



OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD
MUNICIPAL BUILDING
195 MAIN STREET
MAYNARD, MASSACHUSETTS 01754
Tel: 978-897-1301 Fax: 978-897-8457

Meeting Minutes
Tuesday, July 21, 2020

Held Remotely

(This public meeting was recorded.)

Present:

Armand Diarbekirian, Selectman
Chris DiSilva, Selectman
David Gavin, Selectman
Justine St. John, Chair Selectman

Jeffrey Swanberg, Selectman
Gregory W. Johnson, Town Administrator
Megan Zammuto, Assistant Town Administrator
Becky Mosca, Administrative Assistant

1. Meeting Opening

Ms. St. John called the meeting to order at 7:00 pm. No public comment was offered.

2. Acceptance of Minutes

A motion was made by Ms. St. John and seconded by Mr. DiSilva to accept and approve the June 16, 2020 Meeting Minutes, as shown. Authorizing use of digital signatures.

Voted: By roll call. Motion carried unanimously.

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to accept and approve the June 25, 2020 Meeting Minutes, as shown. Authorizing use of digital signatures.

Voted: By roll call. Motion carried unanimously.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to accept and approve the July 7, 2020 Meeting Minutes, as shown. Authorizing use of digital signatures.

Voted: By roll call. Motion carried unanimously.

3. Correspondence

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to accept the list of seven correspondence items (A thru F), as presented.

A. Xfinity Changes to Channel Lineups and Packages as of June 9, 2020

B. Xfinity Changes as of June 23, 2020

C. Phase III Step I – Youth and Adult Amateur Sports as of July 6, 2020

D. 129 Parker Street Development Sewer Improvements Payments – Memorandum – Town Planner Bill Nemser

- E. Resignation of Chris Butler – Conservation Commission as of July 27, 2020
- F. Fall Voting Notices and Guides – Town Clerk’s Office

Mr. Gavin asked about item “D” 129 Parker Street Development Sewer Improvements Payments-Memorandum, regarding the outstanding money due to town from Capital Group for engineering, consultants, and additional water and sewer upgrade costs. It was reported in response that a hearing with Capital Group by the Planning Board was set for September of 2020.

Mr. Swanberg asked about item “C”, Phase III Step I Youth and Adult Amateur Sports as of July 6, 2020, whether the school district has this information. Mr. Johnson said he would forward the information to the Superintendent’s Office in case they did not already. Ms. St. John thinks the school district are aware because she received information from the district for her own family’s involvement.

Ms. St. John commented about item “E”, Resignation from Chris Butler, a member of the Conservation Commission, in that she wishes him well.

Voted: **By roll call. Motion carried unanimously.**

4. Appointments

A motion was made by Ms. St. John and seconded by Mr. DiSilva to appoint Paul Lesage as an alternate member of the Historical Commission with a term from July 1, 2020 to June 30, 2021. Authorizing use of digital signatures if approved.

It was noted that Ellen Duggan gave support for this new appointment. Mr. Lesage gave the board some personal background, and noted that Mr. Lesage served on the Planning Board for many years, and one-term on the Board of Selectman. He said he is of a 5th generation family living in Maynard.

Voted: **By roll call. Motion carried unanimously.**

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to approve the updated School Building Committee membership list as presented. Authorizing use of digital signatures if approved.

Voted: **By roll call. Motion carried unanimously.**

5. Application for Used Car Dealer’s License

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the application for a license to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or parts thereof as applied by owner Jeffrey Reynolds at 18 Brooks Street. Authorizing use of digital signatures if approved.

Voted: **By roll call. Motion carried unanimously.**

6. Home Rule Petition: Full Liquor License

A motion was made by Ms. St. John and seconded by Mr. Swanberg to direct the Town Administrator's Office to draft an article for Special Town Meeting for an additional "all alcohol retail license" for Art's Specialties, soon to be located at 25 Nason Street, Maynard, through a Home Rule Petition.

Artur Nergaryan, owner of 43 Nason Street's Art's Specialties reported that he currently has a Wine & Malt Retail License. Reportedly, Mr. Nergaryan purchased 25 Nason Street with the intent to move and expand into a larger grocery store presence.

If so directed, the Town Administrators Office will work with Town Counsel and the Legislature to draft a revised article for the 2020 Special Town Meeting warrant.

Voted: **By roll call. Motion carried unanimously.**

7. Recreational Marijuana Retail Establishment

A motion was made by Ms. St. John and seconded by Mr. Swanberg to confirm that Mass Wellsprings of 4-6 Nason Street, proposed Marijuana Establishment, is in compliance with town of Maynard's bylaws and ordinances. Authorizing use of digital signature if approved.

Ms. Zammuto said this applicant is on the same path as Green Star Herbals with the process that the town has for work to be completed.

The Cannabis Control Commission has confirmed that the adult-use marijuana establishment application for Mass Wellspring LLC has been completed. The Commission requests that the Chief Executive Officer complete the Municipal Notice Form to confirm that the application is in compliance with municipal bylaws or ordinances.

Town staff and Town Counsel recommend completing the Municipal Notice Form to confirm that the application is in compliance with municipal bylaws or ordinances. The Planning Board has authorized a retail marijuana location at 4-6 Nason Street subject to the conditions as contained in the Special Permit executed by the Planning Board on May 21, 2019.

Ms. Price, 16 Allen Drive, asked how many shops can come into Maynard. It was noted that per the Town Meeting on March 26, 2018, it was voted not to restrict the amount.

Voted: **By roll call. Motion carried unanimously.**

8. Maynard Police Department

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to approve the Immigration Policy for the Maynard Police Department, as presented. Authorizing use of digital signatures if approved.

Chief Noble indicated that the only difference to this new policy is a Change in sections C & D, pertaining to where the Chief can make the final call to work with federal agents. The reporting conditions is a term agreed upon by the town's Human Relations Committee.

Voted: **By roll call. Motion carried unanimously.**

9. Department of Public Works

A motion was made by Ms. St. John and seconded by Mr. Swanberg to accept the town of Maynard's Tree Resource Management Plan, as presented.

Director of Public Works (DPW) Justin DeMarco and Conservation Agent/ Assistant Town Planner Kaitlyn Young worked on this plan for the town. This project is funding with grant by the state Department of Conservation and Recreation (DCR).

Voted: **By roll call. Motion carried unanimously.**

A motion was made by Ms. St. John and seconded by Mr. Gavin to approve the FY21 Pavement Management Plan, as presented.

Mr. Demarco indicated that this is the yearly pavement management plan developed with the contracted "BETA" consultant group. Mr. DeMarco reported that the monies for executing the plan come from the Chapter 90 funds.

Voted: **By roll call. Motion carried unanimously.**

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to amend the, and tentatively agree to allow the out-of-town water service connection request of Tom R. Eagle, U.S. Fish and Wildlife agreement pending all Town of Maynard Water rules and regulations that are applicable to this project are met including fee paid, engineering and peer review approved including final plan review satisfied by Department of Public Works Director and Board of Selectmen, and noting that Taylor Road is the preferred route for this project.

Voted: **By roll call. Motion carried unanimously.**

10. Green Meadow School

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to authorize the Town Administrator to approve the contract with Silktown Roofing, Inc. for the replacement of the Green Meadow School roof in the amount of \$567,389.

Voted: **By roll call. Motion carried unanimously.**

11. Financial Conditions due to COVID-19

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the letter of certification for the request for funding through the Coronavirus Aid Relief, and Economic Security (CARES) Act, as provided.

Voted: **By roll call. Motion carried unanimously.**

A motion was made by Ms. St. John and seconded by Mr. Diarbekiarn to authorize the “advance of funds in lieu of borrowing report” for \$300,000.00 to partially cover the replacement of the roof at the Green Meadow School.

Voted: By roll call. Motion carried unanimously.

A motion was made by Ms. St. John and seconded by Mr. Gavin to approve the budget transfers recommended for FY2020, as presented.

Voted: By roll call. Motion carried unanimously.

Scheduled deliberation over the proposed FY21 operating and capital budgets was tabled until August 4, 2020.

12. Special Town Meeting – October 5, 2020

A motion was made by Ms. St. John and seconded by Mr. Diarbekirian to accept and approve, and move to the Finance Committee for review and comments, the following articles for the Special Town Meeting, October 5, 2020:

Amend By-Law Chapter 15 Section 5

Amend By-Law Chapter 21

Amend By-Law Chapter 24

Deleting By-Law Chapter 27 and Creating New By-Law titled “Alarm and Video”

Amend By-Law Chapter 34

Voted: By roll call. Motion carried unanimously.

13. Collective Bargaining Agreement

A motion was made by Ms. St. John and seconded by Mr. DiSilva to approve the LIUNA Professionals Collective Bargaining Agreement (CBA) effective July 1, 2019 and remain in full force and effect until 30, 2022.

Voted: By roll call. Motion carried unanimously.

14. Town Administrator Report

As shown

15. Board Organization for new Fiscal Year (FY21)

A motion was made by Ms. St. John and seconded by Mr. DiSilva to elect **Mr. Swanberg** as Clerk of the Board for a term of July 1, 2020 thru June 30, 2021.

Voted: By roll call. Motion carried unanimously.

At the request of the Town Administrator, the Board reviewed the drafted list of liaison’s to the town’s official groups.

The Board discussed the parameters of hosting their annual goal setting meeting, including considerations for an outdoor venue, and a day-time, weekend date.

16. Chairman's Report

No additional report.

17. Board Member Reports

Mr. DiSilva reported that the town's Human Relations Committee discussed the conditions of the Rail Road Street residences.

Mr. Diarbekirian reported that the Planning Board denied the application for the re-development of 115 Main Street.

Mr. Gavin proposed having his personal statement and inquires submitted for the minutes of the Board's meeting related to the proposed re-organization of town staff to establish a Water Superintendent position. This statement and inquiries were not read aloud.

Mr. Gavin requested the services of the town's contract public relations firm to draft a statement for the Board to consider in response to observed vulgarities and inciting messages of publicly viewable signs on private properties in town.

Mr. Gavin asked that savings from the lower than expected bid for elementary school's roof replacement project be transferred into the town's capital stabilization or other capital-use accounts.

Mr. Swanberg reported that Art Space Director Jerry Beck was developing an application for a National Endowment of the Arts (NEA) grant.

18. Adjournment

A motion was made by Ms. St. John and seconded by Mr. DiSilva to adjourn the meeting at 10:39 p.m. Voted: By roll call. Motion carried unanimously.

Approved: 8/4 - 7.05 pm
Date: 8/4/2020


Jeffery Swanberg, Clerk/Selectman

Initials: bjm