



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
Wednesday, May 8, 2019
Town Hall, Room 201
(This public meeting was recorded.)

Present:

Armand Diarbekirian, Selectman
Chris DiSilva, Chairman/Selectman
David Gavin, Selectman
Melissa Levine-Piro, Clerk/Selectman

Justine St. John, Selectman
Gregory W. Johnson, Town Administrator
Megan Zammuto, Assistant Town Administrator
Becky Mosca, Administrative Assistant

1. Meeting Opening

A. Mr. DiSilva called the meeting to order at 7:00 pm.

Mr. DiSilva read a statement into the records,

As some people are aware, there was an incident in Maynard this past Saturday, which involved an unidentified motorist directing an anti-Semitic profanity at a group of individuals peacefully holding election signs at the intersection of Nason and Main Streets.

A report of the incident has been made with the Maynard Police Department, and they are reacting and responding accordingly.

Make no mistake about it; there is no place in Maynard for this type of divisive behavior. The people of Maynard, your elected officials, and our administration pride us on being a welcoming community, and we are and will always be diligent in protecting our citizens from being the victims of hate in any form directed at any group or individual within our community.

The BOS offers our apologies to those offended by this act, and we wish to re-assure you that this behavior is not representative of our community, and the good people who call Maynard home, and as such will not ever be tolerated within our community.

Mr. Sanders, resident, requested to video-stream the board meeting. Chair approved.

2. Acceptance of Minutes

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the April 16, 2019 Meeting Minutes, as shown.

Voted: *Motion carried unanimously.*

3. Correspondence

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

A. Third District Day in Washington DC. Thursday, May 9th, 2019

- B. Maynard Cultural Council – applauds InSitu Architects
- C. Board of Selectmen Legal Notice, Public Hearing on Thursday, May 9, 2019
- D. Planning Board Public Hearing Notice – new sign and awning for Emerson Hospital at 21 Main Street
- E. Planning Board Decision for 170 Main Street Maynard (Jimmy’s Garage).
- F. New Inquiry from NewCann Group, Inc. for HCA.
- G. Letter from Department of Labor Standards.
- H. Minuteman Senior Services fund raiser, Monday, April 29th, 2019 at RapsCALLION Table and Tap.
- I. Comcast Financial Balance Sheet Parts A & B.
- J. Last Drink Report Q4 of 2018 and Q1 of 2019.
- K. VIP Open House & Ribbon Cutting Celebration Emerson Family Medicine.
- L. Maynard’s First Zagfest May 17, 2019
- M. Housing & Urban Development updates regarding Dawn Road Maynard.
- N. Aaron Miklosko resignation letter.

(Item F.) Mr. Johnson indicated he spoke with NewCann Group and wondered if board had any objections to moving into negotiations with the proposed retail marijuana establishment. The board did not object.

(Item G.) Mr. Johnson highlight the letter regarding Department of Labor Standards’ settlement agreement with the town, and reported that the town is working to complete the agreed upon work and Corrective Actions.

(Item M.) Mr. Diarbekirian requested to know more about what this information means to Maynard, Housing & Urban Development updates. Mr. Johnson said he would ask Mr. Larkin to attend an upcoming board meeting to explain.

Voted: *Motion carried unanimously.*

4. Consent Agenda

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the list of the five Consent Agenda item (A thru E), as shown.

- A. Request for Outdoor seating – Serendipity 1 Nason Street, Maynard, MA.
- B. Renewal Licenses for Pool Tables and Second Hand Retailers.
- C. New Appointments – Maynard Police Department.
- D. Special Permit Request – Memorial Day, Veteran’s Parade, Monday, May 27, 2019.
- E. Cemetery Deeds, 2053 and 775.

Item A, Mr. Hobson, owner, attended and asked if the fee was waived. Board approved.

Item C. Chief DuBois gave brief background on the two new officers that would be attending the academy for the next six months: James McGrath and Jordan Blackington.

Voted: *Motion carried unanimously.*

5. Public Hearing – Liquor License

Mr. DiSilva opened the Public Hearing at 7:10 pm for a new, all-alcohol restaurant liquor license for 110 Grill Maynard MC Maynard LLC at 9 Digital Way.

Attorney Kevin Eriksen appeared on behalf of the owners of 110 Grill. He answered several clarifying questions from the Board. Mr. Eriksen explaining the anticipated 110 Grill menu, music/patio area and the time-frame for build out.

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve the application for a New Retail Restaurant License on premise for All Alcohol Beverages as a Common Victualler license for 110 Grill Mc Maynard LLC d/b/a 110 Grill at 9 Digital Way, Maynard, MA. With Manager Gene Ryan.

A Motion was made to close the public hearing at 7:21 pm.

Voted: *Motion carried unanimously.*

6. Request for opening on the Planning Board as Alternate Member

Mr. Uttley indicated that the Town Planner, Mr. Nemser, had let him know of the opening and has his support. Mr. Uttley has lived in Maynard for the past 3-years and currently serves on the Master Plan Steering Committee.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to appoint Michael Uttley as the Alternate Planning Board member with term ending June 30, 2020.

Voted: *Motion carried unanimously.*

7. Request for Livery License

Hold – Requestor not at meeting.

8. Request for Common Victualler & Entertainment Licenses

Mr. Harit Kongnakorn, new owner, requests a Common Victualler and Entertainment license from the Town of Maynard.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to accept and approve a Common Victualler License and an Entertainment License to Harit Kongnakorn, owner of Hachi Hachi d/b/a Smack Noodle, 45 Main Street, Maynard, MA. 01754.

Board members asked many questions regarding the new restaurant and when this would open. Mr. Kongnakorn said the restaurant was currently working with the town inspectors to complete all the inspection processes for the town.

Voted: *4-0-1, Ms. Levine-Piro abstained.*

9. Block Party – Garfield and Douglas Ave. June 15, 2019

Ms. Geraldine Peters-Wiles a Douglas Ave resident requests a special permit for Block Party. This is a first for this neighborhood.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to approve the Block Party Permit at Garfield and Douglas Avenue on Saturday, June 15, 2019 with a rain date of July 13, 2019 from 3:00 pm until 7:00 pm.

Voted: *Motion carried unanimously.*

10. Water Capital Improvement Plan

Aaron Miklosko, Director of Department of Public Works, and Ms. Erica Wotz, Stantec, gave a presentation on the Town of Maynard's Water Distribution System's Capital Improvement Plan.

Ms. Erica Wotz answered several clarifying questions from the Board, explaining the details and a plan the Town can use to make the improvements over time. The funding needs to be built into the budget as we move forward.

11. Department Head Presentation – Library

Stephen Weiner, Director of the Maynard Public Library, gave a presentation of the library, include some history of the different sites where the library had been located. The governing body for the library is the Board of Library Trustees. The current staff size is 7.5 full time employees. One of the state requirements is to be opened for 40 hours per week. Currently, the library is open for 46 hours per week. This helps Maynard qualify for state certification and is awarded \$85,000.00 per year to run the library. The current budget to operate the library is \$524,005.00.

12. Motions and Presentation Assignment for Annual Town Meeting

Mr. DiSilva, articles 1 thru 5

Mr. Gavin, articles 6, 7, 8

Ms. St. John, article 11, 18

Mr. Diarbekirian, articles 19 and 21

Ms. Levine-Piro, article 17, 34, and 35

13. New Committee for the Disabled and Elderly Taxation Relief Fund Chapter 60 Section 3D

Note at the last Board meeting this new committee was adopted with the advice from Treasurer-Collector, Cheryl Kane, per law that Maynard can appoint Maynard residents and have the Chair of the Board of Assessors to serve on the committee for Disabled and Elderly Taxation Relief Fund along with the Treasurer-Collector. The Fund was established according to Mass General Law Chapter 60 Section 3D as instructed by the Board of Selectmen.

A motion was made by Mr. DiSilva and seconded by Mr. Gavin to appoint the following members to the Disabled and Elderly Taxation Relief Fund Committee: Kevin Petersen, Debra Mealey, Cheryl Kane and Stephen Pomfret. All with a term expiring on December 31, 2020.

Voted: *Motion carried unanimously.*

14. FY2020 Budget

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the application to the Finance Committee for a Reserve Fund Transfer for \$5,207.00 to be transferred to account number 0001.0500.530003.0000. This expense was incurred when the last conservation agent left and we used a new consultant manager to review work and then we hired a new agent for a lower salary.

Voted: *Motion carried unanimously.*

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the application to the Finance Committee for a Reserve Fund Transfer for \$42,378.00 to be transferred to account number 0001.0500.530003.0000 Municipal Separate Storm Sewer Systems (MS4). The collapsed storm drain pipes resulted in roadway hazard on Florida Road and Great Road.

Voted: *Motion carried unanimously.*

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the application to the Finance Committee for a Reserve Fund Transfer for \$15,000.00 to be transferred to account number 0001.0422.570113.0000. School food service employees were terminated and a new company was contracted to take over. This action's unemployment costs were not included in the original budget.

Board members had many concerns that the School did not let the town know the plan for this group of employees to be laid off. Ken Estabrook, chair of the Finance Committee, so noted the concerns and will bring to the Finance Committee.

Voted: *Motion carried unanimously.*

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the application to the Finance Committee for a Reserve Fund Transfer for \$41,256.00 to be transferred to account number 0001.0945.574000.0000. To cover premium shortfall for worker's compensation costs, public safety and bonds for employees.

Voted: *Motion carried unanimously.*

15. Town Administrator Report

Mr. Johnson commented on the added notice for a sandwich board down at the island.

16. Chairman's Report

On Tuesday, May 7, 2019, Mr. DiSilva attended a visit by Congresswoman Lori Trahan at Green Meadow School where she presented Green Meadow School with 13 flags to replace those that had to be removed in the course of recent remediation actions.

In addition, on the same day, one of our local restaurants, El Huipil, was recognized as the Minority Owned Business of the Year 2019, and Massachusetts District Director Robert Nelson handed out this award.

17. Board Member Reports

Mr. Diarbekirian welcomed Lydia Clancy and Natasha Rivera to the School Committee. He commented on the recent resignation of Aaron Miklosko, DPW Director, saying that we could have done a better job to support him. We lost a talented employee that is gonna be tough to replace. This gives us an opportunity to explore alternatives to the roles and responsibilities of this position and what kind of character is best to fill the role. Perhaps we could explore how to split the roles and responsibilities. This is just my belief, I don't know how everyone else feels about that.

At a recent Economic Development Committee meeting it was noted that there isn't the best relationship with Mill & Main and he would hope a better relationship with other businesses in town could be produced.

Mr. Gavin also gave out his congratulations to the new School Committee members. He voiced a concern that Mill and Main put up no fishing signs around the pond. The prom students are also not allowed to have pictures done this year at Mill and Main. He noted that he replied to the concerned resident that Mill & Main is private property and can implement their own policies outside of the town's authority. But he believes the Mill should work with the town just as the town should work with the Mill. Ms. St. John noted that the Maynard Elks has stepped in to say the students can have pictures done at the Elks.

Mr. DiSilva asked to invite Mill & Main to a board meeting for updates and feedback from the town, and to have Mill & Main present their long term plans. Mr. Diarbekirian noted that there are two groups at the mill: the property owner and management, and the tenant businesses.

Ms. Levine-Piro is appalled by the anti-Semitic incident in that its not the Maynard she knows. She congratulated the new School Committee members.

Ms. St. John congratulated the new members also. Requested to view the job description for the Department of Public Works Director.

Gave update on the Budget Subcommittee. She noted that the School Department did not spend all of the money they requested for the remediation of Green Meadow School, and that the final bills came in less than originally estimated. She cautioned against "project creep" of the scope of work for the remediation going beyond the remediation.

Mr. DiSilva commented that he and the Town Administrator had met with the School Committee chair and the Superintendent to advise them that Mr. Miklosko should not be viewed as responsible for the situation at the Green Meadow School, and that he wants all School facility work to be reviewed by the Town Administrator and or the Assistant Town Administrator.

18. Adjournment

A motion was made by Mr. DiSilva and seconded by Mr. Gavin to adjourn the meeting at 9:17 p.m. Voted: Motion carried unanimously.

Approved: 6:57 pm

Date: 5/21/19


Melissa Levine-Piro, Clerk/Selectman

Initials: bjm