



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, February 16, 2021
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
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 Mr. Swanberg and seconded by Mr. DiSilva** to enter into executive session for the following purpose: To discuss the reputation, or character, rather than the professional competence, of a municipal employee.

2. Executive Session

- A. Conducted Executive Session
- B. Executive Minutes: February 2, 2021

3. Re-Convene in Open Session

- A. Open Public Session 7:00 pm
- B. Public Comments: Resident Veronica Zolina remarked on the agenda-listed Town Administrator's Evaluation. Ms. Zolina reported that she is an attorney and has done some work with the residents on Rail Road Street. Ms. Zolina indicated that she heard the Town of Maynard has a potential lawsuit against the owner/landlord of the residencies on Rail Road Street, and remarked that the town should consider the interests of the residents on Rail Road Street if any settlement were to result.

4. Acceptance of Minutes

A motion was made by Mr. Swanberg and seconded by Mr. Diarbekirian to accept and approve the February 2, 2021 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. Diarbekirian and seconded by Mr. DiSilva to accept the list of fifteen correspondence items (A thru O), as presented.

- A. Xfinity Form 500 Year End 2020 and programming change
- B. Verizon FIOS TV programming change
- C. Water and Sewer Rate changes and questions
- D. MAGIC Feb Meeting and Updates
- E. MAPC Matters and Updates for February 2021
- F. ABCC Advisory regarding increasing retailer's capacity limit to forty percent
- G. 12 Bancroft Street Winter 2021 Development updates from CIVICO
- H. MBTA Forging Ahead Service Proposal
- I. MBTA Advisory Board February 2021 Updates
- J. U.S. Census conducting Boundary and Annexation Survey
- K. Open Table, Inc. Status
- L. MDAR Eighth Biennial Harvest New England Agricultural Marketing Conference
- M. MDAR Mass Grown Exchange – Produce – Fish – Honey – Job Posting
- N. Alcoholic Beverages Control Commission Annual Reporting
- O. Letter to MARA response 2-2-2021 from Ms. St. John

Ms. St. John asked where Civico is with the sale for 12 Bancroft Street. Mr. Johnson said he would have a meeting on Feb. 17, 2021 and could share more information following.

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

6. Consent Agenda

A motion was made by Mr. DiSilva and seconded by Mr. Swanberg to approve the consent item as presented. Authorizing use of digital signatures if approved.

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

7. Sesquicentennial Steering Committee

Committee member Lindsay McConchie presented an overview of the committee's past and developing programming and activities, including a highlight of the Drive-in Movie that was a big hit last October, 2020.

The Board's favorable feedback included recognition of the delays required by COVID-19 and its impact to gatherings. The Board's guidance included acceptance of events and activities beyond the original expected year's worth, because the 150th anniversary could be celebrated as long as desired.

8. Athletic Areas and Parks

Justin DeMarco, Director of Public Works (DPW) asked the Board to consider updates to the rules and regulations concerning the town's fields, parks and grounds. Mr. DeMarco reported his intentions to present the same considerations to the School Committee.

Mr. DeMarco indicated that storm-water management is one of the driving forces to streamline the proposed updates.

9. Pavement Management Program

A motion was made by Mr. Diarbekirian and seconded by Mr. Gavin to approve the contract with Sunshine Paving Corporation for the FY21 town-wide paving project, in the amount of \$253,284.96, as presented. Authorizing use of digital Signatures if approved.

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

10. Annual Town Meeting: May 17, 2021

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept draft control BB, Amend By-Law Chapter 21; Nuisances as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept draft control CC, Amend By-Law Chapter 38; Marijuana Penalties as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept draft control DD, Amend By-Law 18; Handicapped Parking as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve draft control F, Sewer Enterprise Fund Budget Fiscal Year 2022 as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve draft control G, Water Enterprise Fund Budget Fiscal Year 2022 as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve draft control J, Sewer Retained Earnings as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve draft control V, Well 4 Treatment Plant, #4 Facility and process upgrade one million as shown move article forward to Finance Committee for review and comments.

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

A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian to accept and approve draft control W, Contract Maynard Municipal Golf Course as shown move article forward to Finance Committee for review and comments.

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

11. FY22 Budget Development

Mr. Johnson recommended incorporating the Governor's "House 1" FY22 budget proposal into the town's FY22 budget model, particularly highlighting the reduction in local aid revenue from a lower than projected Charter School Tuition Reimbursement level of funding. Mr. Johnson recommended budgeting for the full levy limit in revenue, as well as applying CARES ESSER II aid to offset the assessment from the Assabet Regional Vocational School, which combined would re-balance the town's budget model in response to the lower revenue projected by "House 1".

Mr. Johnson also reported having received the town's liability and property insurance premium renewal for FY22. The renewal calls for a 15% increase for FY22, which Mr. Johnson had already incorporated into the recommended FY22 budget. The renewal reflects 3-years of claims activity, which includes claims associated with Art Space flooding, Green Meadow Elementary School abatement and renovations, and Maynard High School roof leaks.

12. Board of Selectmen's FY21 Goals

The Board reviewed their FY21 annual goals and discussed progress. Overall, the sense of the Board was that progress is being made on all fronts. Implementation and oversight of the progress towards the goals of the town's Master Plan was on the forefront of the discussion. It was proposed to invite committees and departments to report on progress. It was also noted the positive progress in collaborating with the School Committee.

13. Finance Staff

A motion was made by Mr. Gavin and seconded by Mr. Swanberg to rescind the appointment of Gregory Johnson, Town Administrator, as from the position of Temporary Treasurer/Collector, effective immediately.

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

A motion was made by Mr. Swanberg and seconded by Mr. DiSilva to appoint Eric Kinsherb as Interim Town Accountant as of March 1, 2021, for an indefinite term.

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

14. Town Administrator Evaluation

Board members gave feedback regarding Mr. Johnson's FY20 (July 1, 2019 to June 30, 2020) annual evaluation.

15. Town Administrator Report

Mr. Johnson reported on progress planning the feasibility of a local vaccination clinic, but noted the changed guidance from the state. He reported that a fridge was ordered and received, and once all state registration was complete and the state approved, the town could place an order for doses. Town staff is working together to identify community's needs and the solutions to logistical and operational obstacles to offer a vaccine clinic.

Mr. Gavin remarked that the prospective land swap between property off of Winter Street and in vicinity of Acton Street/Rockland Avenue next to the state's laboratory should be examined, to ensure the terms and conditions of any proposed agreement is accurate and the full intentions of the proposal are known.

16. Chairman's Report

Ms. St. John thanked her fellow Board members, the Finance Committee and the School Committee, and all Staff that attended the February 13, 2021, Joint Budget Review meeting.

17. Board Member Reports

Mr. DiSilva thanked everyone for their participation in the Joint Budget Review meeting.

Mr. Swanberg thanked everyone for their participation in the Joint Budget Review Meeting. Mr. Swanberg remarked on the recent light and noise complaints by residents in relation to work conducted by Eversource on River Street. He asked if the Board should consider in the future developing noise related ordinances, and recognized exceptions to any possible restrictions for emergencies or town-sanctioned operations like snow-removal. Mr. Gavin reflected on past discussions that considered noise-related ordinances, and those past discussions' considering the many complications and hurdles to established consensus on acceptable noise-related ordinances, such as volume and timing.

Mr. DeMarco reported that the work was in fact conducted by Eversource, and that the private utility company conducted work on private property, and was not required to seek authority or endorsement of their operations by the town. Mr. Johnson responded that he would contact Eversource to establish a better relationship with the utility going forward.

Mr. Gavin asked Mr. Johnson to inquire to the Chief Assessor as to the potential change in valuation and therefore tax revenues through the proposed change in use of a particular site within Maynard Crossing at 129 Parker Street from retail-only to a new use of storage building. This information may inform the Board's deliberation on the impact of this change in use on the Memorandum of Agreement (MOA) with Capital Group, the owner of Maynard Crossing. Mr. Gavin commended those that participated in the Joint Budget Review meeting.

Mr. Diarbekirian encouraged participation in the upcoming scheduled "workshop" with the Planning Board to consider the Capital Group's proposed changes to the Concept Plan and operations of Maynard Crossing, and the Neighborhood Overlay Business District (NOBD) to accommodate the proposed storage building. He remarked that these sessions are important forums for the public to provide input to the conditions of the relationship between the town and Capital Group regarding Maynard Crossing. Mr. Diarbekirian commended those that participated in the Joint Budget Review

meeting. He encouraged participation in the Powder Mill Corridor study public forum scheduled for April 8, 2021. He conveyed his excitement in the progress towards construction of the new fire station, and noted the proposed groundbreaking for some time in April.

18. Adjournment

A motion was made by Mr. Gavin and seconded by Mr. DiSilva to adjourn the meeting at 9:35 p.m. Voted: By roll call. **Motion carried unanimously.**

Approved: _____ pm

Date:



Jeffrey Swanberg, *Clerk/Selectman*

Initials: bjm