



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, November 17, 2020

Held Remotely

(This public meeting was recorded.)

Present:

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

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

1. Meeting Opening

- A. Ms. St. John called the meeting to order at 6:30 pm.
- B. **A motion was made by Ms. St. John and seconded by Mr. DiSilva** to enter into executive session for the following purpose:

To consider the employment agreement for the Town Planner, as an open meeting may have a detrimental effect on the negotiating position of the public body.

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

2. Executive Session

- A. Conducted Executive Session
- B. Executive Session minutes: November 4, 2020

3. Re-Convene in Open Session

- A. The Board re-convened in Open Session at 7:00 pm.
- B. Ms. St. John read the following statement:

“I wanted to take a moment to acknowledge the passing of Town Treasurer/Collector Cheryl Kane. As most of you may know, tonight we were supposed to celebrate her upcoming retirement this Friday. I, personally, am heartbroken that we are not able to do that tonight, and I’m sure my board members feel the same way. Cheryl was here for just over 8 years, and in that time played a crucial part in putting Maynard on the path towards a culture of fiscal responsibility that we continue to strive for today. She was always honest, fair and kind, and sensitive to the needs of those in the community. She constantly had the best interest of the town and residents in mind and would advocate for them tirelessly. Cheryl was an incredible person whom I have only had the honor of knowing for a few years, so I asked a few people in town hall what they would

say about her. She was incredibly kind and patient. She was known as a calm, consistent leader, even in times of chaos. She was a true professional and a great friend to many.

We did discuss postponing this meeting tonight out of respect for Cheryl and those who knew her so well, however with the time sensitive Tax Classification Hearing on the agenda, we think she would have wanted the business of the town to go on-but before we do that, please join me in a moment of silence before we continue with the meeting.”

4. Acceptance of Minutes

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve the November 4, 2020 Meeting Minutes, as shown. Authorizing use of digital signatures if approved.

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

5. Correspondence

A motion was made by Mr. Swanberg and seconded by Mr. DiSilva to accept the list of five correspondence items (A thru J), as presented.

- A. Notice from the Alcoholic Beverages Control Commission regarding Happy Hour Regulations
- B. Notice from the Alcoholic Beverages Control Commission regarding Mandatory Period for Licensees and Easing of Certain Renewal Requirements
- C. Maynard received Grant from State for Recycling Dividends Program through the Sustainable Materials Recovery Program
- D. Notification Pursuant to the Massachusetts Contingency Plan Phase 1 – Initial Site Investigation and Tier 1 Classification
- E. Maynard Financial Audit Report Year End June 30, 2020
- F. Maynard Management Letter Audit Year End June 30, 2020
- G. Recovery Action Plan Letter and Agreement for Housing Authority
- H. MAGIC Fiscal Year 2021 Work Plan July 1, 2020 – June 30, 2021
- I. Xfinity RE: Launch of BNC and JBS HD
- J. Update Nov 12 2020 Rep Kate Hogan

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

6. Consent

A motion was made by Mr. Gavin and seconded by Mr. Swanberg to approve the consent agenda items A thru C as present. Authorizing use of digital signatures if approved.

- A. 2021 Liquor License renewal
- B. Winter Parking Policy
- C. Cemetery Deed 2071

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

7. Retail Alcoholic Beverage License Change of Hours

A motion was made by Mr. Diarbekirian and seconded by Mr. DiSilva to approve the revised retail alcoholic beverage license for a change of hours for Evviva Trattoria, 5 Digital Way. Authorizing use of digital signatures if approved.

Application already approved by the Board of Selectmen on November 4, 2020.

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

8. Common Victualler License Application

A motion was made by Mr. Gavin and seconded by Mr. Swanberg to approve the Common Victualler application for license for Great Gold, 6 Digital Way, as presented. Authorizing use of digital signatures if approved.

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

9. Maynard Tax Hearing

A. Fiscal Year 2021 Tax Classification

Angie Marrama, Chief Assessor, presented an overview of the recommendations of the Board of Assessors and Ms. Marrama. The Board considered the recommendations and information provided by Ms. Marrama and representatives of the Board of Assessors.

A motion was made by Ms. St. John and seconded by Mr. DiSilva to vote to close public hearing 8:02 pm.

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

B. Classification Shift Vote

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to approve the Commercial Industrial Property (C.I.P.) and residential tax rates with a % shift 1.29%. Authorizing use of digital signatures if approved.

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

C. Residential Exemption Vote

A motion was made by Mr. Gavin and seconded by Mr. DiSilva to vote **NO** to the residential exemption, Authorizing use of digital signatures if approved.

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

D. Small Commercial Exemption Vote

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to vote **NO** to the small commercial exemption. Authorizing use of digital signatures if approved.

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

10. Disposition of Surplus Inventory

A motion was made by Mr. Swanberg and seconded by Mr. DiSilva to declare one (1) 1984 International Dump Truck VIN# 1HSZJJURXEHA69039 AS SURPLUS, to be disposed of in conformance with procedures of M.G.L. Chapter 30B, and Town policy. Authorizing use of digital signatures if approved.

As the vehicle is beyond the useful life for the Department of Public Works, per the Town Administrator's disposition of surplus inventory procedures, approval by the Board is required for the truck's disposition. Vehicle 36 years old

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

11. Housing Production Plan

Alex Koppelman of the Metropolitan Area Planning Council (MAPC) gave a brief update and showed a presentation on the status of Maynard's Housing Production Plan update.

12. 42 Summer Street

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to approve the First Amendment to the Development Agreement for the 42 Summer Street project, as presented. Authorizing use of digital signatures if approved.

MacDonald Development is working to complete the items included in the July 15, 2019 Development Agreement (DA) for 42 Summer Street. Some items cannot be completed until they have an Order of Conditions from the Conservation Commission. The Order of Conditions cannot be issued until the Department of Environmental Protection (DEP) provides comments on the project. The plans were submitted recently to the DEP and the state has acknowledged that there is a backlog of projects, and it might be several weeks until they can provide comments. With the planting season ending shortly, the MacDonald's were concerned that they would not be able to complete the items on the DA list which could delay occupancy until the spring.

Town staff and MacDonald Development met to discuss options to both protect the towns interests and also provide occupancy to the building. With legal counsel's guidance, the group recommended a plan where MacDonald Development would be granted occupancy prior to the completion of the outstanding work on Thomas Street, but to also bond for the full amount to outsource the work. The town's contract engineering firm, VHB, provided an estimate in the amount of \$55,000. If for any reason the work is not completed by June 15, 2021 or 60 days after the Order of Conditions (whichever is later) the Town shall be permitted to move on the Bond in order to have the work completed.

This concept was discussed with members of the original Development Agreement working group, including Armand Diarbekirian, Chris DiSilva, Bill Cranshaw and Greg Tuzzolo. Members of the working group were comfortable with this approach, and staff worked with counsel to draft the attached amendment to the DA.

Any decision to amend the existing DA would need to be approved and signed by both the Board of Selectmen and Planning Board.

The Planning Board approved this amendment on November 10, 2020.

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

13. Approve Warrant for Special Election on December 16, 2020

A motion was made by Mr. Swanberg and seconded by Mr. Gavin to approve the warrant for the Special Election on December 16, 2020, as presented. Authorizing use of digital signatures if approved.

Mr. Gavin asked if someone did not request a mail in ballot that they will be able to call the Town Clerk's Office to make that request and receive a mail in ballot. Town Clerk Joanna Bilotta-Simeone said yes.

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

14. Town Planner Contract

A. Consider approval of Employment Agreement

A motion was made by Mr. Swanberg and seconded by Mr. Diarbekirian to approve the employment agreement for the Bill Nemser as Planning Director for a term of July 1, 2020 to June 30, 2023, as presented. Authorizing use of digital signatures if approved.

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

15. FY22 Budget Development

Mr. Johnson gave an overview of the status of the development of his proposal for the town's FY22 budget. Items of note include inclusion of the Governor's revised FY21 state budget figures regarding local aid to the town, an adjustment to projected revenue from sales tax collection from recreational marijuana, and the preliminary submission of town department's budget requests.

16. Town Administrator Report

Mr. Johnson encouraged the public to review his submission online.

17. Chairman's Report

Ms. St. John thanked town staff for their support of each other and the community amidst the loss of their co-worker, Treasurer/Collector Cheryl Kane.

Ms, St. John announced the production of a video highlighting the Hometown Heros Project and its first 46 banners being hung. She thanked the working group for their work, and she is very proud of all of them and their accomplishments.

Ms. St. John noted the change in title of the Board of Selectmen to Select Board is still awaiting final approval at the state level, following the Home Rule Petition submitted by Town Meeting to reflect this change in the Town Charter.

Ms. St. John reported that the COVID-19 numbers in Maynard have been going up. She advised the community to wear a mask, socially distance, and wash your hands and stop risky gatherings.

18. Board Member Reports

Mr. Gavin wishes all a Happy Thanksgiving. Mr. Gavin attended a Veterans Day event at Camellia Gardens residences and wishes to incorporate the veteran residents in future town-wide events and programs.

Mr. Diarbekirian commented on article he read in the Worcester Business Journal that reports Maynard as one of the fastest growing communities in the region. Mr. Diarbekirian attended the recent Economic Development Committee (EDC) meeting, and he thanked Town Planner Bill Nemser for his work on this committee, specifically citing the project to improve on Naylor Court. Mr. Diarbekirian commented that he is speaking with Art Space Maynard Executive Director Gerry Beck on potential public art installations. Mr. Diarbekirian reported that he is speaking with local designer Tim Hess on a vision for the Naylor Court area, and noted that the vision attempts to incorporate Master Plan concepts and goals. Mr. Diarbekirian added that the vision would receive input from stakeholders of Naylor Court eventually.

Mr. Swanberg thanked the town staff for their support of each other and the community amidst the loss of their co-worker, Treasurer/Collector Cheryl Kane.

Mr. DiSilva reported on the Human Relations Committee meeting of November 16, 2020. He reported that the committee is considering proposing a recommendation of a policy for the Board of Selectmen to adopt that implements an official reporting procedure related to efforts to address the need to rehabilitate the residences of Railroad Street.

19. Adjournment

A motion was made by Mr. Gavin and seconded by Mr. DiSilva to adjourn the meeting at 9:30 p.m. Voted: By roll call. Motion carried unanimously.

Approved: 10 - pm

Date: 12-1-2020



Jeffrey Swanberg, Clerk/Selectman

Initials: bjm