



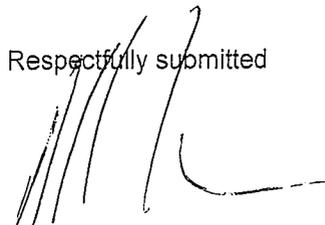
AGENDA
Maynard Board of Selectmen's Meeting
January 22, 2013
Town Building—Michael J. Gianotis Meeting Room
(No. 201)
Regular Meeting Time: 7:00pm

(All public meetings may be recorded, broadcast and or videotaped)

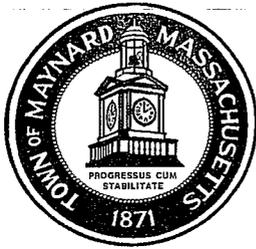
1. Call to order (7:00)
2. Pledge of Allegiance
3. Public Comments
4. Acceptance of Minutes
 - a) January 8, 2013
5. Correspondence
 - a) Treasurer/Collector's December Monthly Report
 - b) Town Accountant December Monthly Report
 - c) Town Clerk's December Monthly Report
 - d) Water and Sewer Dept. December Monthly Report
 - e) DPW Third Quarter Billing
 - f) DPW Waste Water Treatment December Monthly Report
 - g) Facilities Dept. December Monthly Report
 - h) Assist. Town Adm. /Exec. Director December Monthly Report
 - i) Library December Monthly Report
 - j) Council on Aging December 2012 monthly report
 - k) Joint Budget Meeting Agenda – Feb. 9, 2012
 - l) Town School Building Committee Meeting Minutes (Dec.12, 2012)
 - m) Planning Board Notice re: Reschedule of hearing to Feb. 12, 2013

- n) Town Clerk's Memo re: Open Meeting Law, Notice of Meeting
 - o) E-mail from resident Alan DiPietro
 - p) Mass. Municipal Assoc. Annual Meeting and Trade Show information
 - q) Copy of Contract Management Letter for WWTP, Weston and Sampson
 - r) Note of thanks and appreciation from Vic Tomyl
6. Consent Agenda (7:05)
 - a) Entertainment License Willy's Philly's
 - b.) One-Day Beer & Wine License, OARS repeat
 7. Police matter GB/Rep Hogan/Appointment Slip, DB
 8. Board of Selectmen; Thank Joyce Dwyer for her TH Art Show.
 9. Special Permit for Babe Ruth, AVLL
 10. Public Hearing Charter Review (7:30)
 11. Discuss for Capital Needs BOS
 12. Reserve Fund Transfer, Town Accountant, Treasurer/Collector, Reo Road/Coolidge project.
 13. Set Date, Time and Place for Special Town Meeting - April 6, 2013
 14. Set Date, Time and Place for Annual Town Meeting – May 20, 2012
 15. Budget
 16. Town Administrator's Report
 17. Old/New Business
 18. Chairman's Report
 19. Adjourn (9:00)

Respectfully submitted



Michael Sullivan, Town Administrator



Draft minutes for January 8, 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 8, 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

Motion made by Selectman Chetwynd to approve the minute for the December 18, 2012 meeting. Second by Selectman Hurrey. Vote 4-0. **Motion approved.**

List of Correspondences

- a) Maynard Police Monthly Report December 2012
- b) Assessing Department Monthly Report Dec. 2012
- c) Resignation letter from Lynn Lombardi ZBA
- d) Email from resident, Safety at Schools
- e) Resignation letter from employee, Dorothy Portnoy
- f) Email, CPC Proposal meeting request Jan. 9, 2013
- g) MAGIC meeting with agenda Jan. 3, 2013
- h) Letter dated Dec 21, 2012 to Quirk Construction Corp.
- i) Letter dated Dec 21, 2012 to U.S. Pavement Service

- j) Copy of Municipal Police Training Committee Academy
- k) Letter from (NERAC) Northeast Homeland Security Regional Advisory Council
- l) Meeting Notice from Finance Committee 1/7/13 at 7:00 pm
- m) Email meeting for Downtown revitalizing 1/23/13 at 7:00 pm
- n) Example of the error on fiscal year 2013 3rd qtrs. notice

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

Consent Agenda

Motion made by Selectman Hurrey to amend and approve the consent agenda for all sworn in full time officers as agents for the Local Licensing Authority. Second by Selectman Capello. Vote 4-0. **Motion approved.**

Maynard Police Liquor License Compliance Checks

New Business Common Victualler License

Motion made by Selectman Hurrey to approve the Common Victualler license at 95 Main Street, Maynard Subway. Second by Selectman Chetwynd. Vote 4-0. **Motion approved.**

Request use of Crowe Park, Maynard Charitable Corp.
Tabled until the next meeting.

DPW Update

- Past (2) snowstorms crew worked hard.
- RFP, On Call Engineering.
- Job posted for Assist Admin. Open until 2/10/13.
- Job Posted for Operations Manager until 1/20/13.
- LED lights up and on in the Presidential neighborhood..
- REO/Coolidge Park, contact awarded to Quirk Construction.

Town Administrator's Report

- Town Hall Issues
- Tax Bills
- Snow Removal
- LED Streetlights

Draft minutes for January 8, 2013

- Coolidge/Reo Renovation Project
- DPW Update
- Tidbits, information on 129 Parker Street, Developer Meeting Feb 6, 2013 at PK2
- Face book page will be updated by Town Clerk

Old/New Business

Selectman Hurrey

- FinCom meeting 1/7/13 update TA did the budget for DPW, Steve Weiner did the Library budget. TA has question for legal regarding retirees (If we can have a line item to cover the budget impact) sick leave buyback, centralized buy back fund.
- Long term plan for budget.
- Budget message this year to use the FY12 budget numbers and not the FY13, reason FY13 not complete with final spend.
- 129 Parker Street comments from residents, community meeting at Town Hall, Jan 23rd in room 101. Meeting with developer at PK2 Feb 6, 2013.
- CPC meeting Jan 9, 2013 for the projects the Town submitted.
- Nomination Papers available at Town Clerk's Office until March 15, 2013.
- Capital Planning List will be available very soon.
- Capital Planning Committee meeting on Jan 10, 2013 ~ Long term planning will start in early spring.

Selectman Gavin

- New sign hanging on the Paper Store -- check with Planning on the approval.
- School Building Committee meeting 1/9/13.
- Joint Budget Meeting 2/9/13.

Selectman Chetwynd

- Charter Review ~ Public Hearing on Jan 22, 2013 Draft of Charter with the Town Clerk. Small set of slides for the meeting.
- By-Law review will be scheduled.

Chair, Dawn Capello

- Feedback from TA new By Laws (Nuisances By Law)
- Empty Store fronts example
- (Thinking about) marijuana issue request to add to agenda; get ready for by laws changes.
- Remind the Assessor to add the article for exemption on Annual / Special Town Meeting.
- Magic representative – we need to appoint a Selectman.

Motion made by Selectman Chetwynd to approve and appoint Selectman Dawn Capello as the rep for the MAGIC Committee. Second by Selectman Hurrey. Vote 4-0. **Motion approved.**

Executive Session ~ Land

Motion to convene an executive session was made by Selectman Capello and duly seconded by Selectman Chetwynd. Vote 4-0. **Motion approved.**

Roll Call	Yea	Nay	Abstain	Absent
Selectman David Gavin	X			
Selectman James Buscemi				X
Selectman Dawn Capello	X			
Selectman Mick Hurrey	X			
Selectman Brendon Chetwynd	X			

Board will not reconvene into open session.

Motion made by Selectman Chetwynd to adjourn. Second by Selectman Hurrey. Vote 4.0. **Motion approved.**

Time: 9:00 pm

Approved: _____

Date: January 8, 2013

Selectman, Chetwynd, Clerk

Initials: BJM

**Report of Treasurer/Collector's Office
For December 2012
Submitted by Cheryl Kane**

Activity Report

December 2012 Collections:

Collector: Taxes and water/Sewer:	\$ 203,910
Treasurer: Dept Turn-ins and wire receipts:	\$ 3,057,011

Actual Tax Bills mailed on December 31

Total Annual:

Real Estate	\$ 24,581,396
Community Preservation	\$ 204,684
Personal Property Tax	\$ 821,808

Delinquent Real Estate Taxes 7/1/12-12/31/12:

Delinquent RE, Tax Title, Outstanding	\$ 1,992,059
Collections 7/1/12-12/31/12:	\$ 549,875
Outstanding Balance as of 12/31/12:	\$ 1,442,184

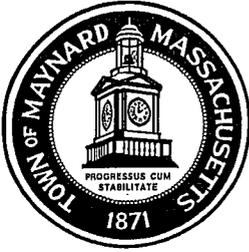
Comments

Projects:

Treasurer's Cash and Collector's Receivables reconciled thru November

Editorial:

Excessively difficult to create actual tax bills on collection software



TOWN OF MAYNARD

Town Accountant – Lori Blanchard

TOWN BUILDING
195 MAIN STREET
MAYNARD, MASSACHUSETTS 01754
Tel: 978-897-1352
Fax: 978-897-1013
lblanchard@townofmaynard.net

TO: Board of Selectmen

FROM: Lori Blanchard, Town Accountant *LB*

DATE: January 7, 2013

SUBJECT: ACCOUNTANT'S REPORT – DECEMBER 2012

During the month of December, the Town Accountant's office has been working on the following:

- Processing the Weekly Bills Warrant
- Processing the Bi-Weekly Payroll Warrant
- Journal Entries
- Prepare FY14 Budget Module in KVS
- FY12 Closing and Reconciliation of Account Balances
- FY12 Balance Sheet Completion & Submission to DOR on 12/26/12
- Budget vs. Actual Monthly Expenditure Reports Issued 12/27/12
- Debt Schedule & Reconciliation with GL Account Numbers

Also, planning and preparing for:

- 1099 Forms to be Printed & Mailed by 1/31/13
- Revenue/Expense Reports for Funds Other Than General & Ent Funds
- Cash Reconciliation with Treasurer as of 11/30/12
- Outstanding Receivables Reconciliation with Collector as of 10/31/12
- Outstanding Receivables Reconciliation with Collector as of 11/30/12
- Recording & Tracking of Ambulance Receivables
- Chapter 90 Reimbursements
- FY13 Revenue Reports

Thank you.



TOWN OF MAYNARD

Town Accountant – Lori Blanchard

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- Recording & Tracking of Ambulance Receivables
- Chapter 90 Reimbursements
- FY13 Revenue Reports

Thank you.

**Report of the Town Clerk's Office
For the month of December, 2012
Submitted by Michelle Sokolowski**

Activity Report

Dog licensing for 2012 is complete. 1136 dogs have been licensed. This is an additional 220 dogs licensed compared to 2011. Total revenue taken in for dog licensing in 2012 was \$14,385.00

The 2013 Annual Town Census and dog licensing applications were mailed to all residents on December 28th.

Money taken in was reported and turned over to Treasurer-Collector's Office.

All birth, death & marriage records were reported to the Registry of Vital Records and Statistics.

The following documents were issued:

2 - Business Certificates

16 - Birth Certificates

13 - Death Certificates

5- Marriage Certificates

1- Marriage Intentions

1- Citations (Dog)

Fourteen Board & Committee members were sworn into office.

Becky Mosca

From: Tim Mullally
Sent: Tuesday, January 08, 2013 8:32 AM
To: Becky Mosca
Subject: Monthly report for December Water And Sewer Dept.

>Continual testing of water quality testing as mandated by Mass DEP.

>Continual rotation of water treatment plants and wells .

>Continual response for final reads,emergency water and sewer mark outs,high water use concerns etc.

>Check sewer pump stations daily for proper operation and maintenance as needed.

>Assist highway dept with plowing snow.

>Assist residents with frozen pipes .If frozen in the meter or behind the meter towards the street we can unthaw with a hot water injector.If beyond the meter on the house side they need to get a plumber.

>water service leak at St. Bridget's church repaired.

>Monitor and inspect all sewer work on Waltham st bridge job.Sewer pipe and laterals are all installed and now in use flowing across new section of bridge and has been inspected by Mass DOT and Maynard Sewer dept.

>DEP Sanitary Survey was done on DEC 5TH 2012 this is a thorough inspection of the whole water dept done by a DEP inspector from water plants,to wells,to the towers,and paper work in office and everything in between .the inspection went well we will receive the final report from DEEP in a month or so.

>sewer block 16 Durant ave

>sewer block 9 Paul rd

>sewer block powder mill rd at john deer shop

Tim Mullally...

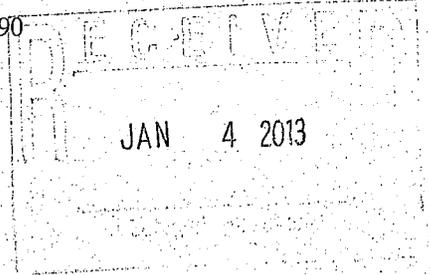


OFFICE OF THE
DEPARTMENT OF PUBLIC WORKS

MUNICIPAL BUILDING • 195 MAIN STREET

MAYNARD, MASSACHUSETTS 01754

TELEPHONE 978-897-1317 • FAX 978-897-7290



DATE: December 20, 2012

THIRD QUARTER BILLING 2013 TO THE COLLECTOR OF TAXES

COMMITMENT	WATER/SEWER BILLING			
	2012 4 TH QTR	2012 1 ST QTR	2013 2 ND QTR	2013 3 RD QTR
WATER CHARGES:	\$373,400.69	\$412,273.17	\$488,118.16	\$395,105.90
SEWER CHARGES:	\$562,278.25	\$601,984.31	\$662,798.40	\$570,624.06
CROSS CONNECTIONS:	\$50.00	\$5,700.00	\$3490.00	\$3630.00
FLAT RATE FOR CHURCHES:	\$109.00	\$109.00	\$109.00	\$109.00
SEWER ONLY- IN TOWN	\$355.20	\$355.20	\$355.20	\$355.20
SPRINKLER COST:	\$325.00	\$325.00	\$325.00	\$325.00
HYDRANT COST:	\$15.00	\$15.00	\$15.00	\$15.00
SEWER ONLY- OUT OF TOWN:	\$61.80	\$61.80	\$61.80	\$61.80
MISCELANOUS CHARGES:	\$825.00	\$450.00	\$450.00	\$675.00
TOTAL CHARGES:	\$937,419.94	\$1,021,273.48	\$1,155,722.56	\$970,900.96
TOTAL USAGE CU. FT.	6,251,395	6,888,001	8,004,324	6,625,731

IN TOWN WATER RATES

000 - 500 CUBIC FT	\$4.36/100 CU FT
501 - 1000 CUBIC FT	\$5.62/100 CU FT
1001 - 2500 CUBIC FT	\$6.03/100 CU FT
2500 + CF CUBIC FT	\$6.88/100 CU FT

IN TOWN SEWER RATES \$8.88/100 CU FT

OUT OF TOWN WATER RATES

000 - 500 CUBIC FT	\$6.10/100 CU FT
501 - 1000 CUBIC FT	\$7.86/100 CU FT
1001 - 2500 CUBIC FT	\$8.45/100 CU FT
2500 + CF CUBIC FT	\$9.69/100 CU FT

OUT OF TOWN SEWER RATES \$12.36/100 CU FT

Tim Mullally

12.28.12

Dave I. O. Simmons

Tim Mullally
Superintendent of Water

Date:

Dave Simmons
WWTP Contract Manager

Date



OFFICE OF THE
DEPARTMENT OF PUBLIC WORKS
WASTEWATER DIVISION

18 Pine Hill Road

MAYNARD, MASSACHUSETTS 01754

TELEPHONE: 978-897-1020

FAX: 978-897-1682

January 4, 2013

To: Town of Maynard DPW

From: David A. Simmons, Plant Manager, WSS *WWTP*

Re: Monthly Report- December 2012

The Co-Mag system was shut down for the season as of November 1, 2012. We completed another successful season of operation and all discharge parameters were held within compliance.

We were allowed to shut the Co-Mag tertiary system down completely and not have to pump secondary effluent through the system because we now have both secondary clarifiers in operation. We drained, cleaned and inspected the tertiary clarifiers and all the mixing chambers.

The new plant water pump system is operating properly and we are still finding ways of reducing our consumption of town water use at the facility. We used 115,000 gals for the month of December compared to 458,000 gals for the month of November.

Installed a secondary delivery system for caustic for pH control during the off season when the Co-Mag process is shut down.

Respectfully Submitted,
David A. Simmons
Plant Manager, WSS

**FACILITIES DEPARTMENT
DECEMBER 2012
Gregg Lefter, Facilities Manager**

Activity Report

FACILITIES:

- Weekly High School Meetings
- Monthly Assabet Valley School renovation Meeting
- Completed Lighting upgrade to Fowler School
- Completed Boiler install at Fowler School
- Working lighting issues at Library
- Re pointing of North side Brick at Library
- Prequalification Committee for Assabet Valley Renovation
- Monthly High School Meeting
- Facilities Committee Meeting
- Green Community Meeting
- LEPA Meeting
- Repair Boiler at Town Hall pump motor and holding tank
- Roof leaks at Fire Station
- Roof Leaks at DPW
- Installed Score Board at Boys and Girls club
- LED Street Lights ordered
- Door and Lighting issues at MGC
- Solicit Bids and Purchased Sewer Jetter/ Vac Truck water Dept
- Installed temporary Heat at Water Dept Building





TOWN OF MAYNARD
Office of Municipal Services

MUNICIPAL BUILDING
195 Main Street
Maynard, MA 01754
Tel: 978-897-1302 Fax: 978-897-8489
www.townofmaynard-ma.gov

Kevin A. Sweet
Assistant Town Administrator
Executive Director

Board of Health
Conservation Commission

Building & Inspections
Licensing

Board of Appeals
Planning Board

TO: Board of Selectmen

FROM: Kevin Sweet, Assistant Town Administrator/Executive Director

DATE: January 8, 2013

RE: Monthly Report –December 2012

ADMINISTRATION

- ATA standing meetings/updates with TA
- Municipal Services staff meetings/updates
- ATA continues to work on the routine assignments that we deal with on a daily/weekly basis
- ATA presented Municipal Services budget projection and overview to Finance Committee
- ATA attended monthly MMMA Young Managers Exchange (YME)
- ATA attended MEMA statewide public assistance and disaster management conference
- ATA attended meeting with Municipal Services new permitting software vendor at their site

PUBLIC HEALTH DIVISION

- Board of Health Permits – The annual re-permitting process is almost complete for all Food Service, Tobacco Sales, Permanent Dumpster, and Solid Waste Hauler permits. Combining the BOH renewals with the BOS license renewals has allowed for a more streamlined, all-inclusive process.
- After review by Town Council, the Board of Health voted to officially adopt the updated and amended Code of Health Regulations as one cohesive document, to become effective January 1st. An adoption notice was posted in the local paper as required.
- In the coming months, the Board of Health will be discussing amendments to their Fee Schedule to become effective July 1st.
- Joan Hamlett, from our regional Tobacco Control Alliance provided an overview of the Alliance's annual inspection and education program. She also provided new regulation language for future consideration with regard to banning blunt wraps (candy flavored), banning pharmacies from selling tobacco as a medical facility (clinic) status, and raising the purchasing age. Education programs have been designed around these new regulations, but won't be scheduled in Maynard until after January 1st to accommodate Maynard's BOH approval of the Code of Regulations.
- Landfill – ECS has completed the final round of monthly GP-7 gas monitoring. The latest gas sampling results revealed a zero methane reading at that probe site.

- Emergency Planning & MCC/MRC – MRC Chair, Kathy McMillan, met with the ADA in an attempt to connect with the group and determine what needs they may have from the MRC. The MRC is also moving toward a more goal-based planning process throughout the upcoming year.
- Mr. Sweet is awaiting receipt of the After-Action Report from the Emergency Dispensing Site (EDS) Drill conducted in October, to be followed by the annual TAR. An EDS Plan audit by the MA Department of Public Health is being prepared for March 1st.

BUILDING AND INSPECTIONS DIVISION

- 27 Permits Issued. As of December 31st, we have issued 415 Building permits in calendar year 2012. There were only 301 Building Permits issued in all of 2011.
- Building Commissioner completed all required inspections and, after acquiring sign-offs from the Fire Chief, issued annual Certificates of Inspection for all Liquor License establishments.
- Permits totaled \$3,458,498.00 in Construction Value and generated \$40,377.00 in Fees Collected. This includes the Building Permit for the Solar Array Project at the Landfill site on Waltham Street, valued at \$2,710,230.00 with a fee of \$32,520.00 and expected to be released shortly.
- Throughout the month of December, 27 Plumbing Permits were issued (totaling \$1,960.00), 14 Gas Permits were issued (totaling \$975.00), and 28 Electrical Wiring Permits were issued (totaling \$2,794.00).
- After extensive research and comparisons with surrounding communities, updates were made to the current Building, Plumbing, Gas, and Electrical Wiring Permit Fee Schedules. The proposed Fee Schedules were approved by the BOS to become effective July 1st, in conjunction with the planned rollout of Point online permitting software.

CONSERVATION DIVISION

- The Conservation Commission held two meetings in December—December 4th and 18th
- Public Hearings: Notice of Intent
 - 213 Main Street - Demolition of a single family house and construction of two duplexes. The hearing was held on December 18th (ten abutters attended the hearing). A number of issues were raised, including deficiencies in the application. A site visit was scheduled for January 5th. The hearing was continued until January 8th at 7:00. The construction of two duplexes on a single lot will require additional approval from the Planning Board.
- Wetland Issues:
 - The developer for 129 Parker Street plans to delineate the wetlands and submit an Abbreviated Notice of Resource Area Delineation prior to submitting a Notice of Intent.
 - During the sale of a house on Taft Avenue, it came to the Commission's attention that the floodplain behind the new development is designated as a drainage and conservation easement. No information was found in the files regarding this designation.
- Administrative Business:
 - The Agent conducted a site visit at 20 Dix Road and confirmed the shed located on Conservation Land has not been relocated, as requested.
 - The Agent emailed chapters 1 and 2 of the Open Space and Recreation Plan to the Conservation Commission for their review.
- Land Management:
 - The trails off of Rockland Avenue (past the soccer fields) have two trees blocking the trails. The Agent will inquire if trail maintenance volunteers can assist.
 - A number of trees along the wetlands were removed from the landing strip at Sid's airport (Summer Street) to accommodate Mr. Mason's new plane.

PLANNING, ZONING & LICENSING DIVISION

- Abutters and neighbors of 129 Parker Street attended December 11th Planning Board meeting, to express their concerns regarding the proposed development. The Board expressed their concern that they did not have a proposal in front of them and could not comment on their remarks. The Board did inform the abutters and neighbors to please check the website and the newspaper. If anything is formally filed, all information will appear on the site and a public notice will be published in the local newspaper.
- Met informally with three potential buyers for sub-divisions around town.
- Board of Appeals – hearing on 13 Elm Court – Monday, December 17, 2012 request for a special permit home occupation – hairdresser at her home. Board approved. Special Permit approved. Decision filed with Town Clerk.
- After extensive research and comparisons with surrounding communities, updates were made to the current Planning and BOS Licensing Fee Schedules, including Liquor and Carry-In Alcohol, Common Victualler, Entertainment, Class II, Taxicab/Livery, Rooming House, Billiard, and Junk Dealer licenses. The proposed Fee Schedules were approved by the BOS to become effective July 1st, in conjunction with the planned rollout of Point online permitting software.
- Thai Chilli Liquor License Transfer with ABCC to new management, renamed “Thai Chilli House” is now pending decision from the ABCC. The application was returned by the ABCC for additional information. The applicant made all changes and had another hearing in front of BOS. The application was completed and mailed to ABCC for approval.
- Russell’s Convenience Store transfer to J. Salamone Enterprises, Inc. hearing held November 13, 2012, sent to ABCC for approval.
- All liquor licenses except for Cast Iron Kitchen, Neighborhood Pizza and Oriental Delight have been distributed to licensees. We are still working on the balance of Common Victualler, Entertainment, Lodging Houses, Carry-In Alcoholic, Class II and Taxicab/Livery Licenses.

**Report of the Library
For the Month of January 2013
Submitted by Steve Weiner**

Activity Report

19 Public Meetings were held in the library during December.

271 children attended programs sponsored by the library.

9,763 items circulated. 1,336 items went out through the self check program. 230 items were borrowed through the Minuteman Library Network's down loadable e-book program. We discharged 8,104 items and registered 28 new library cards. There were 1,455 computer log ons and we added 420 books to our collection.

Comments

Although it was a short month because of the holidays, use of the library was quite robust.

*If your department typically provided statistical analysis of work performed please attach to this form.

**Report of (Council on Aging)
For the Month of (December 2012)
Submitted by (Marcia Curren)**

Activity Report

- There were three holidays resulting in 18 four-hour office work days.
- LRTA – Statistics for November 2012. Prepared and mailed invoices for Nov. 2012
- DOT-EOTC prepared and mailed forms for November.
- Counted van donations, rolled coins, prepared Treasury Transmittal forms and submitted all to the Treasurer's office. (Information copy to Accounting.)
- Prepared "Schedules of Bills Payable Forms" made photocopies, delivered to Accounting
- Prepared two payroll submittals, made copies, delivered to Treasurer's office. (12/12 and 12/27)
- Updated and reconciled Employee Data Calendars to the Payroll input forms.
- Submitted the last of five Sexual Harassment Policy signatures/witnessed to BOS Office.
- Provided assistance in arranging Speaker, Mr. Sullivan, for the Jan. 7, 2013 COA Meeting.
- Prepared with Chairman Agenda for the Jan 7, 2013 COA Meeting.
- Prepared COA Treasurer's reports – Formula Grant and Revolving Account for January COA Meeting
- Created the Dept. 541 FY 2014 Budget utilizing guidelines provided by the Town Administrator.
- No SWOP inquiries in December. MJP has had medical problems and will be returning to the COA office as a SWOP worker when she is recovered.
- Received and process telephone calls – requests for SHINE Consultant. Nearly every call requires an explanation of the process.
- Email to Action Unlimited (1) Announcement regarding COA upcoming meetings and other events.
- Several appointments and walk-ins by Seniors seeking Food Stamps and other services.
- FUEL ASSISTANCE: Received many telephone calls from Citizens who may be in need of Fuel Assistance.. Application packages were mailed out. Again, there was a need to explain the procedures and provide reassurance for some callers. Several applications were completed and submitted in December.
- Read and answered emails (3-10 per day) from other COAs, Elder Affairs, and Town Staff. Completed several quick informal surveys for Elder Affairs.
- MC and DH attended monthly COA meeting on December 3, 2013. BW covered Dispatch.
- Completed forms for two Seniors utilizing the Stow Food Pantry.
- Completed one SNAP (Senior Nutrition Application) for Senior requested Food Stamps.

- Social Services information telephone inquiries were received and assistance and referral (as appropriate) was provided. A few non-seniors have called or visited the office to make inquiries about services which might be available to their senior-aged parent(s) whom they are planning to relocate to, or already live in, Maynard. We have also had inquiries regarding Assisted Living at various levels of services/care and have provided literature, information, and referral to Minuteman Senior Services for more detailed information than we can provide. The COA does not make referrals to specific assisted living sites. Mrs. B, walk in, one hour visit lost Food Stamp card, Social Security questions. She is one of our somewhat regular walk-ins.

- **Durable goods:** Our inventory fluctuates, but in general we are able to provide requested durable goods. Occasionally we borrow some equipment from the Acton COA. The Dispatcher delivers some of these items to the citizens in need and Alternate Driver assists as needed. *This is an on-going event. Of note is the donation of durable goods has somewhat exceeded the distribution of durable goods and our limited storage space is filled.*
- **Requests for Financial Assistance:** Activities continue as in prior reports, but volume varies. All such requests are referred to appropriate agencies. The COA does not provide cash assistance to anyone. Some requests are handled by D. Hull via his association with the Salvation Army through their voucher system.
- **SENIOR CENTER** activities continue daily with crafts, card games, weekly chair exercises and a sing-along with RH at the piano, monthly visits by Alex Thayer, of IOK Optical for eyeglass frame adjustments and by Rep. Kate Hogan for a legislative update followed by a question and answer session and tea. The Senior Center computers have been used for card games. The connectivity to the WWW and the ability to send or receive emails is pretty much non-existent, or at best extremely slow. The computers in the Senior Center are very old. Some Seniors have been using the computers at the Library. R.Hellander has two Senior Students for beginner piano lessons on Mondays and Tuesdays. Jigsaw puzzles, sewing machines and books are always available. Several dedicated volunteers dust and vacuum the Center as needed. *Singers from Maynard High School entertained our Seniors with holiday caroling. A tea party was held.*
- **The DROP-IN:** Weekly Tuesday morning activities continued. The facility usage fee and the stipend for the Drop-In Manager are funded by the Formula Grant from the Executive Office of Elder Affairs. Volunteers are fully involved with the activities, serving the lunches, and the kitchen clean up. There is a \$2.00 fee each for the luncheon which is prepared by a caterer. *A holiday (Christmas) party with music, an all volunteer effort, was held at the Drop In.*
- **LINE DANCE LESSONS** continue weekly, *as weather permits*, on Thursdays at 1:30 PM in the Common Room at Concord Street Circle. An additional half hour of lessons for beginners is graciously volunteered by the teacher. Several new beginner dancers attended the beginner lesson. The one hour lesson for experienced dancers, and for those beginners who wished to participate. The beginner half hour is working out well as the teacher is able to advance the training for the experienced dancers.

OFFICE STATISTICS FOR December 2012:
 326 telephone calls
 20 office visits

VAN STATISTICS for November 1,471 and December, 1,565 miles driven Ford van.
 Number of passenger rides November 544, December 401.
 End of month mileage on:
 Ford van total mileage 82,692.
 Dodge van total mileage 123,444 – (this is a correction)
 Van Service curtailed for safety reasons on one day due to icy roads and sidewalks.

COMMENTS

None.

Agenda
Joint Budget Meeting FY2014
February 9, 2013
Maynard Public Library
77 Nason Street

8:30 AM Coffee

9:00 AM Convene, Meeting Chair – Moderator James Coleman

9:05 AM Board of Selectmen Report
Chair Dawn Capello

9:15 AM FY 13 Budget Review and FY14 Revenue Projects & Budget
Mike Sullivan, Town Administrator

10:00 AM School Committee Report
Chair Amy Rebecca Gay

10:30 AM Finance Committee Presentation

10:45 AM Capital-Planning Committee Presentation

11:20 AM Questions and Answers

11:30 Noon Adjourn

Submitted M. Sullivan Town Administrator



**MAYNARD
TOWN SCHOOL BUILDING COMMITTEE**

**MEETING MINUTES
Meeting # 68-13
December 12, 2012**

DRAFT

PRESENT	NAME	AFFILIATION	E-MAIL DISTRIBUTION
No	Robert Gerardi	Superintendent Maynard	✓
No	Pete DiCicco	Business Advisor Maynard	✓
x	Mike Sullivan	Town Administrator	✓
No	Chuck Caragianes	Principal, MHS	✓
X	Jerry Culbert	Committee	✓
No	Matt Briggs	Committee	✓
X	Philip Berry	Committee (School Committee)	✓
X	Anthony Midey	Committee	✓
No	Ken Neuhauser	Committee	✓
X	Jen Gaudet	Committee (FinCom)	✓
X	Bonnie Winokar	Committee	✓
x	Ed Mullin	Committee	✓
X	David Gavin	Committee (Selectman)	✓
X	Gregg Lefter	Town Facility Manager	✓
X	Marie Morando	Secretary	✓

Additional attendees: Chuck Adam, Municipal Building Consultants and Jose Silva,
Tappé Associates

December 12, 2012

Meeting opened at 6:35 p.m.

- **Safety:**
 - **Safety issues highlighted in the schools.**
 - Greg reported that the flashing lights on Great Road are now working; replaced the light bulbs.

- **Finance:**
 - **Review and approve any project bills presented to the committee.**

Jerry presented the following invoices for the committee's approval:

 - voted approval
 - Municipal - \$35,060 - for monthly OPM services - Tappé Associates - \$30,226 - for monthly construction phase services -
 - CTA Construction - monthly requisition in the amount of \$1,617.990 for the work completed through September - a motion was made by
 - FedEx: statement in the amount of \$13.05 for mailing to MSBA
 - EM motion to approve invoices as listed by the Chair – BW seconded motion passed 6-0

- **Full Committee:**
 - **Approve minutes:**
 - Motion made by Anthony and seconded by Bonnie to approve the November 14, 2012 meeting minutes as submitted. All present voted approval

 - **Overall progress:**
 - Municipal - Construction update / General schedule update:
 - MBC provided a general update on the progress of the project.
 - Progress in all areas is going well.
 - Permanent gas and electrical services are almost complete
 - Exterior envelope work is progressing well. Brickwork occurring in all areas. Metal panels and other finishes have started.
 - Extra cameras were installed Cooper was installed no problems with break ins.
 - Project is roughly 53% complete at this requisition
 - Manpower count is hovering around 50-55 each day.
 - The contractor, MBC and Tappé are monitoring the schedule closely. CTA has enclosed approximately 90% of the building.
 - Temperature in the building is around 45 – 50 degrees.
 - Temporary heat has been installed.
 - Change orders – are at 17% of the contingency. We do not have a change order for tonight's meeting. There is a small one on the table, will bring in to the next meeting.
 - Hefty allowances made for the tear down of the old high school.

- Brick is almost at 100% complete.
 - Roofers are struggling; there is a small staff on site.
 - Increased drywall and finishers on site.
 - Masons are gone
 - We will probably see manpower increase close to the 100 mark.
 - Tile is being installed
 - Hot water tanks are on site, but not being used by the contractors; High efficiency tanks, we will wait to test them because of the warranty starts when we fire them up.
- **Open issues/New Business:**
 - Budget will be monitored closely.
 - Walls are up; classrooms are defined
 - Couple of credit change orders will be next month;
 - WAVM went over budget- will be sitting down with them

JG – Finance Committee wants to know about the increase of the cost of running the new building. More square footage and more high tech installed; in the long run it will be beneficial. When we submitted we had to do a capital budget statement with staffing, adding and reducing aids, utility costs that was supported by the Superintendent and the Town.

EM – brought up the baseball field and the committee said that it was outside of its authority and will be brought up after the school is completed. It could be a small fix. EM – I don't want to see the new high school have broken windows because of baseballs hitting the school. The other question is about air conditioning; is the air conditioned; I wouldn't want to see the classrooms auditorium and gym not being air conditioned; JS stated that administration part of the building is air conditioned. Discussion around this; JC would check to see what is in the minutes from year and half ago; will discuss at the next meeting. JS from Tappe will look at his notes and report back in January.

EM – request from the AD about the banners that need to be replaced or treated; GL this is required by law - they need to be up to code when the school opens; Fowler has their banners treated

PB – talked about if the baseball field is suitable for Varsity sports – there are no regulations for Varsity baseball on fields. Once the school is finished we will look at this and make arrangements to have the field possibly updated.

Tiger Drive – NSTAR is getting ready to install the poles.

MS- February 15th, we will go out to bond the rest of the high school we need 4.4 million dollars.

DG – on the next tax bill it will show the first year of the high school. Please help the residents understand.

Next meeting **January 9th, 2013** at 6:30 p.m. – PB – motion to adjourn – BW 2nd – 8:45 p.m.



POSTED: JANUARY 16, 2013

PLANNING BOARD
TOWN BUILDING
195 MAIN STREET
MAYNARD, MA 01754

The Planning Board cancelled their regular scheduled hearing on **Tuesday, January 22, 2013 at 7:00 p.m.** The next public hearing is scheduled for **Tuesday, February 12, 2013, at 7:00 p.m.** agenda will follow.

Chairperson: Max Lamson
Posted by: Marie Morando, Planner Assistant

Date: January 16, 2013

OFFICE OF THE
TOWN CLERK
195 MAIN STREET – TOWN BUILDING
MAYNARD, MASSACHUSETTS 01754
TEL: 978-897-1300 FAX: 978-897-8553
EMAIL: MSOKOLOWSKI@TOWNOFMAYNARD.NET

January, 2013

To: All Officials, Boards & Committees
Re: Open Meeting Law, Notice of Meetings

Dear Officers of Maynard:

If you wish to send meeting notices via email or fax, notices will be date stamped during the Town Clerk's Office regular business hours, 8:00 a.m.- 4:00 p.m. After 4:00 p.m., notices will be date stamped the next business day. Please keep this in mind in following the 48 hour meeting posting rule.

Except in an emergency, public bodies shall file meeting notices sufficiently in advance of a public meeting to permit posting of the notice at least 48 hours in advance of the public meeting, excluding Saturdays, Sundays and legal holidays, in accordance with M.G.L. c. 30A, § 20. In an emergency, the notice shall be posted as soon as reasonably possible prior to such meeting.

Meeting notices shall be printed or displayed in a legible, easily understandable format and shall contain the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. The list of topics shall have sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting. The date and time that the notice is posted shall be conspicuously recorded thereon or therewith.

Except in cases of emergency, do not meet on holidays, election days or during town meetings. For your convenience, the upcoming elections, meetings and holidays are as follows:

January 1, 2013 – December 31, 2013

Jan 1	New Year's Day	Jul 4	Independence Day
Jan 21	Martin Luther King, Jr. Day	Sept 2	Labor Day
Feb 18	President's Day	Oct 14	Columbus Day
Apr 15	Patriot's Day	Nov 11	Veterans Day
May 7	Annual Town Election	Nov 28	Thanksgiving Day
May 20	Annual & Special Town Meeting	Dec 25	Christmas Day
May 27	Memorial Day		

If I may be of further assistance, please call me at (978) 897-1300.

Sincerely,
Michelle L. Sokolowski
Maynard Town Clerk

Thank You
Alan DiPietro

On Wed, Jan 16, 2013 at 12:08 PM, conscom <conscom@townofmaynard.net> wrote:

Our new Commission member is John Thomas, Jr. He was appointed by the Selectman on August 21, 2012. I am not sure when he was sworn in, but I can check with the Town Clerk.

After the formation of the Municipal Services Department, the websites were re-worked this fall. Adding Mr. Thomas' name to the Commission's website was overlooked and I will have that changed today, when I submit the agenda for posting.

Linda

From: Alan DiPietro [<mailto:alandipietro@gmail.com>]
Sent: Wednesday, January 16, 2013 6:46 AM
To: conscom
Cc: Becky Mosca
Subject: Re: Open Conservation Commission Member Position

*Email from Resident
Alan Di Pietro*

Thanks Linda,

Who is the new person and when were they sworn in?

When was this this appointment made by the selectmen?

On Mon, Jan 14, 2013 at 11:15 AM, conscom <conscom@townofmaynard.net> wrote:

Alan,

Thank you for your application for membership on the Conservation Commission. The opening on the Conservation Commission has been filled. I will have the website administrator update the Conservation Commission website. I do not anticipate an opening in the near future, but will keep you informed in case a member steps down.

*Town of Maynard
Chairman, Board of Seletmen
Ms. Dawn Capello
195 Main Street
Maynard, MA 01754*

CC: Mr. Fred King, Chairman, Town of Maynard Conservation Commission

RE: Open Conservation Commission Member Position

December 18, 2012

Madam Chairman,

Please consider this letter, both in it's electronic and signed paper version, my formal application for the Town of Maynard's open Conservation Commision member position. I am a resident of Maynard, born and raised locally. As you are well aware from my previous letters to this Board and other committies of the Town I have a strong interest in the past and concern for the future of the limited remaining Open Space in the Town of Maynard. My unique position and experience, have prepared and motivated me to offer my assitance to the Town. Should you see fit to appoint me to the Conservation Commision; I will serve, to the best of my ability, to protect and preserve the natural resources of Maynard, the gems of green space that we too often take for granted.

Alan DiPietro

*4 Riverside Park
Maynard Massachussetts*

*Filled Aug 21, 2012 at BOS
by John Thomas.*

Becky Mosca

From: Alan DiPietro <alandipietro@gmail.com>
Sent: Wednesday, January 16, 2013 8:11 PM
To: conscom
Cc: Becky Mosca
Subject: Re: Open Conservation Commission Member Position

Wow Linda, that is out of date.

Anyway I have a couple of issues I'd like to discuss with the Conservation Commission. I've not been getting a lot of answers to what I feel are going to become big problems for us on Riverside Park.

The DPW found it necessary to trim branches, brush and trees on our street in order to allow snow clearing equipment to better pass. On most streets this would not be an issue however in this case the writing is on the wall. First off the amount and content of what was cut was excessive.

Four mature Catalpa trees were unnecessarily removed. I had been pruning these trees and they were not obstructing the road in any way.

These four Ornamental Flowering Trees were 6-8 inches in diameter and qualify as Public Shade Trees for which notice should have been given prior to their removal. I believe lack of a properly trained Tree Warden is partially to blame here.

These four trees were directly opposite our kitchen window and in addition to beautifying our home, street and community they provided us privacy from Track Road and the future Rail Trail. Which brings me to the second problem. The extensive cutting has left our street exposed along its entire length to Track Road and the future Rail Trail, encouraging people into our private areas.

We are and have been experiencing problems with trespass, which for me personally has lead to incidents of vandalism and harassment of my alpacas. As more and more people are drawn here by the Wildlife Preserve and the Rail Trail, and learn of the beauty of this area, the current uncontrolled nature of things will only serve to escalate these problems and the parking issues.

Unfortunately in the past certain persons in the DPW and Town Administrators Office have taken an, erroneous and heavy handed, adversarial position as to Town ownership of our private property, which has only served to exacerbate these problems.

In hopes of moving forward in a constructive way I have decided to offer my help. Seeing as the Conservation Commission Member Position is filled I would like to officially volunteer my services as a Land Steward for the Ice House Landing and associated Rail Trail Area from 117-Winter Street to White Pond Road. I have been unofficially acting in this capacity for years now removing trash and doing basic clean up.

It is my wish to avoid future misunderstandings and unpleasanties with all branches of the town government. Through better dialogue and more engagement, I expect the courtesy of Notice to future actions such as this will be extend whether required by law or not. I am hopeful that we can work together to find solutions to these problems that will enhance the lives of all members of our community.

After I have discussed some of these issues with the BOS Tuesday evening , I hope you will be able to set aside some time at your meeting to do the same.

JAN 4 2013

JAN 4 2013

December 28, 2012

Maynard Board of Selectmen
195 Main Street
Maynard, MA 01754

Re: Mass. Municipal Assoc. Annual Meeting

Dear Members of the Board of Selectmen:

The 2013 Massachusetts Municipal Association Annual Meeting and Trade Show begins on January 25th at the Hynes Convention Center in Boston. Tallage will be back this year with a booth at the MMA Trade Show, meeting municipal officials and explaining how they can reduce their accounts receivable by assigning their tax title liens.

Since our inaugural appearance at the MMA Trade Show last January, about a dozen new communities, large and small, have jumped into the market, holding tax lien auctions and converting their tax titles into revenue. These municipalities include Hopedale, Weymouth, Quincy, Lowell, Somerset, and Ware.

Through tax lien auctions governed by G.L. c. 60, §52, municipalities sell their tax liens before they are foreclosed by the Land Court, with the winning purchaser stepping into the shoes of the municipality and assuming all of the municipality's rights and obligations. A tax title auction is distinguished from a tax *possession* auction, in which foreclosed tax title properties are sold. The enclosed double-sided brochure explains how these auctions work, and how they can be an effective tax collection tool for cities and towns, eliminating the need to chase down delinquent taxpayers and initiate costly litigation.

Please stop by our booth (#1128) at the Trade Show and say hello, and in the meantime have a happy new year!

Yours truly,



Bill Cowin



Converting Tax Receivables Into Revenue: Tax Title Auctions and Bulk Sales Under Mass. General Laws Chapter 60, s. 2C & 52

Selling a municipality's interest in a tax taking (a "tax title") is an alternative to the Land Court foreclosure process, giving municipalities the ability to immediately recover what is owed and to avoid the cost and delay of a foreclosure action. Assignments are expressly authorized and governed by G.L. c. 60, s. 2C and 52.

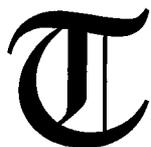
Tax title assignment auctions convert tax receivables into revenue, and put delinquent properties back on the tax rolls. Purchasers of tax titles step into the shoes of the municipality, earning 16% interest on the principal amount of the outstanding taxes.

Probably the biggest benefit to municipalities is the immediate payoff of outstanding taxes and the infusion of cash into municipal coffers and an immediate reduction of accounts receivable on the balance sheet. Communities also save the legal costs of prosecuting tax title foreclosure cases in Court and avoid the risks of debtor bankruptcies and property value deterioration.

Simply advertising a tax title auction has proven to be an excellent motivator for delinquent taxpayers. Typically, 40% of tax titles redeem between the publication of notice of the auction and auction day.

Tax titles can be sold individually or in bundles. Tax titles sold at auction pursuant to G.L. c. 60, §52 must be sold for at least the redemption price (no discount). After the auction, the municipality delivers an assignment instrument to the purchaser, which is recordable at the Registry of Deeds.

The assignment of tax titles has been on the books in Massachusetts since the 18th century. Over the last 12 months, over a dozen new cities and towns have entered the market by conducting their own tax title assignment auctions.



TALLAGE

A Massachusetts Municipal Tax Lien
Investment Company

Phone: 617-543-7214

E-mail: Bill.Cowin@TallageLLC.com



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

January 17, 2013

John Bocchino, President
Weston and Sampson
Five Centennial Drive
Peabody, Massachusetts 01960

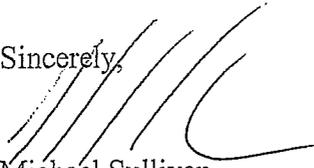
RE: Contract Management of Maynard Waste Water Treatment Facility

This letter is a statement of the Town of Maynard's commitment to continue the contractual relationship in respect to the Waste Water Treatment Facility and the tenets of the contract signed by both parties which commenced January 4, 2013. There are no changes or changes or modifications requested outside the scope expressed by the processor document. This contract is extended to January 3, 2014 as of this writing.

We reserve the right to negotiate any modifications necessary for the continued high performance of the plant. Any such change would be within parameters set by the contract and mutually agreed upon and set to writing. The Town Administrators Office is designed as our primary point of contact and will represent the Town of Maynard in any such discussions, all memorandums and /or agreements must be signed by the Town Administrator or by the Board of Selectmen, as required.

Thank you, David Simmons and the entire team at Weston and Sampson for your continued exemplary performance and management of this important municipal investment.

Sincerely,



Michael Sullivan
Town Administrator

To Mike & Betty Gregg
Four Hall + Board of Delectation

Your thoughtfulness
meant so much.

Jim T
& Melissa



Date: January 22, 2013

Daniel Bodwell

You are hereby appointed to the

Maynard Police Department

Term expires: **Indefinite**

FOR THE

TOWN OF MAYNARD

PLEASE BE SWORN IN AT THE TOWN CLERK'S OFFICE.

Board of Selectmen

Sworn: _____

Town Clerk

COMMONWEALTH OF MASSACHUSETTS

Fee: \$ 15.00

MIDDLESEX, SS.



ENTERTAINMENT LICENSE for 2013E23

WE, the undersigned, Selectmen of the Town of Maynard, by virtue of authority vested in us by law, do hereby license:

WILLY'S PHILLY'S
45 Main Street
Maynard, MA 01754

The business to be carried on in:

MAYNARD, MA 01754

Said business to be conducted in such manner as to conform with the requirements as provided for by law.

THIS LICENSE to date from the 1st day of January, in the year two thousand and thirteen, and to expire the 31st day of **DECEMBER** in the year two thousand and thirteen, unless sooner revoked.

Given under our hands this 15th day of January in the year two thousand and thirteen.

BOARD OF SELECTMEN



FOR THE ASSABET
SUDBURY & CONCORD
RIVERS

January 10, 2013

Maynard Selectmen
Attention: Marie
195 Main Street
Maynard, MA 01754

Dear Marie and Maynard Selectmen,

OARS is bringing *The Wild & Scenic Film Festival* back to the Maynard Fine Arts Theatre on Wednesday, March 6th.

We are looking forward to the evening--it is an amazing opportunity to help bring a community together around film and rally them to take action to make their communities better.

We would very much like to sell beer and wine as a fundraiser at our Film Festival. To do this we will need a one day liquor license under our name for the evening of the event. As you know, we did this for the past four years and have not encountered any problems. I would very much appreciate your help in obtaining a license.

The support we have received from members and friends in Maynard over the years is tremendous. They are excited to have the Film Festival back in their town for what will be the 5th Annual Film Festival. Serving beer and wine brings a festive feeling to the evening and helps up raise the funds needed to host this Film Festival. Thank you very much in advance for helping us with getting a liquor license.

Best Regards,

A handwritten signature in cursive script that reads "Julia Khorana".

Julia Khorana
Development Director

OFFICE OF THE SELECTMEN

Maynard, Massachusetts



ONE DAY Liquor License PERMIT

This permit is issued to

OARS

Julia Khorana, Development Director

For the Following purpose:

*One Day Beer & Wine License for the
Fifth Annual Wild & Scenic Film Festival, Wednesday, March 6, 2013
From 6:00 p.m. – 10:00 p.m. at Maynard Fine Arts Theatre
TIPS Certified Bartender: Julia Khorana
Crowd Management Certified: Julia Khorana and Debbie Cooke*

Subject to the conditions as herein stated:

This permit is issued upon the specific condition that the Town of Maynard will not be held responsible or in any manner liable for and shall be identified by the Permit holder against any and all causes of action, damages, injuries or other claims arising out of or relating to the issuance of this permit.

BOARD OF SELECTMEN

Dated: January 22, 2013 _____

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

Peter Campbell

Ron Cassidy

Brendon Chetwynd

William Cullen

Jennifer Gaudet

William Kohlman

Jack MacKeen

Becky Mosca

From: Lisa Mead <lisa@bbmatlaw.com>
Sent: Thursday, October 25, 2012 9:24 PM
To: Brendon Chetwynd
Cc: jmackeen@verizon.net; wgkohlman@comcast.net; Michael Sullivan;
dawncapello@gmail.com; Becky Mosca
Subject: RE: Charter
Attachments: Town of Maynard Charter- Revision 10 26 12.doc

Brendon

Here is the draft document. Please note a couple of items:

1. I did not use the track changes tool given the need to follow the insertions and deletions in a comprehensive manner and control the document. The strike throughs remove original text the underline adds new text.
2. I have confirmed that all of the changes you provided are shown on this document.
 - a. I did not underline the additions to the org chart as I could not manage that function.
 - b. Section 7-10 I did not adopt your change from "shall" to "will" as this should be a directive and "shall" is a more appropriate term.
 - c. Section 7-12 – the town may not absolutely say that failure to appear will be deemed a resignation given that some board members must be afforded due process and I have modified the language accordingly.
3. Section 7-7 By-law review; I think the point of this section is that in the event the Charter does not pass, the Town would not have put the time into changing the bylaws to reflect changes in the Charter. There is nothing prohibiting the BOS from setting up a bylaw review committee to effect general changes the Town wants to make and then, following the Town Meeting vote on the Charter, review and add changes to the bylaw which reflect the Town Meeting vote. Section 7-7 does not say this is the only way to change the bylaw and as a result I do not believe a change to this section is necessary.
4. Finally, I could not properly number the pages, too complicated for the lawyer, and so perhaps you or Becky could arrange that.

Please let me know if you have any questions.

Lisa

Lisa L. Mead

Blatman, Bobrowski & Mead, LLC

30 Green Street

Newburyport, MA 01950

☎ 978 463 7700

☎ 978 463 7747

The information in this transmittal is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor the person responsible for the delivery of this transmittal to the intended

recipient(s), you are hereby notified that any unauthorized distribution or copying of this transmittal is prohibited. If you have received this transmittal in error, please notify me immediately at 978 463 7700.

Please consider the environment before printing this email.



From: Brendon Chetwynd [mailto:BChetwynd@TownofMaynard.net]
Sent: Wednesday, October 17, 2012 7:51 AM
To: lisa@bbmatlaw.com
Cc: jmackeen@verizon.net; wgkohlman@comcast.net; Michael Sullivan; dawncapello@gmail.com
Subject: RE: Charter

Lisa,

Please find the attached charter draft.

After consulting with Mike Sullivan last night, I have the following question regarding Section 7-7: Periodic Review, sub-paragraph b) Bylaws:

Ideally, I'd like to put forth that prior to the spring town meeting at which we adopt the Charter, we re-codify the general by-laws in an effort to provide a complete package to the Town for its consideration. This section seems to prohibit that and I would welcome your thoughts on how to make it happen.

As a corollary, I would appreciate suggested language to this section that would allow for us to start the bylaw review prior to the adoption at town meeting.

Thank you,
Brendon

-----Original Message-----

From: Jack MacKeen [mailto:jmackeen@verizon.net]
Sent: Wed 10/10/2012 11:28 AM
To: William Kohlman
Cc: Brendon Chetwynd
Subject: Re: Charter

I agree with Brendon that I think we agreed on three years for moderator. Jim Coleman's comment was it would save having to file and run every year, but if we wanted to leave it at one year he could live with it.

Don't recall any discussion about Medical Response, but including them would depend on how they were originally chartered/set up. I think they are a volunteer body connected to the town via Board of Health. If so, I don't see a need to include them in the charter.

Jack

On 10/10/2012 7:04 AM, William Kohlman wrote:

> Charter

>

> <<...>> <<...>>

>

> Here are the latest version of the Charter, one with the changes

> tracked and one with them all accepted. As I was going through it, I

- > came across two things I couldn't remember and haven't had a chance to
- > check through the minutes about. One was the Medical Corps. Did we
- > need to include them in the Charter? The other was the term for the
- > moderator. I remember discussing one vs three year term but don't
- > remember if we had decided. It's still in the Charter as a one year term.
- >
- >
- > Bill
- >

8. Protect Land, River and Ecosystems

Maynard is fortunate to have a variety of ecosystems within its borders. The Assabet River, the underground water supply, our wetlands, woods and fields require stewardship.

9. Make Effective Land Use Decisions

Make regulatory and permitting processes for development clear, predictable, coordinated, and timely in accordance with our Community Development Principles. Recognition and attention to this matter is critical to creating a predictable and supportive community.

10. Manage Infrastructure Effectively

Like all towns, Maynard has limited resources for developing and improving its infrastructure and services—including sewer, water, schools, roads, etc.—and must therefore anticipate growth and demographic pressures and actively decide to reduce growth or plan for increased services where possible or appropriate. Maynard must also prepare to meet new state mandates regarding infrastructure and services as they are established.

PREAMBLE

We, the people of the Town of Maynard, Massachusetts, in order to reaffirm our individual sovereignty with respect to the conduct of our local government and to take the fullest advantages inherent in the Home Rule Amendments of the Constitution of the Commonwealth of Massachusetts, do hereby adopt the following Home Rule Charter for this Town.



Town of Maynard Charter

ARTICLE 1

INCORPORATION; SHORT TITLE; POWERS

SECTION 1-1: INCORPORATION

The inhabitants of the Town of Maynard within the corporate limits as established by law shall continue to be a body corporate and politic with perpetual succession under the name "Town of Maynard".

SECTION 1-2: SHORT TITLE

This instrument shall be known and may be cited as the Maynard Home Rule Charter.

SECTION 1-3: POWERS OF THE TOWN

Subject only to express limitations on the exercise of any power or function by a municipality in the constitution or laws of the Commonwealth, it is the intent and the purpose of the voters of Maynard to secure through the adoption of this charter all the powers it is possible to secure for a municipal government under the constitution and the laws of the Commonwealth.

SECTION 1-4: DIVISION OF POWERS

The administration of all of the fiscal, prudential and municipal affairs of the town shall be vested in an executive branch headed by a board of selectmen. The legislative powers of the town shall be vested in a town meeting open to all voters.

SECTION 1-5: CONSTRUCTION

The powers of the Town of Maynard under this charter are to be construed liberally in its favor and the specific mention of any particular power is not intended to limit in any way the general powers of the Town of Maynard as stated in section 1-3.

SECTION 1-6: INTERGOVERNMENTAL RELATIONS

Subject to the applicable requirements of any provision of the constitution or statutes of the Commonwealth, the Town of Maynard may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation by contract or otherwise, with any one or more states or civil divisions or agencies thereof or the United States government or any one or more agencies thereof.

SECTION 1-7: PRECEDENCE OF CHARTER PROVISIONS

To the extent any by-laws, votes, rules or regulations of or pertaining to the Town of Maynard are in force and contravene or otherwise conflict with the provisions of this charter, then the charter provisions shall take precedence over existing by-laws, votes, rules or regulations, excepting such votes as are expressly intended to amend this charter.

ARTICLE 2

LEGISLATIVE BRANCH

SECTION 2-1: TOWN MEETING

The legislative powers of the Town of Maynard shall continue to be exercised by town meeting open to all voters.

SECTION 2-2: PRESIDING OFFICER

The moderator, elected as provided in section 3-6, shall preside at all sessions of the town meeting. At the first session of each town meeting, the moderator shall appoint one or more deputy moderators. The appointment of a deputy moderator(s) shall be subject to ratification by the town meeting. In the event of the absence or disability of the moderator at the start of town meeting, the town clerk shall call the meeting to order and shall preside until a temporary moderator is elected by those present

The moderator, at town meetings, shall regulate the proceedings, decide all questions of order, make public declaration of all votes and may exercise such additional powers and duties as may be authorized by general law, by this charter, by by-law or by other vote of the town meeting.

SECTION 2-3: COMMITTEES

a) In General - Subject to the provisions of this charter and by such by-laws or other town meeting votes regarding committees as may be provided, the moderator shall appoint for fixed terms the members of such committees of the town meeting, special or standing, as may from time to time be established. In addition to such specific powers, duties and responsibilities as may be provided to a town meeting committee by the by-law or vote establishing it, each such committee when acting within the scope of its authority shall have a right to examine the pertinent records of any town agency and to consult with, at reasonable times, any town officer, employee or agent.

b) Finance Committee - There shall be a finance committee, the members of which shall be appointed by the moderator. The numbers of members, the term of office, and any other conditions of appointment or service as may be deemed necessary or desirable shall be established by by-law. ~~No member of the finance committee shall serve on any other committee as a voting member except for a Charter Review Committee, or as may be provided by by-law. Any member of the finance committee running for any public office within the town shall first resign from the finance committee.~~

c) Powers and duties - The subject matter of all proposals to be submitted to a town meeting by warrant article shall be referred to the finance committee by the board of selectmen at the earliest practicable time following their receipt by the board of selectmen. The finance committee shall report, in writing, its recommendations on every article contained in a town meeting warrant together with a statement of the reasons for each such recommendation. The finance committee shall hold one or more public hearings to permit public discussion of the subject matter of all articles contained in the

warrant. The finance committee shall have such additional powers and duties as may be provided by general law or by-law.

The finance committee shall have authority at any time to investigate the books, accounts, and management of any department of the town, and to employ such experts and other assistance as it may deem advisable for that purpose, and the books and accounts of all of the departments and officers of the Town of Maynard shall be open to the inspection of the finance committee and of any person employed by it. The finance committee may appoint subcommittees and delegate to them such of its powers as it deems to be in the best interests of the Town of Maynard.

d) Conflicts - No member of the finance committee shall serve on any other board or committee of the town as a voting member except for a Charter Review Committee, or as may be provided by by-law. Any member of the finance committee running for any public office of within the town shall first resign from the finance committee.

SECTION 2-4: ~~TIME~~ DATE OF MEETING

The Annual town meeting shall meet at least once in each calendar year as provided by by-law.

SECTION 2-5: SPECIAL MEETINGS

Special town meetings may be held at the call of the board of selectmen at such times as they deem necessary, or desirable, in order to transact the legislative business of the town in an orderly manner.

a) Town Initiated Special Town Meetings - The board of selectmen shall give notice at least forty-five (45) days prior to the calling of a Special Town Meeting by publication in a local newspaper and posted on the official town website of such intention, except as otherwise provided by statute, and shall notify all town agencies, each Town Officer and chairpersons of multiple member bodies of its intention to do so. The board of selectmen may waive the forty-five (45) day notification for a Special Town Meeting and give notice at least fourteen (14) days prior to calling a Special Town Meeting if a situation exists where it has been determined, by the board of selectmen, to be in the best interests of the town to expedite the conduct of the business of the town to deal with land acquisition or any other emergency situation.

b) Citizen Initiated Special Town Meetings - Special town meetings may also be held upon request in writing of two hundred (200) or more voters, or of twenty (20) per cent of the total number of registered voters of the town, whichever number is the lesser. The board of selectmen shall call a special town meeting, to be held not sooner than twenty-one (21) days nor later than forty-five (45) days after the receipt of such request.

SECTION 2-6: TOWN MEETING WARRANTS

Every town meeting shall be called by a warrant issued by the board of selectmen, which shall state the time and place at which the meeting is to convene and, by separate articles, the subject

matter to be acted upon. The publication of the warrant for every town meeting shall be in accordance with a town by-law governing such matters.

Any additional or updated information in respect to any article after the printing of the warrant, but prior to the Annual or Special Town Meeting being held, shall be published on the official town website upon availability of the new information.

SECTION 2-7: INITIATION OF WARRANT ARTICLES

a) Initiation - The board of selectmen shall receive at any time all petitions addressed to it and which request the submission of any matter to the town meeting and which are filed by: (1) any town officer, (2) any multiple member body acting by a majority of its members, (3) any ten (10) voters for a Annual town meeting and any one hundred (100) voters for a special town meeting (so called "Citizen Petitions"). Requirements for inclusion on warrant are prescribed in subsection c).

b) ~~Review Referral~~ - Forthwith following receipt of any proposed warrant article the board of selectmen shall furnish a copy of the proposal to the chairperson of the finance committee, a copy to be posted on the town bulletin board and shall cause such other distribution to be made of each such proposal as may be required by law.

c) Inclusion on Warrant –

(1) Annual Town Meeting: The board of selectmen shall include on the warrant for an Annual town meeting the subject matter of all petitions received by it ~~forty-five sixty (6045)~~ or more days prior to the date fixed by by-law for the town meeting to convene. and shall also insert in the warrant all subjects the insertion of which shall be requested of them by ten (10) or more registered voters of the town. Citizens petitions must be accompanied by the signatures of at least ten (10) registered voters to be included on the warrant.

(2) Special town meeting: The board of selectmen shall include in the warrant for such special town meeting the subject matter of all petitions which are received at its office before normal close of business on the thirtieth day prior to the date of the Special Town Meeting and shall also insert in the warrant all subjects the insertion of which shall be requested of them by one hundred (100) or more registered voters of the town. Citizens petitions must be accompanied by the signatures of at least one hundred (100) registered voters to be included on the warrant. Where the board of selectmen have waived the forty-five (45) days notice period and the resulting notification is less than thirty (30) days, then only articles that are submitted to the board of selectmen at the meeting at which they have waived the forty-five (45) day notice period and the board of selectmen have determined that the article is germane to the situation for the waiving of the forty-five (45) day notification, shall those articles be included on the warrant.

(3) The board of selectmen shall disqualify proposed warrant articles only if they fail to meet any of the following criteria:

(i) The written requests of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The board of selectmen shall submit such written requests to the Town Clerk who shall check and forthwith certify the number of signatures so checked which are names of voters in the town, and only names so checked and certified shall be counted. A greater number of names than are required in each case need not be certified. Petitions that fail to be valid shall be disqualified by the board of selectmen.

(ii) With the exception of citizen petitions and ongoing union negotiations, any proposed warrant article requesting expenditure of town funds shall include an estimated cost and a proposed funding source. Warrant articles requesting expenditure of town funds that do not include estimated costs shall be ~~rejected~~ disqualified by the board of selectmen.

(iii) With the exception of citizen petitions, all proposed warrant articles shall be subject to review by town counsel. Any proposed article deemed to be illegal by town counsel shall be disqualified ~~rejected~~ by the board of selectmen.

SECTION 2-8: AVAILABILITY OF TOWN OFFICIALS AT TOWN MEETINGS

Every town officer, the chairperson of each multiple member body, and the head of each department shall attend all sessions of the town meetings for the purpose of providing the town meeting with information pertinent to matters appearing in the warrant. Department Heads may be dismissed or excused from said Town Meeting by approval of the board of selectmen and the moderator.

In the event any town officer, chairperson of a multiple member body, or department head is to be absent due to illness or other reasonable cause, such person shall designate a deputy to attend and to represent the office, multiple member body or department. If any person designated to attend town meetings under this section is not a voter, such person shall, notwithstanding, have a right to address the meeting for the purpose of compliance with this section.

SECTION 2-9: CLERK OF THE MEETING

The town clerk or their designee shall serve as clerk of town meetings, give notice of all adjourned sessions thereof, record its proceedings, and perform such duties in connection therewith as may be provided by general law, by this charter, by by-law, or by other town meeting vote. The Town Clerk will keep a record of the minutes from all Special and Annual Town Meetings, these minutes will be delivered to the board of selectmen and made available to the public no more than thirty (30) days after the meeting has been properly adjourned.

SECTION 2-10: RULES OF PROCEDURE

The town meetings may, by by-law, establish and from time to time amend, revise or repeal rules to govern the conduct of all town meetings.

SECTION 2-11: GENERAL POWERS AND DUTIES OF THE TOWN MEETINGS

The town meetings shall be vested with all the powers of the Town of Maynard, except as otherwise provided by the Commonwealth, or this charter. The town meetings shall provide for the exercise of all powers of the town and for the performance of all duties and obligations imposed upon the town.

ARTICLE 3

ELECTED OFFICIALS

SECTION 3-1: IN GENERAL

a) Elective Offices - The offices to be filled by the voters shall be a board of selectmen, a school committee, a moderator, a board of library trustees, a housing authority, and a regional vocational school representative. In addition, members of boards or representatives to regional authorities or districts as may be established by law or by interlocal agreement may also be filled by ballot at town elections.

b) Eligibility - Subject to the recall provisions in this charter, any voter shall be eligible to hold any elective town office, provided however, that no person shall simultaneously hold more than one elected town office as defined by this section.

c) Town Election - The annual election of town officials and for the determination of all questions to be referred to the voters, shall be held on such date as may from time to time be provided by by-law.

d) Term of Office – All elected town offices shall commence on the first day of July.

e) Compensation - Elected town officials ~~shall~~ may receive such compensation for their services as may be appropriated annually, for such purpose.

f) Coordination - Notwithstanding their election by the voters, the town officers named in this section shall be subject to the call of the board of selectmen or of the town administrator, at all reasonable times, for consultation, conference, and discussion on any matter relating to their respective offices.

g) Filling of Vacancies: Elected Officials -

(1) Multiple Member Boards - If there is a vacancy in a board consisting of two or more members, other than the board of selectmen, the remaining members shall forthwith give written notice of existence of any such vacancy to the board of selectmen. After one (1) week's notice, the board of selectmen with the remaining members or member of such board shall fill such vacancy by a joint vote. If such notice of the vacancy is not given within thirty (30) days following the date on which such vacancy occurs the board of selectmen shall, after one (1) week's notice, fill such vacancy without participation by the remaining members of the multiple member board. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person chosen to fill any such vacancy shall serve in such office until the next regular town election at which the balance of the unexpired term, if any, shall be filled. The person elected shall begin the unexpired term immediately or as provided by by-law.

~~(2) Board of Selectmen - If there is a failure to elect, or if a vacancy occurs, in the office of selectmen and six (6) months or more will elapse before the next annual town election, the remaining selectmen shall, forthwith, call a special election to fill the vacancy. If the vacancy occurs in the office of selectmen and more than three (3) but less than six (6) months will elapse before the next annual town election, the remaining selectmen shall call a special election to fill the vacancy only upon the request, in writing, of two hundred (200) or more registered voters of the Town of Maynard. more than three (3) months remain until the next annual town election, the remaining selectmen may call a special election to fill the vacancy. The remaining selectmen shall be required to call a special election to fill the vacancy only upon the request, in writing, of two hundred (200) or more registered voters of the Town of Maynard.~~

(3) Town Moderator - If there is a failure to elect, or if a vacancy occurs in the office of Town Moderator; the office of Town Moderator shall be filled by Town Meeting vote. The Town Moderator shall be elected by ballot by registered voters, as certified by the Town Clerk, present at Town Meeting, to preside at all town meetings and fulfill the duties of Town Moderator. The term of office shall begin as soon as the person is qualified, and shall continue for the remainder of the term.

(4) Regional Vocational School Representative - If there is a failure to elect, or if a vacancy occurs in the office of Regional Vocational School Representative, the regional vocational school committee shall forthwith give written notice of existence of the vacancy to the board of selectmen and the Maynard school committee. After one (1) week's notice, the board of selectmen with the Maynard school committee shall fill such vacancy by a joint vote. The person chosen to fill the vacancy shall serve in such office until the next regular town election at which the balance of the unexpired term, if any, shall be filled. The person elected shall begin the unexpired term as provided by by-law.

g) Recall of Elected Officials –

(1) Application - With the exception of the members of the housing authority, who are governed under Massachusetts General Laws, Chapter 121B, Section 6, any person who has held an elected town office for at least six (6) months, and with more than six (6) months remaining of the term of office at the time of the filing of the recall affidavit, may be recalled there from by the voters of the Town of Maynard in the manner provided in this section.

(2) Recall Provision - One hundred (100) or more voters of the Town of Maynard may file a recall affidavit with the town clerk containing the name of the officer whose recall is sought and a statement of the grounds upon which the affidavit is based, provided that a minimum of twenty-five (25) names of voters shall be from each of the voting precincts into which the town is divided. The town clerk shall, within one (1) working day thereafter, submit such affidavit to the registrars of voters. The registrars of voters shall, within ten (10) working days thereafter, certify such affidavit with regard to the sufficiency and validity of the signatures of voters.

If the affidavit shall be certified by the registrars of voters, the town clerk shall, within five (5) working days thereafter, deliver to the first ten (10) voters named on such affidavit, petition blanks demanding said recall, printed forms of which the town clerk shall keep available. The blanks shall be signed by the town clerk with the official town seal attached thereto. The blanks may be completed by printing or typewriting; they shall contain the names of the ten (10) persons to whom they are issued; they shall contain the name of the officer whose recall is sought, the grounds for recall as stated in the affidavit; and shall demand the election of a successor to the said office. A copy of the affidavit shall be entered in a record book to be kept in the office of the town clerk.

The recall petitions shall be returned to the town clerk within thirty (30) days following the date they are issued, signed by at least twenty (20) percent of the registered voters of the town at the date of issue. The town clerk shall, within one (1) working day following such filing, submit the petitions to the registrars of voters which shall within fifteen (15) working days thereafter certify thereon the number of signatures which are names of voters.

3) Recall Elections - If the petitions shall be certified by the registrars of voters to be sufficient, the town clerk shall forthwith submit the same, with a certificate to the board of selectmen. Upon its receipt of the certified petition, the board of selectmen shall forthwith give notice, in writing, of said petition and certificate to the officer whose recall is sought. If said officer does not resign from office within five (5) working days following delivery of said notice, the board of selectmen shall order a special election to be held not less than sixty-four (64) days nor more than ninety (90) days after the date of certification of the town clerk, provided however, that if a regular town election is to be held within one hundred and ten (110) days following the date of said certificate the recall election shall be held in conjunction therein and not at a special town election. If a vacancy occurs in said office after the recall election has been ordered, the election shall nevertheless proceed as provided in this section, but only the ballots for candidates need be counted.

4) Nomination of Candidates - An officer whose recall is sought may not be a candidate to succeed himself/herself in the recall election. The nomination of candidates, the publication of the warrant for the recall election and the conduct of shall all be in accordance with the provisions of law relating to elections unless otherwise provided in this section.

5) Propositions on the Ballot - Ballots used at the recall election shall state the proposition in the order indicated:

For the recall (name of officer)

Against the recall (name of officer)

Adjacent to each proposition shall be a place to vote for either of said propositions. After the said propositions shall appear the word "candidates" and

the names of the candidates arranged in accordance with the provisions of law relating to elections. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes cast shall be declared elected. If the majority of the votes cast is in the negative, the ballots for candidates need not be counted.

6) Officeholder - The incumbent shall continue to perform the duties of the office until the recall election. If then not recalled, the incumbent shall remain in office for the remainder of the unexpired term, subject to recall as provided in section 7 below.

If recalled at the election such person shall be deemed to be removed upon the qualification of the successor, who shall hold the office during the unexpired term. If the successor fails to qualify within five (5) working days after receiving notification of election, the incumbent shall thereupon be deemed removed and the office vacant.

7) Repeat of Recall Petition - No recall shall be filed against an officer subjected to a recall election and not recalled thereby until at least six (6) months after the election at which the recall was submitted to the voters.

8) Appointment of the Person Recalled - No person who has been recalled from an office, or who has resigned from office while recall provisions are pending against her/him, shall be appointed to any town office within two (2) years after such recall or such resignation.

SECTION 3-2: BOARD OF SELECTMEN

a) Composition, Term of Office - There shall be a board of selectmen consisting of five (5) members elected for terms of three (3) years each, so arranged that the terms of as nearly equal number of members as is possible shall expire each year.

b) Powers and Duties - The executive powers of the Town of Maynard shall be vested in the board of selectmen which shall be deemed to be the chief executive office of the town. The board of selectmen shall be accountable to the Town, to the extent provided for in this Charter, for events and activities of the Town, as performed by Employees and Boards under its authority. The board of selectmen shall have all of the executive powers it is possible for a board of selectmen to have and to exercise. The board of selectmen shall serve as the chief policy-making agency of the town. It shall be responsible for the issuance of policy directives and guidelines to be followed by all town agencies serving under it and, in conjunction with other elected town offices, to develop and to promulgate policy guidelines designed to bring all agencies of the town into harmony and further have ultimate responsibility to ensure compliance with policy directives. Nothing in this section shall be construed to authorize any member of the board of selectmen, or a majority of such board, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the board of selectmen shall act through the adoption of policy guidelines which are to be implemented by officers and employees appointed by or under its authority.

The board of selectmen shall maintain liaison with all town boards, commissions, and committees and shall mediate disputes among town boards, commissions and committees.

The board of selectmen shall cause a record of all its official acts to be kept. To aid it to perform its duties, the board of selectmen shall appoint a town administrator.

The board of selectmen shall have the power to make investigations, and may authorize the town administrator to investigate the affairs of the town and the conduct of any town department, office, or agency, including any doubtful claims against the town.

The board of selectmen shall have the authority to appoint town boards in accordance with the provisions of this charter.

Members of the board of selectmen shall be ineligible to serve on multiple member bodies established by this charter or by by-law to which the board of selectmen is the appointive authority.

Members of the board of selectmen shall possess no individual authority unless such authority shall have previously been granted by vote of the board.

The board of selectmen shall be recognized as head of the town government for all ceremonial purposes.

c) Licensing Authority - The board of selectmen shall act as the licensing authority of the town and shall have the power and responsibility required to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach conditions and impose such restrictions as it considers to be in the public interest, and further to enforce, or cause to be enforced, the laws, rules, and regulations relating to all businesses for which it issues licenses.

SECTION 3-3: SCHOOL COMMITTEE

a) Composition, Term of Office - There shall be a school committee consisting of five (5) members elected for terms of three (3) years each so arranged that the terms of as nearly an equal number of members as is possible shall expire each year.

b) Powers and Duties - The school committee shall have all of the powers and duties which are given to school committees by general laws of the Commonwealth. The school committee shall have general charge of the public schools of the town. The school committee shall have the power to select and to terminate a superintendent of schools, and establish educational goals and policies for the school consistent with the requirements of the laws of the Commonwealth and standards established by the Commonwealth.

SECTION 3-4: HOUSING AUTHORITY

a) Composition, Term of Office - There shall be a housing authority consisting of five (5) members serving for five (5) years each, so arranged that the term of one member shall expire each year. Four of the members shall be elected by the voters and the fifth member shall be appointed as provided by Massachusetts General Laws.

b) Powers and Duties - The housing authority shall make studies of the housing needs of the community and shall provide programs to make available housing for families of low income and for elderly persons of low income. The housing authority shall have such other powers and duties as are assigned to housing authorities by general law.

SECTION 3-5: LIBRARY TRUSTEES

a) Composition, Term of Office - There shall be a board of library trustees consisting of three (3) members elected for terms of three (3) years each, so arranged that the term of one member shall expire each year.

b) Powers and Duties - The board of library trustees shall be responsible for the management and supervision of the free public library of the town, the property, and the staff. The board of library trustees shall have all the powers and duties which are given to library trustees by general laws and shall have additional powers and duties as are provided by this charter, by by-law or by town meeting vote, as well as any powers, duties, and responsibilities as may be imposed by the terms of any public trust.

SECTION 3-6: MODERATOR

a) Term of Office - There shall be a town moderator elected for a term of ~~one~~ three (3) year.

b) Powers and Duties - The town moderator shall be the presiding officer of the town meeting and regulate its proceedings, as provided in section 2-2, and shall perform all other powers and duties given to moderators under the constitution and general laws, and such additional powers and duties as may be authorized by this charter, by by-law or by other town meeting vote. The moderator shall preside at any public hearing to discuss the suspension or removal of the town administrator.

SECTION 3-7: REGIONAL VOCATIONAL SCHOOL REPRESENTATIVE

a) Term of Office – the regional vocational school representative shall be elected for a term of four (4) years.

b) Powers and Duties - The regional vocational school representative shall represent the interest of the town of Maynard in regard to the students attending the regional vocational school and shall be empowered as a member of the regional vocational school committee with all the powers and duties which are given to regional vocational school committees by General Laws.

ARTICLE 4

TOWN ADMINISTRATOR

SECTION 4-1: APPOINTMENT; QUALIFICATION; TERM

a) Appointment: In accordance with section 4-6 hereof, the board of selectmen shall appoint a town administrator for a term of up to three (3) years, which term or portion thereof may be renewed, and which appointment shall be subject to a mutually agreed upon contract. ~~from a list prepared by a screening committee as established in Article 4-6 or by bylaw. Subject to a mutually agreed to contract. The board of selectmen shall appoint the town administrator to serve for a renewable term of up to three (3) years and~~ The board of selectmen shall fix the compensation for such person, annually, within the amount appropriated by the town. The town administrator shall be appointed on the basis of educational, executive, and administrative qualifications and experience. A town administrator need not be a resident of town or of the Commonwealth at the time of appointment, nor at any time during the period of such service. The town administrator shall not have served in an elective office in the town government for at least twelve months prior to appointment. The town may from time to time establish, by by-law, such qualifications as it deems ~~seem~~ necessary and appropriate.

b) Conflict: The town administrator shall devote full time to the office and shall not hold any other public office, elected or appointive, nor engage in any business or occupation during such service, unless such action is approved in advance by the board of selectmen.

c) Annual Review: The board of selectmen shall provide for an annual review of the job performance of the town administrator which shall, at least in summary form, be a public record. This review shall reflect the town administrator's performance of duties as listed in Section 4-2.

d) Contract Renewal: ~~At the expiration of any three-year term, the board of selectmen shall vote on the reappointment of the Town Administrator. The annual reviews for the three previous years shall be used as a basis for reappointment. The majority vote of the full board of selectmen is required to reappoint. If the vote to reappoint fails, the appeal process of Section 4-5 shall not apply. The board of selectmen, upon completion of two successive annual performance evaluations, with those evaluations as a foundation for discussions, may engage the town administrator in discussions for contract renewal. In any subsequent contract renewals, following the initial renewal, the board of selectmen shall have completed at least one additional evaluation prior to any subsequent renewal. The board of selectmen by a two-thirds (2/3) vote may, in their discretion, determine that it is in the best interest of the town to enter into contract renewal negotiations prior to an annual performance evaluation following the first performance evaluation, and waive the foregoing requirements.~~

A majority vote of the board of selectmen is required to reappoint and/or renew the town administrator's contract.

Furthermore if it is the board of selectmen's intent not to renew the town administrator's contract but to seek candidates for the position instead, the board of selectmen shall provide the then administrator with written notice at least three (3) months prior to the end of the administrator's contract of the open process and not exclude her/him from participating in said process.

SECTION 4-2: POWERS AND DUTIES

The town administrator shall be the chief administrative officer of the town, directly responsible to the board of selectmen for the administration of all town affairs for which the offices of town administrator is given responsibility by or under this charter. The powers and duties of the town administrator shall include, but are not intended to be limited to the following:

- a) To supervise, direct and be responsible for the efficient administration of all functions and activities, according to best business practices, for which the office of town administrator is given authority, responsibility or control by this charter, by by-law, by town meeting vote, by vote of the board of selectmen, or otherwise to best serve the citizens of Maynard.
- b) To appoint, subject to the provisions of the civil service law and any other collective bargaining agreements as may be applicable, all department heads, officers, members of boards and commissions and employees for whom no other method of selection is provided by this charter. Such appointments shall become effective on the fifteenth (15th) day following the day on which such notice of the appointment is filed with the board of selectmen, unless the board of selectmen shall, within that period by a majority of all of its members, vote to reject such appointment, or has sooner voted to affirm it. Copies of the notices of all such proposed appointments shall be posted on the town bulletin board when submitted to the board of selectmen.
- c) To be entrusted with the administration of the town personnel system, including, but not limited to personnel policies and procedures, rules, and regulations, including provisions for an annual employee performance review, personnel by-law and collective bargaining agreements entered into by the town. The town administrator shall also prepare and keep current a plan establishing the personnel staffing requirements for each town agency, except the library and school department.
- d) To attend all regular and special meetings of the board of selectmen, unless unavoidable for reasonable cause, and shall have a voice, but no vote, in all of its proceedings.
- e) To assure that full and complete records of the financial and administrative activities of the town are kept and to render as often as may be required by the board of selectmen, but not less than once a year, a full report of all town administrative operations during the period reported on, which report shall be made available to the public.

f) To keep the board of selectmen fully advised as to the needs of the town and recommend to the board of selectmen and to other elected town officers and agencies for adoption such measures requiring action by them or by the town meeting as the town administrator may deem necessary or expedient.

g) The town administrator shall be responsible for the maintenance and repair, rental and use, of all town buildings and facilities placed under the town administrator's control by this charter, by by-law, by vote of the town or otherwise.

h) To prepare and present, in the manner provided in Article 6, an annual operating budget for the town and develop material to furnish to the capital planning committee for the preparation of a proposed capital improvement plan for the five (5) fiscal years next ensuing.

i) To assure that a full and complete inventory of all property of the town, both real and personal, is kept, including all property under the control of the school committee or library trustees.

j) To negotiate, on behalf of the board of selectmen, all contracts and collective bargaining agreements involving any subject within the jurisdiction of the office of the town administrator, including contracts with town employees ~~except employees of the school department, and library employees outside collective bargaining control.~~ involving wages, hours and other terms and conditions of employment. All such contracts and agreements shall be subject to the approval of the board of selectmen.

k) To be the chief procurement officer for the town, in accordance with the provisions of Chapter 30B of the Massachusetts General Laws, and to appoint such assistant procurement officers as provided in Chapter 30B of the Massachusetts General Laws.

l) To see that the provisions of the general laws, of this charter, town by-laws and other votes of the town meeting and votes of the board of selectmen which require enforcement by the town administrator are faithfully executed, performed or otherwise carried out.

m) To inquire, at any time, into the conduct and operation of office or performance of duties of any officer or employee, department, board, commission or other town agency.

n) To attend all sessions of all town meetings and answer questions raised by voters which relate to warrant articles and to matters over which the town administrator exercises any supervision.

o) To reorganize, consolidate, or abolish, in the manner provided in Article 5, town agencies serving under the supervision of the town administrator, in whole or in part, provide for new town agencies and provide for a reassignment of powers, duties and responsibilities among such agencies so established or existing.

p) To facilitate activities between and among the following:

- (1) town agencies serving under the office of the town administrator
- (2) town agencies serving under the of the board of selectmen
- (3) town agencies under the control of other officers and multiple member bodies elected directly by the voters.

For this purpose, the town administrator shall have authority to require the persons so elected, or their representatives, to meet with the town administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the town. The town administrator shall have the right to attend and speak at any regular meeting of any multiple member body.

q) To seek and review, by initiative or upon request of any town officer, those state, federal, regional and all other grants which may be of benefit to the Town of Maynard. The town administrator shall be the authority responsible for reviewing all applications for such grants which require the approval of the board of selectmen.

r) To be responsible for any and all dispositions of non-criminal citations issued in the Town of Maynard. The town administrator will be responsible for appointing one or more assistant clerks as required.

s) To be responsible for the publication, maintenance and review of the town by-laws and of any duly authorized revisions, amendments, additions, or other changes pertaining thereto. The review of town by-laws shall be in conjunction with the town counsel, or, by special counsel retained for that purpose. Subsequent to enactment by the town meeting, copies of the revised by-laws shall be forwarded to the attorney general of the Commonwealth for approval, and they shall be otherwise published, all as required by general laws. Copies of the revised by-laws shall be made available for distribution to the public.

t) To perform any other duties as are required to be performed by the town administrator by by-laws, administrative code, votes of the town meeting, or votes of the board of selectmen, or otherwise.

SECTION 4-3: DELEGATION OF AUTHORITY

The town administrator may with the approval of the board of selectmen, authorize any subordinate officer or employee to exercise any power or perform any function or duty which is assigned to the office of the town administrator, provided, however, that all acts performed under any such delegation shall at all times be overseen by the town administrator and deemed to be the acts of the town administrator. ~~On a form approved by the board of selectmen,~~ The town administrator shall submit a record of any such delegation to the board of selectmen.

SECTION 4-4: ACTING TOWN ADMINISTRATOR

a) Temporary Absence - With the approval of the board of selectmen, the town administrator may designate a qualified town administrative officer or employee to exercise the powers and perform the duties of the town administrator during an absence of the town administrator of not more than fifteen (15) days. Such delegation shall be made by letter filed with the town clerk and the board of selectmen.

b) Vacancy - Any vacancy in the office of town administrator shall be filled as soon as possible by the board of selectmen, but, pending such regular appointment the board of selectmen shall appoint a qualified town administrative officer or employee to perform the duties of the office on an acting basis. Such temporary appointment may not exceed ~~three~~ six (6) months but one renewal may be voted by the board of selectmen not to exceed an additional second ~~second~~ three (3) months. Compensation for such person shall be set by the board of selectmen.

c) Powers and Duties - The powers and duties of temporary or acting town administrator, under a) and b) above, shall be limited to matters not admitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment but not to make permanent appointments or designations.

SECTION 4-5: SUSPENSION AND REMOVAL FOR CAUSE

The board of selectmen may, by a majority vote of the full board, terminate and remove, or suspend, the town administrator from office in accordance with the following procedure.

a) The board of selectmen shall adopt a preliminary resolution of removal by the affirmative vote of a majority of all its members, which must state the reason or reasons for removal. This preliminary resolution may suspend the town administrator for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered to the town administrator forthwith.

The town administrator shall continue to receive a salary until the effective date of the final resolution of removal.

b) Within five (5) working days of receipt of the preliminary resolution the town administrator may request a public hearing by filing a written request for such hearing with the board of selectmen. This hearing shall be held at a meeting of the board of selectmen not later than thirty (30) days after the request is filed nor earlier than twenty (20) days. The town moderator shall preside at any public hearing to discuss the suspension or removal of the town administrator. The town administrator may file a written statement responding to the reasons stated in the resolution of removal with the board of selectmen provided the same is received at its office more than forty-eight (48) hours in advance of the public hearing.

c) The board of selectmen may adopt a final resolution of removal, which may be made effective immediately, by the affirmative vote of a majority of all its members not less than ten (10) days nor more than twenty-one (21) days following the date of delivery of a copy of the preliminary resolution to the town administrator, if the town administrator has not requested a public hearing; or, within ten (10) working days following the close of the public hearing if the town administrator has requested one. Failure to adopt a final resolution of removal within the time periods as provided in this section shall nullify the preliminary resolution of removal and the town administrator shall, at the expiration of said time, forthwith resume the duties of the office.

The action of the board of selectmen in suspending or removing the town administrator shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal solely in the board of selectmen.

SECTION 4-6: SELECTING A TOWN ADMINISTRATOR

Forthwith following a vacancy in the office of the Town Administrator, the board of selectmen shall establish a screening committee to review applicants for the position of town administrator. The screening committee is to consist of nine (9) persons, representing as nearly as possible the town demographic and occupational base.

Not more than thirty (30) days following the vacancy in the office of the Town Administrator the nine persons chosen aforesaid shall meet to organize and to plan a process for the selection of the town administrator.

The screening committee shall review all applications received by it, screen all such applicants by checking and verifying work records and other credentials, and provide for interviews to be conducted with such number of candidates it deems to be necessary, desirable, or expedient.

Not more than ninety (90) days following the date on which the committee meets to organize, the committee shall submit to the board of selectmen the names of not less than three (3) nor more than five (5) persons whom it believes to be best suited to perform the duties of the office of town administrator.

Within thirty (30) days following the date the list of nominees is submitted to it, the board of selectmen shall choose by majority vote one of the said nominees to serve as town administrator. In the event the board of selectmen shall fail to make an appointment within the said thirty days, the screening committee shall reopen the screening process to solicit more nominees.

Upon the appointment of a town administrator, the committee established hereunder shall be considered discharged.

ARTICLE 5

ADMINISTRATIVE ORGANIZATION

SECTION 5-1: ORGANIZATION OF TOWN AGENCIES

The organization of the Town of Maynard into operating agencies for the provisions of services and the administration of the government may be accomplished through either of the methods as provided in this article.

~~a) By Law—Subject only to the express prohibitions in a general law or the provisions of this charter, the town meeting may, by by law, reorganize, consolidate, create, merge, divide or abolish any town agency, in whole or in part; establish such new town agencies as it deems necessary or advisable, determine the manner of selection, the term of office and prescribe the functions of all such entities; provided, however, that no function assigned by this charter to a particular town agency may be discontinued, or unless this charter specifically so provides, assigned to any other.~~

Administrative Code – The town administrator may on occasion present a reorganization plan related to employees and staffing and employee management and oversight which shall require approval by board of selectmen prior to implementation. Once approved by the board of selectmen, the town administrator shall notify, in writing, any board or commission whose employees are affected by said change. The town administrator, with the approval of the board of selectmen, may from time to time prepare and submit to the town meeting plans of organization or reorganization which establish operating divisions for the courteous, orderly and efficient conduct of the business of the town.

~~Whenever the town administrator prepares such a plan the board of selectmen shall hold one or more public hearings on the proposal giving notice in a local publication, which notice shall describe the scope of the proposal and the time and place at which the hearing will be held, not less than seven (7) nor more than fourteen (14) days following such publication. Following such public hearing, the proposal, which may have been amended subsequent to the public hearing, shall be submitted to the town meeting as a warrant article.~~

~~An organization or reorganization plan shall become effective at the expiration of sixty (60) days following the date of adjournment of the town meeting at which the proposal is submitted unless the town meeting shall, by a majority vote, vote to disapprove the plan. The town meeting may vote only to approve or to disapprove the plan and may not vote to amend or to alter it.~~

The town administrator may, through this administrative code, and subject only to express prohibitions in or requirements of a general law, or this charter, reorganize, consolidate or abolish any town agency, in whole or in part; establish such new town agencies as is deemed necessary to the same extent as would be permitted by Town Meeting is provided in section 5-1 a), above, for by-laws; and for such purpose transfer

the powers and duties, so far as is consistent with the use for which the funds were voted by the town, transfer the appropriation of the town agency or agencies to another, provided, however, that no function assigned by this charter to a particular town agency may be discontinued or, unless this charter specifically so provides, assigned to any other.

SECTION 5-2: PUBLICATION OF ADMINISTRATIVE CODE AND PERSONNEL PLAN

For the convenience of the public, the administrative code and any amendments thereto shall be printed as an appendix to, but not an integral part of the by-laws of the Town of Maynard. The personnel and staffing plan as prepared by the town administrator, in conformity with section 4-2 c) shall be published annually in the town report.

SECTION 5-3: APPOINTMENTS, PROMOTIONS, AND DISCIPLINE

Unless otherwise provided for by this charter, the heads of all town agencies, whether appointed by the board of selectmen or by the town administrator shall be responsible for the appointment, promotion and discipline of all persons serving under them.

SECTION 5-4: MERIT PRINCIPLE

Subject to any collective bargaining agreements as may be applicable, or to the provisions of the civil service law, all appointments and promotions of town officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination, past performance, or other evidence of competence and suitability.

SECTION 5-5: COMPENSATION

The compensation paid to each town officer or employee shall be limited to the amount established in accordance with the provisions of law, by-law, or town meeting vote and all fees received in accordance with the provisions of any general or special law shall be paid into the treasury of the town and disbursed to the appropriate person or authority in accordance with the laws.

SECTION 5-6: ORGANIZATION OF TOWN GOVERNMENT

Until such time as a different form of organization shall be provided, in accordance with the provisions of Article 5-1 of this charter, the following organization whose structure is shown in Figure 1 shall be operative:

THE BOARD OF SELECTMEN SHALL APPOINT AS PROVIDED BY BY-LAW:

- a Town Administrator;
- an Americans with Disabilities Acts Commission, to consist of five members.
- a Conservation Commission, to consist of five members;
- an Industrial Development and Finance Authority, to consist of five members;
- a Town Counsel;
- one or more Constables, as the selectmen may deem necessary;
- a Director of Emergency Management;
- a Maynard Historical Commission, to consist of five members;

- a Board of Appeals, to consist of five members and two associate members;
- a Board of Health, to consist of three members;
- a Planning Board, to consist of five members and one associate member;
- a Public Works Advisory Committee, to consist of three members,
- a Capital Planning Committee, to consist of three members,
- a Community Preservation Committee, to consist of nine members;
- a Police Chief, and all police officers;
- a Fire Chief;
- a Recreation Commission, to consist of five members;
- a Board of Registrars to consist of five members (including the Town Clerk);
- a Cable Television Committee, to consist of five members;
- a Veterans Administrator;
- two or more Fence Viewers;
- the Town's representative to the Town Retirement Board;
- a Superintendent of Public Works;
- a Keeper of the Lock-up;
- a Council on Aging to consist of ~~eleven~~ seven members;
- a Cultural Council to consist of ~~nine~~ seven members;
- a Board of Assessors, to consist of three members;
- a representative to the Metropolitan Area Planning Council;
- Tree Wardens
- a Right-To-Know Coordinator.

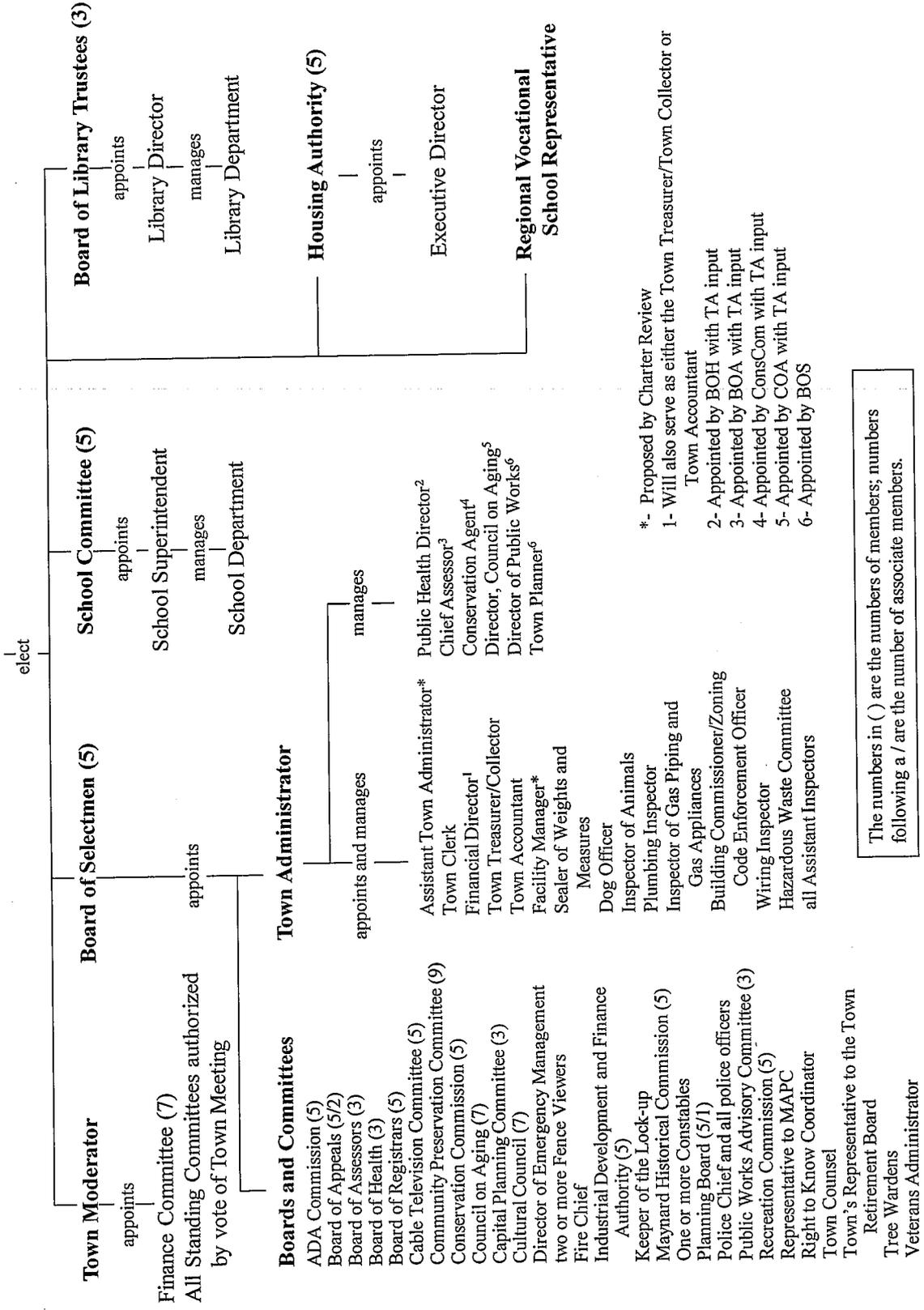
THE TOWN ADMINISTRATOR SHALL APPOINT AS PROVIDED BY BY-LAW:

- a Town Clerk;
- a Financial Director, who will also serve as either the Town Treasurer/Town Collector or Town Accountant.
- a Town Treasurer/Town Collector;
- a Town Accountant;
- a Facility Manager;
- an Assistant Town Administrator
- a Sealer of Weights and Measures, and one or more Assistant Sealers of Weights and Measures;
- a Dog Officer;
- an Inspector of Animals;
- a Plumbing Inspector;
- an Inspector of Gas Piping and Gas Appliances;
- a ~~Building Inspector~~/Building Commissioner/Zoning Code Enforcement Officer;
- a Wiring Inspector;
- a Hazardous Waste Committee;
- all Assistant Inspectors.

THE MODERATOR SHALL APPOINT AS PROVIDED BY BY-LAW:

- a Finance Committee, to consist of eleven members;
- all Standing Committees authorized by vote of Town Meeting.

Town Voters



* - Proposed by Charter Review
 1- Will also serve as either the Town Treasurer/Town Collector or Town Accountant
 2- Appointed by BOH with TA input
 3- Appointed by BOA with TA input
 4- Appointed by ConsCom with TA input
 5- Appointed by COA with TA input
 6- Appointed by BOS

The numbers in () are the numbers of members; numbers following a / are the number of associate members.

ARTICLE 6

FINANCE AND FISCAL PROCEDURES

SECTION 6-1: FISCAL YEAR

The fiscal year of the Town of Maynard shall begin on the first day of July and shall end on the last day of June, unless another period is required by general law.

SECTION 6-2: FINANCE COMMITTEE

A finance committee shall be established with Article 2, section 2-3 of this charter.

SECTION 6-3: LONG TERM FINANCIAL PLAN OUTLOOK

The town administrator shall develop an overall financial outlook of the town and provide an analysis of how the outlook relates to the current and upcoming budget of the town and annually revise a long range general financial plan for the town by the 1st 15th day of November of each year or any other time fixed by by-law. The outlook will be regarded as a guideline as each department formulates their budget for the next fiscal year. The plan shall project anticipated revenues from all sources, provide projections related to the town's future debt obligations, and identify anticipated municipal problems likely to require major expenditures in the future.

The financial ~~plan~~ outlook shall be reviewed by the board of selectmen and finance committee and be adopted by the board of selectmen with or without amendment.

SECTION 6-4: SUBMISSION OF BUDGETS AND BUDGET MESSAGE

a) Estimated Revenues - On or before the first day of ~~November~~ October of each year or any other time fixed by by-law, the town administrator shall request and receive from all town agencies, officers and multiple member bodies the estimated revenues for the next fiscal year. Upon receipt of any additional specific data provided by the Commonwealth or from any other source, such estimates shall be revised, updated and submitted forthwith to the town administrator.

b) Policy Statement - On or before the fifteenth day of November of each year, or any other time fixed by by-law, the board of selectmen, after consultation with the town administrator and the finance committee, shall issue a policy statement relating to the budget for the next fiscal year. The statement shall establish the outer limits and guidelines of possible budget growth for the town to be used by the various town agencies, officers and committees in the preparation of operating budgets for the ensuing fiscal year. The town administrator shall send the policy statement to every town agency, officer, and committee charged with the expenditure of town funds.

c) Budget Requests - Every town agency, officer, and committee charged with the expenditure of town money shall submit its budget requests for the ensuing fiscal year to the town administrator by the first day of January of each year or any other time fixed by by-law. Such budget requests shall include commentary regarding any changes from the amounts appropriated for the current year for the same purposes and any additional work projects that will require additional expenditures.

d) Submission of Comprehensive Budget - On or before the twenty-first day of January of each year, or any other time fixed by by-law, the town administrator shall submit to the board of selectmen a comprehensive budget for all town functions for the ensuing fiscal year and an accompanying budget message.

The board of selectmen in conjunction with the town administrator and the lead financial officer of the town will develop a schedule each year for the budget process.

~~(1) The budget message shall explain the budget both in fiscal terms and in terms of what specific projects are contemplated in the year ahead. It shall outline the proposed financial policies of the town for the ensuing year, describe the important features of the budget; indicate any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes; summarize the town's debt position; and include such other material as the town administrator may deem appropriate.~~

~~(2) The budget shall provide a complete financial plan for all town funds and activities in such a format as the finance committee may suggest, provided the format suggested is compatible with the standards recommended by the state association of finance committees. The budget shall indicate proposed expenditures for both current operations and capital projects during the ensuing fiscal year, detailed by departments, offices, multiple member bodies, and specific purposes and projects.~~

SECTION 6-5: ACTION ON THE PROPOSED BUDGET

a) Joint Budget Review – ~~On the second a~~ Saturday in February, the board of selectmen and the finance committee will hold a joint budget review meeting to receive the town administrator's budget recommendation. In the course of the review, the board of selectmen and the finance committee may require the town administrator, and representatives of town departments, offices, or multiple member bodies to attend and present appropriate financial reports and budgetary information.

b) Adoption - The board of selectmen shall on or before the second Saturday of ~~March~~ April, or otherwise appropriate to a relevant schedule of the Massachusetts Department of Revenue, or any other time fixed by by-law, adopt the budget, with or without amendments, and the estimated revenues. The adopted budget and estimated revenues ~~are~~ shall then be submitted forthwith to the finance committee.

c) Finance Committee Review - The finance committee shall conduct at least one public hearing on the proposed budget. In preparing its recommendations, the finance committee

may require the town administrator, any town department, office, or multiple member body to furnish it with appropriate financial reports and budgetary information.

d) Publication - The publication of the proposed budget and finance committee recommendations shall be included in the warrant of the town meeting issued by the board of selectmen in accordance with the provisions of Article 2, of this charter. The budget shall be published on the official town website and updated as appropriate during the process with comments from the finance committee and/or the board of selectmen.

e) Presentation - The board of selectmen shall be responsible for presenting the town budget to the town meeting. The budget shall be first subject to amendments by the finance committee before any other amendments are proposed.

SECTION 6-6: BUDGET ADOPTION

The town meeting shall adopt the budget, with or without amendments, prior to the beginning of the fiscal year.

SECTION 6-7: CAPITAL IMPROVEMENT PLANS

The capital planning committee shall prepare a capital improvements plan based on material developed by the town administrator including:

- a) a clear and concise general summary of its contents;
- b) a list of all capital improvements proposed to be undertaken during the next five (5) fiscal years together with supporting information as to the need for each capital improvement;
- c) cost estimates, methods of financing and recommended time schedules for each improvement; and
- d) the estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired.

The above information shall be revised and extended each year with regard to capital improvements pending or in the process of construction, repair or acquisition.

The capital improvements plan shall be submitted to the board of selectmen and the finance committee on or before the first day of January of each year, or any other time fixed by by-law. The board of selectmen shall, on or before the second Saturday of March or any other time fixed by by-law, accept the capital improvements plan with or without amendments.

The capital improvement plan shall be part of the joint budget review as specified in Section 6-5 a) and presented in a public forum to the finance committee and the board of selectmen prior to the Annual Town Meeting.

SECTION 6-8: COLLECTIONS

Except as otherwise provided by general law or by-law all monies and fees received by any department, officer, or multiple member body shall be paid forthwith into the town treasury. The Treasurer/Collector shall use any and all means necessary to collect taxes in accordance with Massachusetts General Laws. The Treasurer/Collector shall use only those agreements consistent with the Massachusetts Department of Revenue guidelines when entering into any tax payment agreements.

SECTION 6-9: PUBLIC RECORDS

The budget and the capital improvements plan shall be public records, and copies shall be available for inspection at the office of the town clerk.

ARTICLE 7

GENERAL PROVISIONS

SECTION 7-1: CHARTER CHANGES

This charter may be replaced, revised or amended in accordance with any procedures made available by Articles eighty-nine (89) and one hundred thirteen (113) of the amendments to the Constitution of the Commonwealth, commonly known as the Home Rule Amendment, and by Massachusetts General Laws, Chapter 43B, commonly known as the Home Rule Procedures Act.

SECTION 7-2: SEVERABILITY

The provisions of this charter are severable. If any provision of this charter is held invalid, the other provisions of this charter shall not be affected thereby. If the application of this charter or any of its provisions to any person or circumstance is held invalid, the application of this charter and its provisions to other persons and circumstances shall not be affected thereby.

SECTION 7-3: SPECIFIC PROVISIONS TO PREVAIL

To the extent that any specific provision of this charter shall conflict with any provision expressed in general terms, the specific provisions shall prevail.

SECTION 7-4: NUMBER AND GENDER

Words importing the singular number may extend, and may be applied to several persons or things; words importing the plural number may include the singular-, words importing the feminine gender shall include the masculine gender, words importing the masculine gender shall include the feminine gender.

SECTION 7-5: DEFINITIONS

Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in this charter shall have the following meanings:

- a) Charter - The word *charter* shall mean in this charter and any amendments to it which may hereafter be adopted.
- b) Citizen Petition – A written request made to an official person or organized body stating a specific desired action of that official person or organized body with the required number of signatures of registered voters of the town. The written request shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The signatures must also be certified by the Town Clerk.
- c) Commonwealth - The word *Commonwealth* shall mean the Commonwealth of Massachusetts.

d) Days - The word *days* mean working days, not including Saturdays, Sunday and legal holidays when the time set is less than seven (7) days. When the time set is seven (7) days or more, every day shall be counted, unless otherwise specified as "working days", in which case Saturdays, Sundays and legal holidays will not be counted.

e) Emergency - The word *emergency* shall mean a sudden, unexpected, unforeseen happening, occurrence, event or condition which necessitates immediate action.

f) general laws - The words *general laws* (all lower case letters) shall mean laws which apply to all cities and towns, to all towns, or to a class of municipalities of which Maynard is a member.

g) General Laws - The words *General Laws* (used with initial capital letters) shall refer to Massachusetts General Laws, a codification and revision of statutes enacted on December 22, 1920, and including all amendments thereto subsequently adopted.

h) Majority Vote - The words *majority vote* shall mean a majority of those present and voting, provided that a quorum of the body is present when the vote is taken, unless a higher number is required by law.

i) Multiple Member Body - The words *multiple member body* shall mean any town body consisting of two or more persons and whether styled board, commission, committee, subcommittee, or otherwise and however elected or appointed or otherwise constituted.

j) Precincts - The word *precincts* shall mean the areas of the Town of Maynard into which the town is divided for the purposes of voting.

k) Public Notification Local Publication - The words *public notification* shall mean a publication of general circulation and the official town website for the Town of Maynard.

l) Quorum - The word *quorum* unless otherwise required by law or this charter, shall mean a majority of the members of a multiple member body then in office, not including any vacancies, which might then exist.

m) Town - The word *town* shall mean the Town of Maynard.

n) Town Agency - The words *town agency* shall mean any board, commission, committee, department, division or office of town government.

o) Town Bulletin Board - The words *town bulletin board* shall mean the bulletin board in the town building on which official town notices are posted and those at other locations within the town which may from time to time be designated as town bulletin boards by by-law, or by vote of the board of selectmen.

p) Town Officer - The words *town officer* when used without further qualification or description, shall mean a person having charge of an office or department of the town who in the exercise of the powers or duties of that position exercises some portion of the sovereign power of the town.

q) Voters - The word *voters* shall mean registered voters of the Town of Maynard.

SECTION 7-6: RULES AND REGULATIONS

A copy of all rules and regulations adopted by any town agency shall be filed in the office of the town clerk. No rule or regulation adopted or changed by any town agency shall become effective until ten (10) days following the date it has been filed in the office of the town clerk.

SECTION 7-7: PERIODIC REVIEW

a) Charter - At least once every ten (10) years, in each year ending in a one (1), a special committee to consist of nine (9) members shall be established for the purpose of reviewing this charter and to make a report, with recommendations, to the town meeting concerning any proposed amendments which said committee may determine to be necessary or desirable. The committee shall consist of nine (9) who shall be chosen as follows: the board of selectmen, the school committee, the housing authority and the board of library trustees shall designate one (1) person; the finance committee shall designate two (2) persons and three (3) persons shall be appointed by the town moderator. Persons appointed by the said agencies may, but need not, be members of the agency by which they are designated. The committee shall meet to organize forthwith following the final adjournment of the annual town meeting.

b) Bylaws - Forthwith following the passage of a revised charter at Annual Town Meeting, a special committee of seven (7) members shall be appointed by the town moderator to revise the by-laws of the town to fully implement the provisions of this charter. The said committee shall submit a report and recommendations to the town meeting for adoption by a warrant article at the annual town meeting held in the year following the year in which this charter is adopted. At least two (2) members of the said committee shall have been members of the charter review committee. Upon submission of said report and recommendations to the town meeting, this special committee shall be discharged.

c) Copies of the said by-laws and this charter shall be made available in suitable form in the office of the town clerk. An amount not to exceed the actual cost per copy of reproduction may be charged.

SECTION 7-8: REMOVALS AND SUSPENSIONS

Except for the town administrator, whose removal and suspension are covered in Article 4, sections 4-1 and 4-5 of this charter, any appointed officer, member of a multiple member body or employee of the town not subject to the provisions of the state civil service law, or covered by the terms of a collective bargaining agreement which provides a different method, and whether appointed for a fixed or an indefinite term, may be suspended or removed from office, without compensation, by the appointing authority for good cause. The term cause shall include, but not be limited to the following:

incapacity other than temporary illness, inefficiency,
insubordination and conduct unbecoming the office.

Any appointed officer, member of a multiple member body or employee of the town may be suspended from office by the appointing authority if such action is deemed by said appointing authority to be necessary to protect the interests of the town. However, no suspension shall be for more than fifteen (15) days. Suspension may be coterminous with removal and shall not interfere with the rights of the officer or employee under the removal procedure given below.

The appointing authority, when removing any such officer, member of a multiple member body or employee of the town, shall act in accordance with the following procedure:

a) A written notice of the intent to remove and a statement of the cause or causes therefore shall be delivered in hand, or by registered mail, return receipt requested, or by any other service providing proof of delivery, to the last known address of the person sought to be removed.

b) Within five (5) days following delivery of such notice, the officer, member of a multiple member body or employee of the town may request a public hearing at which such person may be represented by counsel, shall be entitled to present evidence, call witnesses and to question any witness appearing at the hearing.

c) Between one (1) and ten (10) days after the public hearing is adjourned, or if the officer, member of a multiple member body or employee of the town fails to request a public hearing between six (6) and fifteen (15) days after delivery of the notice of intent to remove, the appointing authority shall take final action, either removing the officer, member of the multiple member body or employee of the town or notifying such person that the notice is rescinded. Failure of the appointing authority to take any action within the time periods as stated in this section shall be deemed a rescission of the original notice and the officer, member of a multiple member body or employee of the town shall, forthwith, be reinstated.

Nothing in this section shall be construed as granting a right to such a hearing when the person who has been appointed for a fixed term is not reappointed when the original term expires.

SECTION 7-9: PROCEDURES GOVERNING MULTIPLE MEMBER BODIES

a) Meetings - All multiple member bodies shall meet regularly at such times and places within the town as they may by their own rules prescribe. Times and places for all regularly scheduled meetings shall be posted on the town bulletin board.

Special meetings of any multiple member bodies shall be held on the call of the respective chairperson or by one-third of the members thereof by suitable written notice delivered to the residence or place of business of each member and shall be posted on the town bulletin board at least forty-eight (48) hours in advance of the time set.

Except as authorized by law, all meetings of all multiple member bodies shall be open and public. All meetings shall be held in places to which members of the public have a convenient right of access.

b) Rules and Journal - Each multiple member body shall determine its own rules and order of business unless otherwise provided by this charter or by by-law and shall provide

for the keeping of a journal of its proceedings. These rules and journals shall be public records, and shall be kept available for public inspection.

c) Voting - Except on procedural matters all votes of all multiple member bodies shall be a call of the roll and the vote of each member shall be recorded in the journal, provided, however, that if the vote is unanimous only that fact need be recorded.

d) Quorum—~~A majority of the members of the multiple member body then in office shall constitute a quorum.~~

d)e) Filling of Vacancies - Whenever a vacancy shall occur in the membership of an appointed multiple member body the remaining members shall forthwith give written notice of such vacancy to the appointing authority. If, at the expiration of thirty (30) days following the delivery of such notice to the appointing authority said appointing authority has not appointed some person to fill the vacancy the remaining members of the multiple member body shall fill such vacancy for the remainder of any unexpired term by majority vote of the remaining members.

SECTION 7-10: NOTICE OF VACANCIES

Any vacancies for boards, commissions, committees or positions for employment, paid or unpaid shall be kept as list by the town clerk and updated and or reviewed quarterly by the town clerk. Furthermore the town clerk shall publish said list in a paper of local circulation in January of each year and have said list available on the official town website and in the Clerk's Office for public review. All employment opportunities must be approved by the town administrator for advertising; said approval will be submitted to the town clerk for posting and advertising. Unless provided by by law, whenever a vacancy occurs in any town office, position or employment, or whenever by reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the appointing authority shall forthwith cause public notice of such vacancy to be advertised in a local publication for two (2) weeks, posted on the town bulletin board in the town building for not less than fourteen (14) days and if available, on the town website and local cable access station for the duration of the posting. Such notice shall contain a description of the duties of the office, position or employment and a listing of the necessary or desirable qualifications to fill the office, position or employment. No permanent appointment to fill such office, position, or employment shall be effective until twenty one (21) days following the date such notice was initially advertised in a local publication to permit reasonable consideration of all applicants. This section shall not apply to positions covered by the civil service law and rules or if in conflict with the provisions of any collective bargaining agreement.

SECTION 7-11: LOSS OF OFFICE, EXCESSIVE ABSENCE

If any person appointed to serve as a member of a multiple member body shall fail to attend four (4) or more consecutive meetings, or one half or more of all the meetings of such body held in one calendar year, the remaining members of the multiple member body may, by a majority vote of the remaining members of the multiple member body, declare the office to be vacant, provided, however, that not less than ten (10) days prior to the date said vote is scheduled to be taken, the body has given in hand, or mailed, by registered mail, return receipt requested, or by any other service providing proof of delivery, notice of such proposed or pending vote to the last known address of such person.

SECTION 7-12: TERMS OF OFFICE

Notwithstanding any other provision of this charter which may appear to be to the contrary, whenever a person after having served for the initial term of years in a full time appointed town office, including, but not limited to the offices of town clerk, town accountant and town treasurer-collector, is reappointed to the same office to succeed herself/himself, such reappointment shall be for an indefinite term not subject to further periodic reappointment, provided however, that the reappointment provision shall apply only those incumbents in such offices who have been reappointed at least once, and the reappointment provision shall expire upon the vacating of office of any such incumbents. All such offices shall be subject to removal and/or suspension in accordance with the procedures of section 7-8 of this charter.

All appointed board, commission and committee members must comply with state and federal certifications and licensures as required by law or regulation. Furthermore, all members or the chair of said boards, commissions or committees may be requested to appear before the board of selectmen from time to time and as needed. Failure to appear may be considered a reason for removal or non-reappointment.

Becky Mosca

From: Lisa Mead <lisa@bbmatlaw.com>
Sent: Thursday, October 25, 2012 9:24 PM
To: Brendon Chetwynd
Cc: jmackeen@verizon.net; wgkohlman@comcast.net; Michael Sullivan;
dawncapello@gmail.com; Becky Mosca
Subject: RE: Charter
Attachments: Town of Maynard Charter- Revision 10 26 12.doc

Brendon

Here is the draft document. Please note a couple of items:

1. I did not use the track changes tool given the need to follow the insertions and deletions in a comprehensive manner and control the document. The strike throughs remove original text the underline adds new text.
2. I have confirmed that all of the changes you provided are shown on this document.
 - a. I did not underline the additions to the org chart as I could not manage that function.
 - b. Section 7-10 I did not adopt your change from "shall" to "will" as this should be a directive and "shall" is a more appropriate term.
 - c. Section 7-12 – the town may not absolutely say that failure to appear will be deemed a resignation given that some board members must be afforded due process and I have modified the language accordingly.
3. Section 7-7 By-law review; I think the point of this section is that in the event the Charter does not pass, the Town would not have put the time into changing the bylaws to reflect changes in the Charter. There is nothing prohibiting the BOS from setting up a bylaw review committee to effect general changes the Town wants to make and then, following the Town Meeting vote on the Charter, review and add changes to the bylaw which reflect the Town Meeting vote. Section 7-7 does not say this is the only way to change the bylaw and as a result I do not believe a change to this section is necessary.
4. Finally, I could not properly number the pages, too complicated for the lawyer, and so perhaps you or Becky could arrange that.

Please let me know if you have any questions.

Lisa

Lisa L. Mead

Blatman, Bobrowski & Mead, LLC

30 Green Street

Newburyport, MA 01950

☎ 978 463 7700

☎ 978 463 7747

The information in this transmittal is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor the person responsible for the delivery of this transmittal to the intended

recipient(s), you are hereby notified that any unauthorized distribution or copying of this transmittal is prohibited. If you have received this transmittal in error, please notify me immediately at 978 463 7700.

Please consider the environment before printing this email.



From: Brendon Chetwynd [mailto:BChetwynd@TownofMaynard.net]
Sent: Wednesday, October 17, 2012 7:51 AM
To: lisa@bbmatlaw.com
Cc: jmackeen@verizon.net; wgkohlman@comcast.net; Michael Sullivan; dawncapello@gmail.com
Subject: RE: Charter

Lisa,

Please find the attached charter draft.

After consulting with Mike Sullivan last night, I have the following question regarding Section 7-7: Periodic Review, sub-paragraph b) Bylaws:

Ideally, I'd like to put forth that prior to the spring town meeting at which we adopt the Charter, we re-codify the general by-laws in an effort to provide a complete package to the Town for its consideration. This section seems to prohibit that and I would welcome your thoughts on how to make it happen.

As a corollary, I would appreciate suggested language to this section that would allow for us to start the bylaw review prior to the adoption at town meeting.

Thank you,
Brendon

-----Original Message-----

From: Jack MacKeen [mailto:jmackeen@verizon.net]
Sent: Wed 10/10/2012 11:28 AM
To: William Kohlman
Cc: Brendon Chetwynd
Subject: Re: Charter

I agree with Brendon that I think we agreed on three years for moderator. Jim Coleman's comment was it would save having to file and run every year, but if we wanted to leave it at one year he could live with it.

Don't recall any discussion about Medical Response, but including them would depend on how they were originally chartered/set up. I think they are a volunteer body connected to the town via Board of Health. If so, I don't see a need to include them in the charter.

Jack

On 10/10/2012 7:04 AM, William Kohlman wrote:

> Charter

>

> <<...>> <<...>>

>

> Here are the latest version of the Charter, one with the changes

> tracked and one with them all accepted. As I was going through it, I

- > came across two things I couldn't remember and haven't had a chance to
- > check through the minutes about. One was the Medical Corps. Did we
- > need to include them in the Charter? The other was the term for the
- > moderator. I remember discussing one vs three year term but don't
- > remember if we had decided. It's still in the Charter as a one year term.
- >
- >
- > Bill
- >



OFFICE OF THE SELECTMEN

Maynard, Massachusetts

**SEASON PERMIT- Crowe Park
(April 20, THRU August 25th, 2013)**

This permit is issued to

Maynard Baseball Charitable Corp.
Michael Chambers

For the following purpose:

Spring season covers Saturday games at 10:00 am and 1:00 pm

Sunday's at 1:00 pm & 4:00 pm

The Summer League, Lou Tompkins program is 5 nights a week and weekend afternoons.

Subject to the conditions as herein stated:

This permit is issued upon the specific condition that the Town of Maynard will not be held responsible or in any manner liable for and shall be indemnified by the Permit holder against any and all causes of action, damages, injuries/or other claims arising out of or relating to the issuance of this permit.

Board of Selectmen:

~~Becky Mosca~~
From: Michael.Chambers@gdc4s.com
Sent: Wednesday, January 02, 2013 3:41 PM
To: Michael Sullivan; Becky Mosca
Subject: Crowe Park Use

Honorable Board of Selectmen,

I would like to request the use of Crowe Park for the spring Minuteman Babe Ruth League that will be run by the Maynard Baseball Charitable Corp. The league is scheduled to start on April 20 and will end on June 09. The games will be played on Saturday's at 10:00 a.m. & 1:00 p.m. and on Sunday's at 1:00 & 4:00 p.m. We would also like to request the use of the field for practice weeknights from 6:00 p.m. until 8:00 p.m. starting mid March and ending June 9. This is the same schedule that we have used for the past 14 years while participating in this league. The Minuteman Babe Ruth League is a recreational baseball league and consists of 14 communities and over 60 teams. The program will be open to all Maynard/Stow players between the ages of 13 - 15 years. We will field three teams in this league. The league would provide the Town of Maynard with proof of insurance and would promise to keep up the maintenance on the field as well as keeping the surrounding area free of litter.

The Maynard Baseball Charitable Corp. would also like to request the use of Crowe Park for the summer Lou Tompkins All Star Baseball League that is run through our nonprofit organization. The LTA season would start on June 13 and end on August 4. The league would need the field probably 5 nights a week and weekend afternoons. We would be looking at fielding approximately 3 to 4 teams between this league. The league ages for this league would be 13 - 19 years old and would serve the youth of Maynard and Stow as it currently does. This will be the seventh summer for the Tompkins league which is a very competitive all-star league and gives the 13 - 19 year old player an opportunity to play summer ball and who up until three years ago had no baseball after the junior high and high school seasons. There has been tremendous amount of interest from the youths of Maynard to play in this league this summer.

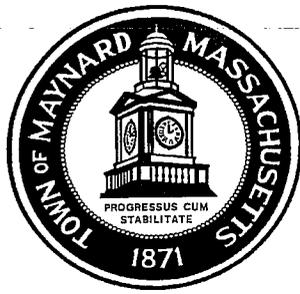
The MBCC will provide proof of insurance for this league to the Town of Maynard, would promise to keep up the maintenance of the field, and will keep the area surrounding the field free of litter. In closing, I would like to thank the Board of Selectmen in advance for consideration in this matter, as applications to the respective leagues need to be filed soon. I can be reached at home (978) 897-6363 or cell (978) 430-6905 if you should need additional information regarding this request.

Thank You,

Mike Chambers - President MBCC

Thanks,
Mike Chambers
Information Systems Security Specialist
General Dynamics C4S
77 A Street
Needham, MA 02494
781-455-2577

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RESERVE FUND TRANSFER FORM

Date: 1/14/13

Request is hereby made of the following transfer from the Reserve Fund in accordance with Chapter 40 of the Massachusetts General Laws.

1. Amount Requested: \$ 35,825
\$35,000 - Town Accountant Salary & Wages: \$825 - Town Accountant Expenses
2. To be transferred to \$37,834 - Town Accountant Salary & Wages
3. Present Balance in account \$33,138 - Town Accountant Expenses
4. The amount requested will be used for (specific reason): To cover costs related to the departure of the former Finance Director which was unforeseen.

This expenditure is extraordinary and unforeseen for the following reason: See Above

Town Accountant
Dept. Request Transfer

Signature (Department Head)

Reviewed by Board of Selectmen Dated: _____

Date of meeting: _____ Action of Finance Committee: _____

Transfer voted on in the sum of: _____ Approved _____ Disapproved _____

Number Present and Voting: _____

Finance Committee Chairman

Request should be made and transfer voted on before any expenditure in excess of appropriation is incurred.



RESERVE FUND TRANSFER FORM

Date: January 8, 2013

Request is hereby made of the following transfer from the Reserve Fund in accordance with Chapter 40 of the Massachusetts General Laws.

- 1. Amount Requested: \$4,810**
- 2. To be transferred to: Treasurer/Collector Salary**
- 3. Present Balance in account: \$32,275 50% of budget**
- 4. The amount requested will be used for (specific reason):
Contracted salary for Treasurer/Collector**

**This expenditure is extraordinary and unforeseen for the following reason:
Salary line was not properly budgeted due to vacancy in Treasurer/Collector's Office**

Treasurer/Collector
Dept. Request Transfer

Carol Kane
Signature/(Department Head)

Reviewed by Board of Selectmen Dated: _____

Date of meeting: _____ Action of Finance Committee: _____

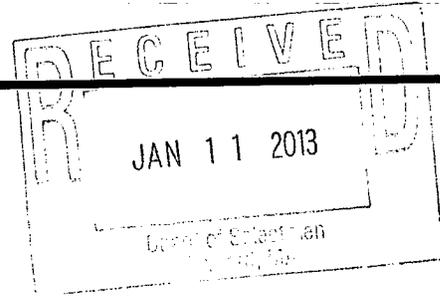
Transfer voted on in the sum of: _____ Approved _____ Disapproved _____

Number Present and Voting: _____

Finance Committee Chairman

Request should be made and transfer voted on before any expenditure in excess of appropriation is incurred.

Lori J. Blanchard



From: Lori J. Blanchard *LS*
Sent: Friday, January 11, 2013 12:47 PM
To: Michael Sullivan
Subject: RE: FY13 Town Accountant Budget Shortage
Attachments: FY13 Accountant Res Fund Trf Request.pdf

Mike,

Attached please find a copy of the Reserve Fund Transfer request form I will put in your mailbox with a copy of this email. I added \$3,000 to Salary & Wages as we discussed to cover intern wages.

The request is for:
\$35,000 – Town Accountant Salary & Wages
\$ 825 – Town Accountant Expenses
\$35,825 – Total

Thank you,
Lori

From: Lori J. Blanchard
Sent: Thursday, January 10, 2013 11:50 AM
To: Michael Sullivan
Subject: FY13 Town Accountant Budget Shortage

Mike,

I have calculated the shortage in the FY13 Town Accountant's budget and attached my spreadsheet detail which shows:

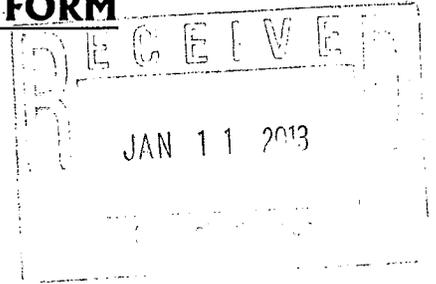
(31,998.97) – Salary & Wage Budget Line Shortage (Not including hours to be worked by Jacy & Glen 1/12/13 through 6/30/13 – no idea what to estimate)
(821.52) – Expense Budget Line Shortage
(32,820.49) – Total Reserve Fund Transfer Needed – Plus Payroll to Cover Hours for Jacy & Glen

If you have any questions, please let me know.

Thank you,
Lori



RESERVE FUND TRANSFER FORM



Date: 1/11/13

Request is hereby made of the following transfer from the Reserve Fund in accordance with Chpt. 40 of the Massachusetts General Law.

- 1. Amount Requested: \$ 35,825
- 2. To be Transferred to: \$ 35,000 - Town Acct Salary + Wage
\$ 825 - Town Acct Expense
- 3. Present Balance in Dept. Account \$ 37,834 - Town Acct Salary + Wage
\$ 33,138 - Town Acct Expense
- 4. The amount requested will be used for _____
TO cover costs related to the departure of
the former Finance Director which was unforeseen.

This expenditure is extraordinary and unforeseen for the following reason: *see above*
**** Attach documents to explain the reason for the necessary document.

Town Accountant
Dept. Requesting Transfer

[Signature] 1/11/13
(Signature (Department Head))

Date of Meeting: _____

Action: Approved Disapproved

Transfer voted on in the sum of: _____

Number Present and Voting _____

Board of Selectmen, Chair _____ Finance, Chair _____

Request should be made and transfer voted on Before any expenditure in excess of appropriation incurred.



**Set the date time and place for the
Annual / Special Town Meeting.**

Date: May 20, 2013

Time: 7:00 pm

Place: Fowler School Auditorium

**Board of Selectmen
Town Hall
195 Main Street
Maynard, MA. 01754**

**Town Administrator
Michael Sullivan**

Timelines for the Annual and Spring Special Town Meetings 2013

Tuesday, January 22, 2013	Board of Selectmen vote to hold the Annual Town Meeting and the Special Town Meeting on Monday, May 20th respectively at 7:00pm at the Fowler School Auditorium.
Wednesday, January 23, 2013	Board of Selectmen (Town Administrator) gives notice to all Town Agencies, Town Officers and Chairpersons of Multiple Member Committees. <i>Deadline imposed by Town Administrator (Charter is silent on this notification for ATM)</i>
Friday, April 5, 2013	Deadline for submittal of all draft warrant articles for ATM and STM to Board of Selectmen by Town Agencies, Boards and Committees (Funding amount and source required). <i>Deadline imposed by Town Administrator to allow for legal review (Charter allows all articles 45 days prior to ATM)</i>
Friday, April 5, 2013	Refer Warrant Article information to FinCom and Town Counsel for review for ATM. <i>Town of Maynard By-Laws, Chapter 1, Section 3 - Selectmen to submit articles to FinCom at least 10 days before printing Warrant.</i>
Friday, April 5, 2013	Board of Selectmen publishes notice of the calling of Special Town Meeting. <i>Section 2-5 Maynard Town Charter: BOS to publish notice at least 45 days prior to STM (April 5 is Beacon deadline)</i>
Friday, April 5, 2013	Deadline for submittal of Citizens Petition Warrant Articles ATM; referred to FinCom upon receipt. <i>Section 2-7 C.1 Maynard Town Charter: Citizens Petitions must be received at least 45 days prior to ATM.</i>
By April 8, 2013	FinCom recommendations, comments and reports due for ATM. <i>Must be done before BOS approves ATM Warrant</i>
Tuesday, April 16, 2013	Board of Selectmen vote to approve Annual Town Meeting Warrant. <i>Last meeting before printing deadline (April 16th - Mail house needs 5 days to print job)</i>
Wednesday, April 17, 2013	Annual Town Meeting Warrant to emailed to the Mail House <i>Mail house needs 5 days to turn around job</i>
Thursday, April 30, 2013	Annual-Special Town Meeting Warrant to be mailed to every household
Thursday, April 25, 2013	Annual and Special Town Meeting Warrant published in Beacon.
Friday April 26, 2013	Post Meeting Notice of ATM and STM
Monday May 20, 2013	Annual - Special Town Meeting



SPECIAL TOWN MEETING

TENTATIVE

SATURDAY, APRIL 6, 2013

Time: 10:00 AM

Place: Fowler School

**Town Hall
195 Main Street
Maynard, MA. 01754**

**Town Administrator
Michael Sullivan**