

Town of Auburn  
Minutes of the Meeting  
Of the Board of Selectmen  
Auburn Town Hall Selectmen's Meeting Room  
104 Central Street, Auburn, Massachusetts  
September 9, 2019

Present: Daniel S. Carpenter, Doreen M. Goodrich and Tristan Laliberte, CFO/Assistant  
Town Manager Ed Kazanovicz and Town Manager Julie A. Jacobson

Absent: Kenneth A. Holstrom and Lionel R. Berthiaume

Vice Chairman Daniel Carpenter called the meeting to order at 7:00 P.M.

In accordance with the Open Meeting Law, Mr. Carpenter 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.

Joint Meeting with Board of Registrars and Town Clerk on proposal to form a Sub-committee to investigate ways to increase awareness and participation in local elections

Chairman Deborah Nurse called to order the meeting of the Board of Registrars of Voters. Member Michael McNamara was in attendance as well as the Town Clerk Debra Gremo. They discussed with the Board the proposal to form a sub-committee to research ways to increase awareness and participation in local elections.

Deborah Nurse advised that the duties of the Board of Registrars were to preserve the integrity of the vote, handle registrations, recounts, complaints and to ensure properly trained poll workers. She said that the Board would be continuing efforts to encourage voting including at the local high school level. Ms. Nurse referred to a recent publication's article on voter participation in local elections in area towns. She said that Auburn was in the middle at 9.17%.

Mr. McNamara said that the Town has changed structurally and there are less elected positions now and recently less contested seats.

Ms. Nurse said that the Town could make some efforts as a community and reach out to civic organizations and community groups to promote voting.

The Town Clerk spoke to her efforts in notifying residents about the elections. She pointed out that this year the local election date was late, almost butting up against the Memorial Day Holiday. Debra Gremo talked about the 9.17% voting participation in the last local election and that Auburn is among the area towns experiencing issues driving participation.

There was a suggestion about voting banners being placed in Drury Square and Mr. McNamara also suggested partnering with local businesses to put town voting information on their electronic sign boards.

Mrs. Goodrich asked to clarify the registered voter number. The Town Clerk advised that of approximately 16,000 residents there are about 12,000 registered voters and usually about 17% average participation in other years. She said that the numbers are higher in state and federal elections.

Doreen Goodrich expressed concern with the Board of Selectmen as elected officials serving on a committee for voting where there is always one member of the Board up for election each year. She said that she was fully supportive of reaching out to civic organizations and registered political organizations and some of the other suggestions offered by the Registrars. Also Mrs. Goodrich noted that the full Board of Selectmen was not in attendance tonight.

Mr. Laliberte said that he understood Ms. Goodrich's point, but he felt that this was an important issue to move forward on. He said that the Board could have a policy that the members up for election cannot serve on the sub-committee.

The Town Clerk emphasized the fact that she as the Town Clerk and the Board of Registrars members couldn't serve on the sub-committee and she stated support for reaching out to the community and maybe some student civic groups for members to serve on it.

Mr. Carpenter spoke about his reasons for proposing the sub-committee. He said that he doesn't understand where the concerns come from, the Town has a problem and there are some very important positions still on the ballot.

With no action taken, the Board of Registrars adjourned their meeting (Motion made by Mr. McNamara; motion seconded by Ms. Nurse) voted in favor 2-0.

#### Public Comments

There was no one wishing to speak under this item.

#### Public Hearings/Presentations

##### Eastland Partners – Proposed Multi-Family Workforce Development - The Reserve at Ashworth Hill - Blaker Street Local Initiative Program.

Logan Huffman and Clay Williams were in attendance and discussed with the Board of Selectmen the Local Initiative Program (LIP) and application.

Ms. Goodrich noted an error in #11 affordable costs for 1, 2 and 3 bedroom units.

Mr. Huffman noted one further error in the median income number. The \$97,000.00 from the statistical data was for the Greater Worcester Area and is the number DHCD will be using. Mr. Huffman agreed to provide a link to the MSD site.

Mr. Laliberte asked about Auburn's rate for zip code 01501. Mr. Williams advised that it would be around \$71,000.00.

Ms. Goodrich talked about the annual revenue projection on page 3 and she said that she was skeptical about this number until she sees it. She said that this project would be a significant impact on the town and schools.

Mr. Hoffman spoke about the assessment by the Assessors on property taxes, excise, etc. He said that they use the best information available and that the number of school-age children are estimates.

Ms. Goodrich stated that the revenue generated will not be net revenues and that there will be municipal expenses that may be over and above the revenues that are anticipated.

Ms. Jacobson asked Mr. Huffman to put language in the application that revenue will be generated and we recognize that there will be municipal expenses that will impact those revenues. Mr. Huffman agreed.

Mr. Laliberte asked if there would be groundwater and soil testing

Mr. Huffman replied that ENSTRAT has conducted Phase 1 environmental work at the site with no issues discovered. He said that further testing would depend of whether on-site water was used and at that point it would be a public water supply, which would make testing more stringent. With respect to the soil, Mr. Huffman said that in their report ENSTRAT reviewed the history of the area and determined that nothing detrimental has gone on at the site.

Ms. Goodrich asked about the page that discusses rents and utility allowances and RCAP Solutions subsidies (funding through the State for affordable rental housing and utilities). She questioned how they were automatically built in as they are based on funding by the state and she expressed concern that people will not be able to get the subsidies they would be counting on if there was not sufficient funding available.

Mr. William said that was an item by the housing consultants that rents can be no more than 33% of monthly income. He offered to look more into RCAP Solutions. Mr. Huffman said that he understands that the numbers were set net of the utilities.

Mr. Carpenter discussed traffic and the increase to 320 units and he asked about the rationale on their estimates.

Mr. Huffman said that the stop light at Albert Street was put in when the project for 320 was in Oxford and the proposal was that the traffic was going to be directed through Auburn to exit onto Route 20. According to 40B and DHCD provision "Safe Harbor" this project could be 250. The extra buildings will be out of sight. Mr. Huffman said that they have 62 acres of land of which 14 or 15 will be developed and the rest will be open space. He said that there are no wetland issues there except the buffer zone and that they believe that they can make connection to the City of Worcester for water.

He referenced the 10% state goal for affordable and that Auburn has not met that target. He said that their project will put Auburn in the driver's seat.

Mr. Carpenter asked if they were still willing to make the commitment regarding conservation and leaving the land as open space. Mr. Huffman replied affirmatively.

Ms. Goodrich asked Mr. Huffman if he has ever built 1 or 2 buildings and then stopped a development project. He replied no.

She asked if he has had any trouble with rentals. He said no. Mr. Huffman said that he's heard of developers that have had difficulty, but he hasn't experienced it.

Ms. Goodrich asked how they address over housing that is someone in a three bedroom that no longer needs it. Mr. Huffman said that he has not had a lot of experience with that issue. He added that scrutiny on meeting the criteria factors goes on every year.

The Town Manager addressed input being sought from department heads to prepare a wish list of potential mitigation items. She recommended looking again at the information to make adjustments noted by the board tonight on the application.

The item will be on the Board's agenda on September 23<sup>rd</sup>. Mr. Huffman will get corrected packets to the Board of Selectmen before the next meeting. Mr. Huffman discussed the process going forward after the Board's vote on support of the project.

The Board voted to move forward agenda item 6a) under Board of Selectmen General Items - Century Sportsman's Club Outdoor Entertainment License for Haunted Hayride & Spooky Walk 531 Rochdale Street (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Mr. Frank Hight was present on behalf of the application. He described the annual event for every Friday and Saturday in October and this year the last Sunday in October. The Board received the following comments dated September 4, 2019 from the Development Coordinating Group (DCG):

- An inspection from the Building Department is required for any structures that have been assembled for this event;
- The applicant shall obtain all necessary permits and inspections from Town Departments, Boards or Commissions prior to the start of any scheduled event, with appropriate lead times.
- The applicant shall obtain all necessary approvals from State Agencies.
- Designation of handicap parking on paved surfaces, with signage to be provided;
- All vehicles that are utilized for towing the wagons must be registered and insured.
- The applicant shall ensure Public Safety officials have appropriate access to the event at all times.

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 or 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 (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

The Board voted to move forward agenda item 6b) Request to Name Town Building at 21 Pheasant Court (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Scott Wrenn presented a request from the AY&FS Board of Directors to name the town building at 21 Pheasant Court the Sally D'Arcangelo Center for Auburn Youth and Family Services, Inc. in recognition of Sally D'Arcangelo's 30<sup>th</sup> year as Executive Director of the Auburn Youth and Family Services and for her exemplary and dedicated services to the residents of Auburn.

In accordance with the Board's Procedure to Name Infrastructure and Facilities, the Board voted to have a public hearing on Monday September 23, 2019 (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

The Board of Selectmen voted to move forward agenda items 6d), 6e), and 6f) proposed zoning bylaw amendments on the October 15, 2019 Special Town Meeting – motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte and voted in favor 3 to 0.

Proposed Zoning Bylaw Amendment to Tiny Home Bylaw on the October 15, 2019 Special Town Meeting Warrant. DDIS Director Darlene Coyle and Town Planner Adam Menard were present. Mr. Menard explained the change proposed to the Tiny Home Bylaw to adopt Appendix Q of the 2018 Building Code as recommended by Town Counsel.

The Board of Selectmen then voted to transmit the proposed amendment to the Planning Board for the required public hearing in accordance with MGL Chapter 40A §5 (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

Proposed Regional Mall Overlay District Zoning Bylaw Amendment on the October 15, 2019 Special Town Meeting Warrant

Adam Menard spoke about the proposed zoning bylaw amendment to add language to the Regional Mall Overlay District Zoning Bylaw and to amend the Table of Uses. The intent is to allow medical offices and medical centers as an allowed use and to be proactive to ensure that Auburn Mall remains a viable facility. The change of dimensional requirements as well as allowing multiple buildings will give the facility options and flexibility to remain tenanted.

The Board of Selectmen voted to transmit the proposed amendment to the Planning Board for the required public hearing in accordance with MGL Chapter 40A §5 (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

Proposed Zoning Map Amendment on the October 15, 2019 Special Town Meeting

Adam Menard explained the proposed zoning map amendment to adjust the boundaries to several parcels on Sword Street. Several of the parcels are split into two zones, partially the Industrial Park District and partially Residential A. The proposed change would rectify the boundary of the Industrial Park District to resolve discrepancies and to extend the Industrial Park

District by rezoning the properties as shown on the proposed Zoning Map on file with the Town Clerk.

The Board of Selectmen then voted to transmit the proposed amendment to the Planning Board for the required public hearing in accordance with MGL Chapter 40A §5 (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

The Board of Selectmen voted to move forward agenda item 6g) Discussion and Review of Revised Plastic Bag Reduction Bylaw (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

DDIS Director Darlene Coyle presented the draft bylaw. She gave an overview of the review process by the Zoning Bylaw Review Committee and Solid Waste Advisory Committee as requested by the Board. The Board of Health also reviewed the bylaw as they have been determined by the Town as responsible for the local enforcement of the bylaw.

Mrs. Goodrich asked about fees. Darlene Coyle replied that the Board of Health was open to having the fees and fines identified in the Fees and Fines Schedules approved annually by the Board of Selectmen.

Mr. Laliberte asked about the Single-Use Plastic Carryout Bags and the mils referenced in the definition. Ms. Coyle said that anything over 4 mils would be all right.

Mr. Laliberte asked about the 6 months until the effective date following passage by the town meeting and if extensions were discussed. Ms. Coyle said that it was discussed.

Mr. Carpenter asked how warnings would be handled. Ms. Coyle said that they would be according to the non-criminal method of disposition procedures contained in section 21D of chapter 40. The fine schedule would identify the amount for 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> infractions.

Dan asked about warnings and said that the bylaw should be very clear and stipulate that the Board of Health has the authority to issue warnings. He said that he was not comfortable with the language here but appreciated their hard work. Mr. Carpenter said that he hadn't been expecting the bylaw to go to the fall town meeting but back to the Board of Selectmen.

Mrs. Goodrich suggested to include the following language: "All retail establishments shall be given a written warning for the first violation and then be subject to the approved Fine Schedule after that."

Mr. Carpenter added that he is not expecting to support the bylaw even in two weeks and that the warning language should be included. He said that the Board of Health could include the language proposed by Mrs. Goodrich.

The Board voted to move forward agenda item 6h) Vote to approve October 15, 2019 Special Town Meeting Warrant, subject to Final Review by Town Counsel (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

The Board of Selectmen voted to approve the draft October 15, 2019 Special Town Meeting Warrant, subject to final review by Town Counsel (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

#### Communications

Letter from Member of Natchaug River Young Marines, Dayville, CT – regarding Red Ribbon Week for Illegal Drug Awareness. The Board reviewed a letter from Aaron Zalewski, a member of the Young Marines group, regarding Red Ribbon Week October 23<sup>rd</sup> through October 31<sup>st</sup> and requesting the Town's assistance to publicize and promote the week by issuing a town wide proclamation declaring support and commitment in the fight against illegal drugs.

The Board voted to take no action and to forward his request to the School Superintendent for consideration if the School Department wanted to support this effort in some way (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

#### Board of Selectmen General Items

Discussion on Applicant for the Finance Committee. Michael Marshall, who was interviewed by the Board but not selected for the Associate position on the ZBA, has indicated interest in the Finance Committee. The Board voted to include the item on the agenda for the next meeting and to contact the new chairman of the Finance Committee to see if he or she wanted to participate in the appointment process (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

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

1) Executive Office of Town Manager:

- The Board of Selectmen voted to accept with gratitude and a letter signed by the Chairman and the School Department a gift from TM Solutions, Inc. in the amount of \$2,500.00 for AED equipment (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.
- The Board of Selectmen voted to approve with gratitude and a letter signed by the Chairman and the School Department a gift from Webster Five in the amount of \$1,300.00 for the AED-CPR Initiative (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

2) DDIS Animal Control

The Board of Selectmen voted to approve with gratitude a gift to DDIS Animal Control from the Fur Friends of goods (ten dog and cat beds) for the Kathleen Sabina Animal Compound (approximate market value \$500.00 total) – Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte and voted in favor 3 to 0.

3) Department of Public Works Highway

The Board of Selectmen voted to approve with gratitude a gift to the DPW Highway Division from Home Depot of goods (refrigerator) approximate market value of \$800 for the Highway break room (Motion made by Mrs. Goodrich; motion seconded by Mr. Laliberte) voted in favor 3 to 0.

Proclamations and Recognitions

There were no items.

Discussion on Volunteer Recognition Event on September 16<sup>th</sup>

Mr. Carpenter informed the Board that, after discussion at a meeting earlier this evening, the sub-committee is recommending to cancel the recognition event for next Monday because there have been only seven (7) replies of attendance. He stated that he doesn't want to take up staff time preparing for the event.

Mrs. Goodrich said that she believes that it is a disservice to the seven responders to cancel the event. She said that Senator Michael Moore and Rep. Paul Frost are also planning to attend.

Following some discussion the Board voted to take a five minute recess at 9:05 P.M. (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

The meeting was reconvened at 9:13 P.M.

Mr. Laliberte made a motion to cancel the recognition event that was to be held on September 16, 2019. Mrs. Goodrich seconded for discussion.

In discussion, Mrs. Goodrich stated that she was still uncomfortable with uninviting people that the Board had invited for recognition of their service.

Mr. Laliberte then withdrew his motion.

Mr. Carpenter asked Mrs. Goodrich for a motion. Mrs. Goodrich stated that no additional motion was needed as the event is set and she is in favor of holding the scheduled event.

Mr. Carpenter stated that the Board should act on the recommendation of the sub-committee. Mrs. Goodrich declined to propose a motion

Town Manager Items

Eastland Partners – Proposed Multi-Family Workforce Development - The Reserve at Ashworth Hill - Blaker Street. Discussion on the Local Initiative Program (LIP) and application was held earlier in the meeting under Public Hearings/Presentations.

FFY2019 Emergency Management Performance Grant (EMPG) – Vote to Authorize, Accept and Expend in the amount of \$4,600.00 to partially fund CodeRED.

The Town Manager explained the item. The Board of Selectmen voted to authorize, accept and expend grant funds if awarded in the amount of \$4,600.00 to partially fund CodeRED (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

Municipal Americans with Disabilities Act (ADA) Improvement Grant Program Vote to Authorize, Accept and Expend grant funds up to \$65,000.00.

The Town Manager explained the grant item with CMRPC for the opportunity to prepare an ADA access plan. The Board of Selectmen voted to authorize, accept and expend grant funds up to \$65,000.00 (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) voted in favor 3 to 0.

#### Tabled Items

There were no items.

#### Board of Selectmen Member Items

There were no items.

#### Public Comments

There were no additional public comments.

Mr. Carpenter asked if there were any errors or corrections to the minutes of June 24, 2019 and July 15, 2019. There being none, the Vice Chairman accepted the minutes of June 24, 2019 and July 15, 2019 as written.

The meeting was adjourned at 9:20 P.M. (Motion made by Mr. Laliberte; motion seconded by Mrs. Goodrich) 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 September 9, 2019 and are retained in the Executive Office of the Town Manager:

- September 9, 2019 Agenda
- Eastland Partners – Proposed Multi-Family Workforce Development, The Reserve at Ashworth Hill - Blaker Street - Draft Local Initiative Program (LIP) Application
- Application Documents - Century Sportsman's Club Outdoor Entertainment License for Haunted Hayride & Spooky Walk at 531 Rochdale Street; Recommendations of Development Coordinating Group (DCG) dated September 4, 2019
- Request from the AY&FS Board of Directors to Name the Town Building at 21 Pheasant Court "The Sally D'Arcangelo Center for Auburn Youth and Family Services, Inc."
- Proposed Zoning Bylaw Amendment to Tiny Home Bylaw on the October 15, 2019 Special Town Meeting Warrant
- Proposed Regional Mall Overlay District Zoning Bylaw Amendment on the October 15, 2019 Special Town Meeting Warrant
- Proposed Zoning Map Amendment on the October 15, 2019 Special Town Meeting
- Revised Plastic Bag Reduction Bylaw
- Draft October 15, 2019 Special Town Meeting Warrant

- Letter from Member of Natchaug River Young Marines, Dayville, CT – regarding Red Ribbon Week for Illegal Drug Awareness
- Gift Acceptances – Executive Office of Town Manager (2) for AED-CPR Initiative; Department of Development and Inspectional Services Animal Control Unit; Department of Public Works Highway Division
- Information on the Municipal Americans with Disabilities Act (ADA) Improvement Grant Program
- Minutes of June 24, 2019 and July 15, 2019