



MINUTES SEPT 3, 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

Monday, September 3, 2013

Room 201, Town Hall

Time: 7:00 pm

Present: Chairman Brendon Chetwynd, Selectman David Gavin, Selectman William Cranshaw, and Selectman Dawn Capello, Town Administrator Kevin Sweet and Admin. Becky Mosca. Absent Selectman James Buscemi

(This public meeting was recorded).

Pledge of Allegiance

Public Comments:

Marcia Curren, Director of Maynard Council on Aging, resident of Maynard; Marcia Curren spoke about the need for a Senior Center

Acceptance of Minutes for July 2, 2013, July 16, 2013, August 6, 2013 and August 13, 2013.

Selectman Cranshaw requested that July 16, 2013 minutes be not acted upon until issue about IM conversations be clarified. Town Administrator asked to follow up.

A motion was made by Selectman Gavin to approve the minutes for July 2, 2013 meeting. Second by Selectman Capello. Vote 4-0. Motion approved.

A motion was made by Selectman Gavin to approve the minutes for August 6, 2013 meeting. Second by Selectman Capello. Vote 4-0. Motion approved.

A motion was made by Selectman Gavin to approve the minutes for August 13, 2013 meeting. Second by Selectman Capello. Vote 4-0. Motion approved.

There followed a discussion of regular and executive session meeting minutes not yet completed. The Town Administrator indicated that some regular and many executive session minutes for the past year or two were not completed and few records of those meeting exist. He has notes since April, when the prior Town Administrator left, and will

work with the Clerk to complete the minutes. Selectman Cranshaw suggested the Board be proactive and contact the Attorney General's office for guidance about the issue.

List of Correspondences:

- a) Treasurer/Collector Report for June and July 2013
- b) Municipal Services Report for July 2013
- c) Department of Public Works Report for July 2013
- d) Assessor Report for July 2013
- e) Notice of meeting for Retirement Board August 29, 2013
- f) Notice of meeting Golf Course Re-Use Committee August 12, 2013
- g) Resignation letter from Bill Freeman from Golf Course Re-Use Committee.
- h) Notice of meeting, MCC/MRC, August 8, 2013
- i) Incident Report Morey's August 9, 2013
- j) Incident Report Blue Coyote Grille August 12, 2013
- k) Letter from the ABCC, General Counsel, Bill Kelley retirement August 15, 2013.
- l) VHB, Wayne Amico On Call Log July 16 thru August 1, 2013
- m) Notice of nominations for MAPC, Sept. 27, 2013
- n) Comcast, Xfinity, notice of encryption for limited basic service
- o) ABCC notice effective July 11, 2013 of new type of pouring permit
- p) Town School Building Committee minutes for July 10, 2013
- q) Notice of meeting CPC, August 14, 2013
- r) Email, Assessors looking for replacement for member on Board of Assessors.
- s) Maynard Golf Course Report July 2013
- t) Restaurant Electricity Scam, Thai Chilli

A motion was made by Selectman Capello to approve the list of correspondences as shown. Second by Selectman Gavin. Vote 4-0. Motion approved.

Consent Agenda

Cemetery Deed 2008 lot 194C section 18 received from the DPW on behalf of Christine McNulty.

Re-appointment for CPC member, Mike Chambers, endorsement letter from Peter Falzone of the Recreation Commission, dated August 14, 2013.

Police Department reappointments, Crossing Guards and Matrons
Martha Shugrue, Crossing Guard term Aug 1, 2013 ~ Aug.1, 2015
Parnell Houle, Crossing Guard term Aug 1, 2013 ~ Aug.1, 2015
Marita Garcia, Crossing Guard term Aug 1, 2013 ~ Aug.1, 2015
Phylliss Tower, Matron, Matron Term Aug 1, 2013 ~ Aug.1, 2015
Bouchara Blickenstaff, Matron Term Aug 1, 2013 ~ Aug.1, 2015
Cheryl Budrewicz, Matron Term Aug 1, 2013 ~ Aug.1, 2015

A motion was made by Selectman Capello to approve the consent agenda as shown. Second by Selectman Cranshaw. Vote 4-0. Motion approved.

Repeat request for Special permit, Oktoberfest of 2012 for 2013 from Pleasant Café Special permit for One-Day Liquor License out in Public Way. Pleasant Café will serve food and drinks in area out in front of the license area. October 5, 2013.

Comment from Selectman Gavin, “At last year’s event, I found that this one event had the biggest crowd with the best pulled pork he’d ever eaten. Selectman Gavin was very pleased with the turn out and what this added to the October Fest.”

A motion was made by Selectman Cranshaw to approve the One Day Beer & Wine and Entertainment license for Pleasant Café Inc., owner, Frank Dzerkacz for Maynard Fest, October 5, 2013 from 11:00 am to 3:30 pm out in front of their property on the Public Way for the one-day event. Second by Selectman Gavin. Vote 4-0. Motion approved.

Public Hearing: 7:15 PM Liquor License # 067600020 Transfer of All Alcohol as a Common Victualler License from KLKC, Inc. to Skylight LLC at 51 Waltham Street, Maynard, MA. Application is on file in the Municipal Services Licensing Division office.

New Manager, Cyril F Clark
Applicant, John M. Anderson
Applicant, Greg Beam Johnson
Applicant, Cyril F. Clark
Applicant, Robert E. Anderson

Applicants, John Anderson and Cyril Clark had Paul F. Alphen, Esquire with them to help answer all questions with the Board. The questions primarily forced on how long before the license is in use. The applicant indicated that the intent was “to operate a restaurant at this location” but such negotiations take considerable time.

Resident, James Fulton had questions concerning the restaurant and its future but at this time applicants were in to transfer the license and manager. They made no comments about the build out plan.

Resident, Vic Tomyl made comment that that piece of property has a grandfather clause and asked their Lawyer Paul Alphen to look into that issue.

A motion was made by Selectman Cranshaw to approve the Transfer of License # 067600020 and Change of Manager, Cyril F. Clark to Skylight at 51 Waltham Street Maynard, MA. 01754. Second by Selectman Capello. Vote 4-0. Motion approved.

Cross Town Connect

HAND OUT, from Doug Halley, Health Director from Town of Acton; attached please find the Inter-Municipal Agreement (IMA) for the CrossTown Connect transportation project. The agreement was drafted and approved by Town Counsel. (Town of Acton) The Littleton Board of Selectmen unanimously voted execution of the IMA on August 19th. The Boxborough Board of Selectmen will be considering the IMA at their meeting on September 9th. We anticipate Maynard, Stow, Concord and Westford to be holding meetings for consideration during the month of September. Clock Tower Place has agreed to a Memorandum of Understanding, making them our first business partner. Note Maynard has IMA with our Town Counsel.

A motion was made by Selectman Capello to approve the Agreement for CrossTown Connect agreement once it's been reviewed by Town Council "Pursuant to MGL Chapter 40, Section 4A, the Maynard Board of Selectmen give TA, Kevin Sweet authorization to sign the execution of an Inter-Municipal Agreement (IMA) with the Towns of Acton, Boxborough, Concord, Littleton, Stow and Westford for the provision of transportation management services and establishment of the CrossTown Connect Transportation Management Association (TMA)." Second by Selectman Gavin. Vote 4-0. Motion approved.

MIIA, regulatory changes in Health Care

- **A Patient Protection and Affordable Care Act Update**
- **Guidance for issuance of the Notice of Coverage Options**
- **An advisory relative to the recent Supreme Court ruling regarding the Defense of Marriage Act**
- **A HIPAA update and new business associate agreements for execution.**

A motion was made by Selectman Gavin to approve the regulatory changes in the Health benefits Agreement for MIIA regulatory changes in Health Care and sign agreement. Second by Selectman Capello. Vote 4-0. Motion approved.

Assistant Town Administrator Discussion

TA, Kevin Sweet commented the need to fill the ATA position. He and the Board members discussed potential key job duties.

- Plan to rework job description, will construct new job position and review at next BOS meeting.

Town Administrator's Report

- **Update Reo/Coolidge, Town officials met with the Design Engineer on August 29 and reviewed all outstanding punch list items, and any potential equipment safety issues.**
- **109 Powder Mill Road, Eric Smith and K. Sweet conducted a tour of the Mill Creek Residential, Concord Mews Development including the Club House and model units.**
- **Municipal Parking Deck, we recently became aware of the condition of the parking deck and personally went out with Chris Okafor and Wayne Amico to see the issues.**
- **Employee Benefits**
- **Town Accountant, Mike Guzzo has accepted the position of Town Accountant and will be starting on September 23, 2013**

Chairman Report

- **The meeting on the 10th for BOS Goals & Initiatives, I have comments from David Gavin, still waiting for the rests of the Board to send information.**
- **Update, the Charter Review Committee just received comments from the new BOS member Selectman Cranshaw for recommendations. Will review more details on Sept 17, 2013 as agenda item.**

Old/New Business**Selectman Cranshaw**

- From Correspondence report, (Maynard Golf Course) Clubhouse Capital Repairs paid for in lieu of lease fee payment YTD. It looks like we will need to pay them for all the repairs. Do we have over site? Yes, TA, Kevin Sweet said our Facilities Manager is working with them regarding all the repairs.
- We did not have the full license application in our file. TA, K. Sweet, our Municipal Service department does all licenses and permit for the Town. The records are on file with Municipal Service.
- Should we call a special town meeting? Chair, we will set date at next meeting.
- Email, Mass Grants, is anyone working one for Town. TA, K. Sweet, talked over the grant application with group and the grant application process is very detailed for any economic project.
- The Town Hall Office hours, is anyone collecting feedback and traffic coming in Tuesday nights? TA, has staff collecting feedback on the traffic flow
- The detour over the bridge at Waltham Street has some signage that is sending traffic up Summer Street and not over on to Acton Street.
- The roadwork being done by Verizon, don't we have a policy to notify the residents? TA, K. Sweet the policy needs to be put back in place with our Utility Companies.

- Follow-up on email communication with TA about Mass works Infrastructure Program grants. TA and Town Planner investigated and found it not appropriate for Maynard this round
- The Town Hall Office hours, is anyone collecting feedback and traffic coming in Tuesday nights? TA, has staff collecting feedback on the traffic flow
- Regarding the bridge construction, asked if Town has any say about detours such as those in place that evening. TA indicated Town does not.
- Noted roadwork being done by Verizon related to FIOS installations and asked if Town still had an active policy about such work. TA, the policy needs to be put back in place with our utility companies.

Selectman Capello, no comments

Selectman Gavin

- Celebrate, that the new High School is open on time and students are in the new building.
- Can you TA, K. Sweet talk about the issue with the Press Release from the Maynard Police Department today (9/3)? Yes, per Chief Dubois this is the only call that we have by a male impersonating a police officer. Male with a dark colored Crown Vic. Stopped a female on Great Road on 8/22. Residents are reminded that the police officers in unmarked police cruisers will identify themselves immediately when making motor vehicle stops.
- Comment, about the visioning session on 9/19 has anyone check for conflicts with other meetings and events for that night.

Town Administrator

- AART, The Acton /Concord pieces of the Bruce Freeman Trail are being worked on by Greenman - Pedersen, Inc. (GPI) we need funds to be expended to keep our part of this project going. I want to add a CPC application for use of funds under the (Open Space/ Outdoor Recreation). Does the Board want to agree with this plan and idea?

Executive Session NO EXECUTIVE SESSION NEEDED

A motion to adjourn the meeting was made by Selectman Gavin. Second by Selectman Capello.

Vote 4-0. Motion approved.

Time: 10:15 pm

Approved: _____

Date:

Selectman, David Gavin, Clerk

APPR

MINUTES SEPT 3, 2013

Initials: BJM

Attachment: Cross Town Connect.