

TOWN OF MAYNARD
Special Town Meeting
October 7, 2024

At the Special Town Meeting duly called and held at the Fowler School Auditorium, 3 Tiger Drive, on Monday, October 7, 2024 at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (75 Voters = quorum); **254** voters were present, and 11 guests were present.

The Town Moderator, Richard “Dick” Downey, called the meeting to order at 7:00 pm.

Moderator Downey declared a moment of silence for Joe Withington, DPW employee for the Town of Maynard, as well as all Maynard residents who passed away over the past year.

At the start of the meeting, Moderator Downey appointed William Kohlman as the Deputy Moderator.

MOTION PASSED SIGNIFICANTLY

Also at the start of the meeting, Moderator Downey asked for a vote by show of hands for Articles 4 and 5 to be grouped and voted together.

MOTION PASSED SIGNIFICANTLY

William Kohlman, Chair, Charter Review Committee, delivered the final Charter Review report and dissolved the Charter Review Committee.

ARTICLE: 1 AMEND THE TOWN GENERAL FUND BUDGET FISCAL YEAR 2025

Move to approve Article 1 as printed in the warrant, except the words “to do or act thereon”

Purpose:

To amend the Town’s General Fund budget reflecting both updated revenue from the state budget in the amount of \$126,588, and the updated and more precise debt service obligation to fund the construction of the new Green Meadow Elementary School. The increase for General Government is to supplement personnel contracting funds to address previously unsettled employment agreements and contractually obligated expenses.

The increase to Public Works is for the upfront costs of installing temporary fuel tanks to replace the already dysfunctional tanks at the Winter Street yard.

The increase to Maynard Public Schools is to supplement their facility maintenance budget.

SPONSORED BY: Select Board

APPROPRIATION: None

FINCOM RECOMMENDATION: Recommends

MOTION MADE: Mr. Swanberg 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 WITH A VOTE OF 197-YES / 10-NO

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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: Community Preservation Committee
APPROPRIATION: None
FINCOM RECOMMENDATION: Recommends

Comments: Bill Cranshaw, Sponsor, presented this article.

MOTION MADE: Mr. Cranshaw 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 SIGNIFICANTLY BY SHOW OF HANDS.

**ARTICLE: 3 BORROWING AUTHORIZATION THROUGH DEBT
EXCLUSION:ALUMNI FIELD BLEACHERS AND FACILITIES**

Move to approve Article 3 as printed in the warrant, except the words “to do or act thereon”

SPONSORED BY: School Committee
APPROPRIATION: \$3,400,000.00
FINCOM RECOMMENDATION: Recommends

Comments: Co-Sponsors, Natasha Rivera and Mary Brannelly, made a presentation on behalf of the School Committee.

Glenn Koenig, Charles Street, asked for clarification on what OPM stood for (Owners Project Manager). He asked about potential flooding and/or drainage issues.

Ms. Rivera replied that if this was in reference to the field, the field is not within the scope of this project. She was unaware of any drainage conversations regarding the bleachers and facilities project. She said the OPM could answer any concerns regarding this issue.

Jan Jones, Nick Lane, asked for clarification on how the decision was made to have fewer seats available than are available currently.

Ms. Brannelly spoke about the visitor bleachers that have been torn down. She explained that the number of seats has been decreased by 50% and this decision was cost-driven.

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Ms. Rivera explained the cost savings with less seating.

Mary Frain-Johnston, 3 King Street, asked for clarification of the current enrollment at Maynard High School and the number of student athletes that will benefit from the bleachers on this field. She also asked about attendance at these games.

Ms. Rivera explained each game was different and she cited ticket sales, which does not include some athletes, coaches, band members, etc. She added graduation will take place at the field when the weather cooperates.

Ms. Frain-Johnston asked if other teams will benefit from this improvement.

Ms. Rivera answered that soccer also uses Alumni Field.

Lisa Oakes-Dunham, 188 Main Street, asked if there have been efforts from the Town to look into state grants and/or corporate sponsorships to absorb the cost. She mentioned that the residents are currently paying for the Green Meadow School Building project.

Ms. Rivera spoke on the grants that have been investigated by the Town and how specific the qualifications are for these grants. She added that there are current sponsorships for the field from local businesses. These sponsorships are put towards field maintenance.

Tom Gorman, 12 Oscar's Way, he was Maynard's football coach, having left this position a few years back. He commented on the use of port-a-potties and the embarrassment this creates with spectators. He feels the time is now to fix the problem with Alumni Field.

Tom Hesbach, 2 Chandler Street, member of the Recreation Commission and Field Use Task Force and Bleachers Task Force, spoke on the scope of the project and the condition of the field. He stated that there are approximately 160 student athletes that use this field.

Robert Morel, 4 Guyer Road, spoke on disagreeing with assuming more debt, as the town has financial issues currently. He recommends to vote no.

Alexandra Howard, 9 Fowler Street, asked for clarification on the average house tax that will be incurred for the Green Meadow School project.

Ms. Rivera did not have those figures with her.

The Finance Committee estimated at \$750.00 per year increase on taxes.

Mary Frain-Johnston, 3 King Street, asked for the enrollment at Maynard High School.

Ms. Rivera confirmed there are approximately 309 students at the high school currently.

Ms. Frain-Johnston asked, given the small number of students that actually play, if this project was a good idea.

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Ms. Rivera explained that the middle school also uses the field. She added that there was an injury to a student on the current bleachers, which is what led the school committee to consider this project.

Julia Magnussen, Roosevelt Street, asked about the Town's delay in this project and the legal exposure this creates. She asked if there are any lawsuits regarding injuries and if the project moves forward is the Town immune to future law suits.

Ms. Rivera stated that currently the bleachers are not up to code, and that would be rectified with this project.

Adam Costa, Town Counsel, replied that he is unaware of any pending lawsuits against the town regarding this issue. Insurance counsel would receive those types of lawsuits, but the Town Administrator assured Mr. Costa that there are no pending lawsuits. He could not guarantee no future lawsuits for the town, but a safer facility will greatly reduce the threat.

Roger Stillwater, 17 Sunset Road, spoke on behalf of the senior population in Maynard and asked for senior center funding. He spoke on the numerous projects for the children. He urged a "no" vote for recreation prior to getting a new senior center.

Tom Hesbach, 2 Chandler Street, mentioned that the Recreation Commission, at their January of 2024 meeting, voted not to endorse this bleacher project unless it involved field improvement.

Glenn Koenig, 10 Charles Street, asked how many days during the entire year is this field used.

Ms. Rivera said that right after Covid, the bleachers were condemned so there is not any information regarding usage of the bleachers. The space used to be used for outside organization but has not since Covid. The facility is closed from Thanksgiving until the spring. The rental costs will go away with this project.

Chris Kline, 12 Euclid Avenue, asked if concessions was required and if there was consideration for staffing and costs associated with this part of the project.

Ms. Rivera answered that maintenance fees were discussed, as there will be more maintenance required for the bathrooms, concession stand, etc. Concession is not required for this project. There is a current concession area that will become storage. Maynard Public Schools staff will be responsible for maintenance of the project. The concessions will be maintained by the Booster Clubs.

Anthony Midey, 15 Sunset Road, spoke in favor of this project. He spoke about renting out the facilities for club teams. He mentioned how this facility is at the end of its useful life and eventually something will need to be done, so why not now?

Ms. Rivera explained that the cost for this project has fluctuated due to code changes.

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Robert Morel, 4 Guyer Road, asked for the annual tax burden increase per household for this project.

The Finance Committee answered that it is approximately \$7.00/month.

Mr. Morel stated that he didn't think the \$7.00 per month was what was scaring residents. He believes it is the cumulative tax burden that people are concerned about. If this was a water issue, most residents would take on the tax burden. Most residents don't view this as important.

Ed Mullen, 5 Nancy Circle, disagreed with that view. He spoke on the eyesore that this facility is for the Town of Maynard. He feels to do nothing will be more costly in the long run. He is in favor of this project.

Dorothy Cramer, Espie Avenue, asked how we could rent out this facility if the code determines the number of bathrooms that would need to be available. Additionally, would we need to pay a night custodian to open and close the facility?

Ms. Rivera stated that the full occupancy is what draws the full complement of bathrooms. There is staff that stays for the games currently. If someone were to rent the space, the personnel fee would be considered in the rental fee. The field, as a whole, is a Phase II of this facility, as well as the track.

Bill Cranshaw, Mockingbird Lane, this comes down to priorities. He mentioned the Capital Planning Committee projects that have been presented to the Select Board. This \$3.4 million would pay for a number of these projects, some that benefit the school. He spoke of the debt this will create, and the cost of renting out a senior center. He mentioned that next May the School Committee will be looking for approximately \$500,000 more dollars for operational money to hire or maintain current teaching staff. Prioritizing for him is to pick the teachers over the bleachers.

Jane Audrey Newhauser, Main Street, feels it is a lovely project that the Town may not be able to afford. She has, in the past, voted for all the school projects, but would like to see the senior citizens get some consideration.

Erica McDonald, 98 Summer Street, she agrees with the project, but also agrees the field and the track need to be replaced also. She asked for what the cost of the project would have been with the field and the track included.

When the Request for Proposals was sent out, the field and track were not part of the project, so that would have to be redone including those items.

Greg Johnson, Town Administrator, the procurement law will not allow additional scope of services to be placed on this project. We would have to start from scratch if we were to include additional items.

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Another resident came to speak after the comments were stopped by the Moderator. The Sergeant-at-Arms was called to remove the resident.

A vote was taken by the residents to allow this resident to speak. The vote was passed.

Ron Labbe, Glendale Street, questioned fundraising. He mentioned that even large arenas sell naming rights.

MOTION MADE: Natasha Rivera 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 FAILED WITH A VOTE OF 97-YES / 136-NO

Move to approve Article 4 as printed in the warrant, except the words "to do or act thereon"

Purpose: This article's purpose is to transfer retained earnings within the Water Enterprise Fund to support the outfitting of the already acquired utility truck. The use of funds from the water enterprise's retained earnings avoids borrowing and long-term interest payments. The procurement would not impact the water and sewer rates.

SPONSORED BY: Select Board
APPROPRIATION: None
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 (CapCom), with the following descriptions:

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

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MOTION MADE: Mr. DiSilva 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 PASSED WITH A VOTE OF 204-YES / 7-NO

ARTICLE: 5

**SEWER RETAINED EARNINGS TRANSFER FOR
WASTEWATER TREATMENT PLANT ANALYSIS**

Move to approve Article 5 as printed in the warrant, except the words “to do or act thereon”

Purpose: This article’s purpose is to transfer retained earnings within the Sewer Enterprise Fund to support an analysis of the town’s wastewater treatment plant’s capacity. This will allow the town to effectively explore replacement and upgrade options to the plant as major components of the treatment process are reaching their useful life expectancy.

SPONSORED BY: Select Board

APPROPRIATION: None

FINCOM RECOMMENDATION: Recommends

MOTION MADE: Mr. DiSilva 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 WITH A VOTE OF 204-YES / 7-NO

ARTICLE: 6

ACQUISITION OF SEWER UTILITY EASEMENTS

Move to approve Article 6 as printed in the warrant, except the words “to do or act thereon”

Purpose: This article authorizes the acquisition of easements to support the upgrading and enlarging of aspects of the town’s pump station network. The upgrades are identified as part of a larger design to address the sewer system’s vulnerabilities. The appraised cost of these easements are already budgeted within the Sewer Enterprise Fund.

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 WITH A VOTE OF 177-YES / 4-NO / 3-BLANKS

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ARTICLE: 7

**ADOPTION OF ENTERPRISE FUND FOR SOLID WASTE AND
RECYCLING SERVICES PROGRAM**

Move to approve Article 7 as printed in the warrant, except the words “to do or act thereon”

PURPOSE: (TBD – from Task Force) This article creates a new enterprise fund to begin in July 2025 for Fiscal Year 2026 that will modernize how the town conducts the business of trash and recycling collection services.

Bill Cranshaw, Mockingbird Lane, broke down the variety of ways the residents are paying for their trash removal, recycling, etc. He asked the Select Board if they increase the price of the stickers for trash, will the taxes be lowered accordingly.

Mr. Swanberg, Select Board Chair, stated that this is not the issue that is being voted on this evening. This is simply changing the mechanism for the enterprise fund vote.

Roger Stillwater, 17 Sunset Road, asked for clarification on this being a tax increase.

Meg Sobkowicz Kline replied that this is simply setting up the mechanism for the future. Setting up the enterprise fund allows the Town to account for every dollar that is being spent in the Trash/Recycling program.

Mr. Stillwater asked if the same amount of money in the town taxes will be going into the Enterprise Fund.

Ms. Sobkowicz Kline replied that this action has not been investigated yet.

Justine St. John, 2 Barilone Circle, asked for clarity on how the enterprise fund would be funded.

Mr. Swanberg said there will be no change in the immediate future for funding this. It would come from sticker sales and the portion of the taxes collected.

Justin Demarco, DPW Director, explained where the Town stands on trash/recycling efforts. He explained the timeline with the Harvey contract expires on June 30 2025.

Craig Altema, 16 Garfield Avenue, asked if compost has ever been a discussion.

Ms. Sobkowicz Kline said that this is definitely being discussed.

Ellen McManus, 11 Summit Street, asked if this changes anything like sticker prices or taxes.

Greg Johnson, Town Administrator, explained that by establishing this Enterprise Fund, this will still require a vote at Town Meeting.

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Ben Zautski, 9 Crane Avenue, explained enterprise funds.

Mark Decastro, Cutting Drive, asked what will happen if trash removal is removed from the tax base and residents decide to hire their own private contractor.

The task force is working hard to make sure this works for the entire town, as they would prefer the residents to stay with the town service.

MOTION MADE: Mr. Stevens 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 SIGNIFICANTLY BY SHOW OF HANDS.

ARTICLE: 8

**HOME RULE PETITION - SPECIAL LEGISLATION LIQUOR
LICENSE MAYNARD CORNER STORE, 49 WALNUT STREET**

Move to approve Article 8 as printed in the warrant, except the words “to do or act thereon”

PURPOSE: This article allows the town to petition the state to add a package store license to the town’s quota, to be applied for specifically by the Corner Store at 49 Walnut Street. This proposed new license would be the town’s fifth package store license.

Applicants: Mugresh Patel and Jeff Gendron

Jeff Dutton, Waltham Street, was under the impression this store already had a liquor license, as they sell beer and wine.

Ms. McConchie replied that an alcohol license would allow them to sell hard liquor as well.

Jill Snyder, asked how much money the town will make with this additional liquor license. She also asked if this was a one time fee.

Greg Johnson, Town Administrator, replied that it will be the requirement of the business to take advantage of their liquor license. This process is to ask the state to increase the number of licenses in Maynard. He added that the business would have to renew the license fee yearly.

Attorney Edmund Hurley represented the owners of the business. There is no anticipated number of sales at this time.

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MOTION MADE: Ms. McConchie 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.

MOTION PASSED SIGNIFICANTLY BY A SHOW OF HANDS

A motion was made by William Kohlman, 9 Howard Road, to dissolve the Special Town Meeting. The motion was passed unanimously, and the meeting was dissolved at 8:50 pm.