

Town of Auburn
Minutes of the Meeting
Of the Board of Selectmen
Auburn Town Hall Selectmen's Meeting Room
104 Central Street, Auburn, Massachusetts
April 22, 2019

Present: Kenneth A. Holstrom, Daniel S. Carpenter, Tristan Laliberte
Town Manager Julie A. Jacobson

Absent: Doreen M. Goodrich and Lionel R. Berthiaume

Vice Chairman Ken Holstrom called the meeting to order at 7:00 P.M. In accordance with the Open Meeting Law, he announced that the meeting was being recorded and asked if anyone else was recording the meeting. No one so indicated.

The Board led the Pledge of Allegiance.

Public Comments

There were no public comments.

Public Hearings/Presentations

Public Hearings/Presentations-Sheldon's Harley Davidson 914 Southbridge Street, Auburn, MA. License Applications One Day Outdoor Entertainment Licenses and One Day Beer and Wine Licenses per Event Calendar 2019 – 7:00 PM.

The Board voted to open the public hearing at 7:05 P.M. on the One Day Outdoor Entertainment Licenses (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Vice Chairman Holstrom announced that with three board members present all votes needed to be unanimous and asked the applicant if he wanted to proceed.

Mr. Chad Raymond, the General Manager that was present on behalf of the application, stated that he wanted to go forward.

Mr. Holstrom proposed that the Board votes only on the first event on the calendar (April 26, 2019) tonight and takes up the rest of the events at the May 13, 2019 meeting.

Mr. Raymond agreed. He explained the first promotional event for this year and the change in hours from 5:00 P.M. to 8:00 P.M. instead of from 6:00 P.M. to 9:00 P.M. to accommodate the neighborhood. The purpose of the event is to bring in foot traffic and generate more business to Sheldon's.

Mr. Carpenter wanted to verify that there would be no burn outs, motorcycle tricks, etc. He also asked how long it takes to break down after the event.

Mr. Raymond confirmed that there would be no burn outs or bike tricks this year. He said that it would take from thirty (30) to forty-five (45) minutes to break down the event. He also described plans to address overflow parking and permission he has been given from the business next door to park extra vehicles.

Mr. Carpenter asked about the expected number of attendees. Mr. Raymond replied that they were anticipating about 150 to 200 people.

Mr. Holstrom read the comments and recommendations from the Development Coordinating Group (DCG) for the events per the attached list:

- The applicant shall obtain all necessary permits and inspections from Town Departments, Boards, Commissions, most notably the Board of Health;
- The applicant shall go before the Board of Selectmen if they add any additional public events outside the included calendar of events;
- The applicant shall obtain any necessary permits through the Building Department (i.e. Outdoor Tents);
- The applicant shall only use the approved site plan that was reviewed by the Public Safety Committee;
- The applicant shall check with the Police Department to see if details are required for any of the events.

Mr. Raymond acknowledged the recommendations and he advised that he would reach out to the Police Department to determine if any details would be required.

There were no abutters in attendance. The abutters were notified of the hearing and it was advertised.

The Board then voted to close the hearing (Motion made by Mr. Laliberte; motion seconded by Mr. Carpenter) voted in favor 3 to 0.

The Board of Selectmen voted to approve the One Day Outdoor Entertainment License for April 26, 2019 from 5:00 P.M. to 8:00 P.M., provided that all applicable requirements of the state and town and any of its departments, boards and commissions have been fulfilled. Said license is subject to all the conditions stated upon it. Failure to comply with any and all the conditions shall invalidate the license and render it null and void and with the recommendations of the DCG on April 3, 2019 to be placed on the license and that all parking is to be on Sheldon's property (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

At 7:16 P.M. the Board voted to open the public hearing on the One Day Beer and Wine Licenses (Motion made by Mr. Laliberte; motion seconded by Mr. Carpenter) voted in favor 3 to 0.

Mr. Raymond explained plans for the sale of beer and wine.

Town Manager Jacobson noted that the Police Chief just sent a text to her that he would not be requiring police details for the event.

The DCG provided the same recommendations as they gave on the One Day Outdoor Entertainment License application.

The Board then voted to close the hearing (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

The Board of Selectmen voted to approve the One Day Beer and Wine License on April 26, 2019 from 5:00 P.M. to 8:00 P.M., provided that all applicable requirements of the state and town and any of its departments, boards and commissions have been fulfilled. Said license is subject to all the conditions stated upon it. Failure to comply with any and all the conditions shall invalidate the license and render it null and void and with the recommendations of the DCG on April 3, 2019 to be placed on the license and that all alcohol service and consumption is restricted to the beer tent area (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

The Board voted to move forward agenda item 6b) Proposed Solid Waste Fees FY20 (for informational purposes in anticipation of May 13th vote) – motion made by Mr. Carpenter; motion seconded by Mr. Laliberte and voted in favor 3 to 0.

Director of Development and Inspectional Services Darlene Coyle was present and presented the proposed increase to the Solid Waste User Fees for FY20. She said that the Solid Waste Advisory Committee has reviewed the solid waste user fees and has recommended that an increase is needed to cover the operating cost of the program. The last increase was nearly six years ago in May 2013. In addition there have been many changes in the solid waste industry that have driven up costs and increased requirements for curbside disposal, including rising processing costs for recycling and stricter limits on waste contamination.

Town Manager Julie Jacobson emphasized that the proposal is due in part to the administrations not wanting all taxpayers to subsidize the program for users.

Mr. Holstrom asked if the committee foresees any further increases.

Darlene Coyle spoke to the potential for future increases when the Solid Waste Contract comes up for negotiation.

Solid Waste Advisory Committee Chairman Virginia Marchant was present and agreed with Ms. Coyle. She said that these increases would help to address the indirect costs to the Assessing and Treasury/Collections offices that created the deficit.

Selectman Laliberte expressed appreciation for the work of the Solid Waste Advisory Committee and the Department of Development and Inspectional Services to address the problems as they surface.

Communications

Letters from Town Planner on the Planning Board Public Hearings on the Zoning Bylaws on the Annual Town Meeting Warrant for the Drury Square Village District and Tiny Homes Bylaws

Town Manager Julie Jacobson noted the receipt of informational letters from the Town Planner stating votes that were taken at the Planning Board's April 9, 2019 meeting with respect to the town meeting warrant articles. The Planning Board voted to support and recommend the warrant articles on the Drury Square Village District Zoning Bylaw and the Tiny Homes Zoning Bylaw as prepared by the Planning Board. The Planning Board voted not to recommend or support the proposed zoning bylaw submitted by Citizens Petition to allow tiny homes as primary or secondary dwellings.

Discussion on Letter from the Chairman of the Library Board of Trustees on Vacancy due to a Trustee Resignation.

The Town Manager presented the letter from Mr. Matthew Toth, Chairman of the Library Board of Trustees concerning the resignation of Trustee Ellen Ganley. Mr. Toth's letter addressed the process under MGL Chapter 41, Section 11 to fill the vacancy created by Ms. Ganley's resignation and he asked for the Board of Selectmen's comments about the procedure.

Mr. Holstrom spoke in favor of using the same process as with the last resignation, whereby the Trustees interviewed candidates and submitted their recommended candidate for appointment by the Trustees and Selectmen at a joint meeting held for that purpose.

Mr. Carpenter said that he did not want to change the process with two members absent. He made a motion for a compromise that affords the opportunity for Selectmen members to submit questions in writing to the Town Manager for transmittal to the Trustees to ask candidates during the interview process. The Trustees will advise board members when the interviews will take place so members can participate in the process by being present at the public meeting if they so choose. Mr. Laliberte seconded the motion and the Board of Selectmen voted in favor 3 to 0.

Gift Acceptances in Accordance with MGL Chapter 44, Section 53A

The Board of Selectmen voted to approve, with gratitude, a gift acceptance to the Fire/Rescue Department from James Buckley in the amount of \$50.00 for the Fire Department Gift Account (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Proclamations/Recognitions

The Board reviewed the following requests:

1. Request from a Town resident Kristen Solaras for a Proclamation for Children's Mental Health Week in May 2019. The Vice Chairman noted that the request does not meet the criteria in the Board's policy for issuing proclamations. Mr. Carpenter then made a motion to send a letter to Kristen Solaras in recognition of Children's Mental Health Week (May 5 - May 11, 2019). Mr. Laliberte seconded the motion and the Board voted in favor 3 to 0.
2. Request for Eagle Scout Proclamation from Troop 53. The Board of Selectmen voted to issue a proclamation to Eagle Scout recipient Zach Lazerick (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Request to Change Name of Owner on Flammable Storage Above Ground Permit at 746 Southbridge Street, Auburn MA.

The Board received a letter from the Town Clerk requesting that the Board votes to change the name of the owner on the Flammable Storage Above Ground Permit at 746 Southbridge Street from Hartland Automotive (Jiffy Lube #884) to:

Team Car Care East, LLC
(Jiffy Lube #884)

The Board of Selectmen voted to approve the request for the name change per the letter of the Town Clerk dated April 5, 2019 (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Town Manager Items

The Town Manager provided information on the following items:

- Town -Wide Cleanup Day – Saturday May 4, 2019
- Town participation in the 39th Annual Building Safety Month

Tabled Items

There were no items.

Board of Selectmen Member Items

There were no items.

The Vice Chairman noted the absence of the applicant for the next item, but he stated that the license has been endorsed by the Fire Chief with comments as to set-up for the annual event.

Seasonal Open Air License on Town Property- Boy Scout Troop 101 (First Congregational Church) Bottle and Can Drive at Auburn Fire Station 47 Auburn Street on April 27, 2019.

The Board of Selectmen voted to:

- 1) Approve the license application as provided (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.
- 2) Waive the license fee (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

The Vice Chairman noted the absence of the applicant for the next item, but he stated that the Library Director has provided approval for the annual event at the Auburn Public Library.

Seasonal Open Air License on Town Property- Boy Scout Troop 101 (First Congregational Church) Yard Sale at Auburn Public Library May 25, 2019 with Set Up on May 24, 2019

The Board of Selectmen voted to:

- 1) Approve the license application as provided (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.
- 2) Waive the license fee (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Public Comments

There were no public comments.

Minutes

There were no items.

At 7:53 P.M. the Board voted to adjourn the meeting (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Submitted: Sharon A. Kwiatkowski
Assistant to the Town Manager, Admin.

The following documents were part of the Board of Selectmen's Meeting of April 22, 2019 and are retained in the Executive Office of the Town Manager:

- April 22, 2019 Agenda
- Sheldon's Harley Davidson 914 Southbridge Street, Auburn, MA. License Applications One Day Outdoor Entertainment Licenses and One Day Beer and Wine Licenses per Event Calendar 2019; Development Coordinating Group (DCG) Recommendations dated April 3, 2019
- Letters from Town Planner on the Planning Board Public Hearings on the Zoning Bylaws on the Annual Town Meeting Warrant for the Drury Square Village District and Tiny Homes Bylaws
- Letter from Mr. Matthew Toth, Chairman of the Library Board of Trustees concerning the resignation of Trustee Ellen Ganley
- Gift Acceptance Form from Fire/Rescue Department for \$50.00 from James Buckley for Fire Department Gift Account
- Request from a Town resident Kristen Solaras for a Proclamation for Children's Mental Health Week in May 2019
- Request for Eagle Scout Proclamation from Troop 53 for Scout Zach Lazerick
- Request from Town Clerk to Change Name of Owner on Flammable Storage Above Ground Permit at 746 Southbridge Street, Auburn MA.
- Application Documents for Seasonal Open Air License on Town Property-Boy Scout Troop 101 (First Congregational Church) Bottle and Can Drive at Auburn Fire Station 47 Auburn Street on April 27, 2019; Recommendation from Fire Chief dated April 12, 2019
- Application Documents for Seasonal Open Air License on Town Property-Boy Scout Troop 101 (First Congregational Church) Yard Sale at Auburn Public Library May 25, 2019 with Set Up on May 24, 2019; Recommendation from Library Director dated April 12, 2019