



# COMMONWEALTH OF MASSACHUSETTS

**MIDDLESEX, SS.**

## **TOWN OF MAYNARD**

Report, Budget, Recommendations, and Official Warrant

### **ANNUAL TOWN MEETING**

Monday, May 21, 2018 at 7:00 P.M.

FOWLER SCHOOL AUDITORIUM  
Three Tiger Drive

PLEASE READ AND BRING THIS DOCUMENT TO THE TOWN MEETING

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### **SPECIAL NOTICE TO VOTERS**

On Monday May 14, 2018 at 7:00 p.m., a meeting will be held at the Maynard Town Building, Room 201, to discuss with any citizen who desires further information, as to the recommended budget and capital plan, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Annual Town Meeting. Your participation is welcome.

## ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as a wheelchair or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by May 14, 2018 in order that reasonable accommodations may be made.

### **PROCEDURES AT TOWN MEETING**

**Order of Articles:** Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

**Secret Ballot Votes:** The Moderator determines whether or not an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

**Amending an Article at Town Meeting:** Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

**Reconsider an Article:** An article may be reconsidered, that is, revoted, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, the Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

**NECESSARY MAJORITIES\***

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular by-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

**NOTE:**

Yes and No votes only will be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

\*Please note these vote quanta are for example only and there may be other types of votes, which fall under each of the categories listed above.

**GLOSSARY OF TERMS USED AT TOWN MEETING**

**APPROPRIATE:** The authority to tax and spend funds for the purpose stated.

**ASSESSMENT:** The estimated value of worth of a piece of property or a group of properties. Assessment of property is done within specific guidelines by the Board of Assessors.

**BY-LAWS:** The Town’s guidelines – laws that cannot be deviated from “by-law.”

**CHERRY SHEET:** The state document that details the actual amount of state aid to the Town, and the charges the town must pay the state.

**DEBT LIMIT:** The maximum amount that a Town can borrow. In most cases, state law prohibits borrowing more than 5% of the total valuation of taxable property. There are certain exceptions to this limit.

**CERTIFIED FREE CASH:** The amount of Surplus Revenue over and above uncollected taxes of prior years, certified by the Director of Accounts as of June 30<sup>th</sup> each year.

**GENERAL FUND:** Account from which all transactions are made, pay bills, collections, etc.

**OVERLAY:** The amount raised by the Assessors in excess of anticipated expenditures (appropriations and charges) to cover abatements, etc.

**OVERLAY RESERVE:** A city, town, or district may appropriate overlay surplus for any lawful purpose, including funding any known or anticipated overlay deficit for any fiscal year. Any amount not appropriated by June 30 closes to undesignated fund balance in the General Fund.

**RESERVE FUND:** Fund under the control of the Finance Committee to provide for extraordinary or unforeseen expenditures, may only be appropriated at Annual Town Meeting.

**SURPLUS REVENUE:** The amount by which cash, accounts receivable, and other current assets exceed liabilities and reserve.

**STABILIZATION FUND:** A savings account. Each year an amount not exceeding 10% of the preceding years' taxation of real and personal property may be appropriated. This fund is intended for purchasing capital items, which the town would otherwise borrow for.

**The balances of the Town's Stabilization Funds are as follows:**

|                                     |                 |
|-------------------------------------|-----------------|
| General Fund Stabilization          | \$ 2,034,282.00 |
| Capital Fund Stabilization          | \$ 1,322,884.00 |
| Water Enterprise Fund Stabilization | \$ 465,799.00   |
| Sewer Enterprise Fund Stabilization | \$ 185,236.00   |

**The amounts of "Free Cash" and "Retained Earnings" as certified by Director of Accounts are as follows:**

|   |               |
|---|---------------|
| General Fund – Free Cash                  | \$ 793,333.00 |
| Water Enterprise Fund – Retained Earnings | \$ 84,038.00  |
| Sewer Enterprise Fund – Retained Earnings | \$ 211,757.00 |

| <u>Article #</u> | <u>Title</u>   | <u>Department</u>                   | <u>Vote</u>     | <u>Page #</u> |
|------------------|--|-------------------------------------|-----------------|---------------|
| 1                | Amend Zoning By-Law  | Citizen Petition                    | Secret 2/3      | 7             |
| 2                | Town Report Acceptance   | Board of Selectmen                  | Simple majority | 7             |
| 3                | Obsolete Equipment, Material   | Board of Selectmen                  | Simple majority | 7             |
| 4                | Disposal of 12 Bancroft<br>(Coolidge School)                           | Board of Selectmen                  | Secret majority | 7             |
| 5                | General By-Law 36<br>To Add a Recreation Revolving Fund                | Board of Selectmen                  | Secret majority | 8             |
| 6                | Authorize Revolving Funds<br>Chapter 44, Section 53E1/2                | Board of Selectmen                  | Secret majority | 8             |
| 7                | Amend By-Law<br>Chapter 18 Section 4A                                  | By-Law Committee                    | Simple majority | 9             |
| 8                | Amend By-Law Chapter 28<br>Fire Alarms Systems                         | By-Law Committee                    | Simple majority | 9             |
| 9                | Fiscal Year 2019<br>Salary Administration Plan                         | Board of Selectmen                  | Secret majority | 13            |
| 10               | Amend By-Law Chapter 30<br>Underground Fuel                            | By-Law Committee                    | Simple majority | 13            |
| 11               | Amend By-Law Chapter 29<br>Hazardous Materials                         | By-Law Committee                    | Simple majority | 17            |
| 12               | Sewer Enterprise Fund Budget<br>Fiscal Year 2019                       | Board of Selectmen                  | Secret majority | 21            |
| 13               | Water Enterprise Fund Budget<br>Fiscal Year 2019                       | Board of Selectmen                  | Secret majority | 22            |
| 14               | Amend By-Law Chapter 40<br>Fire Prevention/Safety                      | By-Law Committee                    | Simple majority | 22            |
| 15               | Community Preservation Reserve Fund<br>Appropriations Fiscal Year 2018 | Community Preservation<br>Committee | Secret majority | 23            |
| 16               | Community Preservation Fund Budget<br>Fiscal Year 2019                 | Community Preservation<br>Committee | Secret majority | 24            |
| 17               | Fire Station Plan Design   | Board of Selectmen                  | Secret majority | 25            |
| 18               | Special Education<br>Chapter 40A, Section 13E                          | School Committee                    | Simple majority | 25            |
| 19               | Inclusionary Zoning By-Law   | Board of Selectmen                  | Secret 2/3      | 25            |

|    |   |                            |                 |           |
|----|---|----------------------------|-----------------|-----------|
| 20 | <b>Appropriate Overlay Surplus</b>                          | Board of Selectmen         | Secret majority | 32        |
| 21 | <b>Certified Free Cash Appropriation</b>                    | Board of Selectmen         | Secret majority | 33        |
| 22 | <b>Authorize Town Fund<br/>5085 Redevelopment Authority</b> | Board of Selectmen         | Simple majority | 33        |
| 23 | <b>Sewer Capital Equipment</b>                              | Department of Public Works | Secret 2/3      | 34        |
| 24 | <b>Water Capital Equipment</b>                              | Department of Public Works | Secret 2/3      | 34        |
| 25 | <b>Authorize Funds for scholarships</b>                     | School Committee           | Simple majority | 35        |
| 26 | <b>Town General Fund Budget<br/>Fiscal Year 2019</b>        | Board of Selectmen         | Secret majority | 35        |
|    |   |                            |                 |           |
|    | <b>Appendix A<br/>FY2019 Budget – General Fund</b>          | -                          |                 | <b>37</b> |
|    | <b>Appendix B<br/>FY 2019 Salary Administration Plan</b>    | -                          |                 | <b>42</b> |

**ARTICLE 1: AMEND ZONING BY-LAW**

To see if the town will vote to amend the zoning By-Law by making the following changes to section 3.1.2, Table A Use regulations:

Item 1. In subsection 4, Business Uses, Column for the Industrial (“I”) District, change the entry for “Medical Office” from “N” to “PB”.

Item 2. In subsection 4 Business Uses, Column for the Industrial (“I”) District, change the entry for “Clinic and Healthcare facility, with ancillary uses” from “N” to “PB”.

To do or act thereon.

SPONSORED BY: Citizen Petition  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**ARTICLE 2: TOWN REPORT ACCEPTANCE**

To hear and act upon the reports of Town Officers and Committees.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**ARTICLE 3: OBSOLETE EQUIPMENT, MATERIAL**

To see if the town will vote to authorize the Board of Selectmen to dispose of surplus and or obsolete equipment or materials, as authorized by G.L. c. 30b.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**ARTICLE 4: DISPOSAL OF 12 BANCROFT (COOLIDGE SCHOOL)**

To see if the town will change the use of a portion of the property at 12 Bancroft Street (the Coolidge School), located on Assessor’s Map 20 and Lot 234 from general municipal use as shown on the plan entitled “12 Bancroft Street” by Stamski & McNary, Inc. and dated March 2, 2016 which is on file with the Office of the Town Clerk (portion to be considered is referred to as ‘Lot 1’ in the plan), to a property for sale and to authorize the Board of Selectmen to sell said property on the terms and conditions it deems appropriate and are in the best interest of the Town and to enter into any and all agreements to effectuate same.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: \$0  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** In June 2015, the Coolidge School Re-use Task Force recommended that the Town consider selling the property and requested that a preservation restriction be placed on the façade of the building. It is estimated that the building could generate more than \$30,000 in tax revenue if it was converted to commercial or residential use.

**ARTICLE 5: GENERAL BY-LAW 36 TO ADD A RECREATION REVOLVING FUND**

To see if the town will vote to Amend General By-Law Chapter 36 Section 5 by adding a new line to the table as follows:

| Revolving Fund | **Authorized Department to Spend                 | Revenue Source                               | Use of Fund  | Fiscal Years                          |
|----------------|--|--|--|---------------------------------------|
| Recreation     | Recreation Commission through Town Administrator | Fees from the Recreation Commission Programs | Implementation of the Recreation Commission Programs | Fiscal Year 2019 and subsequent years |

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The Town currently has a GL53D revolving fund for Recreation Departments. As the Town does not have a Recreation Department, a 53E 1/2 fund is the appropriate location for activity fee collections and disbursements. The funds will be used in support of the marketing, wages for coaches/referees and related contract hires, facility costs, and equipment, for recreation programs.

**ARTICLE 6: AUTHORIZE REVOLVING FUNDS CHAPTER 44, SECTION 53E1/2**

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. c.44 § 53E ½ for the fiscal year beginning July 1, 2018 (FY2019) to be expended in accordance with the bylaws heretofore approved.

| Revolving Fund   | Spending Limit      |
|--|---------------------|
| Conservation Commission - Wetlands Bylaw Consultant Fees | \$15,000.00         |
| Planning Board - Site Plan Review                        | \$25,000.00         |
| Disposal - Drop Off Center                               | \$15,000.00         |
| Board of Health - Licensing Fees                         | \$15,000.00         |
| Council on Aging - COA Van Service                       | \$70,000.00         |
| Sealer of Weights & Measures                             | \$ 5,000.00         |
| Electrical/Wiring Inspection Services                    | \$65,000.00         |
| Plumbing & Gas Inspection Services                       | \$50,000.00         |
| Municipal Permitting                                     | \$20,000.00         |
| Recreation Revolving                                     | \$20,000.00         |
| <b>TOTAL OF ALL REVOLVING FUNDS</b>                      | <b>\$300,000.00</b> |



To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** Revolving funds provide the flexibility to deposit funds and pay expenditures across fiscal years. The Town Meeting has previously established the funds listed above with specific allowed purposes and this article authorizes each fund’s annual revolving limit.

**ARTICLE 7: AMEND BY-LAW CHAPTER 18 SECTION 4A**

To see if the town will vote to amend the Town By-Law as follows:

In Chapter 18, Section 4A, replace the text, “Every dwelling, building or structure,” with the text “Every dwelling, building, or structure, commercial or residential,”

and in Chapter 18, Section 4B, replace the text, “Penalty: First Offense - Written Warning Each Subsequent Offense - \$10.00” with the text, “Penalty: First Offense - Written Warning with reasonable notice to correct Each Subsequent Offense - \$100.00”

To do or act thereon.

SPONSORED BY: Bylaw Committee  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The changes clarify that the by-law applies to both commercial and residential properties, allows for a time period for a correction of the violation, and increases the penalty, if the violation is not corrected, to \$100.00.

**ARTICLE 8: AMEND BY-LAW CHAPTER 28 FIRE ALARMS SYSTEMS**

To see if the town will vote to amend the Town By-Law by replacing the current Chapter 28, Fire Alarms Systems with the following:

**CHAPTER 28  
FIRE ALARM SYSTEMS**

**Section 1: Definitions.** When used in this By-law, unless a contrary intention clearly appears, the following words shall have the following meanings:

A. “Central Station Operating Company”: A company equipped to receive a fire alarm signals from its customers, and which receives alarm signals and communicates the location of any such alarm signals to the Maynard Communications Center.

B. “False Alarm”: For the purposes of this By-law, a false fire alarm shall be defined as follows:

1. The operation of a faulty smoke or heat detection device.
2. Faulty control panel or associated equipment.
3. A water pressure surge in automatic sprinkler equipment.
4. Accidental operation of automatic sprinkler.
5. An action by an employee of the owner, occupant of the protected premises, or a contractor employed by the owner or the occupant, causing accidental activation of an internal fire alarm system.

C. "Fire Alarm Malfunction": The transmittal of a fire alarm to a Central Station Operating Company or directly to the Maynard Communications Center by way of a radio box which alarm is caused by improper installation of a fire alarm system, a mechanically defective fire alarm system, lack of maintenance or some other reason that causes a fire alarm to sound even though there is no actual fire or situation that reasonably could evolve into a fire.

D. "Fire Alarm Systems": Any heat-activated, smoke activated, flame-energy-activated or other such automatic device capable of transmitting a fire alarm signal to either a Central Station Operating Company or directly to the Maynard Communications Center by way of a radio box, or communicates with a central station operating company using a UL approved device.

E. "Fire Alarm System Owner": An individual or entity which owns the title to and/or maintains a fire alarm system equipped to send a fire alarm signal to a Central Station Operating Company or directly to the Maynard Communications Center by way of a radio box.

F. "Fire Chief": The Chief of the Maynard Fire Department ("M.F.D.").

G. "Knox Box": a secure box that provides a secure location for keys and vital information associated with a building. A Knox Box is purchased through the Knox Box Company with approval from the Maynard Fire Department. The Knox Box approved by the M.F.D. is provided with a unique lock for which only the M.F.D. has keys. Knox Boxes are the only type of lock box allowed by the M.F.D.

H. "Radio Box Owner": An individual or entity who owns a commercial building, or business or residential premises, which maintains a fire alarm system equipped to send a fire alarm signal directly to the Maynard Communications Center by way of a radio box.

## **Section 2:**

A. Every Radio Box Owner, whose fire alarm system as of the date of adoption of this By-law is connected to the Maynard Communications by way of a radio box, shall pay the following fees:

Annual Fee for Churches and Non-Profit Organizations \$ 75.00

Annual Fee for All Others \$200.00

B. Every Master Box Owner whose fire alarm system is connected after the date of adoption of this By-law to the M.F.D. by way of a master box shall pay the following fees.

Annual Fee for Churches and Non-Profit Organizations \$ 75.00

Annual Fee for All Others \$200.00

C. Before any fire alarm system is connected to the Maynard Communications Center, the Radio Box Owner shall provide the Fire Chief with the following information, and agrees to keep information current:

1. The name, address, and home and work telephone numbers of the Radio Box Owner and other persons or businesses protected who may be listed as key-holders or property representatives.

2. The street address where the radio box is located.

3. The names, addresses and home and work telephone numbers of at least two persons other than the owner who can be contacted twenty-four hours a day, who are authorized by the Radio Box Owner to respond to an alarm signal and who have access to the premises in which the master box is located.

4. The insurance carrier (with a copy of the insurance policy) for the building.

5. Such other information as the Fire Chief may require.

D. If, as of the date of adoption of this By-law a fire alarm system has already been connected to the Maynard Communication Center by way of a radio box, the Radio Box Owner shall comply with the requirements of this section within sixty (60) days after the M.F.D. has sent the Radio Box Owner notice by certified mail, return receipt requested, of the requirements of this section.

E. If a Radio Box Owner fails to comply with any part of this section, the Fire Chief may assess a fine of fifty dollars (\$50.00) for each day of non-compliance.

## **Section 3:**

A. Every Central Station Operating Company which makes a direct connection after the date of adoption of this By-law to the Maynard Communications Center shall pay the following fees:

Permit Fee \$ 20.00

Connection Fee \$100.00

Annual Fee for Churches and Non-Profit Organizations \$ 75.00

Annual Fee for All Others \$200.00

B. Before any Central Station Operating Company is connected with the M.F.D., the building owner shall provide the Fire Chief with the following information:

1. The name, address, and telephone numbers of the Central Station Operating Company.
2. The names, addresses and home and work telephone numbers of at least two persons who can be contacted twenty-four hours a day, who are authorized by the building owner to respond to an alarm signal, or other emergency, and who have access to the premises from where the alarm signal is emitting to the Central Station Operating Company.
3. The insurance carrier (with a copy of the insurance policy) for the company.
4. An approved Knox Box secured to the building with keys to all suites, units, or apartments properly labeled. Such other information as the Fire Chief may require.

C. If upon adoption of the By-law a Central Station Operating Company already has a direct connection to the Maynard Communication Center., the Central Station Operating Company shall comply with the requirements of this section within sixty (60) days after the M.F.D. has sent it notice by certified mail, return receipt requested, of the requirements of this section.

D. If a Central Station Operating Company fails to comply with section, the Fire Chief may assess a fine of fifty dollars (50.00) for each day of non-compliance to the building owner.

**Section 4:** Every building owner shall be responsible for updating the information herein required to be provided to the Fire Chief. If the information provided changes, the building owner shall provide the Fire Chief with the updated information and shall pay the fee, if required by this By-law. If a building owner fails to comply with this section, the Fire Chief may assess a fine of fifty dollars (\$50.00) for each day of non-compliance.

**Section 5:** If there is a Fire Alarm System Malfunction, the Fire Chief, Fire Captains and/or Police Officers in accordance with Massachusetts General Law, Ch. 40, §21D shall be deemed to be the Enforcing Person and may assess a fine against a fire alarm system owner for each malfunction occurring during any fiscal year according to the following schedule:

A. First through third Fire Alarm System Malfunction, no charge

Upon recording of the third Fire Alarm System Malfunction by the M.F.D., the Fire Chief shall provide written notice of said Fire Alarm System Malfunctions and a copy of this bylaw to the owner of the building, by certified mail.

Fourth through sixth Fire Alarm System Malfunction \$100.00 per occurrence

Seventh through eleventh Fire Alarm System Malfunction \$200.00 per occurrence

Each Fire Alarm System Malfunction after the eleventh \$300.00 per occurrence

B. Private fire alarm systems connected through a Central Station Operating Company system shall also be subject to the above fines.

C. Any Fire Alarm System Malfunction which is the result of the failure of the property owner, occupant or their agents to notify the M.F.D. of repair, maintenance or testing of an internal fire alarm system within the protected premises, shall cause a penalty to be assessed in accordance with part A of this Section 7.

D. Property owners will be billed once a month for the Fire Alarm System Malfunction activity occurring during the previous month.

E. If any bill is not paid within thirty (30) days of issuance, written notice will be sent; if the bill is not paid after a second (30) day period, a final notice will be sent informing the owner and/or occupant that the master box, or radio box will be disconnected and the Fire Alarm System Owner's insurance company notified.

**Section 6:** No Fire Alarm System shall be equipped with a tape dialer or similar automatic telephone device which will transmit an alarm message to any telephone lines of the M.F.D., or the Maynard Communications Center. If, upon adoption of this By-law, a Fire Alarm System is equipped with such a

tape dialer or similar automatic telephone device, the Fire Alarm System Owner shall have sixty (60) days from adoption of this By-law to disconnect such tape dialer or similar automatic telephone device. If a Fire Alarm System Owner fails to comply with this section, the Fire Chief may assess a fine of fifty dollars (\$50.00) for each day of non-compliance.

**Section 7:**

A. Any building other than a residential building of less than six (6) units, which has an Fire Alarm System or other fire protection system, shall have a Knox Box installed. The Knox Box will be installed in a location accessible to the M.F.D. in case of emergency. This Knox Box shall be approved by the M.F.D. Keys to the structure served by the Fire Alarm System, keys to fire alarm control panels and other keys necessary to operate or service the Fire Alarm System shall be provided to the M.F.D. In addition, if required by the Fire Chief, a Knox Box, sufficient in size as determined by the Fire Chief, shall be installed and shall contain an updated and accurate list and federal OSHA Form 20 Material Safety Data Sheets for hazardous substances present on the site in “significant quantities”. As used herein, the phrases “hazardous substances” and “significant quantities” shall be defined by applicable Town, Commonwealth of Massachusetts and Federal Regulations governing the storage of these substances.

B. The Knox Box shall be approved by the Fire Chief and compatible with the Knox Box System presently in use. The Knox Box shall be located and installed as approved by the Fire Chief.

C. No permit for a Fire Alarm System will be issued until the permit applicant has placed an order for a Knox Box as specified above.

D. Any building owner violating Section 9 of this By-law after receiving due notice by the M.F.D. shall be subject to a fine of fifty dollars (\$50.00) for each day of non-compliance.

E. Every building owner whose fire alarm system is already connected by Radio box to the Maynard Communications Center on the effective date of this By-law shall have ninety (90) days to order a Knox Box to comply with this section. Failure to comply shall be subject to the fifty dollars (\$50.00) fine for each day of non-compliance.

**Section 8:** Any Fire Alarm System Owner who is aggrieved by an action taken by the Fire Chief under this By-law may within ten (10) days of such action, file an appeal, in writing, to the Board of Selectmen of the Town of Maynard (the “Board”). After public notice the Board shall hold a hearing, after which it shall issue a decision in which it may suspend, affirm, annul, or modify the action taken by the Fire Chief giving its written reasons therefore. The Board shall send its decision to the owner by first class mail within ten (10) days after the hearing. The decision of the Board shall be a final administrative decision. The owner shall have thirty (30) days from the date of the written decision to seek judicial review in the Middlesex County Superior Court.

**Section 9:** The Fire Chief may promulgate such regulations as may be necessary to implement this By-law. The Fire Chief is authorized to pursue such legal action as may be necessary to enforce this By-law.

**Section 10:** All fees and fines collected shall be paid to the Town Treasurer and Collector for deposit in the General Fund. The Town Treasurer and Collector shall provide quarterly reports to the Fire Department advising them of collections and payments.

**Section 11:**

A. The provisions of this By-law shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.”

To do or act thereon.

|                        |                 |
|------------------------|-----------------|
| SPONSORED BY:          | Bylaw Committee |
| APPROPRIATION:         | None            |
| FINCOM RECOMMENDATION: | At Town Meeting |

**Sponsor Comments:** This By-law was initially adopted 30 years ago and had not been updated since then. Changes to the By-law reflect changes to the procedures and equipment that are currently used by the Maynard Fire Department. The one increase in fees is in Section 4B for a Connection Fee from \$100.00 to \$150.00.

**ARTICLE 9: SALARY ADMINISTRATION PLAN**

To see if the town will approve the changes to the Salary Admin Plan for Fiscal Year 2019.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: \$0  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The Salary Admin Plan provides a wage scale for some non-union employees. It needs updating from time to time to keep up with minimum wage, wage inflation, and occasional changes to the terms of the plan. See Appendix B for the entire plan.

**ARTICLE 10: AMEND BY-LAW CHAPTER 30 UNDERGROUND FUEL STORAGE**

To see if the town will vote to amend the Town By-Law by replacing the current Chapter 30, Underground Fuel Storage with the following:

**CHAPTER 30  
UNDERGROUND FUEL STORAGE**

**Section 1:** This By-law is adopted for the regulation and restriction of underground gasoline or fuel storage tanks over one thousand (1,000) gallons within the Town of Maynard (“The Town”), in order to protect, preserve and maintain groundwater and surface waters from contamination and to assure the public health and safety.

**Section 2:** This Underground Fuel Storage By-law is hereby declared to be remedial and protective and is to be construed so as to secure the beneficial interests and purposes thereof. It is adopted by the Town under its home rule powers, its police powers to protect the public health and welfare, and its authorization under Massachusetts General Law, Ch. 40, § 21.

**Section 3:** Definitions as used in this By-law:

- A. “Abandoned” shall mean being out of service for a continuous period in excess of six months, in the case of a storage facility for which a license from the local licensing authority is required under the provisions of Massachusetts General Law, Ch.148, Sec. 13, as amended and for a period in excess of twenty-four (24) months, in the case of any other storage facility.
- B. “Fire Chief” shall mean the Chief of the Fire Department for the Town of Maynard.
- C. “Operator” shall mean the lessee of a storage facility or the person or persons responsible for the daily operation of a storage facility.
- D. “Owner” shall mean the person or persons or government entity having legal ownership of a storage facility.
- E. “Storage Facility” shall mean one (1) or more tanks, at a particular site, together with its or their components, used, or designed to be used, for the underground storage of liquid petroleum products such as gasoline, fuel oil, lubricating oil or waste oil.
- F. “Underground Tank” shall mean any fuel storage container system for liquid petroleum products such as gasoline, fuel oil, lubricating oil or waste oil with a capacity in excess of one thousand (1,000) gallons, the top of which is below the ground. This definition does not include storage in a freestanding container within a building.

**Section 4:** Underground tanks shall not be installed within two hundred fifty (250) feet of a surface of water.

**Section 5:**

A. Underground tanks shall be constructed of non-corrosive material such as fiberglass reinforced resin or its equivalent externally bonded to a steel tank; or underground steel tanks must be cathodically protected by an impressed current cathodic protection, sacrificial anodes, or some other type of equivalent protection. All tanks must be internally coated by the manufacturer for corrosive resistance.

B. Underground piping shall be constructed of non-corrosive materials such as FRP or its equivalent; or underground steel piping must be cathodically protected by impressed current cathodic protection, sacrificial anodes, or some other type of equivalent protection.

C. If a cathodic protection system is installed, an ongoing preventative maintenance program shall be used. If sacrificial anodes have been installed, their proper operation shall be confirmed by a qualified person at least once a year. If an impressed current cathodic protection system is installed, the operator shall verify that it is operating at least once a month, and at least once a year measure the structure to soil and structure to structure potentials, and the rectified voltage and current output. If any such system does not have adequate negative voltage, or is otherwise defective, the owner shall have the system repaired promptly by a qualified person. All results must be submitted to the Fire Department within five (5) days of each test or inspection.

D. All new and replacement tanks must be equipped with striker plates below openings used for product measurement or filling.

E. All submersible-pumping systems for newly installed tanks used to store automotive fuel shall be equipped with emergency shut-off valves under each dispenser and with delivery line leak detectors. The shut-off valves and leak detectors shall be tested by a qualified person upon installation and at least annually thereafter. No suction pumping system shall be equipped with any check valve in the piping except at the tank end, and any such check valve shall be so installed that it may be tested or replaced without disturbing other elements of the storage facility.

F. Every newly installed tank shall be equipped with an overfill prevention system. If a tank is filled by gravity flow, it must be equipped with a float vent valve or other device that provides equal or better protection from overfilling. If the tank is filled under pressure, it must be equipped with a combined audible and visual high-level alarm. Any such system shall be tested by a qualified person upon installation and at least annually thereafter.

**Section 6:**

A. A tank shall not be buried until it has been inspected and approved by the Fire Chief or designee.

B. Tanks must be installed in accordance with the manufacturer's installation techniques. Damage to protective coatings or to the FRP tank or surface must be repaired prior to covering the tank.

C. The owner's expense, new underground tanks shall be tested for tightness hydrostatically or with air press at not less than three (3) pounds per square inch and not more than five (5) pounds per square inch after installation, but before being covered or placed in use.

D. At the owner's expense all piping, before being covered enclosed or placed in use, shall be hydrostatically tested to 150 percent of the maximum anticipated pressure of the system, or pneumatically tested to 100 percent of the maximum anticipated pressure of the system, but not less than fifty (50) pounds per square inch gage at the highest point of the system. If a pneumatic test is performed, all joints and connections shall be coated with a soap solution and the test shall be maintained for a sufficient time to complete visual inspection of all joints and connections, but for at least ten (10) minutes.

E. The backfill material for all newly installed tanks or any repairs to tanks already installed tanks shall be either pea gravel or clean, non-corrosive sand, free of cinders, stones and any other foreign material, the material under the tank to be compacted and contoured to the shape of the tank before the tank is installed, the balance to be thoroughly compacted.

F. Underground tanks that are to be located in areas subject to flooding or below the maximum water table elevation must be anchored according to manufacturer's instructions.

**Section 7:**

A. All underground tanks, except fuel oil tanks and containers connected with burning equipment, shall be installed and monitored for the prevention and detection of leakage in accordance with the following provisions.

B. Accurate daily inventory records by means of dip sticking shall be maintained and reconciled on all liquid underground tanks for indication of possible leakage from said tanks or piping. The records shall be kept on the premises, available for inspection by the Fire Chief or designee, and shall include, as a minimum, records showing type of product, daily reconciliation between sales, use, receipts and inventory on hand. If there is more than one system consisting of a tank(s), serving pump(s) or dispenser(s) for any product, the reconciliation shall be maintained separately for each tank system.

C. The daily inventory records must be shown to the Fire Chief or designee, prior to issuance of a permit or license renewal.

D. For every storage facility covered by the inventory control requirements of this section, the owner shall, at least annually and at the owner's expense, submit the daily inventory records of the most recent calendar month for leak detection statistical analysis by any professionally qualified person. The person performing such analysis shall promptly submit certified copies of the results of that analysis to the owner and to the Fire Chief. If the analysis by the qualified person determines, on the basis of that analysis, there is a probability of a leak from any tank or its components in that facility, the owner shall within three (3) working days, take the steps outlined in Section 7(F) with respect to that tank and its components; or, in the case of a combination, with respect to each tank and its components.

E. The Fire Chief or designee shall require the owner of an underground tank storage system to test the system for tightness as provided in Section 6(C), at the owner's expense, when accurate daily inventory records have not been maintained as specified in Section 7(A).

F. If daily inventory records indicate a loss of product in excess of 0.5 percent of the volume of the product used or sold, or an abnormal increase in the amount of water contained in the tank, the following steps shall be taken, as a minimum, by the owner or operator within three (3) working days:

1. The inventory records shall be checked for error.

2. If no error is apparent, an independent calculation of apparent loss shall be made by a qualified person starting from a point in time where the records indicate a no loss condition.

3. If step 2 confirms no apparent loss, the readily accessible physical facilities on the premises shall be carefully inspected for evidence of leakage.

4. If step 3 does not disclose a leak, the dispensers used with the particular product involved with the apparent loss shall be checked for calibration.

5. If steps 1 through 4 do not explain the apparent loss, the situation shall be reported promptly to the Fire Department.

6. If step 4 does not explain the loss, and if the piping system can be tested without the need for excavation, the piping system between the storage tank and the dispenser(s) shall be tested in accordance with Section 6(D). If it is necessary to excavate to perform a piping test, such test shall be conducted after a storage tank test has been performed in accordance with step 7.

7. If step 6 does not disclose a leak, the storage tank(s) shall be tested for tightness in accordance with Section 6(C).

8. If steps 1 through 7 do not confirm the apparent loss, the daily inventory shall be continued with a daily independent verification by a qualified person. Additional surveillance of the facility should be engaged to insure against unauthorized removal of product.

9. If any of the above tests or investigations indicates the source of the loss, the owner or operator shall take immediate action to correct the system failure.

**Section 8:**

A. Unless the owner or operator demonstrates to the Fire Chief or designee, that their tank(s) are constructed of a material that will not corrode, has product sensors, or has been repaired or tested within the last year, underground tanks shall be required, at the expense of the owner, to undergo a hydro-static

precision test; or the equivalent as determined by the Fire Chief or designee, at five-year intervals from the date of installation, up to the twentieth year, and annually thereafter. The Fire Chief or designee shall be given a least 48 hours' notice of time, date, and place of testing. Tests must be performed by a person or firm qualified to perform such testing and all results must be promptly submitted to the Maynard Fire Department.

B. If flammable fluids or their vapors have been detected in neighboring structures, sewers, or wells on or off the property locations, the Fire Chief or designee, may require that any nearby tank, including underground residential tanks less than 1000 gallons, be tested at the expense of each tank's owner.

**Section 9:**

A. Any person who is aware of a spill, leak or loss of contents of an underground tank must report such spill or loss to the Fire Department immediately. The Fire Department must be responsible for other notification, including the Board of Health, and Massachusetts Department of Environmental Protection.

B. With respect to fuel oil tanks, heating fuel service companies and suppliers shall notify the tank owner and the Fire Department of any significant and unaccounted for increase in consumption which may indicate a leak in the tank or system. If such increase is discovered by the owner, he shall notify the Fire Department. If a leak is confirmed, the tank must be repaired or replaced, under the direction of the Fire Chief or designee.

**Section 10:**

A. After a leak is confirmed, underground tanks (or piping), must be emptied immediately, and removed or repaired forthwith, under the direction of the Fire Chief or designee.

B. A leaking tank that is twenty (20) years old or older that does not comply with the design standards in Section 5(A) must be removed and may not be repaired. A permit for its removal must be obtained in accordance with Massachusetts General Law, Ch.148, and Section 38A.

C. A leaking tank that is less than twenty (20) years old must be repaired or removed. Operators of leaking FRP tanks must demonstrate to the Fire Chief or designee that the tank can be repaired according to manufacturer's instructions. Operators who do not meet these requirements must remove the tank.

D. If the Fire Chief or designee, permits the repair of any leaking tank, the tank and its piping shall tested, at the owner's expense and in accordance with Sections 6(C) and (D), prior to being restored to service, at two (2) year intervals for ten (10) years and annually thereafter.

E. If it is necessary to replace an underground steel tank that has developed an external corrosion-induced leak, all other steel tanks and piping at the facility, whether they are leaking or not, shall be tested for leaks in accordance with Sections 6(C) and (D).

**Section 11:** If the owner of a tank, which either is located under a building and cannot be removed from the ground without first removing the building or is so located that it cannot be removed from the ground without endangering the structural integrity of another tank, decides to abandon it, the owner shall promptly notify the Fire Chief Department and the Board of Health of this decision and, subject to the directions of the Fire Chief or designee, have all the petroleum product removed from the tank, by hand pump if necessary, and the tank filled with sand or other inert material prescribed by the Fire Chief or designee.

**Section 12:** Except as provided in Section 11, no tank may be abandoned in place. Any owner of a tank who had decided to abandon it and any owner of a tank that has in fact been out of service for a period of time constituting abandonment shall immediately obtain a permit from the Fire Department pursuant to Massachusetts General Law, Ch.148, Section 38A, as amended, and, subject to the directions of the Fire Chief, have any petroleum product removed from the tank, all tank openings properly secured and the tank removed from the ground. The product and tank shall be disposed of, at owner's expense, as directed by the Fire Chief, or designee.

**Section 13:** The owner of a tank, which is licensed under Massachusetts General Law, Ch.148, as amended, and which the owner has decided to take out of for a period of less than six (6) months, shall promptly notify the Fire Department of the decision and, subject to the directions of the Fire Chief or designee, have all the petroleum product removed from the tank and disposed of. As directed by the Fire



Chief or designee, all tank openings properly secured, and the tank filled with water. Before any such tank may be restored to service, the owner shall notify the Fire Department and have the water removed and disposed of in a manner approved by Massachusetts Department of Environmental Protection or the state department overseeing such actions. The Fire Chief or designee may require that the owner have the tank and its piping tested, at the owner's expense, in accordance with the provisions of Subsections 6(C) and (D).

**Section 14:** The provisions of this By-law shall be administered by the Fire Chief or designee.

**Section 15:** Variances from the specific requirements of this By-law may be authorized by the Town Board of Selectmen after notice and a public hearing.

**Section 16:** Licenses issued in accordance with Massachusetts General Law, Ch.148, § 1 for underground tanks must be renewed at five-year intervals from the date of installation, up to the twentieth year, and annually thereafter. At least fifty (50) days before the issuance of a permit renewal for the time periods specified herein, tank owners must submit to the Fire Department and the licensing authority a statement certifying satisfactory leak detection results over the period of the permit in accordance with Section 6 of this By-law, and inventory verification in accordance with Section 7. Test results must accompany the permit renewal application.

**Section 17:** Fees necessary for the issuance and renewal of permits and licenses shall be set by the Board of Selectmen.

**Section 18:** The Fire Chief or designee may, at all reasonable times and upon reasonable notice to the occupant of the premises, enter any premises, public or private, for the purpose of inspecting any record, condition, equipment, practice, or property relating to activities subject to this By-law, and may at time and upon reasonable notice to the occupant of the premises enter such premises for the purpose of protecting the public health or safety, or to prevent damage to the environment.

**Section 19:** The Fire Chief or designee shall enforce this Bylaw. The penalty for violation of this By-law shall be as follows:

- A. For the first offense \$100.00
- B. For the second offense \$200.00
- C. For each subsequent offense \$300.00

Each separate calendar day, or part thereof, that a violation occurs or continues is considered a separate offense.

**Section 20:** The invalidity of any section or provisions of this By-law shall not invalidate any other section or provision hereof.”

To do or act thereon.

|                        |                 |
|------------------------|-----------------|
| SPONSORED BY:          | Bylaw Committee |
| APPROPRIATION:         | None            |
| FINCOM RECOMMENDATION: | At Town Meeting |

**Sponsor Comments:** This By-law had not been updated for many years. This update reflects current requirements.

## **ARTICLE 11 : AMEND BY-LAW CHAPTER 29 HAZARDOUS MATERIALS**

To see if the town will vote to amend the Town By-Law by replacing the current Chapter 29, Hazardous Materials with the following:

**CHAPTER 29**  
**HAZARDOUS MATERIALS**

**Section 1:** This By-law is adopted for the regulation and restriction of hazardous materials in the Town of Maynard (the “Town”), in order to protect, preserve and maintain the Town’s existing and potential groundwater supply, groundwater recharge areas, surface waters and air quality from contamination and to assure public health and safety.

**Section 2:** This hazardous materials By-law is hereby declared to be remedial and protective and is to be construed so as to secure the beneficial interests and purposes thereof. It is adopted by the Town under its home rule powers, and its police powers to protect the public health and safety.

**Section 3:** Definitions as used in this By-law:

A. “Board” shall mean the Board of Health of the Town of Maynard.

B. “Container” shall mean any portable device in which hazardous material is stored, transported, treated, disposed of or otherwise handled.

C. “Discharge” shall mean the disposal, deposit, injection, dumping, spilling, leaking, incineration or placing of any hazardous material, into or on any land or water so that such hazardous material or any constituent thereof may enter the environment, be emitted into the air or enter into any waters including groundwater. Discharge includes, without limitation, leakage of such hazardous material from containers or storage systems, or disposal of such materials into any sewage disposal system, dry well, catch basin or landfill.

D. “Hazardous Material” shall mean any substance, or combination of substances which because of its quantity, concentration, or physical, chemical or infectious or toxic characteristics, may cause or significantly contribute to a present or potential risk to human health, safety or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed. Any substance deemed a hazardous waste in 315 Code of Massachusetts Regulations 2.04, substances defined as being hazardous by the Division of Hazardous Waste under the provisions of Massachusetts General Law, Ch. 21C.

E. “Owner or Operator” shall mean every person who alone or severally with others has legal title to any property on which is located any hazardous material subject to this By-law; or a tenant, licensee or person in possession who has care, charge or control of any such property, in any capacity including without limitation agent, executor, administrator, trustee or guardian of the estate of the holder of legal title or agent, trustee or a person appointed by a court of competent jurisdiction; or is a mortgagee in possession of such property. Each person is bound to comply with the provisions of this By-law as if he were an owner.

F. “Storage” shall mean the holding of any hazardous material for more than twenty-four (24) hours.

G. “Tank” shall mean any stationary device used to store or to contain an accumulation of hazardous material.

**Section 4:**

A. All discharges of hazardous materials within the Town are prohibited, except as provided in Section 4(B).

B. All handling and storage of hazardous materials within the Town is prohibited except in accordance with the provisions of this By-law and the Massachusetts Hazardous Waste Management Act (Ch. 21C of the Massachusetts General Laws).

C. Allowed storage requires appropriate signage to identify the presence to first responders. Signage may require meeting DOT or NFPA 704 standards.

**Section 5:**

A. Section 4(A) shall not apply to the following **discharges**:

1. Application of fertilizer and pesticides in accordance with label recommendations for proper use and with applicable regulations of the Massachusetts Pesticide Control Board and the United States Environmental Protection Agency under the Federal Insecticides, Fungicide Act and in accordance with the Board’s Rules and Regulations.

2. Application of road salts in conformance with the Snow and Ice Control Program of the Massachusetts Department of Public Works and in accordance with the Board's Rules and Regulations.

B. Section 4(B) shall not apply to underground storage of gasoline, fuel oil, lubricating oil and waste oil. The underground storage of fuel is governed by the Maynard Underground Fuel Storage By-law.

**Section 6:** Any owner or operator who is aware of any discharge of hazardous materials within the boundaries of the Town shall report such discharge immediately to the Board and to the Fire Chief of the Town.

**Section 7:**

A. (1) Every owner or operator of a residential, commercial, industrial or agricultural establishment storing hazardous materials above ground or underground, in any tank or container with a capacity of more than twenty-five (25) gallons liquid volume, or twenty-five (25) pounds dry weight, except residential fuel tanks under three thousand (3,000) gallons and connected to a fuel burner and used for space or water heating, must obtain a storage permit from the Board to be renewed annually. The terms twenty-five (25) gallons liquid volume, or twenty-five (25) pounds dry weight shall mean any one toxic or hazardous material of such weight or volume stored at any one time. Registration required by this subsection shall be submitted within sixty (60) days of the effective date of these regulations, and annually thereafter on such form or forms as the Board may, from time to time prescribe.

B. The Board may publish lists of specific hazardous materials which, even though stored in quantities less than twenty-five (25) gallons liquid volume or twenty-five (25) pounds dry weight, can be stored only pursuant to a storage permit. The list is to be posted at the Town Hall and the Public Works Building and available from the Board.

C. The Board shall impose conditions on the storage permit as necessary for protection of the public health and environment such as, but not limited to, inventory and monitoring procedures, a contingency plan to contain any accidental discharge, or vaulting of the storage tanks.

D. Owners or operators shall file in writing with the Maynard Fire Department, the size, type, age, and location of each tank or container and the type of material stored in each tank or container and any additional information deemed necessary to adequately evaluate the application. Evidence of date of purchase and installation shall be included for existing storage systems, along with a plot plan showing the location of such tanks and piping on the property.

E. Every owner shall submit a plan to store goods in their respective shipping container, i.e. box, drum, and bag, cylinder etc., and shall insure items are protected from falling or otherwise being compromised, and or contaminated with other materials including petroleum products, water, or other non-compatible material(s).

F. Every owner or operator of a commercial or industrial establishment or any person within the Town whose operations are subject to any of the following Acts, as amended from time to time, shall file with the Fire Department copies of all permit applications and supporting data filed pursuant thereto as well as all permits obtained, notices or approval, denial, revocation and citations for violations in respect thereof and shall provide the Board with such additional information as the Board shall by rule from time to time require.

1. The Resource Conservation and Recovery Act 42 U.S.C. Sec. 6901 et seq.

2. The Federal Clean Air Act 42 U.S.C. Sec. 1857 et seq.

3. The Federal Clean Air Act 33 U.S.C. Sec. 1251 et seq.

4. Toxic Substance Control Act 15 U.S.C. Sec. 2601 et seq.

5. Safe Drinking Water Act 42 U.S.C. Sec. 300f et seq.

6. The Federal Insecticide, Fungicide and Rodenticide Act.

7. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

8. Title 40 of the Code of Federal Regulations, parts 262 and 263

9. The Massachusetts Hazardous Management Act, Massachusetts General Law, Ch. 21C as amended and other Massachusetts counterpart statutes to the Federal Acts listed in subparagraph (1) through (6) above.

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10. Massachusetts Clean Water Act, Massachusetts General Law, Ch.21, S.26 et seq.

**Section 8:** Owners or operators storing hazardous materials that are flammable and combustible liquids or gasses must obtain a permit or license as required by Massachusetts General Law, Ch.148, S.13 and S.10a from the Fire Department or the local licensing authority, the Board of Selectmen, to be renewed annually with the Town Clerk.

**Section 9:** An inventory of hazardous materials shall be maintained on the premises and it must be reconciled with purchase, use, sales and disposal records on a monthly basis, in order to determine any loss.

**Section 10:** Containers of hazardous materials shall be stored on an impervious chemical resistant surface. The storage area must be enclosed with a permanent dike of impermeable construction and in the case of liquid materials providing a volume of at least 110% of the maximum volume of material stored. The storage area must be capable of being drained to a container or sump and secured by removal by a licensed carrier. Materials must be stored in a manner which will not permit contamination with other chemicals, or contact with water or petroleum products.

**Section 11:** Wastes containing hazardous materials shall be held on the premises in product-tight containers for removal by a Massachusetts Hazardous Waste Management Act, Ch. 21C of the Massachusetts General Laws, and Title 40 of the Code of Federal Regulations. The name, address, home and business telephone numbers of one or more individuals, from the licensed carrier, authorized to act for and in behalf of the entity storing toxic or hazardous waste, together with amounts stored and hauled during the past twelve (12) months, shall be provided to the Fire Department.

**Section 12:** The provisions of these regulations adopted hereunder shall be enforced by the Maynard Fire Department.

**Section 13:** Upon request of the agent or designated representative of the Board of Health or Maynard Fire Department, the owner or operator of any premises at which hazardous materials are used or stored shall furnish all information acquired to monitor compliance with these regulations including a complete list of all chemicals, pesticides, fertilizers, fuels, and other hazardous materials used or stored on the premises, their volumes and concentrations, a description of measures taken to protect storage container from vandalism, corrosion and spillage, and the means of disposal of all toxic or hazardous waste produced on the site.

**Section 14:** A current,(not more than two (2) year old) written plan for dealing with potential spillage, leakage, or loss of hazardous materials used or stored on one's premises shall be filed with the Fire Department. Said plan shall clearly designate the name, address, and business and home phone numbers of one or more individuals authorized to act for and in behalf of the entity submitting the plan. The plan shall also list the name, address and telephone number of any company with whom the party submitting the plan has contracted for services in connection with potential spillage, leakage or loss and/or removal of hazardous materials.

**Section 15:** All records pertaining to storage, removal and disposal of hazardous waste shall be retained for no less than ten (10) years, and shall be made available for review by the agent or designated representative of the Fire Department.

**Section 16:** The Board, and or Maynard Fire Department may, at any time, and upon reasonable notice to the occupant of the premises, enter any premises for the purpose of investigating, sampling, or inspecting any record, condition, equipment, practice, or property relating to activities subject to this By-law, and may at any time enter such premises for the purpose of protecting the public health or safety, or to prevent damage to the environment.

**Section 17:** Fees necessary for the issuance and renewal of permits and licenses shall be set by the Board of Health.

**Section 18:** The Board or Health or its designee and the Fire Chief or his/her designee shall enforce this bylaw. The penalty for violation of this By-law shall be as follows:

- A. For the first offense \$100.00
- B. For the second offense \$200.00
- C. For each subsequent offense \$300.00

Each separate calendar day, or part thereof, that a violation occurs or continues is considered a separate offense.

**Section 19:** The invalidity of any section or provision of this By-law shall not invalidate any other section or provision thereof.”

To do or act thereon.

SPONSORED BY: Bylaw Committee  
 APPROPRIATION: None  
 FINCOM RECOMMENDATION: At Town meeting

**Sponsor Comments:** This By-law had not been updated for many years. This update reflects new regulations and current requirements.

**ARTICLE 12: SEWER ENTERPRISE FUND BUDGET FISCAL YEAR 2019**

To see if the town will vote to recommend that the following sums be appropriated to operate the Sewer Enterprise Fund, in accordance with the provisions of G.L. c. 44 § 53F ½. Such sums of money as may be necessary, together with revenue from the Sewer Enterprise Fund operations, to defray the expenses for Fiscal Year 2019 (July 1, 2018 – June 30, 2019).

|  |                       |
|--|-----------------------|
| <b>TOTAL REVENUES</b>                  | <b>\$3,262,800.00</b> |
| <b>EXPENSES - DIRECT</b>               |                       |
| Sewer - Salaries                       | \$ 197,370.00         |
| Sewer – Expense                        | \$ 327,139.00         |
| Sewer - Capital                        | \$ 210,000.00         |
| Sewer – L.T. Debt Principal & Interest | \$ 857,784.00         |
| Sewer - WWTP Expense                   | \$1,143,289.00        |
| <b>TOTAL EXPENSES - DIRECT</b>         | <b>\$2,785,582.00</b> |
| <b>EXPENSES - INDIRECT</b>             |                       |
| Insurance - Health/Life/Unemp          | \$ 185,427.00         |
| Retirement                             | \$ 15,668.00          |
| Shared Employee Costs                  | \$ 326,123.00         |
| <b>TOTAL EXPENSES - INDIRECT</b>       | <b>\$ 527,218.00</b>  |
| <b>TOTAL FY2018 BUDGET</b>             | <b>\$3,262,800.00</b> |

To do or act thereon.

SPONSORED BY: Board of Selectmen  
 APPROPRIATION: \$2,785,582.00  
 FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The Board of Selectmen, acting in their role as Sewer Commissioners, recommends this budget for the Enterprise Fund.

**ARTICLE 13: WATER ENTERPRISE FUND BUDGET FISCAL YEAR 2019**

To see if the town will vote to recommend that the following sums be appropriated to operate the Water Enterprise Fund, in accordance with provisions of G.L. c. 44 §53F ½ such sums of money as may be necessary, together with revenue from Water Enterprise Fund operations, to defray the expenses for FY2019 (July 1, 2018 – June 30, 2019).

|  |                       |
|--|-----------------------|
| <b>TOTAL REVENUES</b>                  | <b>\$2,140,168.00</b> |
| <b>EXPENSES - DIRECT</b>               |                       |
| Water - Salaries                       | \$ 247,660.00         |
| Water – Expenses                       | \$ 746,950.00         |
| Water - Capital                        | \$ 340,000.00         |
| Water – L.T. Debt Principal & Interest | \$ 489,508.00         |
| <b>TOTAL EXPENSES - DIRECT</b>         | <b>\$1,833,118.00</b> |
| <b>EXPENSES - INDIRECT</b>             |                       |
| Insurance - Health/Life/Unemployment   | \$ 96,548.00          |
| Retirement                             | \$ 10,446.00          |
| Shared Employee Costs                  | \$ 200,056.00         |
| <b>TOTAL EXPENSES - INDIRECT</b>       | <b>\$ 307,050.00</b>  |
| <b>TOTAL FY2018 BUDGET</b>             | <b>\$2,140,168.00</b> |

To do or act thereon.

|                        |                    |
|------------------------|--------------------|
| SPONSORED BY:          | Board of Selectmen |
| APPROPRIATION:         | \$1,833,118.00     |
| FINCOM RECOMMENDATION: | At Town Meeting    |

**Sponsor Comments:** The Board of Selectmen, acting in their role as Water Commissioners, recommends this budget for the Enterprise Fund.

**ARTICLE 14: AMEND BY-LAW CHAPTER 40 FIRE PREVENTION/SAFETY**

To see if the town will vote to amend the Town By-Law by creating a new By-law, Chapter 40 Fire Prevention/Safety as follows:

**CHAPTER 40  
FIRE PREVENTION/SAFETY**

**Section 1:** Any person or corporation doing any work, or modification to items related to fire prevention in the Town of Maynard shall apply for the appropriate permit through the Maynard Fire Department, and or the Maynard Building Department. Examples of situations where a permit is required are: Fire Alarm Systems, Sprinkler Systems, Oil Burners, Burners, Propane Tank Installations, and Oil Tanks installations, Removals or Building Demolition. Permits may require written plans and a narrative outlining the scope of work to be performed.

**Section 2:** A plans box may be required by the Maynard Fire Department on all major projects or renovations to large buildings, to be installed by the owner or designee.

**Section 3:** All buildings requiring a fire department connection for a sprinkler system or standpipe after the date of this document being accepted will be required to provide locking covers through the

Knox Company for all external connections. Fire Department connections will be clearly marked above the respective connection at six feet from the grade at the connection. The size of the signage to be determined by the Fire Department during plans review.

**Section 4:** In any building where a sprinkler system is required, all risers and standpipes shall be mapped and marked with corresponding shut-off valve and location of said valve.

**Section 5:** Any work or modifications to items related to fire prevention may require an inspections and a test before said work is approved and inspected. If an inspection is required, a representative of the company performing the work is expected to be on hand. If plans are required, they shall be submitted in a timely manner in order for a proper review to take place.

**Section 6:** Every commercial occupancy or multi-family residential property consisting of three or more dwelling units is subject to an annual fire safety inspection, subsequent follow-up inspections, or an inspection if and when a complaint is filed with the fire department regarding the safety of the building. It is the building owner’s responsibility to ensure the fire department has up to date contact information for all commercial or multi-family residential units with three dwellings or more.

**Section 7:** Any group including more than 1000 anticipated attendees wishing to hold or stage an event in Maynard for which a permit is required, shall check with the fire department prior to applying for a permit for a determination if the event could put participants, bystanders, and the general public at risk. The fire department will make the determination on whether or not a fire or EMS detail may be required for the safety of all involved.”

To do or act thereon.

SPONSORED BY: Bylaw Committee  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The new By-law delineates requirements for individuals, corporations, and buildings by the Maynard Fire Department for fire prevention and the safety of first responders. It also allows for the review of permitted events in Maynard for the determination of requirements to reduce risk to participants, bystanders, and the general public.

**ARTICLE 15: COMMUNITY PRESERVATION RESERVE FUND APPROPRIATIONS**

To see if the Town will vote to appropriate from Community Preservation Funds the amounts recommended by the Community Preservation Committee (CPC) for community preservation projects, as presented to the CPC, with each item to be considered a separate appropriation, in accordance with the requirements of Massachusetts General Laws Chapter 44B.

**Appropriations:**

From the Community Housing Reserve Fund: The amount of **\$250,000** for the Maynard Affordable Housing Trust Fund

From the Open Space Reserve Fund: The amount of **\$10,000** for the Glenwood Cemetery Pond Path Renovation Project, with unexpended funds as of June 30, 2020 being returned to their funding source.

From the Historic Preservation Reserve Fund: The amount of **\$25,000** for the Historic Properties Survey (MACRIS, Phase 3), with unexpended funds as of June 30, 2020 being returned to their funding source.

From the Budgeted Reserve Fund: The amount of **\$175,000** for the Fowler Field Renovation Project, with unexpended funds as of June 30, 2020 being returned to their funding source.

To do or act thereon.

SPONSORED BY: Community Preservation Committee  
APPROPRIATION: \$460,000  
FINCOM RECOMMENDATION: At Town meeting

**Sponsor Comments:** The funding for these projects comes from a 1.5% real estate tax surcharge on residential properties and a partial state match. Applications for projects can come from community groups and town departments. Project eligibility to use this funding is defined by state Community Preservation Act legislation. Maynard’s newly established Affordable Housing Trust would receive \$250,000 for future projects. The Affordable Housing Trust can initiate affordable housing projects more quickly than CPC’s annual process allows. The Glenwood Cemetery project would re-establish a walking path around the cemetery pond. The Historic Property Survey project would allow for research on historic characteristics of 125 buildings in Maynard. The Fowler Field Renovation project is to restore the soccer fields to usable condition. The CPC funding for the field project will be supplemented by other Town funding and by private donations.

**ARTICLE 16: COMMUNITY PRESERVATION FUND BUDGET FISCAL YEAR 2019**

To see if the Town will vote to appropriate or reserve from FY2019 Community Preservation Fund revenues in the amounts recommended by the Community Preservation Committee (CPC), with each item to be considered a separate appropriation:

Appropriations:

|                                     |              |
|-------------------------------------|--------------|
| Administrative & Operating Expenses | \$ 10,000.00 |
| Long Term Debt. Principal           | \$ 95,000.00 |
| Long Term Debt. Interest            | \$ 28,300.00 |

Reserves:

|                               |              |
|-------------------------------|--------------|
| Historic Preservation Reserve | \$ 25,600.00 |
| Open Space Reserve            | \$ 25,600.00 |
| Community Housing Reserve     | \$ 25,600.00 |
| Budgeted Reserve              | \$ 42,900.00 |

**TOTAL FY2018 BUDGET \$256,000.00**

To do or act thereon:

SPONSORED BY: Community Preservation Committee  
APPROPRIATION: \$256,000.00  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** Community Preservation Fund monies come from a 1.5% real estate tax surcharge on Maynard residential properties and a partial state match. This article authorizes the FY2019 amounts to be added to the community preservation reserve funds. The funds can be used to support a variety of community projects, as defined by state Community Preservation Act legislation. Applications for projects are reviewed annually, generally in the fall, and can come from community groups and town departments. This article also includes



funding to cover on-going debt payments on the municipal golf course land, which was purchased as a Community Preservation Fund project.

**ARTICLE 17: FIRE STATION DESIGN PLAN**

To see if the town will transfer from Capital Stabilization the sum of \$832,000.00 for the purpose of having engineered schematic, detailed, and construction design documents, appropriate for public construction bidding for a fire station and for the purpose of hiring an owner’s project manager, architect and/engineering fees along with costs associated with construction bidding.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: \$832,000.00 from Capital Stabilization  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The March 26, 2018 Town Meeting voted to acquire land for the purpose of building a new fire station. This request will create the detailed construction design and culminate in a construction price quote. The construction funding would then require additional Town Meeting support to finance.

We have purchased a site on Sudbury Street where the fire department will eventually be located. The fire station conceptual design is tailored to this specific site. By approving the appropriation we are not committed to building a fire station in the immediate future. The site specific design does not have an expiration date, and the drawings will remain useful indefinitely. The purpose of having the drawings completed now is to get an accurate cost for constructing a new fire station. Additionally, with drawings in hand, the project would be considered shovel ready should state or federal grant funding becomes available. This would enhance our position during a competitive grant process. This money will come from capital stabilization.

**ARTICLE 18: SPECIAL EDUCATION FUND CHAPTER 40A SECTION 13E**

To see if the town will vote to accept the provisions of G. L. c. 40 §13E and establish a Special Education Stabilization fund to reserve funds to pay unanticipated expenses related to special education.

To do or act thereon.

SPONSORED BY: School Committee  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** Last year’s legislature passed a law that allowed School Districts to create a revolving stabilization fund for special education expenses. Many cities and towns are in the process of establishing these Special Education Stabilization Funds just like Maynard. This is a conservative budgeting practice. Much like the Finance Committee stabilization funds this fund needs Town Meeting approval for creation, funding and transparency.

**ARTICLE 19: INCLUSIONARY ZONING BY-LAW**

To see if the town will vote to amend the Town of Maynard Zoning By-laws as follows:

**1. AMEND SECTION 7.0, SPECIAL REGULATIONS, BY CREATING SECTION 7.9: “INCLUSIONARY ZONING”**

**7.9.1 PURPOSE AND INTENT**

The purpose of this Inclusionary Housing bylaw is to expand and diversify the Town of Maynard’s housing stock; to encourage development of new housing that is affordable to low- and moderate-income households in Maynard; and to produce affordable housing units that are adaptable and accessible to seniors and those with physical disabilities.

At minimum, affordable housing produced through this regulation should be in compliance with the requirements set forth in G.L. c. 40B sect. 20-24, except as provided herein, and other affordable housing programs developed by state, county and local governments. It is intended that the affordable housing units that result from this bylaw be considered as Local Initiative Units, in compliance with the requirements for the same as specified by the Department of Housing and Community Development (DHCD). Definitions pertaining to this section can be found in the Definitions portion of this Bylaw (Section 7.9.11).

**7.9.2 APPLICABILITY**

1. §7.9 applies to any subdivision or development, whether new construction, conversion, adaptive reuse or expansion of an existing structure, involving the creation of at least six (6) dwelling units. It applies to all residential dwelling types as defined by the Maynard Zoning Bylaw with the exception of assisted living residences/facilities, independent living residences, and continuing care retirement communities as defined in Section 7.9.11 of the Zoning By-laws.

A subdivision or division of land shall mean any subdivision as defined in the Subdivision Control Law, G.L. c.41, §81K-81GG, or any division of land under G.L. c.41, §81P, into lots for residential use.

Developments may not be segmented or phased to avoid compliance with this Section. Any segmentation on a single parcel shall be subject to this Section as a covered development and completed within a five-year period. An extension shall require Planning Board approval.

2. §7.9 does not apply to the rehabilitation of any building or structure, all of or substantially all of which is destroyed or damaged by fire or other casualty or a natural disaster; provided, however, no rehabilitation nor repair shall increase the density, bulk or size of any such building or structure which previously existed prior to the damage or destruction thereof except in conformance with this Section.
3. No special permit for a development requiring a special permit and no building permit for a use permitted as of right shall be issued for a development subject to §7.9 unless the applicant provides the percentage of the total dwelling units in the development as affordable housing as described herein.

**7.9.3 SPECIAL PERMIT**

Development pursuant to this Section shall be allowed as of right if the required affordable housing is provided on-site. Alternatively, if the applicant provides the affordable housing off-site or makes a payment-in-lieu of developing units, the project will require a special permit to be issued by the Planning Board. A special permit will also be required for development under §7.9.4.3 Density Bonus.

**7.9.4 MANDATORY PROVISION OF AFFORDABLE UNITS**

1. Affordable housing requirement. As a condition of development, the applicant shall contribute to the local stock of affordable housing in accordance with the following requirements:
  - a. In any development subject to this Section, at least ten (10) percent of the dwelling units shall be affordable to households with incomes at 80% of Area Median Income (AMI) or below. The percentage of affordable housing units required will increase with the total

size of a given residential project, inclusive of bonus units, as described in the following table, “Affordable Units Required by Project Size”:

| <b>Affordable Units Required by Project Size</b> |   |  |
|--|---|--|
| <b>Project Size (Units)</b>                      | <b>Percent Affordable Units (Ownership Project)</b> | <b>Percent Affordable Units (Rental Project)</b> |
| 6-12   | 10%   | 10%  |
| 13-17  | 12%   | 12%  |
| 18-20  | 15%   | 25%  |
| 21 and over                                      | 20%   | 25%  |

- b. In the event that the applicant provides units for households earning between 30% and 60% of AMI, the Planning Board may count them as 1.2 affordable units each and reduce by special permit the total number of affordable units required by this Section. However, the total number required shall not be reduced to fewer than 10% of the project size.
  - c. Nothing in this Section shall preclude the applicant from providing additional affordable units, or greater affordability, or both, than the minimum requirements. In no instance shall any permit or special permit approval create less than one affordable housing unit.
2. Fractions. For any fractional housing units the applicant shall have the choice to round up to the next whole number or convert to a cash payment equal to the product of the fraction multiplied by the cash contribution for a whole affordable housing unit as specified in 7.9.5.2.b below.
3. Density Bonus.
- a. The Planning Board may allow an increase in the total number of market-rate units by a number equal to the required affordable unit(s), not to exceed 10 bonus units. The minimum lot area per dwelling unit normally required in the applicable zoning district may be reduced by that amount necessary to permit the additional market rate and bonus units. For example, in a development that must provide two (2) affordable units, an additional two (2) market-rate units may be allowed through the reduction in minimum lot area per dwelling unit. All other Standard Dimensional Requirements in §4.1.1.1 shall be met. The density bonus may only be granted for developments that provide affordable units on-site pursuant to Subsection 7.9.5, below.
  - b. New residential development allowed by right that is not subject to this bylaw can provide affordable units should the applicant volunteer, and therefore be eligible for the same benefits specified above.
  - c. Projects where the applicant chooses to convert a fractional unit(s) to a cash payment per Subsection 7.9.4.2 are eligible for density bonus.
  - d. No density bonus shall be granted when the requirements of this Section are met with a payment-in-lieu-of units pursuant to Subsection 7.9.5.2.b, below.
  - e. The development must be of a use allowed in the district. For example, multifamily housing shall not be constructed under this provision on lots zoned for single family housing.
4. Affordable Units shall be provided as occupiable in accordance with the timing of compliance schedule set forth in Section 7.9.6.4.

**7.9.5 METHODS OF PROVIDING AFFORDABLE HOUSING UNITS**

- 1. On-site units. If the affordable housing requirements of this section are met exclusively through on-site construction or provision, development shall be permitted as of right.
- 2. The Planning Board may grant a special permit for one or more of the following methods.

- a. Off-site units. Construction or provision of comparable affordable units on another site in Maynard. All requirements of this Section that apply to on-site provision of affordable units shall apply to provision of off-site affordable units.
  - i. The applicant shall provide a demonstration of the following: necessary financing to complete the off-site units, control of the site, that the site meets Site Plan Review standards, that the plan includes an architect's conceptual site plan with unit designs and architectural elevations, and agreement that the off-site units will comply with this Section.
  - ii. Preservation of existing dwelling units for affordable housing, rather than construction of off-site units, may be accomplished by purchasing deed restrictions and providing funds for capital improvements to create housing with equal or greater value than new-construction units.
  - iii. The location of the off-site units to be provided shall be approved by the Planning Board as an integral element of the review and approval process.
- b. Payment in lieu of units. As an alternative to construction of affordable units within the locus of the proposed development or at another locus, an equivalent payment in lieu of units (PILU) may be made to the Maynard Affordable Housing Trust Fund.
  - i. The payment shall be an amount equal to the required number of affordable housing units multiplied by the median price of a Maynard market-rate home comparable in type, size, and number of bedrooms reported for a minimum of three (3) home sales over a period of twelve (12) months prior to the date of application submission, if available. Median home cost utilized in the formula must be approved by the Maynard Affordable Housing Trust, or designee. The applicant shall calculate the proposed sum based on an appraisal of the comparable home sales and submit documentation of the relevant data source(s) as part of the application.
  - ii. If there is not a comparable housing unit, the payment shall be equal to the most current Total Development Cost as articulated in DHCD's Qualified Allocation Plan for Low Income Housing Tax Credit, for the areas described as Within Metro Boston/Suburban Area, as adjusted for the type of project and number of units.
  - iii. PILU shall not be accepted as part of rental development, either multifamily or mixed-use.
  - iv. PILU shall be made according to the timing of compliance schedule set forth in Subsection 7.9.6.4 herein.
  - v. Cash contributions made to the Maynard Affordable Housing Trust Fund in accordance with this Section shall be used only for purposes of providing for the creation and preservation of affordable housing for low- and moderate-income household in accordance with the municipal Declaration of Trust and action, strategic, or other plan, as well as the Municipal Affordable Housing Trust Fund Law G.L. c. 44 § 55C, as it may be amended.
- 3. In no event shall the total number or value of off-site units or cash payments provided be less than the equivalent number or value of affordable housing units that could be built on-site pursuant to Subsection 7.9.4.1, above.

**7.9.6 PROVISIONS APPLICABLE TO AFFORDABLE HOUSING UNITS, ON- AND OFF-SITE, AND PILU**

- 1. Unit mix.

- a. The bedroom mix in the affordable units shall be proportionate to the market-rate units.
  - b. In any residential project where more than ten (10) affordable units will be built, a minimum of ten (10) percent of the affordable units shall have three (3) bedrooms. Fractional affordable units of 0.5 or more shall be rounded up; fractions of less than 0.5 shall be rounded down. This requirement is subject to the provisions of Section 7.9.4.2 of this bylaw.
2. Siting of affordable units. On-site affordable units constructed or otherwise provided under this Section shall be proportionately distributed throughout the project in terms of both location and unit size/type. For example, a development consisting of a mix of single-family homes, townhouses, and a small apartment building shall include affordable units of each housing type. Affordable units shall also be as accessible to common amenities as the market-rate units in the same development.
- a. The special permit application shall include a plan showing the proposed location of the affordable housing units.
  - b. When a special permit is not required, the location of the affordable housing units shall be identified on plans submitted to the Town for any other required permit.
3. Minimum design and construction standards. Materials of affordable units shall be equal to that of market-rate units within the development. Units shall comply with the Local Initiative Program’s (LIP) minimum design and construction standards as they may be amended.
- a. The exterior of affordable units shall be comparable to the market-rate units in terms of design, appearance, quality of construction, and quality of materials.
  - b. Interior features of affordable units shall be comparable to the standard package for market-rate units, though designer and high-end finishes, fixtures, and appliances are not required.
  - c. Mechanical systems and energy efficiency shall conform to the same specifications as apply to the market-rate units.
  - d. Affordable units shall have the same floor area as the median market-rate units of the same number of bedrooms.
4. Timing of construction of affordable units and payment made. On- and off-site affordable units or payment in lieu of units shall be provided in proportion to market-rate units, but in no event shall the construction of affordable housing units or PILU be delayed beyond the schedule indicated below by the table, “Timing of Construction of Affordable Units.” Proportionality shall be determined by the number of certificates of occupancy issued for affordable and market-rate units, or lot releases, as applicable. In accordance with the table below, affordable units shall not be the last units to be built in any development that is subject to §7.9.

| <b>Timing of Construction of Affordable Units</b> |  |
|---|--|
| <b>Percent Market-Rate Units Constructed</b>      | <b>Required Affordable Units Constructed or Payment</b>    |
| Up to 30%   | None   |
| 31% -50%  | The greater of 1 unit or 10% of required units or payment  |
| 51% - 60%   | The greater of 2 units or 30% of required units or payment |
| 61% - 75%   | The greater of 3 units or 50% of required units or payment |
| 76% - 90%   | The greater of 4 units or 70% of required units or payment |
| Over 90%  | 100% of required units or payment                          |

5. Marketing plan for affordable units. Applicants creating new affordable units under this Section

are required to select qualified homebuyers or renters via lottery under an Affirmative Fair Housing Marketing Plan prepared and submitted by the applicant and approved by the Planning Board and DHCD. The marketing plan shall comply with federal and state fair housing laws and guidelines in effect on the date of filing of the special permit or other permit application with the Town of Maynard. No building permit for a development subject to §7.9 shall be issued unless the Planning Division of Maynard has determined that the applicant's affirmative marketing plan complies with this requirement. The affirmative marketing costs for the affordable housing units shall be the responsibility of the applicant.

#### **7.9.7 MAXIMUM INCOMES AND SELLING PRICES: INITIAL SALE**

1. To ensure that only income-eligible households purchase affordable housing units, prospective homebuyers shall be required to submit to the lottery monitoring agent the information needed to demonstrate that they meet the applicable requirements found in the DHCD LIP guidelines, as may be revised from time to time.
2. The maximum housing cost for affordable units created under this Section is established by DHCD LIP guidelines or by the Maynard Affordable Housing Trust, whichever is greater.

#### **7.9.8 PRESERVATION OF AFFORDABILITY**

1. As a condition of development, all affordable housing units provided under §7.9 shall be subject to an affordable housing restriction in a form consistent with LIP or any other applicable guidelines issued by DHCD, acceptable to the Planning Board, and that ensures affordable units can be counted toward Maynard's Subsidized Housing Inventory. The affordable housing restriction shall run with the land and be in force in perpetuity or for the maximum period allowed by law, and be enforceable under the provisions of MGL c. 184, § 26 or §§ 31 and 32.
2. The affordable housing restriction shall contain limitations on use, occupancy, resale and rents, and provide for periodic monitoring, by the Town or its designee as named in the deed rider as the monitoring agent, to verify compliance with and enforce said restriction.
3. The restriction shall establish that affordable units created under the provisions of §7.9 shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible, per affordable housing restrictions that comply with Local Initiative Program requirements as they may be amended for inclusion in the Chapter 40B Subsidized Housing Inventory and is enforceable under G.L. c. 184, § 26 or §§ 31-32.
4. The affordable housing restriction shall provide that in the event that any affordable rental unit is converted to a condominium unit, the condominium unit shall be restricted in perpetuity in the manner provided for by § 5.07(h)(1) above to ensure that it remains affordable to households in the same income range as prior to the condominium conversion.
5. The occupancy permit for development under §7.9 shall not be issued until the Regulatory Agreement are recorded at the Registry of Deeds or Registry District of the Land Court, and a copy provided to the Planning Board and the Building Commissioner.
6. The affordable housing restriction shall provide that initial sales and rentals of affordable housing units and subsequent re-sales and re-rentals shall comply with federal, state and local fair housing laws, regulations, and DHCD LIP guidelines.

#### **7.9.9 CONFLICT WITH OTHER SECTIONS**

The provisions of this Section shall be considered supplemental of existing sections of this zoning bylaw. To the extent that a conflict exists between this Section and others, the more restrictive section, or provisions therein, shall apply.

#### **7.9.10 SEVERABILITY**

If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of Maynard's zoning bylaw.

#### **7.9.11 DEFINITIONS**

**Affordable Housing Unit:** A dwelling unit that is affordable to and occupied by a low- or moderate-income household and meets the requirements for inclusion on the Massachusetts Department of Housing and Community Development (DHCD) Chapter 40B Subsidized Housing Inventory.

**Affordable Housing Restriction:** A contract, mortgage agreement, deed restriction or other legal instrument, acceptable in form and substance to the Town, that effectively restricts occupancy of an affordable housing unit to a qualified purchaser or renter, and which provides for administration, monitoring, and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period allowed by law, and be entered into an enforceable under the provisions of G.L. c. 184, §§ 31-33 or other equivalent state law.

**Area Median Income (AMI):** The median income for households within the designated statistical area that includes the Town of Maynard, as reported annually and adjusted for household size by the U.S. Department of Housing and Urban Development for the Boston Standard Metropolitan Statistical Area.

**Assisted Living Facility or Independent Living Residence** - Any entity, however organized, which meets each of the following three criteria: 1) Provides room and board to residents who do not require 24-hour skilled nursing care. 2) Provides assistance with activities of daily living; 3) collects payments for the provision of these services; all as further defined in G.L. c. 19D, s. 1, as amended from time to time. A unit as defined in G.L. c. 19D, s. 1 shall be a dwelling unit under this By-law.

**Continuing Care Retirement Community ("CCRC")** - CCRCs provide housing and personal services which may include health care, usually at one location. CCRCs offer an environment and the services necessary for residents to age in place. The intent of the CCRC is to allow a person to remain at the retirement community as their personal and/or health care needs change.

**DHCD:** Massachusetts Department of Housing and Community Development.

**Eligible Household:** Any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Maynard Affordable Housing Trust.

**LIP:** Massachusetts Local Initiative Program pursuant to M.G.L. c. 40B.

**Maximum Affordable Purchase Price or Rent:** A selling price or monthly rent that does not exceed the maximum purchase price or rent guidelines of the program used to qualify

Affordable Housing Units for inclusion on the DHCD Chapter 40B Subsidized Housing Inventory.

**Maynard Affordable Housing Trust:** An organization established by the Town of Maynard pursuant to Massachusetts General Laws, Chapter 44, Section 55C, to support the creation and preservation of affordable housing in order to secure rental and homeownership opportunities for low- and moderate-income households.

**Maynard Affordable Housing Trust Fund:** A fund established by the Town of Maynard pursuant to Massachusetts General Laws, Chapter 44, Section 55C, for the purpose of receiving, holding, investing, and/or expending funds to reduce the cost of housing for Qualified Purchasers and Renters, or for the purpose of encouraging, creating, preserving, or subsidizing the construction or rehabilitation of housing for Qualified Purchasers and Renters. Sources of receipts for the Fund shall be as specified in the Maynard General Bylaws.

**Mixed-Income Housing:** Residential development that includes a combination of market-rate housing units and affordable housing units deed-restricted for households earning no more than eighty percent (80%) of the Area Median Income (AMI).

**Off-Site Unit:** An affordable housing unit produced by the applicant on a site other than the primary residential development in compliance with Section 7.9.5 of the Maynard Zoning Bylaw.

**Qualified Purchaser:** A low- or moderate-income household that purchases and occupies an Affordable Housing Unit as its principal residence.

**Qualified Renter:** A low- or moderate-income household that rents and occupies an Affordable Housing Unit as its principal residence.

**Segmentation:** Any development, whether new construction, adaptive reuse, or redevelopment, or any division of land that would cumulatively result in an increase of six or more residential lots or dwelling units, or ten or more multifamily dwelling units above the number existing on a parcel of land or contiguous parcels in common ownership twenty-four (24) months prior to the application.

(Continue on separate sheet if required).

To do or act thereon.

SPONSORED BY: PLANNING BOARD  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** “Inclusionary Zoning” (IZ) is an affordable housing tool that links the production of affordable housing to the production of market-rate housing. Typically, IZ policies either require or encourage new residential developments to make a certain percentage of the housing units affordable to low or moderate income residents. Maynard’s Housing Production Plan, adopted by the Town in 2015, included a recommendation for the development of an Inclusionary Zoning By-law as a beginning step to address affordable housing needs within Maynard.

To provide a point of reference, in 2017, a family of four with a household income of \$78,150 or less would have qualified for affordable housing in Maynard.

From December of 2016 through August of 2017, Metropolitan Area Planning Council (MAPC) staff, in conjunction with an advisory group comprised of Town residents and business owners, developed a draft IZ By-law. The Planning Board then held public hearings for the draft IZ By-law and approved the text at their meeting of March 20, 2018.

The proposed IZ By-law will leverage creation of market-rate housing to forward affordable housing objectives, while also meeting the needs and expectations of residents.

**ARTICLE 20: APPROPRIATE OVERLAY SURPLUS**

To see if the town will vote to appropriate \$150,000.00 from Overlay Surplus funds to reduce the Fiscal Year 2018 Snow & Ice deficit.

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: \$150,000.00 from Overlay Surplus  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** The Overlay Surplus is controlled by the Board of Assessors. Its purpose is to cover the appropriated property tax levy when individual tax assessments are lowered for a variety of reasons. The Board of Assessors annually votes to retain or release the Overlay depending on their predicted future needs. Released



money may be re-appropriated in the same fiscal year at a Town Meeting or will be returned to Free Cash after June 30, 2018. This year, the Board of Assessors has released \$150,000.00 and the Town wishes to re-appropriate \$150,000.00 to reduce the current year Snow & Ice deficit.

**ARTICLE 21: CERTIFIED FREE CASH APPROPRIATION**

To see if the town will vote to appropriate from available Free Cash the following amounts for the designated purposes:

|                                 |                     |
|---------------------------------|---------------------|
| Snow & Ice deficit              | \$174,000.00        |
| Master Plan                     | \$ 49,000.00        |
| OPEB                            | \$ 50,000.00        |
| Road and Sidewalk projects      | \$360,000.00        |
| Fowler Field Improvements       | \$ 80,000.00        |
| Fowler School HVAC              | \$ 60,000.00        |
| Fire Department Power Stretcher | <u>\$ 20,000.00</u> |
| Total Requested appropriation:  | <b>\$793,000.00</b> |

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: \$793,000.00 from certified free cash  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** Free Cash is taxpayer money that has not yet been appropriated for spending. Traditionally, Maynard uses these funds to pay for one-time items or events, like a deficit in the snow and ice budget or a capital project. All of the capital items listed have been prioritized by the Capital Planning Advisory Workgroup.

**ARTICLE 22: AUTHORIZE TOWN FUND 5085 REDEVELOPMENT AUTHORITY**

To see if the town will vote to transfer \$6000.00 from Town Fund 5085 Redevelopment Authority to Town Fund 5086 for the administrative needs of the Economic Development Committee. Spending from the account will be controlled by the Town Administrator.

(Continue on separate sheet if required).

To do or act thereon.

SPONSORED BY: Board of Selectmen  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town Meeting

**Sponsor Comments:** In 2011 Meeting approved the appropriation of \$6000 for a Redevelopment Authority under GL 121B. The Authority was never formally established and the funds have never been spent. The current Economic Development Committee has been advocating for programs, projects, and policies intended to spur development and investment in the community. These funds would be used for purposes related to the original intention but not requiring the formal establishment of an authority.

**ARTICLE 23: SEWER CAPITAL EQUIPMENT**

To see if the town will vote to raise and appropriate, or transfer from available funds or otherwise, the sum of \$1,000,000.00 to be expended by the Board of Selectmen to procure, purchase and construct equipment necessary for the operation of sewer collection and treatment services and to meet said appropriation to authorize the Town Treasurer, with the Approval of the Board of Selectmen, to borrow \$1,000,000.00 under M.G.L. Chapter 44, or any other enabling authority.

| <u>PURPOSE</u>                                      | <u>AMOUNT</u>         |
|---|-----------------------|
| Sewer Collection and Treatment Capital Improvements | \$1,000,000.00        |
| <b>TOTAL APPROPRIATION</b>                          | <b>\$1,000,000.00</b> |

To do or act thereon.

SPONSORED BY: Department of Public Works  
 APPROPRIATION: \$1,000,000.00  
 FINCOM RECOMMENDATION: At Town meeting

**Sponsor Comments:** The Town of Maynard has completed four years of inflow/infiltration (I/I) analysis and inspections of the sewer collection system. The assessment has identified multiple sewer rehabilitation needs throughout the system. This article asks the Town to approve funding for the construction to repair, replace and improve multiple sections of sewer main and manholes throughout the system. These repairs are needed to ensure the Town is able to maintain compliance with the our discharge permit and provide adequate sewer collection services to the residents and businesses in Maynard.

**ARTICLE 24: WATER CAPITAL EQUIPMENT**

To see if the town will vote to raise and appropriate, or transfer from available funds or otherwise, the sum of \$900,000.00 to be expended by the Board of Selectmen to procure, purchase and construct equipment necessary for the operation of water treatment services and to meet said appropriation to authorize the Town Treasurer, with the Approval of the Board of Selectmen, to borrow \$900,000.00 under M.G.L. Chapter 44, or any other enabling authority.

| <u>PURPOSE</u>                       | <u>AMOUNT</u>       |
|--------------------------------------|---------------------|
| Water Treatment Capital Improvements | \$900,000.00        |
| <b>TOTAL APPROPRIATION</b>           | <b>\$900,000.00</b> |

To do or act thereon.

SPONSORED BY: Department of Public Works  
 APPROPRIATION: \$900,000.00  
 FINCOM RECOMMENDATION: At Town meeting

**Sponsor Comments:** The Town of Maynard has identified the need to pursue additional drinking water sources and to make improvements to existing treatment facilities. The Town has worked closely with state regulatory agencies, local officials and water engineering experts to identify appropriate solutions for the Town. This article asks the Town to approve funding for the construction and engineering of process improvements to an existing water treatment plant, the installation of a replacement well and to

pursue new drinking water sources. These are all items which need to be completed to ensure the Town can continue to provide safe drinking water and fire protection for the residents and businesses in Maynard.

**ARTICLE 25: AUTHORIZE FUNDS FOR SCHOLARSHIPS**

To see if the town will vote to accept the provisions of G.L. c. 60 §3C to establish a town scholarship fund, the purpose of which shall be to provide educational financial aid to deserving town residents and to establish a town scholarship fund, the purpose of which shall be to provide supplemental scholarship funding for local educational needs. Any amounts donated to the scholarship fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer.

In establishing the scholarship fund, there shall be a scholarship committee to consist of the superintendent of Maynard public schools or designee thereof, and no fewer than four Maynard residents appointed by the Board of Selectmen to a term of three years. The scholarship committee shall select the recipients of and amounts of financial aid from the scholarship fund and shall be guided by any criteria established by the scholarship committee subject to any ordinance or by-law and further subject to the following criteria:

- (a) The recipients of financial aid must be residents of Maynard at the time the financial aid is first awarded and have been accepted to pursue education beyond the secondary school level at the institution deemed accredited by the committee.
- (b) The committee shall take into consideration each recipient’s financial need, character, scholastic record and involvement in community work as well as extracurricular school activities.

The scholarship committee may distribute financial aid from both interest and principal of the fund, without further appropriation. The scholarship committee shall establish a procedure for determining at least on an annual basis the amounts or percentage of the funds that shall be authorized for distribution and for notifying the investing officer or agency so that the funds may be made available in a timely manner and with a minimum of penalties.

To do or act thereon.

SPONSORED BY: Maynard High School Scholarship Committee  
APPROPRIATION: None  
FINCOM RECOMMENDATION: At Town meeting

**Sponsor Comments:** The Maynard High School Scholarship Committee is comprised of six Maynard residents who work with the high school principal and guidance department annually to select deserving high school seniors who meet the criteria and guidelines of approximately 35 scholarships.. Many communities have provided an opportunity for residents to make a voluntary donation to a town scholarship fund when making motor vehicle excise tax bill payments or municipal tax bills. With the increasing number of Maynard High School seniors pursuing higher education and the cost of that education increasing annually, we are continuously searching for additional scholarship resources to be able to provide to Maynard High School seniors.

**ARTICLE 26: TOWN GENERAL FUND BUDGET FISCAL YEAR 2019**

To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide to meet the salaries and wages of Town Officers and employees, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2019 (July 1, 2018 – June 30, 2019) and further, to accept and expend Federal and State Funds to offset certain salaries or expenses or outlays.

|                        |                        |
|------------------------|------------------------|
| General Government     | \$ 3,227,281.00        |
| Public Safety          | \$ 4,919,011.00        |
| Education – Maynard    | \$ 18,550,151.00       |
| Education – Assabet    | \$ 1,025,434.00        |
| Public Works           | \$ 2,004,875.00        |
| Culture and Recreation | \$ 561,005.00          |
| Debt Service           | \$ 3,549,595.00        |
| Reserve Fund           | \$ 250,000.00          |
| Employee Benefits      | <u>\$ 8,371,598.00</u> |

**Total General Fund Expenses                   \$42,231,539.00**

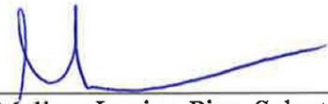
To do or act thereon.


SPONSORED BY:                                   Board of Selectmen  
 APPROPRIATION:                               \$42,231,539.00  
 FINCOM RECOMMENDATION:                At Town Meeting

**Sponsor Comments:** See Attachment Appendix “A” – the appendix information is only a guide and is non-binding except as to the single raise and appropriation vote of \$42,231,539.00

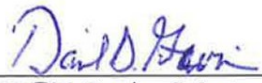
Given under our hands this *17<sup>th</sup>* day of April in the year of Two Thousand and Eighteen.

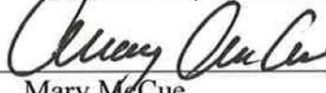
  
 \_\_\_\_\_  
 Chris DiSilva, Selectman

  
 \_\_\_\_\_  
 Melissa Levine-Piro, Selectman

  
 \_\_\_\_\_  
 Cheryl Steele, Selectman

  
 \_\_\_\_\_  
 Terrence Donovan, Selectman

  
 \_\_\_\_\_  
 David Gavin, Selectman

A true copy, Attest  Constable of Maynard.  
 Mary McCue

**APPENDIX A**  
**FY2019 Budget – General Fund**

|     | ACCOUNT NAME                              | FY2018<br>BUDGET | FY2018<br>ACTUAL<br>As of 12/31/17 | FY2019<br>BUDGET | Budget<br>FY2019 vs<br>FY2018 |
|-----|---|------------------|------------------------------------|------------------|-------------------------------|
| 114 | Total Salaries - Moderator                | \$ -             | \$ -                               | \$ -             | \$ -                          |
| 114 | Total Other Expenses - Moderator          | \$ 75            | \$ 94                              | \$ 149           | \$ 74                         |
| 114 | Total Moderator Expenses                  | \$ 75            | \$ 94                              | \$ 149           | \$ 74                         |
| 122 | Total Salaries - Selectman                | \$ 67,130        | \$ 33,555                          | \$ 68,473        | \$ 1,343                      |
| 122 | Total Other Expenses - Selectman          | \$ 66,700        | \$ 15,780                          | \$ 43,700        | \$ (23,000)                   |
| 122 | Total Selectman Expenses                  | \$ 133,830       | \$ 49,335                          | \$ 112,173       | \$ (21,657)                   |
| 129 | Total Salaries - Town Administrator       | \$ 294,000       | \$ 139,567                         | \$ 296,462       | \$ 2,462                      |
| 129 | Total Other Expenses - Town Administrator | \$ 19,700        | \$ 14,110                          | \$ 16,200        | \$ (3,500)                    |
| 129 | Total Expenses - Town Administrator       | \$ 313,700       | \$ 153,677                         | \$ 312,662       | \$ (1,038)                    |
| 131 | Total Salaries - Finance Committee        | \$ -             | \$ -                               | \$ -             | \$ -                          |
| 131 | Total Other Expenses - Finance Committee  | \$ 500           | \$ -                               | \$ 500           | \$ -                          |
| 131 | Total Expenses - Finance Committee        | \$ 500           | \$ -                               | \$ 500           | \$ -                          |
| 135 | Total Salaries - Accountant               | \$ 152,303       | \$ 76,242                          | \$ 157,463       | \$ 5,160                      |
| 135 | Total Other Expenses - Accountant         | \$ 5,350         | \$ 1,056                           | \$ 4,650         | \$ (700)                      |
| 135 | Total Expenses - Accountant               | \$ 157,653       | \$ 77,298                          | \$ 162,113       | \$ 4,460                      |
| 141 | Total Salaries - Assessor                 | \$ 152,754       | \$ 86,051                          | \$ 160,237       | \$ 7,483                      |
| 141 | Total Other Expenses - Assessor           | \$ 30,170        | \$ 28,662                          | \$ 30,170        | \$ -                          |
| 141 | Total Expenses - Assessor                 | \$ 182,924       | \$ 114,713                         | \$ 190,407       | \$ 7,483                      |
| 145 | Total Salaries - Treasurer                | \$ 199,587       | \$ 98,455                          | \$ 207,881       | \$ 8,294                      |
| 145 | Total Other Expenses - Treasurer          | \$ 37,280        | \$ 14,029                          | \$ 37,280        | \$ -                          |
| 145 | Total Expenses - Treasurer                | \$ 236,867       | \$ 112,484                         | \$ 245,161       | \$ 8,294                      |
| 151 | Total Salaries - Legal                    | \$ -             | \$ -                               | \$ -             | \$ -                          |
| 151 | Total Other Expenses - Legal              | \$ 116,000       | \$ 22,385                          | \$ 99,000        | \$ (17,000)                   |
| 151 | Total Expenses - Legal                    | \$ 116,000       | \$ 22,385                          | \$ 99,000        | \$ (17,000)                   |
| 155 | Total Salaries - Data Processing          | \$ -             | \$ -                               | \$ -             | \$ -                          |
| 155 | Total Other - Data Processing             | \$ 332,131       | \$ 166,954                         | \$ 294,236       | \$ (37,895)                   |
| 155 | Total Expenses - Data Processing          | \$ 332,131       | \$ 166,954                         | \$ 294,236       | \$ (37,895)                   |
| 156 | Total Salaries - PEG Access               | \$ 147,294       | \$ -                               | \$ 151,427       | \$ 4,133                      |
| 156 | Total Other - PEG Access                  | \$ 227,394       | \$ 59,328                          | \$ 134,394       | \$ (93,000)                   |
| 156 | Total Expenses - PEG Access               | \$ 374,688       | \$ 59,328                          | \$ 285,821       | \$ (88,867)                   |
| 158 | Total Salaries - Tax Title                | \$ -             | \$ -                               | \$ -             | \$ -                          |
| 158 | Total Other - Tax Title                   | \$ 10,700        | \$ 1,426                           | \$ 5,700         | \$ (5,000)                    |
| 158 | Total Expenses - Tax Title                | \$ 10,700        | \$ 1,426                           | \$ 5,700         | \$ (5,000)                    |
| 161 | Total Salaries - Town Clerk               | \$ 103,396       | \$ 50,628                          | \$ 108,422       | \$ 5,026                      |
| 161 | Total Other Expenses - Town Clerk         | \$ 2,480         | \$ 2,552                           | \$ 2,480         | \$ -                          |
| 161 | Total Expenses - Town Clerk               | \$ 105,876       | \$ 53,180                          | \$ 110,902       | \$ 5,026                      |
| 162 | Total Salaries - Elect & Regist           | \$ 935           | \$ -                               | \$ 935           | \$ -                          |
| 162 | Total Other Elect & Regist                | \$ 2,850         | \$ 24                              | \$ 2,850         | \$ -                          |
| 162 | Total Expenses - Elect & Regist           | \$ 3,785         | \$ 24                              | \$ 3,785         | \$ -                          |
| 163 | Total Salaries - Election                 | \$ 16,000        | \$ 4,621                           | \$ 16,000        | \$ -                          |
| 163 | Total Other - Election                    | \$ 12,000        | \$ 9,897                           | \$ 14,000        | \$ 2,000                      |
| 163 | Total Expenses - Election                 | \$ 28,000        | \$ 14,518                          | \$ 30,000        | \$ 2,000                      |
| 192 | Total Salaries - Facilities               | \$ 129,129       | \$ 57,874                          | \$ 135,155       | \$ 6,026                      |
| 192 | Total Other - Facilities                  | \$ 266,600       | \$ 96,991                          | \$ 249,600       | \$ (17,000)                   |
| 192 | Total Expenses - Facilities               | \$ 395,729       | \$ 154,865                         | \$ 384,755       | \$ (10,974)                   |

**APPENDIX A**  
**FY2019 Budget – General Fund**

|     |   |               |              |               |              |
|-----|---|---------------|--------------|---------------|--------------|
| 195 | Total Salaries - Town Reports Printing        | \$ -          | \$ -         | \$ -          | \$ -         |
| 195 | Total Other - Town Reports Printing           | \$ 2,000      | \$ -         | \$ 1,500      | \$ (500)     |
| 195 | Total Expenses - Town Reports Printing        | \$ 2,000      | \$ -         | \$ 1,500      | \$ (500)     |
| 500 | Total Salaries - Municipal Services           | \$ 289,233    | \$ 136,153   | \$ 281,258    | \$ (7,975)   |
| 500 | Total Other - Municipal Services              | \$ 40,300     | \$ 17,382    | \$ 36,400     | \$ (3,900)   |
| 500 | Total Expenses - Municipal Services           | \$ 329,533    | \$ 153,535   | \$ 317,658    | \$ (11,875)  |
| 541 | Total Salaries - Council on Aging             | \$ 111,668    | \$ 54,619    | \$ 117,022    | \$ 5,354     |
| 541 | Total Other - Council on Aging                | \$ 38,332     | \$ 9,852     | \$ 36,250     | \$ (2,082)   |
| 541 | Total Expenses - Council on Aging             | \$ 150,000    | \$ 64,471    | \$ 153,272    | \$ 3,272     |
| 543 | Total Salaries - Veterans                     | \$ 9,500      | \$ 3,958     | \$ 9,500      | \$ -         |
| 543 | Total Other - Veterans                        | \$ 57,000     | \$ 21,667    | \$ 51,500     | \$ (5,500)   |
| 543 | Total Expenses - Veterans                     | \$ 66,500     | \$ 25,625    | \$ 61,000     | \$ (5,500)   |
| 930 | Total Salaries - Capital Projects             | \$ -          | \$ -         | \$ -          | \$ -         |
| 930 | Total Other - Capital Projects                | \$ 85,255     | \$ 37,735    | \$ 85,255     | \$ -         |
| 930 | Total Expenses - Capital Projects             | \$ 85,255     | \$ 37,735    | \$ 85,255     | \$ -         |
| 945 | Total Salaries - Liability Insurance Premiums | \$ -          | \$ -         | \$ -          | \$ -         |
| 945 | Total Other - Liability Insurance Premiums    | \$ 300,000    | \$ 307,878   | \$ 326,232    | \$ 26,232    |
| 945 | Total Expenses - Liability Insurance Premiums | \$ 300,000    | \$ 307,878   | \$ 326,232    | \$ 26,232    |
| 955 | Total Salaries - Town Audit                   | \$ -          | \$ -         | \$ -          | \$ -         |
| 955 | Total Other - Town Audit                      | \$ 45,000     | \$ 33,000    | \$ 45,000     | \$ -         |
| 955 | Total Expenses - Town Audit                   | \$ 45,000     | \$ 33,000    | \$ 45,000     | \$ -         |
|     | Total Salaries - General Government           | \$ 1,672,929  | \$ 741,723   | \$ 1,710,235  | \$ 37,306    |
|     | Total Other - General Government              | \$ 1,697,817  | \$ 860,802   | \$ 1,517,046  | \$ (180,771) |
|     | Total Expenses - General Government           | \$ 3,370,746  | \$ 1,602,525 | \$ 3,227,281  | \$ (143,465) |
| 210 | Total Salaries - Police                       | \$ 2,168,838  | \$ 1,024,696 | \$ 2,254,535  | \$ 85,697    |
| 210 | Total Other - Police                          | \$ 300,983    | \$ 114,077   | \$ 283,983    | \$ (17,000)  |
| 210 | Total Expenses - Police                       | \$ 2,469,821  | \$ 1,138,773 | \$ 2,538,518  | \$ 68,697    |
| 220 | Total Salaries - Fire                         | \$ 1,991,872  | \$ 967,665   | \$ 1,977,555  | \$ (14,317)  |
| 220 | Total Other - Fire                            | \$ 137,300    | \$ 62,322    | \$ 138,800    | \$ 1,500     |
| 220 | Total Expenses - Fire                         | \$ 2,129,172  | \$ 1,029,987 | \$ 2,116,355  | \$ (12,817)  |
| 215 | Total Salaries - Dispatch                     | \$ 255,578    | \$ 117,996   | \$ 260,688    | \$ 5,110     |
| 215 | Total Other - Dispatch                        | \$ 4,250      | \$ 179       | \$ 3,450      | \$ (800)     |
| 215 | Total Expenses - Dispatch                     | \$ 259,828    | \$ 118,175   | \$ 264,138    | \$ 4,310     |
|     | Total Salaries - Public Safety                | \$ 4,416,288  | \$ 2,110,357 | \$ 4,492,778  | \$ 76,490    |
|     | Total Other - Public Safety                   | \$ 442,533    | \$ 176,578   | \$ 426,233    | \$ (16,300)  |
|     | Total Expenses - Public Safety                | \$ 4,858,821  | \$ 2,286,935 | \$ 4,919,011  | \$ 60,190    |
| 300 | Total Salaries - Education                    | \$ 13,945,608 | \$ 5,273,938 | \$ 14,364,420 | \$ 418,812   |
| 300 | Total Other - Education                       | \$ 3,480,802  | \$ 1,785,697 | \$ 4,185,731  | \$ 704,929   |
| 300 | Total Expenses - Education                    | \$ 17,426,410 | \$ 7,059,635 | \$ 18,550,151 | \$ 1,123,741 |
| 310 | Total Salaries - Assabet Valley Assessment    | \$ -          | \$ -         | \$ -          | \$ -         |
| 310 | Total Other - Assabet Valley Assessment       | \$ 893,191    | \$ 446,596   | \$ 1,025,434  | \$ 132,243   |
| 310 | Total Expenses - Assabet Valley Assessment    | \$ 893,191    | \$ 446,596   | \$ 1,025,434  | \$ 132,243   |
|     | Total Salaries - Education                    | \$ 13,945,608 | \$ 5,273,938 | \$ 14,364,420 | \$ 418,812   |
|     | Total Other - Education                       | \$ 4,373,993  | \$ 2,232,293 | \$ 5,211,165  | \$ 837,172   |
|     | Total Expenses - Education                    | \$ 18,319,601 | \$ 7,506,231 | \$ 19,575,585 | \$ 1,255,984 |
| 294 | Total Salaries - Forestry                     | \$ -          | \$ -         | \$ -          | \$ -         |
| 294 | Total Other - Forestry                        | \$ -          | \$ -         | \$ -          | \$ -         |
| 294 | Total Expenses - Forestry                     | \$ -          | \$ -         | \$ -          | \$ -         |

**APPENDIX A**  
**FY2019 Budget – General Fund**

|     |  |              |              |              |             |
|-----|--|--------------|--------------|--------------|-------------|
| 421 | Total Salaries - DPW Administration        | \$ 182,151   | \$ 102,133   | \$ 180,445   | \$ (1,706)  |
| 421 | Total Other - DPW Administration           | \$ 118,150   | \$ 30,061    | \$ 118,150   | \$ -        |
| 421 | Total Expenses - DPW Administration        | \$ 300,301   | \$ 132,194   | \$ 298,595   | \$ (1,706)  |
| 422 | Total Salaries - Construction and Maint    | \$ 412,000   | \$ 202,563   | \$ 422,600   | \$ 10,600   |
| 422 | Total Other - Construction and Maint       | \$ 917,950   | \$ 394,160   | \$ 934,950   | \$ 17,000   |
| 422 | Total Expenses - Construction and Maint    | \$ 1,329,950 | \$ 596,723   | \$ 1,357,550 | \$ 27,600   |
| 423 | Total Salaries - Snow and Ice              | \$ 85,000    | \$ 9,521     | \$ 85,000    | \$ -        |
| 423 | Total Other - Snow and Ice                 | \$ 32,000    | \$ 49,554    | \$ 32,000    | \$ -        |
| 423 | Total Salaries - Snow and Ice              | \$ 117,000   | \$ 59,075    | \$ 117,000   | \$ -        |
| 424 | Total Salaries - Street Lighting           | \$ -         | \$ -         | \$ -         | \$ -        |
| 424 | Total Other - Street Lighting              | \$ -         | \$ -         | \$ -         | \$ -        |
| 424 | Total Salaries - Street Lighting           | \$ -         | \$ -         | \$ -         | \$ -        |
| 439 | Total Salaries - Parks                     | \$ -         | \$ -         | \$ -         | \$ -        |
| 439 | Total Other - Parks                        | \$ -         | \$ -         | \$ -         | \$ -        |
| 439 | Total Expenses - Parks                     | \$ -         | \$ -         | \$ -         | \$ -        |
| 491 | Total Salaries - Cemetery                  | \$ 138,100   | \$ 91,467    | \$ 167,730   | \$ 29,630   |
| 491 | Total Other - Cemetery                     | \$ 73,200    | \$ 45,220    | \$ 64,000    | \$ (9,200)  |
| 491 | Total Expenses - Cemetery                  | \$ 211,300   | \$ 136,687   | \$ 231,730   | \$ 20,430   |
|     | Total Salaries - Public Works              | \$ 817,251   | \$ 405,684   | \$ 855,775   | \$ 38,524   |
|     | Total Other - Public Works                 | \$ 1,141,300 | \$ 518,995   | \$ 1,149,100 | \$ 7,800    |
|     | Total Expenses - Public Works              | \$ 1,958,551 | \$ 924,679   | \$ 2,004,875 | \$ 46,324   |
| 610 | Total Salaries - Library                   | \$ 443,398   | \$ 225,584   | \$ 456,179   | \$ 12,781   |
| 610 | Total Other - Library                      | \$ 67,826    | \$ 54,010    | \$ 67,826    | \$ -        |
| 610 | Total Expenses - Library                   | \$ 511,224   | \$ 279,594   | \$ 524,005   | \$ 12,781   |
| 612 | Total Salaries - Roosevelt Building        | \$ -         | \$ -         | \$ -         | \$ -        |
| 612 | Total Other - Roosevelt Building           | \$ 36,000    | \$ 11,876    | \$ 36,000    | \$ -        |
| 612 | Total Salaries - Roosevelt Building        | \$ 36,000    | \$ 11,876    | \$ 36,000    | \$ -        |
| 619 | Total Salaries - Historical Preservation   | \$ -         | \$ -         | \$ -         | \$ -        |
| 619 | Total Other - Historical Preservation      | \$ 1,000     | \$ -         | \$ 1,000     | \$ -        |
| 619 | Total Expenses - Historical Preservation   | \$ 1,000     | \$ -         | \$ 1,000     | \$ -        |
| 630 | Total Salaries - Recreation                | \$ -         | \$ -         | \$ -         | \$ -        |
| 630 | Total Other - Recreation                   | \$ -         | \$ -         | \$ -         | \$ -        |
| 630 | Total Expenses - Recreation                | \$ -         | \$ -         | \$ -         | \$ -        |
|     | Total Salaries - Culture & Recreation      | \$ 443,398   | \$ 225,584   | \$ 456,179   | \$ 12,781   |
|     | Total Other - Culture & Recreation         | \$ 104,826   | \$ 65,886    | \$ 104,826   | \$ -        |
|     | Total Expenses - Culture & Recreation      | \$ 548,224   | \$ 291,470   | \$ 561,005   | \$ 12,781   |
| 710 | Total Salaries - Principal Long Term Debt  | \$ -         | \$ -         | \$ -         | \$ -        |
| 710 | Total Other - Principal Long Term Debt     | \$ 2,640,335 | \$ 455,000   | \$ 2,644,000 | \$ 3,665    |
| 710 | Total Expenses - Principal Long Term Debt  | \$ 2,640,335 | \$ 455,000   | \$ 2,644,000 | \$ 3,665    |
| 751 | Total Salaries - Interest Long Term Debt   | \$ -         | \$ -         | \$ -         | \$ -        |
| 751 | Total Other - Interest Long Term Debt      | \$ 986,918   | \$ 498,008   | \$ 890,595   | \$ (96,323) |
| 751 | Total Expenses - Interest Long Term Debt   | \$ 986,918   | \$ 498,008   | \$ 890,595   | \$ (96,323) |
| 752 | Total Salaries - Interest Short Term Notes | \$ -         | \$ -         | \$ -         | \$ -        |
| 752 | Total Other - Interest Short Term Notes    | \$ 20,000    | \$ -         | \$ 15,000    | \$ (5,000)  |
| 752 | Total Expenses - Interest Short Term Notes | \$ 20,000    | \$ -         | \$ 15,000    | \$ (5,000)  |
|     | Total Salaries - Debt Service              | \$ -         | \$ -         | \$ -         | \$ -        |
|     | Total Other - Debt Service                 | \$ 3,647,253 | \$ 953,008   | \$ 3,549,595 | \$ (97,658) |
|     | Total Expenses - Debt Service              | \$ 3,647,253 | \$ 953,008   | \$ 3,549,595 | \$ (97,658) |
| 910 | Total Salaries - Ret Sys Pension Contrib   | \$ -         | \$ -         | \$ -         | \$ -        |
| 910 | Total Other - Ret Sys Pension Contrib      | \$ 2,127,566 | \$ 2,127,566 | \$ 2,254,998 | \$ 127,432  |
| 910 | Total Expenses - Ret Sys Pension Contrib   | \$ 2,127,566 | \$ 2,127,566 | \$ 2,254,998 | \$ 127,432  |

**APPENDIX A**  
**FY2019 Budget – General Fund**

|     |   |              |              |              |             |
|-----|---|--------------|--------------|--------------|-------------|
| 911 | Total Salaries - Ret Sys Non Contribution | \$ -         | \$ -         | \$ -         | \$ -        |
| 911 | Total Other - Ret Sys Non Contribution    | \$ -         | \$ -         | \$ -         | \$ -        |
| 911 | Total Expenses- Ret Sys Non Contribution  | \$ -         | \$ -         | \$ -         | \$ -        |
| 913 | Total Salaries - Unemployment Compens     | \$ -         | \$ -         | \$ -         | \$ -        |
| 913 | Total Other - Unemployment Compens        | \$ 50,000    | \$ 54,369    | \$ 50,000    | \$ -        |
| 913 | Total Expenses - Unemployment Compens     | \$ 50,000    | \$ 54,369    | \$ 50,000    | \$ -        |
| 914 | Total Salaries - Health Insurance         | \$ -         | \$ -         | \$ -         | \$ -        |
| 914 | Total Other - Health Insurance            | \$ 5,451,379 | \$ 2,605,165 | \$ 5,498,689 | \$ 47,310   |
| 914 | Total Expenses - Health Insurance         | \$ 5,451,379 | \$ 2,605,165 | \$ 5,498,689 | \$ 47,310   |
| 915 | Total Salaries - Life Insurance           | \$ -         | \$ -         | \$ -         | \$ -        |
| 915 | Total Other - Life Insurance              | \$ 10,500    | \$ 4,554     | \$ 10,500    | \$ -        |
| 915 | Total Expenses - Life Insurance           | \$ 10,500    | \$ 4,554     | \$ 10,500    | \$ -        |
| 916 | Total Salaries - Medicare                 | \$ -         | \$ -         | \$ -         | \$ -        |
| 916 | Total Other - Medicare                    | \$ 310,000   | \$ 149,199   | \$ 330,000   | \$ 20,000   |
| 916 | Total Expenses - Medicare                 | \$ 310,000   | \$ 149,199   | \$ 330,000   | \$ 20,000   |
| 917 | Total Salaries - OPEB                     | \$ -         | \$ -         | \$ -         | \$ -        |
| 917 | Total Other - OPEB                        | \$ -         | \$ -         | \$ -         | \$ -        |
| 917 | Total Expenses - OPEB                     | \$ -         | \$ -         | \$ -         | \$ -        |
|     | Total Salaries - Employee Benefits        | \$ -         | \$ -         | \$ -         | \$ -        |
|     | Total Other- Employee Benefits            | \$ 7,949,445 | \$ 4,940,853 | \$ 8,144,187 | \$ 194,742  |
|     | Total Expenses- Employee Benefits         | \$ 7,949,445 | \$ 4,940,853 | \$ 8,144,187 | \$ 194,742  |
| 132 | Reserve Fund - Original Budget            | \$ 300,000   | \$ -         | \$ 250,000   | \$ (50,000) |



**APPENDIX A**  
**FY2019 Budget – General Fund**

|  | <u>FY2018</u>        | <u>FY2018</u>         | <u>FY2019</u>        | <u>Budget</u>       |
|--|----------------------|-----------------------|----------------------|---------------------|
|  | <u>BUDGET</u>        | <u>ACTUAL</u>         | <u>BUDGET</u>        | <u>FY2019 vs</u>    |
|  |                      | <u>As of 12/31/17</u> |                      | <u>FY2018</u>       |
| <b><u>SALARIES</u></b>                   |                      |                       |                      |                     |
| General Government                       | \$ 1,672,929         | \$ 741,723            | \$ 1,710,235         | \$ 37,306           |
| Public Safety                            | \$ 4,416,288         | \$ 2,110,357          | \$ 4,492,778         | \$ 76,490           |
| Public Works                             | \$ 817,251           | \$ 405,684            | \$ 855,775           | \$ 38,524           |
| Cultural & Recreation                    | \$ 443,398           | \$ 225,584            | \$ 456,179           | \$ 12,781           |
| Education - Maynard                      | \$ 13,945,608        | \$ 5,273,938          | \$ 14,364,420        | \$ 418,812          |
| Education - Assabet                      | \$ -                 | \$ -                  | \$ -                 | \$ -                |
| Employee Benefits                        | \$ -                 | \$ -                  | \$ -                 | \$ -                |
| Debt Service                             | \$ -                 | \$ -                  | \$ -                 | \$ -                |
| Reserve Fund                             | \$ -                 | \$ -                  | \$ -                 | \$ -                |
| <b>TOTAL SALARIES</b>                    | <b>\$ 21,295,474</b> | <b>\$ 8,757,286</b>   | <b>\$ 21,879,387</b> | <b>\$ 583,913</b>   |
| <b><u>OTHER EXPENSES</u></b>             |                      |                       |                      |                     |
| General Government                       | \$ 1,697,817         | \$ 860,802            | \$ 1,517,046         | \$ (180,771)        |
| Public Safety                            | \$ 442,533           | \$ 176,578            | \$ 426,233           | \$ (16,300)         |
| Public Works                             | \$ 1,141,300         | \$ 518,995            | \$ 1,149,100         | \$ 7,800            |
| Cultural & Recreation                    | \$ 104,826           | \$ 65,886             | \$ 104,826           | \$ -                |
| Education - Maynard                      | \$ 3,480,802         | \$ 1,785,697          | \$ 4,185,731         | \$ 704,929          |
| Education - Assabet                      | \$ 893,191           | \$ 446,596            | \$ 1,025,434         | \$ 132,243          |
| Employee Benefits                        | \$ 7,949,445         | \$ 4,940,853          | \$ 8,144,187         | \$ 194,742          |
| Debt Service                             | \$ 3,647,253         | \$ 953,008            | \$ 3,549,595         | \$ (97,658)         |
| Reserve Fund                             | \$ 300,000           | \$ -                  | \$ 250,000           | \$ (50,000)         |
| <b>TOTAL OTHER EXPENSES</b>              | <b>\$ 19,657,167</b> | <b>\$ 9,748,415</b>   | <b>\$ 20,352,152</b> | <b>\$ 694,985</b>   |
| <b><u>TOTAL EXPENSES</u></b>             |                      |                       |                      |                     |
| General Government                       | \$ 3,370,746         | \$ 1,602,525          | \$ 3,227,281         | \$ (143,465)        |
| Public Safety                            | \$ 4,858,821         | \$ 2,286,935          | \$ 4,919,011         | \$ 60,190           |
| Public Works                             | \$ 1,958,551         | \$ 924,679            | \$ 2,004,875         | \$ 46,324           |
| Cultural & Recreation                    | \$ 548,224           | \$ 291,470            | \$ 561,005           | \$ 12,781           |
| Education - Maynard                      | \$ 17,426,410        | \$ 7,059,635          | \$ 18,550,151        | \$ 1,123,741        |
| Education - Assabet                      | \$ 893,191           | \$ 446,596            | \$ 1,025,434         | \$ 132,243          |
| Employee Benefits                        | \$ 7,949,445         | \$ 4,940,853          | \$ 8,144,187         | \$ 194,742          |
| Debt Service                             | \$ 3,647,253         | \$ 953,008            | \$ 3,549,595         | \$ (97,658)         |
| Reserve Fund                             | \$ 300,000           | \$ -                  | \$ 250,000           | \$ (50,000)         |
| <b>TOTAL EXPENSES MAYNARD</b>            | <b>\$ 40,952,641</b> | <b>\$ 18,505,701</b>  | <b>\$ 42,231,539</b> | <b>\$ 1,278,898</b> |
| Budget Prior to Reserve Fund Calculation | \$ 40,652,641        | \$ 18,505,701         | \$ 41,981,539        | \$ 1,328,898        |
| Total Town W/O PEG and Reserve Fund      | \$ 10,361,654        | \$ 5,046,281          | \$ 10,426,351        | \$ 64,697           |
| PEG Access                               | \$ 374,688           | \$ 59,328             | \$ 285,821           | \$ (88,867)         |
| Education                                | \$ 18,319,601        | \$ 7,506,231          | \$ 19,575,585        | \$ 1,255,984        |
| Employee Benefits                        | \$ 7,949,445         | \$ 4,940,853          | \$ 8,144,187         | \$ 194,742          |
| Debt Service                             | \$ 3,647,253         | \$ 953,008            | \$ 3,549,595         | \$ (97,658)         |
| Reserve Fund                             | \$ 300,000           | \$ -                  | \$ 250,000           | \$ (50,000)         |
|  | \$ 40,952,641        | \$ 18,505,701         | \$ 42,231,539        | \$ 1,278,898        |
| Total Town W/O PEG and Reserve Fund      | \$ 21,958,352        | \$ 10,940,142         | \$ 22,120,133        | \$ 161,781          |
| PEG access                               | \$ 374,688           | \$ 59,328             | \$ 285,821           | \$ (88,867)         |
| Education                                | \$ 17,426,410        | \$ 7,059,635          | \$ 18,550,151        | \$ 1,123,741        |
| Education - Assabet                      | \$ 893,191           | \$ 446,596            | \$ 1,025,434         | \$ 132,243          |
| Reserve Fund                             | \$ 300,000           | \$ -                  | \$ 250,000           | \$ (50,000)         |
| <b>TOTAL EXPENSES MAYNARD</b>            | <b>\$ 40,952,641</b> | <b>\$ 18,505,701</b>  | <b>\$ 42,231,539</b> | <b>\$ 1,278,898</b> |

**APPENDIX B**  
FY2019 Salary Administration Plan



**Salary Administration Plan**  
**Town of Maynard**

This plan shall become effective on July 1, 2018.

**Section 1: Titles of Positions**

The existing job titles are articulated in this plan or the annual budget will not be added to without the recommendation of the Town Administrator and approval by the Board of Selectmen. Any such addition during the fiscal year must have sufficient funding sources. Any said position must be within the compensation ranges stated in Appendix A of this plan.

**Section 2: Job Descriptions**

The Town Administrator shall review job descriptions and make recommendations to the Board of Selectmen as to any improvements. These descriptions or reviews shall not affect the power of any administrative authority to reasonably appoint, assign duties to, or to direct and control the work of any employee under the jurisdiction of such authority.

**Section 3: Work Schedule**

The normal work schedule may be unique to each position hired under the Salary Administration Plan. Some hires will be seasonal, or work evening or weekend hours, others will be working traditional 'business hours' as appropriate to the position. Actual schedules will be determined by the supervisor of the employee in consultation with the Town Administrator. There will be no reduction of service to the public under this clause.

**Section 4: Salary Schedule**

The Salary Schedule of the Salary Administration Plan, set forth in Appendix A of this by-law shall consist of the minimum and maximum hourly rates and annual salaries, as applicable. The minimum and maximum rate ranges and annual salaries will be set annually. Any change must be submitted as part of the budget process for the subsequent fiscal year by the Department Head to the Town Administrator. There will be no retroactive pay under this plan.

**Section 5: New Personnel**

The hiring rate shall be no greater than allowed in Appendix A. All offers of employment must be reviewed and approved by the Town Administrator. All new hires are subjected to a ninety (90) day probationary period which may be extended for up to an additional ninety (90) days if directed by the Town Administrator. Accrued time off benefits may not be used during the probationary period. Any employee who is not retained after said probationary period will not be entitled to any additional benefits other than those required by law.

**Section 6: Departmental Budgets**

Each Department Head shall include in the annual budget a pay adjustment in consultation with the budget advice and approval of the Town Administrator. No adjustment shall be effective or paid unless, sufficient funds are made available. No salary or wage adjustments will be made during the fiscal year except under extenuating circumstances. In such cases, and with the approval of the Town Administrator and the Board of Selectmen, an exception may be made to the previous clause.

**APPENDIX B**  
FY2019 Salary Administration Plan

**Section 7: Benefits**

A. Definitions

1. Full-time- employees will work 40 hours per week as defined by their job work schedule.
2. Permanent, part-time employees must work 20 or more hours per week to receive time off and / or health benefits.
3. Part-time, non-benefitted employees work less than twenty (20) hours per week as an annual average.
4. Annually paid positions work a schedule as prescribed by their job description and are paid on an annual basis. Monthly payments may be made depending on the position. These employees are not entitled to any benefits.
5. Temporary Employees work occasionally, on call or as needed on a non-continuing basis. They will not be employed for more than twelve (12) weeks consecutively, nor more than 1000 hours annually. These employees are considered as seasonal and / or occasional employees and are not entitled to any benefits or compensation, including unemployment benefits, upon end of term.

B. Holidays with Pay

All Full-Time employees shall receive credit for scheduled hours at straight time pay for the holidays listed in this section. Permanent, part-time employees receive credit for the value of hours on a prorated basis (based on a 40 hour work week). For example, a 20 hour per week employee will receive forty-six (46) hours of time off compensation for Town recognized holidays. (20 hours per week is half of 40 hours and 46 is half of the 92 hours of annual time scheduled for Town recognized holidays). Holidays occurring on Saturday are observed on the previous Friday and Sunday holidays are observed on the following Monday. The holidays recognized by the Town of Maynard for the purposes of this agreement are: New Year's Day, Martin Luther King Day, President's Day, Patriot's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, the Friday after Thanksgiving and Christmas Day.

Salary Administration Plan employees will be paid if Town Hall is closed, due to weather or other emergencies, if they were scheduled to work on the day and time period of the closing.

C. Vacations with Pay

1. 80 hours of vacation with pay shall be granted to all full-time employees upon hire, pro-rated from date of hire through June 30th. Thereafter, all vacation will be granted on July 1st and must be taken by the subsequent June 30. No time will be carried over without authorization from the Town Administrator.
2. 120 hours of vacation with pay shall be granted to all full-time employees on July 1<sup>st</sup> of the year in which the employee will reach their fifth anniversary with the Town.
3. 160 hours of vacation with pay shall be granted to all full-time employees on July 1<sup>st</sup> of the year in which the employee will reach their tenth anniversary with the Town.
4. Permanent, part-time, employees will receive vacation pay pro-rated based on the number of hours scheduled each work week as an annual average (see section 7B for more details). Years of service are credited in full, regardless of number of hours worked.
5. All vacation under this clause must be approved by the department manager and the Town Administrator. Vacations shall be granted by the Department Heads at such time as, in their opinion, will cause the least interference with the performance of the regular work of the

**APPENDIX B**  
 FY2019 Salary Administration Plan

departments within reason. Vacation time shall be taken within the fiscal year it is granted, except that up to one week of earned time may be carried forward to September 30<sup>th</sup> of the ensuing fiscal year.

D. Sick Leave

1. Sick leave is a privilege, not a right and shall be payable only in cases of bona-fide illness or non-work connected accident.
2. All full-time and permanent, part-time employees shall accumulate sick leave at the rate of 80 hours per year, pro-rated for part-time schedules.
3. Employees who are absent because of sickness shall be required to notify a supervisor immediately during first day of absence. An employee out sick for more than three working days may be required to bring a letter from a healthcare professional verifying their condition that is acceptable to the Town Administrator and will be placed in the employee's personnel file. The Town reserves the right to ask for an examination by a medically qualified third party to determine suitability to return to work.
4. Sick time may accumulate from year to year but there is no buy-back of sick time permitted under the Salary Admin Plan.

E. Leaves of Absence

An unpaid leave may be granted an employee for a reasonable period of time with approval of the Board of Selectmen by recommendation of the Town Administrator.

F. Insurance Benefits

As permitted under Chapter 32B General Laws of the Commonwealth of Massachusetts.

G. Retirement Benefits

As Permitted under the Contributory Retirement Law.

H. Unscheduled Additional Time

Overtime must have prior approval by the Town Administrator. Overtime is considered greater than forty hours. After forty hours in a week, employees covered by this plan will receive their hourly rate and one half of the rate for each hour worked or part of an hour worked unless they are considered a salaried employee. Any salaried employee working more than 40 hours in a week may request an adjustment of their schedule for the subsequent week. This request will be accommodated whenever possible and appropriate.

**Appendix A - Salary Table**

|  |                             |
|--|-----------------------------|
| Full-Time Employees  | \$16.50 to \$40.00 per hour |
| Part-time employees<br>(but not less than the Massachusetts Minimum Wage.) | \$11.00 to \$40.00 per hour |
| P.T. Specialized Employees (i.e. certified, licensed)                      | \$20.00 to \$50.00 per hour |
| Veteran's Agent  | \$9,500.00 annually         |
| Inspector of Animals   | \$105.00 annually           |
| Registrar of Voters  | \$105.00 annually           |
| Clerk, Registrar of Voters   | \$515.00 annually           |
| Moderator  | \$75.00 annually            |