



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, March 29, 2016
Room 201, Town Hall
Time: 7:00 pm**

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

(This public meeting was recorded).

Public Comments: Victor Tomyl presented a draft citizens Petition to request that the Board of Assessor recommend and the Board of Selectmen accept the small business exemption and the Town of Maynard adopt a single tax rate. Petition will be submitted to the Town Clerk to verify signatures

129 Parker Street – Concept Plan Presentation: Capital group Properties
Angelo Catanzaro and Designer Richard Rankin, CI Design
Concept Plan Submittal for 129 Parker Street
Plan with Ariel overview
Existing Condition Plan, Existing Topography and NBOD Setbacks and Buffer Zone
General Architecture of the Proposed Structure
Proposed Supermarket Building Elevation
Unit Residential Building Elevation
Proposed Elevation Retail Space A-D and E-F
Typical Pad Retail Building Elevation
Independent Living Building Elevation
Schematics dated October 2, 2015

Capital Group Engineer presented the plans listed above showing item required by concept plan definition including general use, approximate size and position of new buildings.

129 Parker Street – Memorandum of Agreement Review

Jon Witten, Attorney for Town of Maynard

Talked Board through the draft Amended and Restated Memorandum of Agreement

The Parties to this MOA are:

The Town of Maynard, MA by and through the BOS and Maynard Crossing, JV, LLC. At 129 Parker Street Maynard, site of 58 acres.

Both parties agreed to negotiate a final Development Agreement

- Terms of Agreement, description of project and revised concept plan
 - Senior Independent Living or Continuing Care Retirement Community
 - Retail/Office/commercial space including supermarket
 - Payment of consultant and legal costs
 - Financial Contribution – Payment schedule to be discussed – What if's when buildings/projects don't get built – missed payments as project changes Subject obtained by Owner needs approval when this occurs
 - Infrastructure Improvements – Traffic
 - Front Door Improvements
 - Shown and agreed upon intersection improvements at owners expense
 - Mitigation Funds – Extra \$260,000.00 for other intersection improvements.
 - Water – Owner will pay \$10,000.00 to a fund established by the Town Treasurer for the following purposes; a) looping the existing water main at the end of Field Street with the Property and looping the dead end water pipe on the Maynard High School locus with the Property. Plus all other fees for permits
 - Sewer – Owner will pay \$25,000.00 to a fund the Town Treasurer will open for the upgrade of the Marlborough Road Sewer Pumping Station plus all other fees for permits
 - Land Donations = Owner offers to donate, in fee simple absolute and without cost a portion of land as shown on plan dated March 1, 2016.
 - Cooperation Efforts by the Town (Boards and Departments) with Owner in all aspects of the implementation of the project and associated offsite traffic improvements so long as same is in compliance with permits and approvals.
 - Affordability = In lieu of providing no fewer than 17 dwelling units as affordable to qualifying renters within the Property.
 - Use Restrictions
- Note: Work still to be done and more meetings with both parties before any documents to be signed

A motion was made by Selectman DiSilva to refer the concept plan project (129 Parker Street Application) over to the Planning Board. Second by Selectman Gavin. Vote 5-0. Motion approved

Rail Trail Easement Acceptance –

I hereby move, pursuant to Article 5 of the October 27, 2014 Special Town Meeting, to accept the utility easement from 42 Summer Street LLC, for the purpose establishing the Assabet River Rail Trail through Maynard.

Further, the Board moves to pay to 42 Summer Street LLC, one thousand Dollars (\$1,000.00), in accordance with the just compensation of the Utility Easement Area established by Avery Associates, Acton, Massachusetts, on October 15, 2015.

A motion was made by Selectmen DiSilva to accept and approve pursuant to Article 5 of the October 27, 2014 Special Town Meeting, to accept the Utility easement from 42 Summer

Street LLC, for the purpose establishing the Assabet River Rail Trail through Maynard. Further, the Board moves to pay to 42 Summer Street LLC, one thousand Dollars (\$1,000.00) in accordance with the just compensation of the Utility Easement Area established by Avery Associates, on October 15, 2015. Second by Selectmen Gavin. Vote 5-0. Motion approved.

ATM/STM Article for acceptance and Approval – Annual Town Meeting Articles / Controls
TA, Kevin Sweet

Control A, Town Report Acceptance;

A motion was made by Selectman DiSilva to accept and approve control A, Town Report Acceptance as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control B, Fiscal Year 2017 Salary Administration Plan;

A motion was made by Selectman DiSilva to accept and approve control B, Fiscal Year 2017 Salary Administration Plan as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control C, Authorize Revolving Funds Chapter 44, Section 53E ½;

A motion was made by Selectman DiSilva to accept and approve control C, Authorize Revolving Funds Chapter 44, Section 53E1/2 as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control D, Obsolete Equipment, Material;

A motion was made by Selectman DiSilva to accept and approve control D, Obsolete Equipment, Material as shown. Second by Selectman Egan. Vote 5-0. Motion approved.

Control E, Community Preservation Fund Budget Fiscal Year 2017;

A motion was made by Selectman DiSilva to accept control E, Community Preservation Fund Budget Fiscal Year 2017 as shown. Second by Selectman Egan. Vote 5-0. Motion approved.

Control F, Town General Fund Budget Fiscal Year 2017;

HOLD – April 5 2016

Control G, Sewer Enterprise Fund Budget Fiscal Year 2017;

HOLD – April 5 2016

Control H, Water Enterprise Fund Budget Fiscal Year 2017;

HOLD – April 5 2016

Control I, Finance Committee Reserve Fund;

A motion was made by Selectman DiSilva to accept control I, Finance Committee Reserve Fund as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control J, Establish Tax Title Collection Revolving Fund;

Administrative Assistant Becky Mosca. Selectman DiSilva to accept and approve control J, establish Tax Title Collection as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control K, Optional Additional Exemption;

A motion was made by Selectman DiSilva to accept control K, Optional Additional Exemption as shown. Second by Selectman Kreil. Vote 5-0. Motion approved.

Control L, By-Law Change in Chapter I and II;

A motion was made by Selectman DiSilva to accept control L, By-Law Change in Chapter I and II as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control M, By-Law Change in Chapter XIII;

A motion was made by Selectman DiSilva to accept and approve control M, By-Law Change in Chapter XIII as shown. Second by Selectman Egan. Vote 5-0. Motion approved.

Control N, By-Law Change in Chapter XVIII;

A motion was made by Selectman DiSilva to accept and approve control N, By-Law Change in Chapter XVIII as shown. Second by Selectman Kreil. Vote 5-0. Motion approved.

Control O, By-Law Changes in Chapter XX

A motion was made by Selectman DiSilva to accept control O, By-Law Change in Chapter XX as shown. Second by Selectman Donovan. Vote 5-0. Motion approved.

Special Town Meeting Articles/Controls**Control S-P, Water Retained Earnings Appropriation;**

A motion was made by Selectman DiSilva to accept control S-P, Water Retained Earnings Appropriation as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control S-Q, Sewer Enterprise Stabilization Fund;

A motion was made by Selectman DiSilva to accept control S-Q, Sewer Enterprise Stabilization Fund as shown. Second by Selectman . Vote 5-0. Motion approved.

Control S-R, CPC Fund – Close out Undesignated Fund Balance;

A motion was made by Selectman DiSilva to accept control S-R, CPC Fund – close out undesignated fund balance as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control S-S, CPC Fund – Close out Unexpended Funds;

A motion was made by Selectman DiSilva to accept control S-S, CPC Fund – Close out unexpended funds as shown. Second by Selectman Egan. Vote 5-0. Motion approved.

Control S-T, Community Preservation Fund Reserve;

A motion was made by Selectman DiSilva to accept control S-T, community preservation fund reserve as shown. Second by Selectman Donovan. Vote 5-0. Motion approved.

Control S-U, Certified Free Cash Appropriation

A motion was made by Selectman DiSilva to accept and approve control S-U, Certified Free Cash Appropriation as shown. Second by Selectman Gavin. Vote 5-0. Motion approved.

Control S-V, Street Acceptance: Cutting Dr. Dettling Rd, Vose Hill Rd., Karlee Dr., and Gabrielle Cir.

A motion was made by Selectman DiSilva to accept and approve control S-V, Street Acceptance, Cutting Dr., Dettling Rd., Vose Hill Rd Karlee Dr and Gabrielle Circle, as shown. Second by Selectman Egan. Vote 4-0-1 (Selectman Gavin Abstained). Motion approved.

Control S-W, Reuse of ARRT Funding

A motion was made by Selectman DiSilva to accept and approve control S-W, reuse of ARRT funding as shown. Second by Selectman Egan. Vote 2-2-1 (Selectman Kreil Abstained). **Motion did not pass.**

Control S-X, Reserve for overlay Release Appropriation

A motion was made by Selectman DiSilva to accept and approve control S-X, Reserve for Overlay Release Appropriation as shown. Second by Selectman Kreil. Vote 5-0. Motion approved.

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

Executive Session: To deliberate upon strategy with respect to negotiation with non-union personnel.

Roll Call;

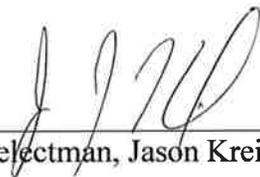
Gavin	Yea
Egan	Yes
DiSilva	Yea
Donovan	Yea
Kreil	Yea

After the Executive Session, the meeting will not reconvene.

Time: 9:50 pm

Approved: _____

Date:



Selectman, Jason Kreil, Clerk

Initials: BJM