



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, August 27, 2019**

Town Hall, Room 201

*(This public meeting was recorded.)*

**Present:**

Armand Diarbekirian, Selectman

Chris DiSilva, Chairman/Selectman

David Gavin, Selectman

Melissa Levine-Piro, Selectman

Justine St. John, Selectman

Gregory W. Johnson, Town Administrator

Megan Zammuto, Assistant Town

Administrator

Becky Mosca, Administrative Assistant

**1. Executive Session**

Temporary Town Clerk Employment Agreement:

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to enter Executive Session to conduct negotiations with nonunion personnel.

Second: Ms. St. John

Vote: Roll Call

Member	In Favor	Opposed	Abstained	Not Present
DiSilva	<u>  x  </u>	—	—	—
Levine-Piro	<u>  x  </u>	—	—	—
Gavin	<u>  x  </u>	—	—	—
St. John	<u>  x  </u>	—	—	—
Diarbekirian	<u>  x  </u>	—	—	—

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

Closed the Public Hearing at 6:39 pm.

***Mr. Diarbekirian arrived at 6:40 pm.***

**2. Re-Open Meeting**

Public Comments:

Mr. Elliot Prisby, resident, addressed the board as a representative from “Maynard Welcomes You”. This group formed back in 2016. They are based on respect, safety and welcoming to all folks that come to Maynard. This group hopes the board will stand with them.

### 3. Acceptance of Minutes

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to accept and approve the August 6, 2019 Meeting Minutes, as shown.

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian** to accept and approve the August 8, 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 seven correspondence items (A thru G), as presented.

- A. Metropolitan Area Planning Council (MAPC) Smart Growth and regional collaboration in the FY2020
- B. Update on the re-positioning of Dawn Grove Family Federal Public Housing Development
- C. MPO Election announcement 8-19-19
- D. MPO Election nomination form
- E. MPO Letter August 2019
- F. Maynard Golf Report for July 2019
- G. Distribution Memo - Request

Ms. St. John asked about filling out the Boston Region Metropolitan Planning Organization (MPO) election forms. Mr. Johnson said the board could fill them out if they so choose. (Item D.)

Mr. DiSilva commented that the golf report indicated that the rates would be changing and asked if Mr. Johnson could find out what other municipal course charged around the area.

Voted: *Motion carried unanimously.*

### 5. Consent Agenda

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

- a. Annual Back to School Picnic at Crowe Park on Friday, September 6, 2019, this event will start right after the Soccer program ends.
- b. Revised – Addition One-Day Permit Request for Reo Park Playground on Monday, September 2, 2019, 12:00 noon to 2:00 pm

Voted: *Motion carried unanimously.*

**6. 7:10 pm Public Hearing for New Restaurant License**

Request to consider approval for a New Retail Restaurant License on premise for All Alcohol Beverages as a Common Victualler license for Paulista Pizza Inc. d/b/a Maynard Pizza House with Managers Peter Doncel and Vanessa DePaula at 149 Main Street.

Legal Notice:

Notice is hereby given, in accordance with Massachusetts General Laws Chapter 138, as amended, that a Public Hearing will be held on Tuesday, August 27, 2019 at 7:10 p.m. in the Michael J. Gianotis Meeting Room (No. 201) at the Maynard Town Building on the application for a New Retail Restaurant License on premise for All Alcohol Beverages as a Common Victualler license for Paulista Pizza Inc. d/b/a Maynard Pizza House , Managers Peter Doncel and Vanessa De Paula at 149 Main Street, Maynard, MA. Copy of application is on file in the Office of the Selectmen.

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to approve the new liquor license to Paulista Pizza Inc. d/b/a Maynard Pizza House 149 Main Street Maynard on the condition that the monitored fire protection on the building is back up and working.

Mr. Gavin asked that all members at the Maynard Pizza House have the TIPS training.

Fire Chief had concern that the monitored fire protection on the building was vandalized. This reportedly happen by a tenant. The property owner is correcting the repair.

Per the Quota, Maynard has (2) available full restaurant licenses.

Vote: Roll Call

Member	In Favor	Opposed	Abstained	Not Present
DiSilva	<u>  x  </u>	—	—	—
Levine-Piro	<u>  x  </u>	—	—	—
Gavin	<u>  x  </u>	—	—	—
St. John	<u>  x  </u>	—	—	—
Diarbekirian	<u>  x  </u>	—	—	—

Voted: **Motion carried unanimously.**

Closed the Public Hearing at 7:25 pm.

**7. Request for One-Day – Beer Garden Events**

Request for Beer Garden Events for Saturdays and Sundays from 12:00 noon pm to 8:00 pm weather depending, through the month of September 2019 at 58 Main Street.

**A motion was made by Mr. DiSilva and seconded by Mr. Gavin** to amend and approve the One-Day Licenses to Richard Barron of 73 Great Road in Maynard for group of dates as follows: 9/7, 9/8,

9/14, 9/15, 9/21, 9/22, 9/28, and 9/29 with rain dates of October 12<sup>th</sup>, and 13<sup>th</sup> at 58 Main Street in the alleyway for a Temporary Beer Garden as shown.

Chief DuBois agreed to meet with Allen Quinn and Richard Barron after the first weekend with the Beer Garden and talk over any issues at this property.

Voted: *Motion carried unanimously.*

**8. Request for One-Day – Event for use of Street space use during the Maynard Fest event for a One-Day expanded License.**

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the One-Day License request from Allen Quinn for Beer Garden with All Alcohol and Entertainment on Maynard Fest Day, Saturday, October 5, 2019 from 10:30 am until 3:30 pm located at 76 Main Street out on public way as shown.

Police have no issues with this event.

Voted: *Motion carried unanimously.*

**9. Request to expand hours on Sundays from 12:00 to 8:00 pm – currently on Sundays it is 6:00 pm closing time, Amory Tomb 76 Main Street**

Allen Quinn, owner, made request to stay open on Sundays for two additional hours.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the expanded hours for ATBC LLC d/b/a Amory's Tomb Brewing CO. at 76 Main Street on Sundays from 6:00 pm to 8:00 pm. The new hours on Sundays would be 12:00 noon to 8:00 pm as shown.

Voted: *Motion carried unanimously.*

**10. Request to extend hours on Sundays at the Pleasant Café 36 Main Street**

Frank J. Dzerkacz, owner, requested to open two hours early on Sundays.

Pleasant Café has added new hours on Sundays for breakfast starting at 7:00 am.

A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to accept and approve the change on the Sunday alcohol hours at Pleasant Café 36 Main Street, Maynard, MA. To 10:00 am, time was noon.

Fire and Police have no issues with this request.

Voted: *Motion carried unanimously.*

**11. Request for One-Day Event on Maynard Fest Day for the Pleasant Café 36 Main Street to expand space**

Frank J. Dzerkacz, owner, present to answer inquiries from the Board.

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to accept and approve the One-Day License for expanded space on Public Way for the Pleasant Café 36 Main Street on Saturday, October 5, 2019 from

Maynard Fire and police have no issues with this event.

Voted: *Motion carried unanimously.*

**12. Request for One-Day Event during the Maynard Elks Family Day, Saturday, September 28, 2019**

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to approve the One-Day License for the Maynard Elks Family Day and 90<sup>th</sup> Birthday Celebration at 34 Powder Mill Road, Maynard on Saturday, September 28, 2019.

Mr. DiSilva requested that the Town Administrator's Office prepare a proclamation for the Maynard Elks 90<sup>th</sup> Birthday Celebration. Ms. Levine-Piro said she would attend.

Voted: *Motion carried unanimously.*

**13. Temporary Town Clerk Appointment**

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to approve the Temporary Town Clerk Employment Agreement with James Mullen, effective September 3, 2019, and shall be in full force and effect until discontinued by the Board of Selectmen, per agreement.

Mr. Johnson indicated that town staff would begin developing the recruitment and hiring process to fill the position of Town Clerk.

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to approve and appoint James G. Mullen, Jr. as Temporary Town Clerk, effective September 3, 2019.

Voted: *Motion carried unanimously.*

**14. Director of public Works Appointment**

No start date for Mr. DeMarco as the contract is not finalized.

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to approve and appoint Justin DeMarco as Director of Public Works; the date is yet to be determined.

Mr. DiSilva, welcomed Justin to Maynard and said that she is looking forward to working with him. Mr. Johnson commended the town's Human Resources Coordinator Stephanie Duggan and her work to find this candidate and the group to do the final interviews.

Mr. Gavin asked several questions regarding the position. Mr. DeMarco responded in kind.

Voted: *Motion carried unanimously.*

**15. New Appointments and add to scope of work for the Coolidge School Working Group**

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to appoint Lydia Clancy, Everose Schluter and Adam Conn to the Coolidge School Property Working Group with a term December 31, 2020.

Ms. St. John asked why they were adding to this committee. Linde Ghere, chair of the Coolidge School Working Group responded that they needed membership to continue the work of developing the disposition of the property and managing its transfer to a new owner.

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to amend charge for the Coolidge School Property Working Group, as presented.

Mr. DiSilva read into the record the amended charge:

The scope of work for the Coolidge School Working Group will expand to include reviewing, rating, and selecting the proposal that best meets the purchase and adaptive reuse goals of the Coolidge School Request for Proposal that was issued by the Town of Maynard on August 1. The CSWG will then bring that recommendation forward to the Board of Selectmen. If no viable proposals are received, the CSWG will communicate that recommendation as well.

The CSWG will help to communicate and educate town residents regarding the selected proposal. Upon request, the CSWG will help to fine tune the article sponsor comments and PowerPoint slides to be used at Special Town Meeting.

The CSWG will also assist in explaining and garnering community support during Planning Board and Zoning Board of Appeals meetings that will be held regarding the ANR lot, lot dimensional requirements, building setbacks and parking lot setbacks.

Finally, the working group will also serve in an as-needed advisory capacity to help the Town once a sale has been finalized. This may include helping with some background information needed for the developer and Town of Maynard to apply for a Community Development Block Grant through the State of Massachusetts or advising the developer or Town so that the original intent of the RFP goals are honored.

The Community Development Block Grant submission date is March 1, 2020, so the work of the Coolidge School Working Group is extended through that date.

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to extend the terms for the following members to Linde Ghere, Donna Dobson, Vicky Stevens, to December 31, 2020.

Voted: *Motion carried unanimously.*

**16. River Access for Markings**

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to approve access by David Mark to the Assabet River in order to place paint river-height markings adjacent to the Main Street bridge at 125 Main Street, pending requester's consent to indemnify the town and adhere to guidance from town officials.

Mr. Johnson will produce the form that Mr. Marks will need to sign for the town.

Voted: *Motion carried unanimously.*

**17. Cannabis Application Review and Approval**

Ms. Zammuto posed three questions for the Board's consideration:

- 1) New Cann would like to hold off on a business location listed on the HCA. – Board requested this be moved off to September 10, 2019 for vote.
- 2) New Cann would like a self-serving display within the business.
- 3) New Cann Group would like a vending machine within the business.

Board, NewCann Group, and Town discussed the location or no location HCA and agreed to bring back to the meeting of the 10<sup>th</sup> of September.

**Maynard's Marijuana Retailers Rules and Regulations**

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro** to accept the Marijuana Regulations for Retail Establishments as presented.

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian** to accept the Marijuana Regulations for Non-Retail Establishments as presents

Voted: *Motion carried unanimously.*

**A motion was made by Mr. DiSilva and seconded by Mr. Gavin** to accept and approve the Cannabis Control Application as presented.

Voted: *Motion carried unanimously.*

**18. Cultivation Experts, LLC**

Stephen Farr and Gabriel Medine, both from Cultivation Experts LLC, attended.

Mr. Farr located a location that he could have a 20-year lease on the location. He would work with a local architect on the build out at this location. His plan is by appointment only at this location.

Board has many concerns with the location so close to one of the businesses that they already approve a Host Community Agreement. Board asked to have back on the agenda for September 17, 2019 to review if they want to give out any more licenses at this time.

### **19. Proposed Citizens Petition**

Chief DuBois and Lt. Noble from the Maynard Police Department have reviewed a proposed Citizens' Petition that pertains to naming the town as a "Welcoming Maynard". The proposed petition outlines recommendations to the Board of Selectmen to establish a new policy that pertains to the police department's responsibilities relative to a suspect's nationality. The department's representatives have concerns as Maynard has accreditation with their current rules and regulation. They are one of 80 communities that have this status. Lt. Noble commented that per their policy most of the items are in the proposal just worded a little differently.

A group from "Maynard Welcomes You" along with many other attendees spoke at this meeting, all having concerns.

Board asked to form a Human Relations Committee. Add back on the agenda for September 17, 2019.

### **20. List of Articles for Special Town Meeting**

**A motion was made by Mr. DiSilva and seconded by Ms. St. John** to approve the revised meeting schedule of the Board of Selectmen, as presented.

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

Mr. Diarbekirian is unavailable to meet on both September 3<sup>rd</sup> and September 10<sup>th</sup>.

The Board reviewed the draft list of proposed articles for Special Town Meeting scheduled for October 28, 2019.

### **21. 115 Main Street Proposed Development Impact on Municipal Parking**

Request to review and provide direction regarding the processing of the request to reconfigure the municipal parking lot adjacent to 115 Main Street. As a public lot, the Board of Selectmen are the municipal owners. However, the development of the property will be reviewed by the Planning Board. The MacDonald Group, who own and will be developing 115 Main Street, provided a recommended alteration to the municipal parking conditions abutting the property, and provided a diagram to that effect. The Board asked questions regarding the lot sizes, both current and proposed. The Board had no objections to allowing the Planning Board review the proposed alterations.

### **22. Establishment of Fire Station Building Committee**

**A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian** to approve the charge for a Fire Station Building Committee as provided.

The Board discussed the Town's capital needs and how to prioritize the fire station. They discussed the potential availability of state aid. The Board also discussed the potentially installing a temporary sign with a rendering of the fire station. The Board decided to revisit this idea when the timeline for the building was determined.

Voted: *Motion carried unanimously.*

### **23. Town Administrator Report**

Town Administrator Gregory Johnson discussed the railing installation at Veterans Memorial Park. The hope is that the project is finalized prior to the Library concert on Thursday, August 29<sup>th</sup>. Mr. Johnson discussed the work of the Budget Sub-Committee in determining ways to manage the \$172,000 shortfall for FY20. Both the School and the Town are looking for ways to assist with this shortfall.

### **24. Town Administrator Review**

A, Town Administrator Review – Gregory Johnson

Mr. DiSilva summarized the content of the Town Administrator's performance review. Board members filled out a rating form, and Mr. Johnson met the job standards in all categories. Mr. DiSilva noted that overall, it is a good review, there are some shortcomings, which have been discussed, but the Board appreciates high character, professionalism and enthusiasm for the position. Mr. Gavin mentioned that there are things that Mr. Johnson needs to develop and learn. He encouraged Mr. Johnson to give his opinion and recommendations going forward.

### **25. Chairman's Report**

**A motion was made by Mr. DiSilva and seconded by Ms. Levine-Piro to approve the goals for Fiscal 2020 of the Board of Selectmen, as presented.**

Voted: *Motion carried unanimously*

### **26. Board Member Report**

Mr. Diarbekirian requested to discuss trash stickers at the next Board of Selectmen meeting.

Mr. Gavin expressed well wishes to the School Department as the school year begins. He discussed the vandalism that occurred Sunday evening and felt that the way the community rallied around the businesses is a testament to what the community is really about.

Ms. Levine-Piro asked to be apprised of the vandalism situation, as details become available.

Ms. St. John echoed Mr. Gavin's comments regarding the beginning of the school year. She discussed the upcoming Hometown Hero's meeting and Budget Subcommittee meeting.

### **27. Adjournment**

**A motion was made by Mr. DiSilva and seconded by Ms. St. John to adjourn the meeting at 11:40 p.m.**

Voted: *Motion carried unanimously.*

Approved: F: dpm

Date: 9/17/19

Initials: bjm



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*Melissa Levine-Piro, Clerk/Selectman*