



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, July 21, 2015
Room 201, Town Hall
Time: 7:00 pm**

Present: Chairman, Chris DiSilva, Clerk, Jason Kreil, Selectman David Gavin, Selectman Terrence Donovan, Selectman Tim Egan, Town Administrator Kevin Sweet, Assistant Town Administrator Andrew Scribner-MacLean and Administrative Assistant Becky Mosca.

(This public meeting was recorded).

Public Comments:
No public comments

Acceptance of Minutes, June 17, and 22nd, 2015

A motion was made by Selectman DiSilva to approve the minutes of June 17, 2015 as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

A motion was made by Selectman DiSilva to approve the minutes of June 22, 2015 as shown. Second by Selectman Donovan. Vote 5-0. Motion approved.

List of Correspondences (mail to the Selectmen's Office for July 21, 2015).

- a) Fire Department monthly report June 2015
- b) Police Department monthly report June 2015
- c) Council on Aging monthly report June 2015
- d) Maynard Fest looking for sponsors
- e) Notice: BOS FY16 Meeting Dates
- f) Notice: BOS Special Meeting July 29, 2015
- g) Notice: Assabet Valley Chamber events
- h) Notice: Planning Board guidelines for Public Hearings
- i) Notice: John Thomas Jr. not returning to ConsCom for a new term
- j) Notice: Legislature vote to increase Mass Cultural Council funding
- k) Notice: MA DOER Green Communities Acting Director Grant Award Notice
- l) Press Release: Maynard receives Green Communities Grant totaling \$104,287.00
- m) Letter to Building Commissioner Re: 7 Waltham Street June 30, 2015

A motion was made by Selectman DiSilva to accept the list of correspondences **A-M** as shown. Second by Selectman Donovan. Vote 5-0. Motion approved.

Consent Agenda;

- a) Octoberfest, Maynard Rotary Club: September 26, 2015 with rain date September 27, 2015
- b) Maynard Fest, Assabet Valley Chamber: October 3, 2015 no rain date
- c) Maynard's 49th Christmas Parade, Maynard Rotary Club: December 6, 2015
- d) BGAV: Request for 1-Day Alcohol Permit , September 19, 2015
- e) Cemetery Deed # 2022

Sel. Kreil – asked if same procedures as year's event would be used including ID checks segregated area regarding the one-day Beer and Wine. TA confirmed this is the case with TIPS trained servers included, and that the Police had no additional comments or concerns.

A motion was made by Selectman DiSilva to approve the consent items as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Time being 7:10 Chairman DiSilva took items out of order. Item 10 - 23 River Street Parking Lot Discussion.

TA, Kevin Sweet said that currently the Town has a chain across this lot so no one can use this parking lot and that the agenda item is to discuss a more formal policy for use of the lot. Specifically with loss of spaces with the removal of the parking, structure and parking that will be lost for the rail trail. Potential avenues include employee parking or parking by permit for nominal fee to allow enforcement. Resident parking was not the intention for this lot. Item tabled.

7:15 P.M. Public Hearing: Liquor License transfer from Carron Restaurant Group LLC. To Steven Trumble, located at 19 Summer Street, Maynard, MA. 01754

Sel. DiSilva read the following legal notice and called the hearing to order.

Read the hearing notice: Notice is hereby given, in accordance with Mass. General Laws, Chapter 138, as amended that a Public Hearing will be held on Tuesday, July 21, 2015 at 7:15 p.m. in the Michael J. Gianotis Meeting Room (No. 201) of the Maynard Town Building on the application of transfer of an On-Premises All Alcohol License from Carron Restaurant Group LLC at 86 Powdermill Road, Maynard, MA to Steven Trumble D/B/A Fine Arts Theater Place, at 17 Summer Street, Maynard, MA. A copy of the application is on file at the Board of Selectmen's office.

Comments: Attorney Andrew Upton and Steven Trumble the owner of the Fine Arts Theater Place at 17 Summer Street seeks for a transfer of on premise all alcohol liquor license. Steve Trumble is the proposed manager of record for the Application.

Attorney Upton presented the proposal stating that the trend is to serve alcohol at Theaters with currently 20 theaters licensed in MA. Applicant is competing with other theaters and other video delivery means. Think it is a new best business practice to have a liquor license at the Theater.

Safety program: There is always concern when sale of alcohol goes into a theater. Commitment that the theater will be one of the most difficult places to get a drink.

All employees including the manager will be TIPS trained.

You must show 1 ID to obtain 1 drink. Every person buying a drink must show ID each time.

Priced similarly to other liquor establishments.

Plan to have smaller distinctively shaped clear plastic cups for alcohol that can be identified by ushers.

Movie going experience itself will limit consumption. One drink, no break to go get another drink or food. Usually only break is for bathroom break.

Consider the character and fitness of the applicant. Unusual for owner to also be manager. Owner qualified for two licenses at establishments in NH.

Do not believe there will be an increase in traffic or noise.

Unique use of a license in Town.

Steve Trumble, movie theaters are for movies and do not think this will be much impact and does not want to change much at the theater. If you are at other theaters around the area, you will notice they are charging \$15.00 to \$16.00 per person. We think we are giving a great deal to our theatergoers and only charge \$9.50 per person. Does not think this will make much money but a different spin on what we will have in Maynard.

Upton, person will not be able to come in the theater without a movie ticket to order a drink.

Questions:

DG: concern, currently you have teenagers working at the theater. Question: how do you make that work? Attorney Upton indicates MASS Law requires a person to be 18 to work in alcohol service. If the Alcohol is sold at the counter correct, then it is young students serving alcohol. How do you make that work?

Trumble the kids are having a great time and doing a great job. However, anyone in the future will be 18 or older.

JK: Echo DG comments, concern with other counter attendants being under 18. Purchase one drink to carry into the theater, one ID, per order per person prevention of handing off a drink to someone in the theater.

Trumble:

Andrew Upton: best practice 1 drink 1 ID, movie experience, distinctive shaped cups for usher observation. Can they eliminate all risk, likely not but will take responsibility seriously. In addition, handing a beverage off is two people violating the law. ST, Cannot guarantee 100% but will take measures to observe patrons and do best to monitor and maintain compliance. They have found coke or ginger ale cans and nips on a few occasions but not often.

Attorney Upton: the vast majority of theaters that have licenses do have the one area to serve and drink. Dine in theaters are rare and being reduced.

TA, Sweet Lux Cinemas, only have an over 21 area for the patrons. No access to rest of patrons. Patriot place or Legacy Place.

TE, you are going for an all alcohol license.

Trumble: yes, peoples viewing habits.

Andrew Upton: Yes, specialty drinks to go with special events.

The ability to make the mixed fruity drinks for patrons

The Police have been very good to us and around at the closing at nights. In addition, yes it is a good thing to have the mixed fruity drinks.

TE: This application came in at the last minute to the office.

TA, yes correct we had no prior knowledge.

TE: Are you a where that we already had other licenses available?

Trumble: no didn't contact town

TD: the plan and space is very tight, small. Do you plan to have draft beer?

Trumble: no draft beer, no draft wine, Cans of beer.

TD: cans, cups be counted at the end of the night? ST, Yes.

CD: You are going to have beer, wine, cordials and mixed drinks. You are planning to have kids walk down the aisles say with flashlights. People in theater are going to know someone is walking down the aisles. My concern, kids, viewing habits, cups, colors, concerned all your words Mr. Trumble

DG: If I may our Police Chief is here can we have your view. Concern – cups, the age of the servers, nothing is going to stop them from serving their friends. I would feel better if it was from a separate area. I would want to see older kids, people working in the area. All the potentials are there for a problem.

DG: We will have more licenses available shortly. Therefore, why don't you come back when you have a better plan?

Trumble: So what you are saying you will have licenses available down the road. In addition, that I can apply at another time.

Upton: If we commit to 21 years older staff then we would be in better stand with town.

DG: We do not want anyone under pressure to serve someone they should not.

CD: Any comments from public – Vic Tomy commented on the advertisement of the license. He does not think that a license is at 86 Powdermill Road.

DG: Thinks the license does not – do we want to put this off or what our motion should be to move this.

Trumble: Well I need at least 30/60 days to work with architect to redo a new plan and space.

DG: What is the difference if we continue this hearing – delay or withdrawing the request and refiling?

JK: If this request is withdrawn - this license was to be return to the Town on June 30th. From the original owner.

Therefore, if the Board does not make a motion what happens?

TD: We do not have all the information so if we continue; I think it fair to hear this again later.

Upton: if this license is not approved tonight then the current owner could appeal it. In addition, be tied up or a time by the ABCC.

Tim Hess – comment what is the downside to not approving this license? AU – None CD – license would remain dormant, as it has been for quite a while. Question is to whether the Board will approve this transfer.

A motion was made by Selectman DiSilva to accept and approve the transfer on the application of transfer of an On-Premises All Alcohol License from Carron Restaurant Group LLC at 86 Powdermill Road, Maynard, MA to Steven Trumble D/B/A Fine Arts Theater Place, at 17 Summer Street, Maynard, MA. As more fully, set on the plans dated June 30, 2015. NO Second – Board agreed not to move vote.

New motion:

A motion was made by Selectman DiSilva to deny the transfer on the application of transfer of an On-Premises All Alcohol License from Carron Restaurant Group LLC at 86 Powdermill Road, Maynard, MA to Steven Trumble D/B/A Fine Arts Theater Place, at 17 Summer Street, Maynard, MA. As more fully, set on the plans dated June 30, 2015.

Second by Selectman Gavin.

Comment by C. Worthy – is the delay an issue. DG – no viable plan provide here tonight, prefer new plan. ST – If continuance, dormant and can put in revised plan. Why not continuance? DG prefers to close and prepare revised plan. Understand license may not be available. AU, Agreed to 21+ servers and designated area, will work with Police Chief. DG – concerns with cups, underage drinking.

Repeated proceeding motion to deny the transfer.

Vote 3-2. (Sel. Donovan and Sel. Kreil). Motion approved.

A motion was made by Selectman DiSilva to close the public hearing at 8:36 pm Second by Selectman Gavin. Vote 5-0. Motion approved.

Board Opening Interviews:

- Council on Aging(1 opening):
 - Paula Copley

Paula Copley spoke about a project the Middlesex Bank wanted their employees to a community project as an icebreaker to work with their employees on. From this project, which she enjoyed (Fall Clean-up of six senior's yards). She found this very rewarding. She then spoke to Andrew.

A motion was made by Selectman DiSilva to approve and appoint Paula Copley to the Council on Aging with a full term, June 30, 2018. Second by Selectman Donovan. Vote 5-0. Motion approved.

- Board of Assessors (1 opening):
 - William Doyle
 - William Gosz

Mr. William Doyle was a past president at the Maynard Country Club. Thru the sale of the Country Club to the Town. If found he learned a few things and it was an area he thought he could work with the town on.

JK: What experiences would you bring to this Board?

DG: Comment on preparation for possible appointment. Meetings spoke to members.

Mr. Doyle knows Sel. Donovan, it was thru Terrence that he learned of this opening, and they talked about this opening at great length. Also had a chance to talk with Angie the Town's chief assessor.

TE: Thank you for your interest. Just to let you know, we have (two candidates) for this position and that we have other openings available.

Next candidate; William Gosz, Just moved to Maynard last year. Has (two children) one just graduated have MHS. Has opened an office here in Maynard – Starts his day at his Cambridge office and ends in Maynard. Also has his real estate license as a broker. New kid on the block. However, has a wellness to serve?

TE: Thank you for your willingness to serve

Gosz: opportunity to serve it is a tightknit community. In addition, wants to give back to his community

TD: Thank you, Civil Responsibility drives you. Yes.

JK: no additional questions

DG: What made you reach out to this opening?

WG: He had been looking for openings and at the last minute so this opening and sent email to Kevin Sweet.

A motion was made by Selectman Gavin to approve and appoint William Doyle to the Assessors Board with a term ending June 30, 2016. Second by Selectman Donovan. Vote 5-0. Motion approved.

- Planning Board (Alternate Member – 1 opening):
 - Brendon Chetwynd
 - Thomas Hesbach

RESCHEDULED PLANNING BOARD INTERVIEWS UNTIL AUGUST 4, 2015

Special Event Permit Request: Maynard Rod & Gun Club and Boston Paintball

Comments: Steve Locke President of the Maynard Rod & Gun Club. Met with Chief DuBois and TA, Kevin Sweet. Discussion point for tonight and that same point made at the executive board with Maynard Rod & Gun Club.

DG: Do you have liability insurance. SL, Yes. Anthony, from Boston Paintball, we had this same event in Ashland last year. This event is a ride thru area at the Rod & Gun Club, guests ride on back of vehicles with trailer. We have actors who are out in the fields. The ride takes about 20 to 30 minutes we have three vehicles.

They have insurance and do not need additional rider for this event.

TA clarification if this will be going over a public road.

Anthony: This will be over the property at the Maynard Rod & Gun Club. People going to this event will park their cars in Maynard at the Maynard Rod & Gun Club. Ticket sold in advance. Age for this event is 8 years old.

CD: Will any alcohol be sold at/for this event. No but food might be sold. How many people per ride. Anthony fully staffed from 6 to 10 pm, food to be subbed out. There will not be more then 40 cars at any one time as all rides are at times – all tickets sold with a time slot.

Chief: It's about 5 week-ends that this event will be running and after the 1st weekend, we will be able to gauge this event better.

TA, Did Ashley require you to have a Police Detail.

This board does not approve any food it is with another board/departement

JK: 5 weekends for this event. Are the products biodegradable?

Anthony yes.

A motion was made by Selectman DiSilva to accept and approve this special request event at the Maynard Rod & Gun Club for the month of October, Haunted Hayrides on Friday & Saturday nights. Second by Selectman Gavin. Vote 5-0. Motion approved.

Maynard Cultural District Resolution: T. Hess, Co-Chair Maynard Cultural Council

TA, spoke about the Cultural Council and Tim Hess Co-Chair all the changes and to speck more to this

Tim Hess, we had a little turnover with our council. We have about 10 or 12 member that are helping with Cultural Council plans and have powerful information have the Beranger report that is helping with this plan and this is a procedural process to move forward.

Town Center overlay.

BOS Chair read resolution:

WHEREAS, Maynard's Town Center has a mixed-use geographical area with a concentration of cultural facilities and assets; and

WHEREAS, Maynard has held a public hearing which revealed among town citizens a broad enthusiasm for the creation of a state-authorized Cultural District; and

WHEREAS, members of the Maynard Cultural Council have developed preliminary drafts of the state's application for Cultural District recognition, thereby outlining proposals for a range of goals, initiatives and activities for the potential district, and opening dialogue with several partners whose participation will be central to the success of the district; now therefore be it

RESOLVED, that the Board of Selectmen represent that Maynard, Massachusetts:

Article 1. Proclaims its interest in establishing a state-designated cultural district

Article 2. Endorses the state-sponsored cultural district goals of attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development

Article 3. Will appoint a city official to assist the Maynard Cultural Council in its efforts toward the state designation

Given in the Selectmen's Chambers this 21st day of July, in the year two thousand and fifteen

Maynard Board of Selectmen

A motion was made by Selectman DiSilva to accept and approve Maynard as a State Designated Cultural District. Second by Selectman Kreil. Vote 5-0. Motion approved.

Business Environment Enhancement Program

Comments: Town Planner Bill Nemser, EDC has made up an application for the boards review for funding applications.

Plan 1. \$1000.00 it is a 50/50 match for all businesses to apply.

Plan 2. \$5,000.00 upgraded 50/50 match for all businesses to apply.

Plan 3. \$10, 000.00 this is different type of available funding – this is for anyone – business, group or individual person or individual group.

If BOS approves this plan, we could be ready to announce and roll out this plan.

Board questions: Sel. Kreil, if this is a 30-day plan, then it almost sounds like it needs to be shovel ready. I would be better with 60-days. BN, if this is approved we would have a staff member assigned to the project to give updates on progress. No payments made until applicate submit paid invoices/ applicants work progress status back to Town.

TA, Sweet noted the Funds are available and ready via past articles and CDBG Funds and will not be closed out and turned back to general funds.

A motion was made by Selectman DiSilva to accept and approve Business Environment Enhancement Program. Second by Selectman Gavin. Vote 5-0. Motion approved.

Town Planner, Bill Nemser spoke about the Flyer = The Maynard Advantage. New England Living for Everyone

Tag line for Maynard – Basic way to brand Maynard. Tim Hess has done much of the work and marketing on and for this tag line.

23 River Street Parking Discussion

TA, K. Sweet spoke about the changes to our Downtown parking, why we planned to buy the vacant lot and now what has since changed and our changes to come once the Rail Trail comes thru our Downtown with more lost parking. We need to have plans in place to get the most parking we can. ATA, A. S. MacLean had a proposal for Downtown Parking, requested board to read over and give feedback so we can improve change parking and create a meter maid enforcement staff, sell permits, pilot.

Board to revisit at future meeting

Police Chief Contract Renewal Discussion

Comments: TA, Sweet noted that our Chief has been with us for the past 3-years and has our full support we recommend that his contract be renewed.

A motion was made by Selectman DiSilva to renew the Police Chief Employment contract and furthermore authorize the Town Administrator to negotiate agreement for the BOS review and ratification. Second by Selectman Gavin. Vote 5-0. Motion approved.

FY15 Budget Transfers & Closeout Update

Comments:

TA Kevin Sweet, prior year we had a bottom line budget but now we are back to a line item budget so now we need to transfer cost centers to cover all the budgets. Reserve fund transfers will go to Finance Committee Monday.

A motion was made by Selectman DiSilva to accept and approve FY15 Budget Transfers as presented. Second by Selectman Gavin. Vote 4-0. Donovan abstained. Motion approved.

Economic Development updates

TA, Kevin Sweet

- The announcement of Stratus staying Maynard and moving into Saracen
- Met with Jill Minkin(Saracen Properties) and shared short and long term plans/ ideas particularly about marketing downtown and bring the DT business owners into conversation
- Reach out to Stratus landlord
- Morey's Tavern Closed – The sign is down. – Board, What about the liquor license, TA's office has sent a register letter to holder of license.

- Dentist office has put up signs they are in the MacDonald build across the street from the old Walgreens building. The Building Comm. signs off the building for a temporary occupancy.

Town Administrator Report.

- Main Street One Way – Police and our engineer are assessing this street as many folks are driving up the wrong way on Main Street. We plan to install some added signs to enhance that it is a one way on Main. Board, what does GPS say? TA, we are going to address this issue
- We are ramping up code enforcement efforts with M-S and Railroad Street. Progress will be slow. We are stressing this to our staff. We met with Chief and owner. It was our first meeting it was our first time meeting.
- Rail Trail easements in process. Hope to be ready for our August 18th meeting.
- Golf Course doing well this year. I have the report for June and want to invite Kevin Osgood in to speak in August.
- Open Table update – looks like they have a place – ATA, ASM, in Sudbury and
- Old item, Rep Kate Hogan – the definition on the location it is a long-standing issue. It's a standing that for any added licenses that they stay in a location for up to 3 years

Chair Report –

- Waltham Street
- Water and Sewer rates can we have consultant Toby Fedder in so we can set the rates.
- Discussion about the Community Development Principals we need to review and update.
- Rules and Policy subcommittee needs to start back up we need to add another member from the Board. (Nuisance by-law) is one that needs to be reviewed.
- Let DPW, Chris Okafor know about the Water and Sewer

Board Member Reports

Selectman Egan:

- Civil Service issue is the Home Rule petition complete. TA spoke to Rep. Kate Hogan today; the house is still working with that petition.

Selectman Gavin:

- Want to congratulation to Becky for the savings on the insurance to the Town \$14,000.00 plus and to the green communities grant.
- Late today we received a notice on a Town Meeting article. That we I did not have an original copy of the posting notice hear at Town Hall. TA, we have made a few changes and you will see soon the changes out in the lobby. We have a locked cabinet

Selectman Kreil: none

Selectman Donovan:

- Noise – the Trash Company was on Acton Street at 6:30 a.m.

Executive Session ~ Purchase of Real Estate Property

Motion to convene an executive session was made by Selectman DiSilva and duly seconded by Selectman Kreil. **Motion approved.**

Roll Call	Yea	Nay	Abstain	Absent
Selectman David Gavin	X			
Selectman Tim Egan	X			
Selectman Jason Kreil	X			
Selectman Chris DiSilva	X			
Selectman Terrence Donovan	X			

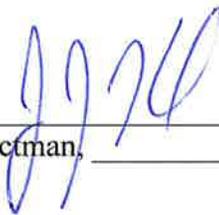
Board will not reconvene into open session.

A motion to adjourn the meeting was made by Selectman DiSilva. Second by Selectman Kreil. Vote 5-0. Motion approved.

Time: 11:12 pm

Approved: _____

Date:



 Selectman, _____, Clerk

Initials: BJM