



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, January 28, 2020

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, absent

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

1. Meeting Opening

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to enter executive session to conduct strategy session in negotiations with collective bargaining and non-union personnel, as an open session may have detrimental effects on the bargaining position of the town.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

2. Executive Session

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to adjourn to executive session to discuss strategy with respect to collective bargaining or litigation as an open meeting may have a detrimental effect on the bargaining or litigating position of the public body.

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

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

Closed Executive Session at 7:00 pm

3. Re-Convene Open Session

A. Pledge of Allegiance

B. Public Comments: Mr. Tommaso Tempesti, resident, commented that he has a 64 gallon trash barrel and would like to continue to use this as he has small children. Mr. DeMarco, Town of Maynard Director of Public Works, let him know that will not work as the town has rules that

need to be followed with the 32-gallon barrel for trash pick-up along with a \$4.00 trash sticker.

4. Acceptance of Minutes

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve the January 7, 2020 Meeting Minutes, as shown.

Voted: **Motion 3-0-2 (M. Levine-Piro absent) (Mr. DiSilva abstain)**

5. Correspondence

Mr. DiSilva, Chair of the Board of Selectmen, presented Mr. Lorne Bell, resident of Maynard, with a proclamation from the Town of Maynard in recognition with helping to get Maynard a Menorah for Memorial Park.

State Representative Kate Hogan also gave Mr. Lorne Bell a citation from the state legislature.

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

- A. Proclamation in recognition to Lorne Bell
- B. Chapter 90 Apportionment for Fiscal Year 2020 is \$293,469.00
- C. MASS_DOT Bridge replacement Carrying Florida Road over the Assabet River
- D. MASS-Dot National Bridge inspection Standards reports
- E. Massachusetts School Building Authority / Green Meadow Elementary School Education Profile Questionnaire and Vote Information
- F. Green Meadow Est. Maynard – Building Envelope Study Report
- G. 2019 Maynard Golf Course Revenue Update Year End Report December 31, 2019
- H. Letter from the Littleton Board of Selectmen regarding House Bill 3507
- I. Keep Massachusetts Beautiful network of local chapters
- J. Notice from Massachusetts Department of Agricultural Resources now accepting grants
- K. Notice from the Town of Hudson regarding pole location hearing with NSTAR – Electric
- L. Xfinity update – transitioning responsibilities as the Comcast Government Relations Manager
- M. Maynard High School requests support for Scholarship
- N. Notice Assabet Valley Chamber Annual Spring Fling Event March 27, 2020

Ms. St. John commented about item (C.) MASS_DOT Bridge replacement on Florida Road over the Assabet River: Do the town have the abutters list to know who the property owners are and what this might cost the town? Ms. Zammuto said that we had the list and is working out the details at this time.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

6. Consent Agenda

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

- A. Reappoint Chris Butler to the Master Plan Steering Committee
- B. Annual Contract renewal for Sugar Maple at Maynard Golf course

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

7. Appointment Request and Interview, Historical Commission

A motion was made by Mr. DiSilva and seconded by Ms. St. John to approve Ann Gibson as an Alternate Member to the Historical Commission with a term June 30, 2022.

The Maynard Historical Commission supports this appointment and has an open slot for an alternate member as reported by Jack MacKeen, Chair of Historical Commission.

Ms. St. John asked about her interest. Ms. Gibson moved to Maynard in 2012 has two kids in the Maynard School. She works in Concord at the Concord Historical Museum, and has a history background.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

8. Public Hearing at 7:15 pm Liquor License Application

Town received application for Wine and Malt liquor license from Steven Trumble, Fine Arts Theater, 19 Summer Street with Willard Collura as Manager of record and the General Manger at Fine Arts Theater. Mr. Trumble and Willard Collura attended meeting and gave input to plans once the new license is approved.

Notice is hereby given, in accordance with Massachusetts General Laws Chapter 138, as amended, that a Public Hearing will be held on Tuesday, January 28, 2020 at 7:15 p.m. in the Michael J. Gianotis Meeting Room (No. 201) at the Maynard Town Building, 195 Main Street, Maynard, MA. on the application for a New Retail Restaurant License on premise for Malt and Wine Alcohol Beverages as a Common Victualler license for Fine Arts Theatre, LLC. d/b/a Fine Arts Theatre Place, Manager Willard Collura at 19 Summer 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 Mr. Gavin to approve the general on premise wine and malt beverages at Fine Arts Theatre LLC doing business as Fine Arts Theatre Place 19 Summer Street Maynard, MA. 01754 with Manager Willard Collura.

Maynard Fire Department requested crowd control certification. Police Department requested to include that at the end of each show there needs to be a staff member monitoring as the people exit without alcohol. In addition, that all servers must be TIPS certified. Building Commissioner had no issues once they received their yearly inspection for occupancy.

Mr. Collura, the planned manager, indicated that they plan to have a two-drink limit for the theater.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

9. Discuss MS4 Permit with Lori Kennedy

MS4 (municipal stormwater planning) was presented by Lori Kennedy, Water Resource Engineer with Vanasse Hangen, Brustlin, Inc. (VHB). An overview of the town's plans and execution to address the MS4 and drainage permit was presented for the Board's consideration.

10. Maynard as a Canvas

Town received this request from the Maynard Cultural Council, as provided by member Andy Moerlein.

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to approve endorsement of Cultural Council's application for a grant from Mass Development's Commonwealth Places program.

Mr. Jeff Swanberg, Chair of the Maynard Cultural Council, attended the meeting and gave details to the grant and plan for the mural in the basin parking lot retaining wall near Memorial Park. This grant will cover 50% of the cost. One of the plans to raise extra money will be a Go Fund Me account.

Board agrees to support this application, and authorized the Town Administrator to submit a letter of endorsement on their behalf.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

11. Cannabis Manufacturing Discussion

Rebecca Caira-Davila, High Beams Botanicals Founder/CEO, is interested in locating their cannabis manufacturing business in Maynard.

A motion was made by Mr. DiSilva and seconded by MR. Diarbekirian to request the Town Administrators Office to begin negotiations with High Beans Botanicals to develop a Host Community Agreement.

High Beams Botanicals is interested in locating their cannabis manufacturing business in Maynard. With the Board's approval, staff will work with Town Counsel to develop a draft Host Community Agreement for the Board's consideration.

High Beams Botanicals has met with town staff and discussed their business plan with the Economic Development Committee on December 12, 2019.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

12. Code of Ethics

Per the direction of the Board of Selectmen, Town Counsel provided a draft Code of Ethics and enforcement policies for the Board of Selectmen to consider adopting.

The Board may adopt, revise or re-consider.

Town Counsel attorneys in attendance included Alex Castro and Kate Feodoroff.

Board members had concerns with enforcement penalties, specifically who investigates and how much authority the chair holds in this matter and to what penalties shall be imposed.

The Board continues the topic when Town Counsel provides a revised draft to address their concerns.

13. LIUNA Professionals CBA FY20-22

A motion was made by Mr. DiSilva and seconded by Mr. Gavin to approve, and consent to the Town Administrator's signature of, the LIUNA Professional Personnel Collective Bargaining Agreement Memorandum of Agreement (MOA), effective July 1, 2019 and ratified by vote of LIUNA Professional Personnel Union membership on December 19, 2019.

Voted: **Motion 4-0-1 (M. Levine-Piro absent)**

14. Discuss and Review draft controls and approve as articles

Draft Town Meeting Warrant Article Controls "Y" and "Z" proposed from the By-Law Committee, as reviewed by Town Counsel, were considered by the Board.

The Board continued the item to the next meeting per Board request that Mr. Kohlman, from the By-Law Committee, attend to answer a few questions.

15. Budget submission for Fiscal Year 2021

Mr. Johnson recommended the School Committee provide the Board of Selectmen with their preferred course of action in response to the recently received Green Meadow Elementary School roof assessment report.

Mr. Johnson reported that he received a capital request from Maynard Public School department to fund the installation of Smart Projectors for \$27,000 at the Green Meadow Elementary School.

The Board can consider budgeting for this request using Capital Stabilization. Mr. Johnson provided a revised Capital Improvement Plan reflecting this option.

Sterling Golf Management was requested to submit payment of \$13,000 in accordance with their contract and in review of financial reporting. This money funds golf course and club capital needs, in coordination with the Director of Public Works.

Governor Baker released his Fiscal Year 2021 state budget on January 22, 2020. Local aid to Maynard is minimal increase over FY20.

At Massachusetts Municipal Association (MMA) Annual Conference, the town's health insurance provider, MIIA, announced the average rate increase for FY21 to be 3.7% amongst its pool (hundreds of client groups). The TA Office is not expecting the rate increase for the Town of Maynard to be reported until late February.

Mr. Gavin mentioned that a rumor indicated one of the schools had a running water issue. Additionally, one of the school areas had no heat. Mr. Johnson will look into this matter.

Mr. Diarbekirian asked if we had costs on the roof for Green Meadow School. Mr. Johnson indicated that yes and that it are on the School Committee agenda for this Thursday night.

16. Town Administrator Report

Requested signature for New Retail Restaurant License for Maynard House of Pizza, as it was approved by the Selectmen on August 27, 2019.

Requested approval of a proclamation in recognition of the retirement of Nancy Brooks, Fire Department Administrative Assistant, after thirty years of service to the town.

Mr. Diarbekirian wanted to know if the Maynard Business Alliance is in support of the proposal to construct the new Fire Station and the costs to tax payers. Mr. Johnson replied that the MBA was receptive to the proposal.

Mr. Diarbekirian inquired to the status of the agreement to share a facilities manager position with the School District and the town. Mr. Johnson indicated it was still in negotiations.

17. Chairman's Report

Mr. DiSilva wanted to know that status on the Fire Station Building Committee members stand. Mr. Johnson said he needs one more candidate to hold a quorum for this committee. Mr. DiSilva relayed the concerns from the owner of the "Flower Pot" that parking spaces in front of her storefront were occupied too long and therefore preventing access for her own customers. Mr. DiSilva remarked on the forthcoming scheduled meeting to discuss Fowler Field. He noted that if a quorum of the Board were to attend, it would be appropriate to publicly post a meeting of the Board for the occasion. Mr. DiSilva reminded the audience that the Joint Budget Review is scheduled for Saturday, February 8, 2020.

18. Board Member Reports

Mr. Diarbekirian noted that the town's Master Plan is nearing completion.

Mr. Gavin is disappointed in the developers of Maynard Crossing at 129 Parker Street for the recent violation of the terms of the Decision for the construction activities at the site. He remarked the actions were disrespectful to the town.

Ms. St. John reported that the Budget Subcommittee met recently but not again until after the Joint Budget Review meeting on February 8th. She added that the group's direction may focus on revenue for the town. She reported on her notes from the recent Massachusetts Municipal Association (MMA) Annual Conference. Her experience was remarkable because of the vendors at the trade show and the perspective shared by other towns. She took some comfort in hearing from other towns' and that their struggles paralleled Maynard's. She also reported that trade show vendors, some representing state agencies, spoke highly of Maynard, specifically in the town's pursuit and accomplishment through grant programs. Additionally, she remarked on her support to consider a Town Charter revision to change the Board of Selectmen's title to Select Board, or some other gender-neutral name. Mr. Johnson responded that the upcoming ten-year review of Town Charter is an opportunity to make such a change.

19. Adjournment

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to adjourn the meeting at 9:55 p.m. Voted: *Motion*

Approved: 7:07 pm

Date: 2/4/2020

Initials: bjm



~~Justin St. John, Temporary Clerk/Selectman~~
Melissa A. Levine Piro