

Town of Auburn  
Minutes of the Meeting  
Of the Board of Selectmen  
Town Hall, Selectmen’s Meeting Room  
104 Central Street, Auburn, MA. 01501  
May 13, 2019

Present: Doreen M. Goodrich, Daniel S. Carpenter, Lionel R. Berthiaume and Tristan Laliberte

Town Manager Julie A. Jacobson

Absent: Kenneth A. Holstrom

The meeting was called to order at 7:00 P.M. by Chairman Doreen Goodrich.

In accordance with the Open Meeting Law, Chairman Goodrich 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

Alan Rafferty of 18 Paul Street commemorated the recent passing of long-time Town volunteer Ann Weston. He also discussed the status of democracy in the Town of Auburn: the lack of contested races on the annual town election ballot and the low turnout of voters in recent years for the annual town election.

Public Hearings/Presentations

There were no public hearings or presentations.

Communications

There were no items.

Board of Selectmen General Items

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

The Board had voted to approve the licenses for the event on April 26, 2019 at the April 22<sup>nd</sup> meeting. The purpose of the meeting tonight is to consider the applications for the rest of the event calendar for 2019:

One Day Outdoor Entertainment Licenses Calendar 2019.

One Day Beer and Wine Licenses Calendar 2019

Jerelyn Brady was present on behalf of the applicant, Sheldon’s Harley Davidson.

Town Manager Julie Jacobson discussed the background from the last meeting where the Board approved the licenses (One Day Outdoor Entertainment License and One Day Beer and Wine License) for one event to get through to this meeting since there were only three Board members present on April 22<sup>nd</sup>.

The Chairman noted that with four members present there would still need to be three members voting in favor to approve the licenses. She asked if the applicant wished to move forward.

Ms. Brady indicated that they did want to go forward.

The Development Coordinating Group (DCG) provided the following recommended conditions for the event licenses:

- 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.

Ms. Goodrich read an email to her from a resident in opposition to the license(s). She also spoke against approval of the licenses. The Chairman noted that the town's car dealerships are not even allowed to have loudspeakers outside to page their employees.

Mr. Berthiaume spoke in favor of the licenses, but requested that Sheldon's are respectful of the residents in the neighborhood with regards to the music.

Mr. Berthiaume made a motion to approve; the motion was seconded by Mr. Laliberte.

In discussion, Mr. Carpenter said that he would like to approve two dates in May and see how it goes.

Ms. Brady advised the Board that the event scheduled for May 22<sup>nd</sup> has been cancelled.

Abutter David Norwood of 60 Hill Street spoke in opposition to the licenses and he discussed the residents' issues with loud music on a school night (Friday May 17<sup>th</sup>).

Mr. Berthiaume said that the Board should not be stopping businesses from having promotional events for a three-hour period from 5:00 P.M. to 8:00 P.M. He amended his motion to approve the licenses for Friday May 17, 2019 and Friday June 21, 2019 and Sunday June 16, 2019.

Mr. Carpenter raised the possibility that the music could be indoors.

Ms. Brady said that she could monitor the decibels to maintain a lower range and can check on the possibility for indoor music.

Mr. Carpenter said that he would like to restrict the music to the indoors.

Ms. Goodrich stated that if the music was indoors it would have to be a different license (Indoor Entertainment) and Sheldon's would have to start the process from the beginning.

Ms. Brady confirmed that they could locate the music in a tent with four sides. She said that the June 16<sup>th</sup> event for Father's Day would not have music.

Mr. Berthiaume then amended his motion to approve the One Day Outdoor Entertainment License for Friday May 17, 2019, 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 of 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 conditions of the DCG to be placed on the licenses, and with the condition that the music is set up in a tent with four sides. Mr. Laliberte seconded the motion and the Board of Selectmen voted in favor 3 to 1. Ms. Goodrich opposed.

Mr. Carpenter then made a motion to approve One Day Beer and Wine Licenses for Friday May 17, 2019 and Sunday June 16, 2019 for the times stated on the calendar in the packet, 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 of 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 conditions of the DCG to be placed on the licenses, and with the condition that all beer and wine is consumed within the beer tent area and people are not roving around the site with the alcohol, and that there is no off-site parking. Mr. Laliberte seconded the motion and the Board voted in favor 3 to 1. Ms. Goodrich opposed.

The Board voted to continue the licenses for the remaining events to the June 10, 2019 Board of Selectmen meeting (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

Secondhand (Junk) License Tom's Collectibles 825 Washington Street, Auburn, MA.

The applicant, Mr. Thomas Cavalieri of 58 May Lane, Auburn, MA, was present and explained the license application.

The Town Manager addressed the discrepancy with the business address. She said that it was originally submitted as 807 Washington Street, but in looking at the actual address through the Assessor's Office it was shown as 825. Ms. Jacobson said that one could be the business and the other could be the next lot address.

Mr. Cavalieri said that Harry Kotseas owns both properties. The Town Manager advised that the office will double check on that question.

The Board received the following recommendations from the DCG:

- The applicant shall obtain all necessary permits and inspections from Town Departments, Boards, Commissions, most notably the Board of Health;
- The applicant shall follow any requirements listed in the Secondhand Dealer Policy approved by the Board of Selectmen;
- The applicant shall obtain any necessary approvals from the Auburn Police Department.

In addition, the Chief of Police Andrew Sluckis has written via email that the Police Department has not had any issues with Mr. Cavalieri and his business.

The Board of Selectmen then voted to approve the license, 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 conditions of the DCG to be placed on the license, and that the Town Manager's Office verifies the address before issuing the license (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

The Board voted to move forward Town Manager Item 6a) Request from Police Department to Declare Surplus Equipment (cruisers) – Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte and voted in favor 4 to 0.

Sgt. Gregg Wildman was present for the item and explained the request.

The Board of Selectmen then voted to approve the cruisers as surplus per Sgt. Wildman's letter of May 9, 2019 (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 4 to 0.

The Board voted to move forward agenda item 5e) Discussion and Vote on Increase in Solid Waste Fees (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

The Chairman then noted the presence of Telegram reporter Craig Semon who was making an audio recording of the meeting.

Director of the Department of Development and Inspectional Services Darlene Coyle was present for the item as well as Virginia Marchant, the Solid Waste Advisory Committee Chairman. The information and recommendations of the SWAC were discussed with the Board at the last meeting on April 22, 2019.

Ms. Coyle explained that the fees now being charged are not covering the cost of the services for solid waste and recycling collection and disposal. She reviewed the proposed changes for FY20.

Mr. Carpenter asked who would be eligible for the smaller toter that would be given the smallest increase. Ms. Coyle explained the different types of toters and the stipulations for each kind. She discussed the overflow bag system.

Mr. Berthiaume asked about an Opt Out of the program. The DDIS Director explained that there is that option; people do not have to utilize the town's service. But there is a requirement to use a licensed trash hauler and a form to complete advising which hauler you are using.

Mr. Berthiaume observed that people have to be contracted with someone to dispose of their trash. Ms. Coyle replied in the affirmative. The Town wants to make sure that people are disposing of their trash in a responsible way.

Mr. Berthiaume asked about the informal option with Leicester. Ms. Coyle said that there is that option for the recycling transfer center and if someone calls DDIS about an item that is hard to dispose of, then the department can refer them to Leicester.

Chairman Goodrich summarized that the past few years the fees are not keeping up with service costs to approximately 5,100 users on the town system. She said that others with private haulers are paying their own costs while subsidizing the town system with tax dollars to pay the cost of the service in excess of the current fees.

Mr. Berthiaume asked how far out the increases were projected. Ms. Coyle responded that they were done for the immediate need but the committee is committed to staying on top of it because the Town's contract expires next June 30<sup>th</sup>.

The Town Manager added that this change is for FY20.

The Board of Selectmen then voted to approve the Solid Waste User Fees for FY20 as recommended by the Solid Waste Advisory Committee (Motion made by Mr. Carpenter; motion seconded by Mr. Laliberte) voted in favor 4 to 0.

The Board voted to move forward Town Manager Item 6b) Vote to Authorize Application for the MassDEP Sustainable Materials Recovery Program (SMRP) Grant and Accept Funds (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

Volunteer Recycling Coordinator Amy Sullivan was present and described the Sustainable Materials Recovery Program (SMRP) Grant and what the funding would purchase. The Town should qualify for at least 11 points, which is equivalent to \$12,000.

The Board of Selectmen voted to authorize the application and acceptance of funds from the Sustainable Materials Recovery Program (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

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

The Board voted to approve gift acceptances to the following departments:

- Auburn Public Library from The Auburn Woman’s Club in the amount of \$25.00 for a library book (Motion made by Mr. Carpenter to accept with gratitude; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.
- Executive Office of Town Manager from Hometown Bank in the amount of \$2,500.00 for the Independence Day Celebration (Motion made by Mr. Carpenter to accept with gratitude and a letter signed by the Chairman; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.
- Dept. of Development & Inspectional Services from Good Samaritan at the Town Wide Clean-Up Day on May 4, 2019 in the amount of \$10.00 as a donation to the Kathleen Sabina Animal Compound (Motion made by Mr. Carpenter to accept with gratitude; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Proclamations/Recognitions

The Board of Selectmen considered a request from Girl Scouts of Central and Western Massachusetts, Inc. for a congratulatory message of commendation for Auburn Girl Scout Kaitlyn Sherman who has earned the Girl Scout Silver Award that will be presented to her in June.

The Board of Selectmen voted to approve and issue a proclamation in recognition of Scout Sherman’s achievement of the Girl Scout Silver Award (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Drainlayer License (previously licensed within the past 5 years) JD Construction of Auburn, MA.

The Board of Selectmen voted to approve the license, 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 (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Tabled Items

There were no items.

#### Board of Selectmen Member Items

##### Discussion on House and Senate Bill regarding Voting Age for Municipal Elections

Mr. Laliberte discussed bills pending in the state legislature, H720 and S389 relative to the voting age, that advocate for lowering the voting age to 16 for local elections. Mr. Laliberte expressed his support for them and said that he may be asking the Board to send a letter of support. He said that he would be sending his own personal letter.

There was general discussion. Mr. Berthiaume discussed the importance of getting young people involved in the electoral process and suggested that the schools might think of holding mock elections. He suggested seeking input from the School Department on the pending bills.

Mr. Carpenter made a motion to send a letter to the Auburn High School Principal Casey Handfield, referencing the bill numbers (H720 and S389), and making him aware of the Board's discussion and requesting comments on the proposed legislation. Mr. Laliberte seconded the motion and the Board voted in favor 4 to 0.

The Board agreed to table any vote on the matter for full board attendance and further review and consideration by the members.

#### Public Comments

There were no public comments.

#### Minutes

The Chairman asked if there were any corrections or omissions to the minutes of March 25, 2019 and April 8, 2019. There being none, the Chairman accepted the minutes of March 25, 2019 and April 8, 2019 as written.

The meeting was adjourned at 8:16 P.M. (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 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 May 13, 2019 and are retained in the Executive Office of the Town Manager:

- May 13, 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
- Application Documents – Secondhand (Junk) Dealers License Tom's Collectibles 825 Washington Street, Auburn, MA; Recommendation from Development Coordinating Group (DCG) dated April 3, 2019; Recommendation via email from Police Chief (April 29, 2019)

- Gift Acceptance Forms – Auburn Public Library, Executive Office of the Town Manager, Department of Development and Inspectional Services Animal Control Unit
- Request by Girl Scouts of Central and Western Massachusetts, Inc. for Recognition for Auburn Girl Scout Silver Award Recipient Kaitlyn Sherman
- Solid Waste Fees FY20 Proposed by Solid Waste Advisory Committee
- Drainlayer License Application JD Construction of Auburn, MA.
- Request from Police Department to Declare Surplus Equipment (Cruisers)
- Description and Application for the MassDEP Sustainable Materials Recovery Program (SMRP) Grant
- Minutes of March 25, 2019 and April 8, 2019