



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, May 21, 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. No requests for public comment were heard.

2. Executive Session

A motion was made by Mr. DiSilva and seconded by Ms. St. John to convene into Executive Session under G.L. c. 30A, S. 21 (a)(3) for the purpose of discussing strategy with respect to litigation namely Alexandra Lyashchenko et al v. Town of Maynard, case not yet filed. The public discussion of which may have detrimental impact on the litigation position of the Town.

Roll Call:	In favor	Opposed	Abstain	Absent
Diarbekirian	✓			
DiSilva	✓			
Gavin	✓			
Levine-Piro	✓			
St. John	✓			

Voted: ***Motion carried unanimously.***

Returned to Open Session.

3. Acceptance of Minutes

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the May 8, 2019 Meeting Minutes, as shown.

Voted: ***Motion carried unanimously.***

A motion was made by Mr. DiSilva and seconded by Ms. St. John to accept and approve the May 9, 2019 Meeting Minutes, as shown.

Voted: ***Motion carried unanimously.***

4. Correspondence

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept the list of five correspondence items (A thru E), as presented.

- A. Maynard Golf Course Report for month of April and part of May 2019.
- B. Roselli and Clark Associates Report on the Golf Course Management.
- C. The Arbor Day Foundation.
- D. Notice of Resignation from Dawn Capello, School Committee member.
- E. Notice of Resignation from Andrew Snyder Conservation Commission.

(Item A & B) Mr. Gavin commented the golf course is showing a positive year doing much better financially.

Mr. Johnson indicated that the 5-year contract with Sterling Management and can be renewed for another two year term. Mr. Johnson is expecting a letter to that effect from Sterling Management. We will look for a working group of volunteers to reflect the needs and expectations of the community.

(Item C) Mr. DiSilva asked that we let the golf course know by letter not to cut any trees without check with Town first.

(Item D). Mr. Johnson spoke about the resignation from Ms. Capello. A notice was posted on the website with instruction to send resumes to the BOS Office in application for the School Committee opening.

Voted: ***Motion carried unanimously.***

5. Consent Agenda

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve the list of the two Consent Agenda items (A thru B), as shown.

- A. Request for Flag Day permit, at Memorial Park, Saturday, June 15, 2019 rain date Sunday, June 16, 2019.
- B. Request Summer Concerts at Memorial Park, Wednesdays starting June 19, 2019 Maynard Community Band.

Ms. St. John asked about why the Flag Day event is on Saturday as opposed to Friday.

Voted: ***Motion carried unanimously.***

6. Amend- Liquor License – New Restaurant

Sergio Moreno, the new owner at 51 Main Street, Azucar Tapas Bar, presented amended paperwork in response to directions from the Alcohol Beverage Control Commission's investigator, Brad Doyle.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to amend the application for a New Retail Restaurant License on premise for All Alcohol Beverages as a Common Victualler license for Azucar Tapas Bar Corporation, per comments of investigator from the Alcoholic Beverage Control Commission.

Ms. St. John questioned the removal of section 8 in the application. Mr. Moreno indicated they did not need that financial loan.

Voted: ***Motion carried unanimously.***

Mr. DiSilva presentation Sergio Moreno a plaque from the Maynard Board of Selectmen as follows:

OFFICIAL PROCLAMATION

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF MAYNARD**

- WHEREAS:** *Alonso and Alma Moreno opened El Huipil in 2010, an authentic Mexican restaurant. The family owned restaurant currently has two locations in Maynard and Acton, and is opening a third restaurant in Maynard.*
- WHEREAS:** *El Huipil has earned recognition for tremendous growth in both revenue and job creation. Over the last two years staff size has increased from six to fourteen employees.*
- WHEREAS:** *The Moreno's are active in the community and participate in Maynard events including: the Maynard Education Foundation's Taste of Maynard Fundraiser, the Maynard Christmas Parade, Maynard Fest and the Spring Art Walk.*
- WHEREAS:** *The Small Business Administration has named El Huipil the 2019 Minority Owned Small Business of the Year for Massachusetts.*
- NOW, THEREFORE, WE,** *the Maynard Board of Selectmen do offer our congratulations for this honor and gratitude for their contributions and investment in Maynard.
Given in the Selectmen's Chambers this 21st day of May, in the year of two thousand and nineteen.*

7. New Grave Officer Appointment

Mr. Ed Sokolowski not in attendance. Mr. Johnson indicated that this appointed position is part of the Massachusetts General Law known as the "Brave Act" and that Mr. Sokolowski is doing most of the work already.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to appoint Ed Sokolowski as the Veteran's Graves Officer for a term to expire June 30, 2023.

Voted: *Motion carried unanimously.*

8. Interview and Appoint new member to the Board of Assessors

Candidate for appointment Haig Thomas Babaian, CPA, CLU Maynard, MA- Principal at 32 Powder Mill Road, was present. Mr. Babaian indicated that he has lived in Maynard for over twenty-five years. In his professional life, he has done much abatement for clients. He is knowledgeable of the process of abatements.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to appoint Haig Thomas Babaian to the Board of Assessors with a term to expire June 30, 2019 plus a new full term June 30, 2022.

Voted: *Motion carried unanimously.*

9. Department Head Presentation

Presentation by Amy Loveless, Director of the Council on Aging (COA) located at 50 Brown Street. The COA has a budget of \$158,383.00. The Town of Maynard receives \$12 per senior from the state for operation for the senior center. This is from a state formula grant currently totaling \$22,560.00. The operations for the COA include providing programming, information and referrals for a wide array of services. These services include housing, transportation, legal and fuel assistance programs, health and wellness, fitness classes, healthy living presentations provided by Minuteman Senior Services, social and education programs, monthly luncheons with the Fire Department attending, bingo, crafts, card games, pizza and movie days, musical performances and others.

The COA Van service is used for individuals over 60 and/or disabled residents. The goals for the COA are to continue with and add programs to meet the needs of our seniors. Space needs and future capacity needs are good problems to have in Maynard.

10. Contracts for Fowler Fields

Wayne Amico, Town Engineer, presented the Board a contract to be reviewed and signed for the reconstruction of the Fowler Athletic Field. The intent is to award this contract to North Turf, Inc. for \$283,500.00. The following accounts have the funds to cover this contract.

- \$30,000.00 from School Committee
- \$15,000.00 from Maynard Youth Soccer
- \$80,000.00 from Town funds
- \$222,490.00 (\$50,000.00 and \$172,490.00) from two CPC years.
- \$28,000.00 Friends of Maynard Soccer (optional for use if needed during construction)

Total available funding for construction, any change orders encountered during construction and any Construction Administration required to facilitate the project is \$375,490.00 (if FOMS \$28,000.00 not needed). DPW has been informed that those funds have been combined and are available in the Town's Account for the Fowler Field account.

The Town Accountant has the list of funds to use first to pay the construction invoices per agreement. Mr. Amico agreed with the funds and the process we will follow for payments.

Mr. Gavin comments that this contract did not cover lights or netting for the field.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept approve contract to North Turf, Inc. for the project at Fowler School field in the amount of \$ 283,500.00.

Voted: *Motion carried unanimously.*

Mr. Amico indicated he received the MASSDOT contract for the Complete Streets projects to be resent with a request to extend the contract. The Town received that extension and the contract needs to be resigned by chair of the Board.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to amend the MASSDOT contract until June 30 2020 for Complete Streets.

Voted: *Motion carried unanimously.*

11. Discuss Development Agreement and request a board member to join this working group

Mr. DiSilva received an email regarding MacDonald Development projects asking to have a working group to work out all the issues for both 42 Summer Street and 115 Main Street. This request in front of us tonight only has the 42 Summer Street request.

Mr. Gavin commented that only smaller projects should be addressed by working groups, and not the larger projects in town.

Mr. DiSilva asked the Town Administrator to have on the next agenda to work out some of the details for the project. Ask Mr. Bill Nemser to attend the next meeting.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to nominate Mr. Diarbekirian as a member of the development agreement working group for 42 Summer Street.

Voted: *4-0-1 (Mr. Diarbekirian abstained).*

12. Brief Discussion on Town Meeting

Mr. DiSilva asked if we had received any invoices regarding the Green Meadow School. Mr. Johnson said his office had not yet received invoices at this time regarding abatement work the Green Meadow School.

Only one article at Town Meeting did not pass: Article # 11 to Amend By-Law Chapter 39, Section 1, Marijuana License Limit.

Board agreed they liked the book that was prepared for the podium at Town Meeting that included motions and presentations.

Mr. DiSilva commented that we might have a Special Town Meeting in the fall.

13. Town Administrator Report

Mr. Johnson commented that with Mr. Miklosko departure we need to formally appoint Tim Mullally as the Acting DPW Director. This is dictated by the union contract, but the appointment still lies with the BOS.

The Charter and Bylaws are silent as to the appointments of “Acting” or “Interim” Directors but there are a couple of examples of “Acting Town Accountant” and “Acting Town Clerk” both appointed by the BOS.

A motion was made by Mr. DiSilva and seconded by Ms. St. John to appoint Tim Mullally as Acting Department of Public Works Director, per union agreement guidance.

Voted: *Motion carried unanimously.*

Mr. DiSilva commented that the Board should discuss the role of DPW Director going forward.

Mr. Johnson indicated that two unions are in negotiations and will up keep the board informed as they move along: LIUNA DPW Laborers and the Professional Staff.

As a reminder for liquor license holders, per state guidance for Off-Premises Licensees: may not sell or deliver alcoholic beverages until 12:00 noon on Monday, May 27, 2019, Memorial Day.

On-Premises Licensees may not sell or deliver alcoholic beverages until 12:00 noon on Monday, May 27, 2019, Memorial Day.

14. Chairman's Report

Mr. DiSilva asked who has the Boston Post Cane title.

Mr. DiSilva and Ms. St. John attended the Maynard Educational Foundation Association (MEFA) recent event.

A Town Administrator review was passed out to Board members to fill out and get back to the Chair. Mr. DiSilva announced that only the final review would be public.

Mr. DiSilva commented that the recent "ZagFest" event another good event in town.

15. Board Member Reports

Mr. Gavin commented that the Senior Projects will be on display at Maynard High School that evening. Mr. Gavin plans to speak with Police Chief DuBois about an online market physical exchange safe zone here in Maynard. This covers the new way to buy and sell products online.

Mr. Diarbekirian added no comments.

Ms. St. John shared some of the events she attended in the past week, including: Maynard High Senior Project presentations; MEFA event; WAVM banquet; and Maynard High School band events.

Ms. Levine-Piro commented regarding the property owners down town, specifically concerning rents being charged along with triple net leases. She does not know if the town has any authority, and that it is an issue for the tenants. Mr. Johnson commented that his aware of this issue and tenants' concerns. Mr. Johnson will ask Assistant Town Administrator, Ms. Zammuto, to talk with the property owners. Mr. Diarbekirian volunteered to help with those meetings.

16. Adjournment

A motion was made by Mr. DiSilva and seconded by Mr. Gavin to adjourn the meeting at 8:20 p.m. Voted: Motion carried unanimously.

Approved: 7:06 pm

Date: 6/4/19


Melissa Levine-Piro, Clerk/Selectman

Initials: bjm