wells, Fountain, etc. By-Law is a condition of the Town of Maynard's recently amended and approved Water Management Act, permit #9P4-2-14-174.01 as part of the Towns request for additional water withdrawal source (Well 4A). This By-Law amendment must be adhered to as part of the special conditions put forth by the Massachusetts Department of Environmental Protection (DEP); Special Condition 6, Seasonal Limits on Nonessential Outdoor Water Use. By-Law amendment as presented meets the criteria set forth by DEP as part of special condition 6.

Comments: (Finance Committee) The passage of this article would delete the Town of Maynard General By-Laws Chapter 31 and replace it with this language which complies with a condition of Water Management Permit received from the MA Department of Environment Protection. FinCom supports this passage, as it would keep the Town of Maynard in compliance with the MA DEP, also ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats during a "State of Water Supply Conservation" or a "State of Water Supply Emergency".

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 18 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 99 / NO:5

True Copy

Attest:

Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 19

**ARTICLE: 19 COMMUNITY PRESERVATION RESERVE FUND
APPROPRIATIONS FOR FISCAL YEAR 2023**

To see if the town will vote to appropriate from Community Preservation Funds the amounts recommended by the Community Preservation Committee (CPC) for community preservation projects, as presented to the CPC, with each item to be considered a separate appropriation, in accordance with the requirements of Massachusetts General Laws Chapter 44B. At the discretion of the CPC, the deadline to return unexpended funds to their funding source may be granted an extension of up to one year.

Appropriations:

From the Community Housing Reserve Fund, the amount of **\$30,000.00** for the Maynard Affordable Housing Trust Fund.

From the Community Housing Reserve Fund, the amount of **\$10,500.00** for membership dues to the Regional Housing Services Office.

From the Historic Preservation Reserve Fund, the amount of **\$25,000.00** for the MACRIS survey, with unexpended funds as of June 30, 2024, being returned to their funding source.

From the Historic Preservation Reserve Fund, the amount of **\$13,000.00** to Restore and Preserve the Ice House Foundation, with unexpended funds as of June 30, 2024 being returned to their funding source.

From the Historic Preservation Reserve Fund, the amount of **\$15,000.00** for the Curfew Bell Display, with unexpended funds as of June 30, 2024, being returned to their funding source.

From the Open Space Reserve Fund, the amount of **\$50,000.00** for the Conservation Trust Fund.

From the Open Space Reserve Fund, the amount of **\$7,094.00** for the Ice House Landing Improvements, with unexpended funds as of June 30, 2024 being returned to their funding source.

From the Budgeted Reserve Fund, the amount of **\$110,000.00** for the Keenan Girls' Softball Field, with unexpended funds as of June 30, 2024, being returned to their funding source.



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To do or act thereon.

SPONSORED BY: Community Preservation Committee
APPROPRIATION: \$260,594.00
FINCOM RECOMMENDATION: Recommends

Comments (Sponsor): The funding for these projects comes from a 1.5% real estate tax surcharge on residential properties and a partial state match. Applications for projects can come from community groups and town departments. Project eligibility to use this funding is defined by state Community Preservation Act legislation.

- The funding for the Maynard Affordable Housing Trust will add to funds provided in previous years to support initiatives to create affordable housing in Maynard.
- The Regional Housing Services Office Membership will help the Town effectively implement, administer, and monitor affordable housing projects.
- The MACRIS project will fund a fourth cycle of the Massachusetts Cultural Resource Information System (MACRIS) survey in an effort to complete Maynard's historical inventory. The work in this phase will comprise area and inventory reports, as well as updating older inventory reports to bring them up to current Massachusetts Historical Commission standards.
- The Restore and Preserve Ice House Foundation project will preserve the remaining foundation of the historic James Bent Ice House, as well as create access to the site from the Assabet River Rail Trail. The project will also include the installation of an interpretive sign.
- Funding for the Curfew Bell Display project will be used to create a display table and frame so that the bell can safely be displayed with its clapper at the Maynard Public Library.
- The funding for the Conservation Trust Fund will add to funds provided in past years to support efforts to purchase property for conservation land protection.
- The funding for the Ice House Landing Improvements project will be utilized to improve the existing park area along the Assabet River and the Assabet River Rail Trail. The plan includes the addition of an educational kiosk and bench near the boat launch, as well as the clearing of overgrown hiking trails.
- The Keenan Girls' Softball Field project will fund the replacement of fencing around the field. The current fencing is in poor condition.

Comments (Finance Committee): Passage of this article will appropriate funds acquired from the Community Preservation Act (CPA) 1.5% real estate tax to the projects described in the article. The Community Preservation Committee (CPC) is charged with vetting the projects that apply for CPA money. They adhere to the restrictions for usage within the CPA legislation and deliberate on the benefits the projects bring to the Town. The proposed appropriations are a result of their due diligence in this process. The Keenan Softball fence project is a significant capital expense that improves our athletic field offerings, which is an area the CPC has heavily supported since its beginning, and this project is also supported by the DPW. The FinCom discussed the merit of all the projects within the article with members of the CPC and voted to recommend passage of this article.



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MOTION MADE: Mr. Gavin mov that the Town vote to approve Article 19 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES: 83 / NO: 7

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 20

**ARTICLE: 20 COMMUNITY PRESERVATION FUND BUDGET FISCAL
YEAR 2023**

To see if the Town will vote to appropriate or reserve from FY2023 Community Preservation Fund revenues in the amounts recommended by the Community Preservation Committee (CPC), with each item to be considered a separate appropriation:

Appropriations:

Administrative & Operating Expenses	\$ 10,000.00
Long-Term Debt - Principal	\$110,000.00
Long-Term Debt - Interest	\$ 11,900.00

Reserves:

Historic Preservation Reserve	\$ 40,000.00
Open Space Reserve	\$ 40,000.00
Community Housing Reserve	\$ 40,000.00
Budgeted Reserve	\$148,100.00

TOTAL FY2023 BUDGET \$400,000.00

To do or act thereon:

SPONSORED BY:	Community Preservation Committee
APPROPRIATION:	\$131,900.00
FINCOM RECOMMENDATION:	Recommends

Comments (Sponsor Comments): Community Preservation Fund monies come from a 1.5% real estate tax surcharge on Maynard residential properties and a partial state match. This article authorizes the FY23 amounts to be added to the community preservation reserve funds. The funds can be used to support a variety of community projects, as defined by state Community Preservation Act legislation. Applications for projects are reviewed annually, generally in the fall, and can come from community groups and town departments. This article also includes funding to cover ongoing debt payments on the municipal golf course land, which was purchased as a Community Preservation Fund project.

Comments (Finance Committee): Passage of this article would appropriate \$131,900.00 in FY2023 Community Preservation Funds to pay for operating expenses and debt. The balance (\$268,100) of the budgeted projection of \$400,000 will go into their Reserve Funds as shown in the article, to be appropriated at a later Town Meeting. The revenue collected through the



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Community Preservation Act (CPA) is a 1.5% real estate tax surcharge. CPA money can be appropriated from these funds for designated uses only, and the CPC has distributed the anticipated monies in this article according to the rules set forth by the CPA. The CPA program continues to be a valuable source of revenue to our Town with the added benefit of the state partial match of funds.

MOTION MADE: Mr. Gavin moved that the Town appropriate or reserve from FY2023 Community Preservation Fund Revenues in the amounts recommended by the Community Preservation Committee (CPC), with each to be considered as a separate appropriation:

Appropriations:

Administrative and Operating Expenses	\$ 10,000
Long-Term Debt – Principal	\$ 110,000
Long-Term Debt - Interest	\$ 11,900

Reserves:

Historic Preservation Reserve	\$ 45,000
Open Space Reserve	\$ 45,000
Community Housing Reserve	\$ 45,000
Budgeted Reserve	\$ 183,100

TOTAL FY2023 BUDGET	\$450,000
----------------------------	------------------

MOTION WAS SECONDED.

MOTION PASSED YES: 83 / NO: 7

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

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Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 21

**ARTICLE: 21 COMMUNITY PRESERVATION RESERVE FUND
APPROPRIATIONS FISCAL YEAR 2020**

To see if the town will vote to amend the previously approved Fiscal Year 2020 appropriation of \$50,000 from the Budgeted Reserve Fund. The Community Preservation Committee (CPC) recommends the language below to expand the scope of the Maynard High School Front Field Irrigation Project, in accordance with the requirements of Massachusetts General Laws Chapter 44B.

Appropriations:

From the Budgeted Reserve Fund, the amount of **\$50,000** for the Maynard High School Front Field Irrigation Project, including, but not limited to, designs, studies, plans, and other expenses relative thereto, with unexpended funds as of June 30, 2023 being returned to their funding source.

To do or act thereon.

SPONSORED BY: Community Preservation Committee
APPROPRIATION: **\$50,000**
FINCOM RECOMMENDATION: At Town Meeting

Comments (Sponsor): Passage of this article would redefine the appropriation of \$50,000 approved at Annual Town Meeting 2020 from the FY2020 Community Preservation Funds. The original appropriation was limited to the installation of an irrigation system. More study, designs and plans are sought before installation.

Comments (Finance Committee): Recommended



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OFFICE OF THE TOWN CLERK**

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Maynard, MA 01754


MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 21 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED: YES 83 / NO 7

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



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OFFICE OF THE TOWN CLERK**

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June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 22

ARTICLE: 22 AMEND BY-LAW, CHAPTER 38, PERIODIC FINANCIAL REPORTS

To see if the town will vote to Amend the Town By-laws by adding the following chapter:

CHAPTER 38

PERIODIC FINANCIAL REPORTS

Section 1: The Town Administrator or their designee shall provide preliminary quarterly financial reports to the Select Board, Finance Committee, and the citizens of Maynard through posting said reports on the town web site.

Section 2: The preliminary quarterly financial reports shall be an All-Department Expenditure Report of the General Fund and an Expenditure Report for all Enterprise Funds. Included in the report shall be the account, description, carry forward, original budget, amended, encumbered, expended, unencumbered balance, and the percent expended, for all accounts of the General Fund and all Enterprise Funds.

Section 3: The preliminary quarterly financial report shall be compiled after the end of the fiscal quarter and be distributed within two (2) weeks of the end of the quarter.

Section 4: Nothing in this by-law shall preclude the reports being provided on a more frequent basis.

To do or act thereon.

SPONSORED BY:	By-law Committee
APPROPRIATION:	None
FINCOM RECOMMENDATION:	Recommends

Comments (Sponsor): The Town Charter Review Committee believes that this By-law is required to ensure financial transparency and openness within the town. The quarterly requirement should not put a burden on the Town Accountant's office since they have already been providing this information to the Finance Committee (FinCom) and if it is undemanding, could be provided on a monthly basis. Since the By-law Committee has the task of updating the By-laws with the adoption of a revised Charter, we felt



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OFFICE OF THE TOWN CLERK**

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that for this By-law, we could be proactive and get this done early, regardless if the change in the Charter is adopted.

Comments: (Finance Committee) The article would require the publishing on the town website of preliminary quarterly reports on town expenditures. The goal is to make this information on the current year's financial activity available to town residents in a timely manner. These reports are already produced by the Town Accountant and this requirement should not be burdensome to town staff.

MOTION MADE: Mr. Gavin moved that the Town approve Article 22 as printed in the warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED: BY SHOW OF HANDS.

True Copy

Attest:

Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

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Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 23

**ARTICLE: 23 LEASING AUTHORIZATION THROUGH AMBULANCE RECEIPTS
FUND APPROPRIATIONS FOR FIRE DEPARTMENT**

To see if pursuant to Chapter 44 Section 21c to authorize the Selectboard to enter into lease agreement for the lease and purchase of a E-One Typhoon Pumper with Emax pump for a period of seven (7) years but in any event not in excess of the useful life of the property to be procured on such term and conditions as the Selectboard deem in the best interest of the Town; and to authorize the Select Board to take all actions necessary to administer and implement such agreement and to fund the first year of the lease with a \$118,000.00 transfer from Ambulance Receipts for the payment required in the first fiscal year.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$118,000.00
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The payment will be made annually for 7-years from revenue generated by the ambulance receipts. A new fire department pumper to replace the current engine 1. Engine 1 is currently 21-years old, is nearing the end of its useful life. The expected lifespan for a pumper is about 20-years with 10 of those being as a first due piece of fire apparatus, and the second 10 being as a back-up or second due apparatus. This vehicle will be purchased from the Fire Chiefs Association of Massachusetts Collective Purchasing Program.

Comments: (Finance Committee) The Finance Committee recommends passage of this article which will allow the Maynard Fire Department to pay for a new pumper truck, what we citizens would probably refer to as a "fire truck". The lease/purchase of this new truck is in the best interest of public safety since it will allow the Fire Department to safely fulfill their duties when responding to calls. This authorization will be for one year with the intention to continue funding this lease/purchase for seven total years.



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OFFICE OF THE TOWN CLERK**

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Maynard, MA 01754**


MOTION MADE: Mr. Gavin moved that the Town approve Article 23 as printed in the warrant, except the words "to do or act thereon".

MOTION WAS SECONDED

MOTION PASSED: Yes 82 / NO 0

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



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OFFICE OF THE TOWN CLERK**

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Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 24

**ARTICLE: 24 TRANSFER FUNDS FROM AMBULANCE RECEIPTS RESERVED FOR
LEASE APPROPRIATION
FOR FISCAL YEAR 2023**

To see if the town will vote to transfer the sum of \$76,555.26 from Fund 3017 Ambulance Receipts Reserved for Appropriation to pay for the third year of the five-year lease appropriated at the June 2020 Town Meeting for the purchase of an ambulance.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$76,555.26
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) This is the third payment in a five-year plan to lease purchase an Ambulance to purchase a new ambulance to allow the fire department to move the existing 2013 ambulance to reserve status. Ambulances are the busiest vehicles in most fire department fleets and are typically replaced about every six-year's or even less based on the condition of the vehicle.

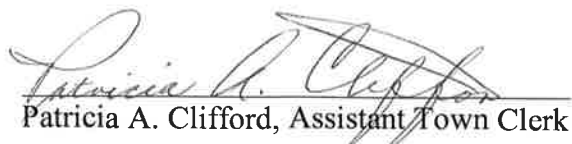
Comments: (Finance Committee) The Finance Committee recommends passage of this article which authorizes the transfer of funds to pay for the Fire Department's ambulance which is currently in use. The June 2020 Town Meeting already authorized the initial lease/purchase, this article simply authorizes the third out of five total payments.

MOTION MADE: Mr. Gavin moved that the Town approve Article 24 as printed in the warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED: Yes 82 / NO 0

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 25

**ARTICLE: 25 MAYNARD GOLF COURSE RECEIPTS TRANSFER
FOR FISCAL YEAR 2022**

To see if the town will vote to transfer the sum of \$65,000.00 from the Maynard Golf Course Receipts Reserved for Appropriation to pay for capital improvement to the golf course.

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$65,000.00
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The transfer of revenue receipts provided to the Town of Maynard per contractual agreement between Sterling Golf Management Inc. and Town of Maynard will be utilized to complete capital improvement projects to the Town of Maynard's Country Club assets. Requested allocations will directly be applied to full roof replacement & facility improvement to address several long-standing roof failures of the Clubhouse Facility, which continues to cause internal damage and structural capacity issues for the entire Clubhouse Facility. Maynard Country Club facilities currently house the Town of Maynard's Council on Aging and Country Clubs function hall. Roof failures have significantly impacted golf function business over the past several years. Function proceeds are part of a direct revenue payment to the Town of Maynard per contractual agreement.

Comments: (Finance Committee) The passage of this article would transfer the sum of \$65,000.00 from the Maynard Golf Course Receipts Reserved for Appropriation to pay for capital improvement to the golf course. Requested allocations will directly be applied to full roof replacement & facility improvement to address several long-standing roof failures of the Clubhouse Facility, which continues to cause internal damage and structural capacity issues for the entire Clubhouse Facility. FinCom supports this transfer, as it reflects needed spending on the structural support of the Maynard Golf Course. Function proceeds are part of a direct revenue payment to the Town of Maynard per contractual agreement.



**TOWN OF MAYNARD
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Maynard, MA 01754**

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 25 as printed in the Warrant, except the words “to do or act thereon”.

MOTION WAS SECONDED.

MOTION PASSED YES 82 / NO 1

True Copy

Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 26

ARTICLE: 26 PRIOR YEARS BILLS FISCAL YEAR 2022

To see if the town will vote to appropriate from certified free cash as of July 1, 2021, the sum of \$25,096.80 to be appropriated as follows:

Wheelabrator \$ 25,096.80

To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: \$ 25,096.80
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) The requested appropriation will satisfy outstanding balances from prior years related to solid waste disposal services and contract obligations.

Comments: (Finance Committee) The passage of this article would appropriate the sum of \$25,096.80 from certified free cash to Wheelabrator (waste collection and hauling), to pay an outstanding bill. This is a financial obligation for the town. It resulted from an oversight that has since been addressed.

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 25 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED BY A SHOW OF HANDS.

True Copy
Attest:


Patricia A. Clifford, Assistant Town Clerk



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
Maynard, MA 01754**

June 16, 2022

TOWN OF MAYNARD
ANNUAL TOWN MEETING CERTIFIED VOTE
Saturday June 11, 2022
Vote on Article 27

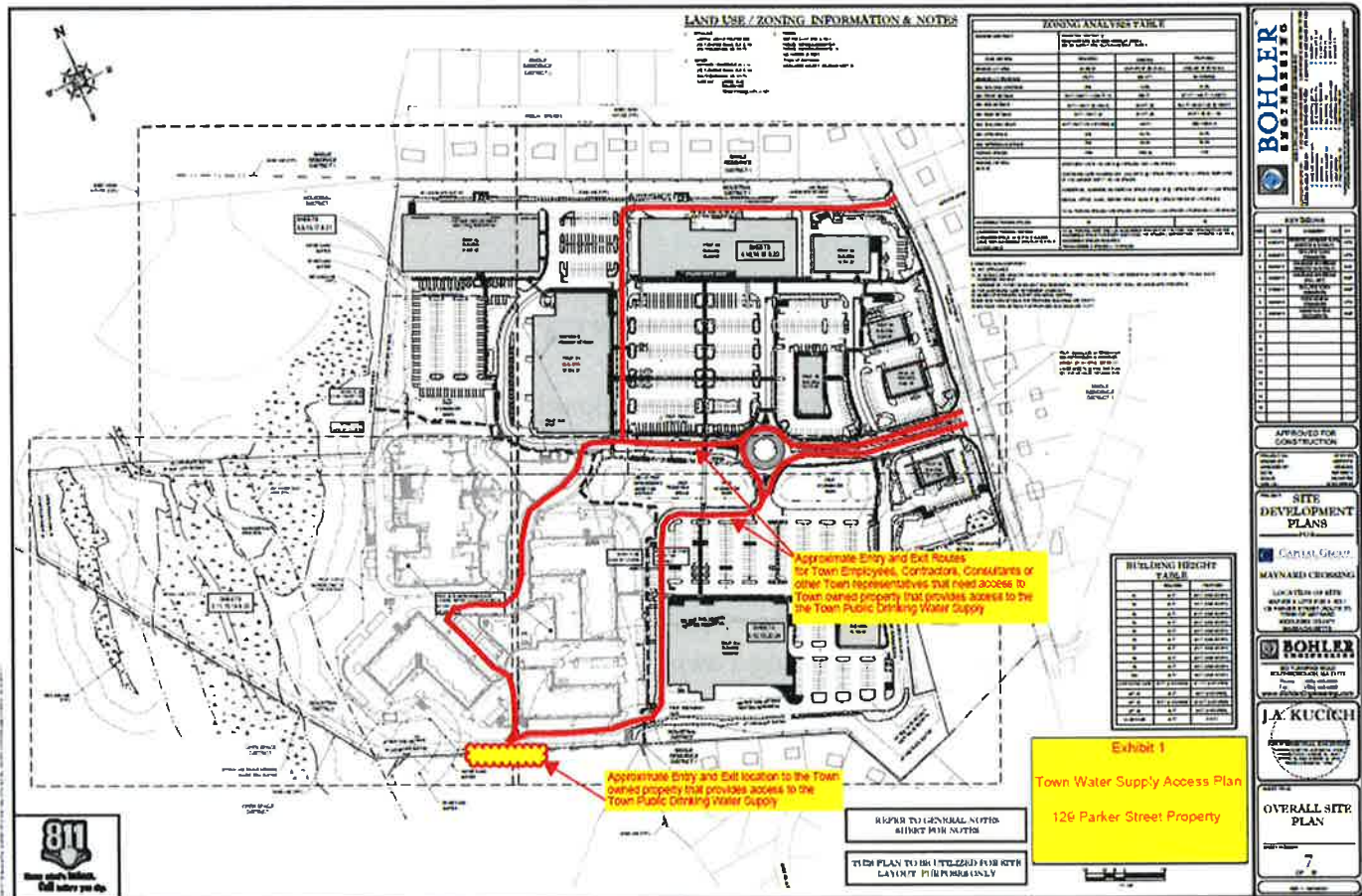
ARTICLE: 27 ACCEPTANCE OF EASEMENT AT 129 PARKER STREET PROPERTY

To see if the town will vote to authorize the Select Board, on such terms and conditions that are in the best interest of the Town, to accept a grant of easement for no consideration from Maynard Crossings, JV, LLC, Maynard Retirement Residence LLC, Digital Way Owner LLC, and all successors, assigns, mortgagees and all others taking title in fee or less than fee or otherwise acquiring an interest, over portions of land located at 129 Parker Street, Maynard, Massachusetts and substantially shown as "Appropriate Entry and Exit Routes..." and "Appropriate Entry and Exit location..." on the Sketch Plan (the "Plan") included with this Article for the purposes of crossing over the land to access abutting Town property to undertake construction and subsequent maintenance activities related to a water supply well, and further that the Select Board is authorized to take any further action to effectuate this acceptance; or pass any vote or take any action relative thereto.



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

195 Main Street
Maynard, MA 01754



To do or act thereon.

SPONSORED BY: Select Board
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: (Sponsor) Presented acceptance of the grant of easement over Maynard crossing property is a vital and necessary component for the Town of Maynard's Department of Public Works Water Division to perform necessary and required repairs and maintenance to our public drinking water supply infrastructure. This site provides access to the towns newly developed ground water well field (4A). Well 4A is Maynard's phase one water capacity improvement plan project which will be developed over the summer of 2022.

Comments: (Finance Committee) Passage of this article would authorize the Select Board to accept an easement at no cost, allowing access to certain portions of 129 Parker St. (also known as Maynard Crossing) for the purpose of construction and maintenance of



**TOWN OF MAYNARD
OFFICE OF THE TOWN CLERK**

**195 Main Street
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the Town's water supply well. *(Please refer also to the Sponsor's Comments and map in the Warrant.)*

MOTION MADE: Mr. Gavin moved that the Town vote to approve Article 25 as printed in the Warrant, except the words "to do or act thereon".

MOTION WAS SECONDED.

MOTION PASSED YES 83 / NO 0

True Copy

Attest:

Patricia A. Clifford, Assistant Town Clerk