



OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD
 MUNICIPAL BUILDING
 195 MAIN STREET

MAYNARD, MASSACHUSETTS 01754

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Selectmen's Meeting Minutes

Tuesday, April 4, 2017

Room 201, Town Hall

Time: 6:30 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.

(This public meeting was recorded).

Executive Session – for the purpose to review and approve executive session minutes, the meeting will convene in open session. Reconvene in open session.

Roll Call

<u>Selectmen</u>	YEA	NAY	ABSTAIN	ABSENT
Selectman Gavin	X			
Selectman Egan	X			
Selectman Kreil	X			
Selectman DiSilva	X			
Selectman Donovan	X			

Executive Session closed at 7:00 pm return to Open Session.

Public Comments:

Mary Brannelly requested that the Town approve an insert to be added with the Tax bill. This would be inserting for scholarship request to the Maynard High School graduating seniors. Mary had asked to have this added a couple of years ago. It is fund for voluntary donations. The scholarships for the seniors are starting to dry up and we need to start something. Weymouth does this Wayland, and Cambridge has this practice. Mary is working with Cheryl Kane for the Katherine Lalli scholarship we are working with the treasurer's office and we have a good thing working out with the funds. Mary wants to know when the board can add this to agenda. Board agreed to add on the next agenda.

Resident want know when she can ask questions about the school budgets. Board said this is not a public hearing for the budget. Chairman actually explained there was no agenda item tonight on the School Budget, nor was there a public hearing scheduled for School Budget on this agenda. However, did give a chance to make public comment.

Acceptance of Minutes, March 21, 2017 _ HOLD

List of Correspondence (mail to the Selectmen's Office for April 4, 2017). A- J.

Vic Tomyl asked about corr. (I) when and where is this event – Chair, DiSilva, Senior Project 5K at Maynard High School, April 30 on school property.

A motion was made by Selectman DiSilva to accept the list of correspondences as shown A thru J. Seconded by Selectman Donovan. Vote 5-0. Motion approved.

Public Hearing – 7:05 pm

Maynard Rod & Gun Club: Alleged violation – Standard of conduct Legal Notice

Notice is hereby given in accordance with Mass. General Law, Chapter 138 as amended, that a Public Hearing will be held on Tuesday, April 4, 2017 at 7:05 P.M. in Room 201 at the Maynard Town Building at 195 Main Street on alleged violations of Alcohol Beverage Rules and Regulations, “Standard of Conduct on the Premises” by the Maynard Rod & Gun Club 45 Old Mill Road, Maynard MA. This occurred on March 8, 2017, the result of a Maynard Police Investigation.

Comment: from Chair, Chris DiSilva. “I will not be voting, I’m a member of the club”.

Chief DuBois, Maynard Police Department: We will talk about the Maynard Rules and Regulations: item 13.0

The Following documents are in evidence:

1. The Maynard Rod & Gun Club incident Report dated March 9, 2017
2. The Maynard Police Department Report, filed by Officer Daniel Bodwell dated, March 9, 2017
3. The Maynard Rod & Gun Club Inc. Executive Board Report received on April 4, 2017

There is one tape and one DVD recording of this hearing.

The Board took Administrative Notice of the Licensee's record.

FACTS

1. On March 8, 2017 Officer Daniel Bodwell, Sgt. Maria, Comeau, Brennan were dispatched to the Maynard Rod & Gun Club for a report of two subjects refusing to leave the bar after being asked.
2. Steward on duty, Ken Bentley and two patrons, one member and one non-member/guest were Involved in a verbal altercation. Words were exchanged and Police called in at 5:57 pm
3. Two Patrons stated that they only consumed one beer as that is all Ken Bentley would serve them.

Both were put through field sobriety tests and showed no signs of impairment. Next Officer D. Bodwell stood a couple of feet from Ken Bentley and could smell a very strong odor of alcohol coming from his person. Mr. Bentley was asked if he had been drinking and he stated yes. He would not submit to any field sobriety tests or submit to a portable breath test, he refused all. Ken Bentley was asked to call someone to pick him up and drive him home. When he was unable to arrange for a ride home Mr. Bentley was advised that he was being placed under protective custody and was placed in handcuffs and taken to the Maynard Police station.

4. Sgt. Maria advised that a report needed to be filed with the Board of Selectmen. He was also informed that anyone handling alcoholic beverages, as part of employment cannot be under the influence and cannot consume alcoholic beverages while working.

Attending from Maynard Rod & Gun Club.

President of Maynard Rod & Gun Club, Stephen Locke and Michael Murphy Executive Board Member.

Steve spoke and commented that he sent in a summary of what the Club has done at the club. Club is now posting the rules and regulations. Executive Board suspended all 3 from the club pending this hearing. Executive Board will meet again and follow up on this matter. The Stewart will be permanently removed in perpetuity from Bartending at the club. Board asked about passed records and about the training of bartenders.

MAYNARD BOARD OF SELECTMEN wants to send a strong message to our license holders. Selectmen debated a 1 day or 2 day suspension of serving and settled on a 2 day in order to send the strong message to license holders in town.

CONCLUSION

Based on the evidence the Board of Selectmen finds the Licensee violated of 13.0/13.4 of the Regulations of the Town of Maynard. (Standards of Conduct on the Premises. 13.4 No Manager or employee shall consume any Alcoholic Beverages while on the Licensed Premises while on duty or after the official closing hour except for the purpose of sampling new products from vendor. Therefore, the Board of Selectmen suspends the license for two (2) days of which two (2) days will be held in abeyance for a period of thirty (30) days provided no further violations of the Maynard regulations occur.

A motion was made by Selectman DiSilva to suspend the License (Maynard Rod & Gun Club) for two (2) days of which the two (2) day suspensions will be held in abeyance for a period of thirty (30) days provided no further violations of the Maynard regulations occur. Seconded by Selectman Gavin. Vote 4-0-1 (DiSilva abstain). Motion approved.

A motion was made by Selectman DiSilva to close the hearing time being 7:23 pm Seconded by Selectman Egan. Vote 5-0. Motion approved.

Special Election

Opening for Board of Selectmen

A motion was made by Selectman DiSilva to accept and approve the resignation of Board Member Tim Egan with ending term date of June 30, 2017 and furthermore to set a special election date for September 12, 2017. Seconded by Selectman Donovan. Vote 5-0. Motion approved.

Sel. Donovan commented to Sel. Egan so you decided to stay until June 30, 2017, Sel. Egan Yes.

Aid to Elderly and Disabled Taxation Fund; Voluntary Donation

Discussion;

A motion was made by Selectman DiSilva to accept and approve the Taxation, Chapter 60 Collection of Local Taxes Section 3D City or Town Aid to Elderly and Disabled Taxation Fund, Voluntary Check off Donations. Seconded by Selectman Gavin. Vote 5-0. Motion approved.

Sel. DiSilva, when will the next tax bill go out to residents? Will or can it have this new information to donate to this aid for our citizens. TA, Sweet will get back to the board as we have some next steps, like adding a voluntary ad-hoc board to make the decisions going forward.

Sel. Gavin commented that Belmont on their tax bills shows many extra boxes that residents can check off to give donations. TA. Sweet said that would be the preferred way for us to go with adding in this information on the one bill.

Fire Station Building Committee

Ron Calabria, Chair FSBC

- Fire Station Building Committee Progress – updated, the Board on Dec 13, 2016 so here is our next update.
- At the meeting from the Dec. 13, 2016 committee recommended two (2) items Site and OPM
- From the top 5 sites – Mill and Main, proposal for land purchase
- Conducting due diligence, soil stability testing April 6 or 7th and Appraisal on land, with negotiations if site is viable – anticipate May 2017. OPM = Chose, Daedulus Projects Inc.
- Goal is a fall town meeting request for funds.
- Article for this town meeting = \$125,000.00, OPM cost, design site survey, engineering and legal costs.
- Sources of funding, existing capital stabilization, with a planned proposal of capital funding We have a couple of options in the plans as follow: 1) when we have town loans that are paid off to keep those funds rolling into capital. 2) Request a prop 2 ½ override and fund the fire station project.

ATM/STM Article Update

Articles for Acceptance and Approval

Control E

Town General Fund Budget Fiscal Year 2018

A motion was made by Selectman DiSilva to approve and accept Control E. Seconded by Selectman Egan. Vote 5-0. Motion approved.

Control S-C

Sewer Stabilization Fund Appropriation – Sewer Deficit

A motion was made by Selectman DiSilva to approve and accept Control S-C. Seconded by Selectman Donovan. Vote 5-0. Motion approved.

Control S-E**Amend Protective Zoning By-Law – Use Table and Definitions: Farmer Brewery, Micro-distillery and Cocktail Lounge**

A motion was made by Selectman DiSilva to accept Control S-E. Seconded by Selectman Donovan. Vote 5-0. Motion approved.

Control S-F**Amend Protective Zoning By-Law – Use Table and Definitions: Manufactured Homes**

A motion was made by Selectman Gavin to accept Control S-F. Seconded by Selectman Donovan. Vote 5-0. Motion approved.

Control S-G**Amend Protective Zoning By-Law – Water Supply Protection Zone**

A motion was made by Selectman DiSilva to accept Control S-G. Seconded by Selectman Gavin. Vote 5-0. Motion approved.

Control S-H**Transfer from Capital Stabilization Fire Station Building Project**

A motion was made by Selectman DiSilva to approve and accept Control S-H. Seconded by Selectman Egan. Vote 5-0. Motion approved.

Control S-L**Water Protection District Map**

A motion was made by Selectman DiSilva to accept Control S-L. Seconded by Selectman Gavin. Vote 5-0. Motion approved.

Control S-A**Certified Free Cash Appropriation**

A motion was made by Selectman DiSilva to approve and accept Control S-A. Seconded by Selectman Egan. Vote 4-1(Donovan – Community Master plan Consultant cost). Motion approved.

Sel. Kreil asked about the additional funding for the snowstorm from last week. TA, the amount and bills are not included. Aaron said this past storm is around \$22,000.00. However, the final number is not ready. Kevin said we would go with what we have for a number.

Annual/Special Town Meeting Warrant

A motion was made by Selectman DiSilva to accept and approve the Annual Town Meeting Warrant. Seconded by Selectman Gavin. Vote 5-0. Motion approved.

A motion was made by Selectman DiSilva to accept and approve the Special Town Meeting Warrant. Seconded by Selectman Egan. Vote 5-0. Motion approved.

Assistant Town Administrator Employment Agreement

TA. Sweet requested board approve the addendum to the ATA employment agreement to extend the ATA contract to alien with the fiscal year.

A motion was made by Selectman DiSilva to approve the addendum to the employment agreement for the Assistant Town Administrator as presented. Seconded by Selectman Egan. Vote 5-0. Motion approved.

Town Administrator Report:

All board members set – no added questions. TA, Sweet commented that he broke out the article for the revolving fund to show the new change to the municipal financing by adding the new section 36 to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or offices under M.G.L. and to keep the revolving funds in its own article to minimize the questions for this change.

Chair Report;

We have been named a Tree City and granted a Cultural District.

Board Member Reports

Selectman Egan: none

Selectman Kreil: Can you tell me when the next TTM testing will be in. TA. Sweet yes we just received that information. We are below the 80 mark in both discreet measurement and 4 period rolling averages. The flush at Powder Mill is working. This should return Maynard to compliance.

Selectman Gavin; Noticed that DPW changed out PAD down at Walgreens. TA commented that pad is temporary and will be changed to a permanent pad later.

Maynard High School Play – School has many talented students they did an excellent job with the play. Requested town purchase a sign for the 2017 Basketball Championship? TA, yes.

Selectmen Donovan: none

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

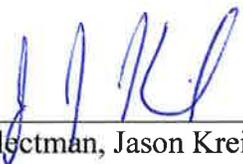
Meeting ended at 8:30 pm

Next Meeting; April 18, 2017

Approved: 7:45 pm

Date: 4-13-2017

4-0



Selectman, Jason Kreil, Clerk

Initials: BJM