



OFFICE OF THE  
**BOARD OF SELECTMEN**  
**TOWN OF MAYNARD**  
MUNICIPAL BUILDING  
195 MAIN STREET  
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June 3, 2020

**To All Maynard Voters:**

The following supplemental information is provided for consideration of voters at the Annual Town Meeting on June 13, 2020:

**ARTICLE: 16      ARTICLE 97 LAND TRANSFER**

Map/overlay of the described area:



**ARTICLE: 17        TAKING FOR BRIDGE CONSTRUCTION**

At the Board of Selectmen meeting held on June 2, 2020, it was unanimously voted in favor to pass over (considered withdrawn) Article 17 – Taking For Bridge Construction, on the June 13, 2020 Annual Town Meeting Warrant, for the following reasons:

The Massachusetts Department of Transportation (MassDOT) informed town staff that their updated designs for the construction of a replacement bridge over Florida Road contain a larger scope than originally proposed, and would therefore require additional easements and budgeting.

**ARTICLE: 24        HOME RULE PETITION – SPECIAL LEGISLATION CONCERNING LIQUOR LICENSE AT J. SALAMONE**

At the Board of Selectmen meeting held on June 2, 2020, it was unanimously voted in favor to submit an addendum to the sponsor comments of Article 24 on the June 13, 2020 Annual Town Meeting Warrant.

The Article and comments are to be reflected as follows:

**ARTICLE: 24        HOME RULE PETITION – SPECIAL LEGISLATION CONCERNING LIQUOR LICENSE AT J. SALAMONE**

To see if the Town will vote to authorize the Board of Selectmen to file a Home Rule Petition with the General Court for a special law authorizing the Town to grant an additional license for the sale of all alcoholic beverages to be drunk off the premises for the property located at 193 Main Street, Maynard. The proposed Special Act would read as follows:

**AN ACT AUTHORIZING THE TOWN OF MAYNARD TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES TO BE DRUNK OFF THE PREMISES AT 193 MAIN STREET**

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the local licensing authority of the town of Maynard may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises, under section 15 of said chapter 138, to J. Salamone Enterprises, Inc. d/b/a Russell's Convenience Store located at 193 Main Street in the town of Maynard, Massachusetts. The license shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall not approve the transfer of the license granted under this section to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If a licensee terminates or fails to renew a license granted under this section or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

(d) All licenses granted under this section shall be issued within 1 year after the effective date of this act; provided, however, that a license originally granted within that time period may be granted to a new applicant under subsections (b) or (c) thereafter.

SECTION 2. Upon the issuance of the license authorized under this act, the licensee shall return physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, its license for the sale of wine and malt beverages not to be drunk on the premises under section 15 of chapter 138.

SECTION 3. This Act shall take effect upon its passage.

And that the Board may make modifications and changes which do not effect the substance of the Act.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: Recommends

Comments (Finance Committee): Passage of this article would authorize the Board of Selectmen to seek an additional license for the sale of all alcoholic beverages to be drunk/consumed off the premises for Russell's Convenience Store, located at 193 Main Street. This matter was approved at 2019 Annual Town Meeting; however, the article at that time was missing the specific address for the licensee, which is now required by state law. Another Town Meeting vote to approve is required for this matter to go forward. *(See also sponsor's comments)*

Comments (Sponsor): ~~The Board of Selectmen wish to alter their body's official title to be gender neutral. This change would be reflected in the Town Charter and General Bylaws. A change to the Town Charter requires the state legislature's approval.~~

The state legislature issues liquor licenses to municipalities, primarily based on a ratio of population. The legislature must be petitioned for additional licenses. Advocates in support of this petition propose an additional license is necessary to balance the three (3) existing licenses for all alcohol package stores not to be drunk on premise. If granted by the legislature, interested parties must apply for the license to the Board of Selectmen per the town's established rules and regulations.

A similar article (Article 35) was accepted through an open majority vote during the 2019 Annual Town Meeting. The legislature has increased the level of detail necessary for a municipality to request an additional liquor license in recent years, and the language used in the 2019 article was not sufficient to authorize the Board of Selectmen to file a Home Rule Petition with the General Court for a special law authorizing the Town to grant an additional license for the sale of all alcoholic beverages. The language in this article has been drafted in collaboration with the State Legislature, and meets the current requirements.