



Minutes for January 22, 2013

OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD

MUNICIPAL BUILDING
195 MAIN STREET

MAYNARD, MASSACHUSETTS 01754

Tel: 978-897-1301 Fax: 978-897-8457

Selectmen's Meeting Minutes

Tuesday, January 22, 2013

Room 201, Town Hall

Time: 7:00 pm

Present: Chairman Dawn Capello, Selectman Brendon Chetwynd, Selectman David Gavin, Selectman Mick Hurrey, Town Administrator, Michael Sullivan and Becky Mosca. Absent, Selectman James Buscemi.

Pledge of Allegiance

Public Comments

Alan DiPietro, resident spoke on concerns regarding tree removal and brushes trimmed.

Motion made by Selectman Chetwynd to approve the minute for the January 8, 2013 meeting. Second by Selectman Hurrey. Vote 4 - 0. **Motion approved.**

List of Correspondences

- a) Treasurer/Collector's December Monthly Report.
- b) Town Accountant December Monthly Report.
- c) Town Clerk's December Monthly Report.
- d) Water and Sewer Dept. December Monthly Report.
- e) DPW third quarter billing.
- f) DPW Waste Water Treatment Plant December Monthly Report.
- g) Facilities Dept. December Monthly Report.
- h) Assist. Town Admin. /Exec. Director December Monthly Report.
- i) Library December Monthly Report.

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- j) Council on Aging December Monthly Report.
- k) Joint Budget Meeting Agenda Feb 9, 2013
- l) Town School Building Comm. meeting minutes 12/12/12
- m) Planning Board Notice re: Reschedule Notice for Hearing Feb. 12, 2013
- n) Town Clerk's memo re: Open Meeting Law, notice of meeting.
- o) E-mail from resident Alan DiPietro
- p) MMA annual meeting and trade show information
- q) Copy of contract management letter WWTP, Weston and Sampson
- r) Note of thanks and appreciation from resident Vic Tomyl

Motion made by Selectman Chetwynd to approve the list of correspondences as shown. Second by Selectman Hurrey. Vote 4 - 0. **Motion approved.**

One-Day Liquor License NexDine/CTP

Motion made by Selectmen Chetwynd to approve a One Day Liquor License to NEXDINE LLC. Second by Selectman Gavin. Vote 4 – 0. **Motion approved.**

Consent Agenda

- a) Entertainment License Willy's Philly's.
- b) One-Day Beer & Wine License, OARS repeat

Motion made by Selectman Chetwynd to approve the consent agenda as shown. Second by Selectman Hurrey. Vote 4 - 0. **Motion approved.**

Maynard Police Department, introduced New Officer Daniel Bodwell and Recognition of Officer Greg Balzotti with the Maynard Toy Drive.

Board of Selectmen. Thank Joyce Dwyer for her Town Hall Art Show works in room 201. Selectmen Chambers.

Special Permit for Babe Ruth, AVLL

Much discussion on all sides, all agreed to a test with High School Team on hitting. No action taken at this time. TEST TBS.

Public Hearing Charter Review 7:30 pm

LEGAL NOTICE

Notice is hereby given that the Maynard Board of Selectmen and Town Charter Review Committee will be holding a Public Hearing on Tuesday January 22, 2013 at 7:30 p.m. in Room 201 of the Maynard Town Building on the proposed changes to the Maynard Town Charter. A copy of the Town of Maynard Charter Revision dated 10-26-12 file with the Town Clerk's Office.

Charter Revision Committee

Presentation given by Selectman Chetwynd.

All comments will have follow up with Charter Review.

Motion made by Selectman Capello to close the hearing on the amended Maynard Town Charter as shown submittal date of 11/13/12 noted draft. Second by Selectman Gavin. Vote 4 - 0. **Motion approved.**

Discuss for Capital needs Board of Selectmen

Tim Caldwell and Rob Horn from Capital Planning Committee

Looked at all carry over projects. Copy of list handed out.

Some of the items for this year all up for discussion.

Some with full details others incomplete, quotes not current, repairs do not have the size of repair no estimates.

Have (5) new requests

Add information onto the Town Web site.

Reserve Fund Transfer, Town Accountant, Treasurer/Collector, Reo Road/Coolidge project.

Treasurer/Collector Salary approved via Board.

Town Accountant items approved via Board.

Reo/Coolidge items approved via Board.

Motion made by Selectman Hurrey to approve the intra-budget fund transfer for \$46,000.00 for building and grounds. Second by Selectman Gavin. Vote 4-0. Motion approved.

Set Date, Time and Place for Special Town Meeting – April 6, 2013

Motion made by Selectman Chetwynd to approve a Special Town Meeting on April 6, 2013 at 10 a.m. at the Fowler School Auditorium for the purpose of considering

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redevelopment of the 129 Parker Street Project. Second by Selectman Hurrey. Vote 3 – 0, 1 recused. Selectman Gavin **Motion approved.**

Set Date, Time and Place for Annual Town Meeting – May 20, 2013

Motion made by Selectman Chetwynd to approve the Annual Town Meeting for May 20, 2013 at 7:00 pm, Fowler School Auditorium. Second by Selectman Hurrey. Vote 4 – 0. **Motion approved.**

Budget

TA, we have 2.9 mil free cash via DOR notice.

Money is from General Funds, other funds as unexpended, local revenue up from permits and licenses, investments and tax forecloses.

Town Administrator's Report

- “Free Cash” approved Friday, January 18, 2013 at \$2,910,826.00 General Fund.
- Regional Housing Specialist
- Software Presentations
- Representative Hogan Transportation
- Marie Morando moved to DPW
- Steve Wood moved to the Planning

Old/New Business

Selectman Hurrey

- Review zoning plan doc spelling error
- Community Preservation Committee questions
- Capital Planning Committee (Plan present. At Joint 2/9/13 meeting)

Selectman Gavin

- Any feedback on Subway
- School building update
- MMA meeting 1/25/13

Selectman Chetwynd

- None

Chair, Dawn Capello

- None

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Executive Session

In the matter of Personnel. The meeting is an emergency.

After the Executive Session, the meeting will not reconvene.

Motion to convene an executive session was made by Capello and duly seconded by Gavin.

Roll call:

David Gavin	Yea
James Buscemi	Absent
Dawn Capello	Yea
Mick Hurrey	Yea
Brendon Chetwynd	Yea

Motion made by Selectman Capello to adjourn. Second by Selectman Gavin. Vote 4 - 0.

Motion approved.

Time: 10:57 pm

Approved:

Date: 2/12/13

Selectman, Chetwynd, Clerk

Initials: BJM

Statement from Selectman David Gavin. Attachment with minutes of January 22, 2013

“As a Selectman, I have always sought to act in a manner that is best for the town of Maynard. I have a desire to do so whether we are permitting a new licensee to enter into the community or negotiating with my colleagues about a potential new by-law proposal.

Each and every time I enter into this room or any other to take on the role of a Selectman, I am driven by my desire to do what is in the best interests of all of our residents.

That is why what I am about to say is so frustrating and disappointing.

It has been my desire to participate in the 129 Parker Street Development agreement with the same vigor and level of involvement that I have with so many other important issues that have come before our town.

However, after consultation with counsel; given consideration of the location of my home in relationship to the proposed development, these discussions with counsel have made it clear that I may have a conflict under the Commonwealth of Massachusetts Conflict of Interest law and would therefore be prohibited from participating in or voting on the matters related to the proposed development at 129 Parker Street.

As a result, I must recuse myself from this discussion and will not participate in it.

Additionally, consistent with the laws governing such matters, I will not be voting on any matters relating to the proposal by the developer.

I take my responsibility as a Selectman seriously, but I am unwilling to jeopardize my own personal liberty and reputation, nor am I willing to expose the town to any questions regarding the integrity of this process.

I look forward to continuing to work with my colleagues on other important matters before the town and intend to continue to represent the residents of Maynard with pride hopefully for many years to come.

Thank you your understanding and your continued support.”