

Select Board Minutes  
Monday, April 11, 2022 -6:30 PM

*Meeting to be held as hybrid with both an in-person and with a remote participation option in accordance with Chapter 22 of the Acts of 2022.*

Present: Tristan J. Laliberte, Lionel R. Berthiaume, Daniel S. Carpenter, Sara K. Ruffli  
Absent: Scott C. Wrenn  
Also Present: Town Manager Julie A. Jacobson, CFO/Asst. Town Manager Ed Kazanovicz

Chair Tristan Laliberte called the meeting to order at 6:36 P.M.

Mr. Laliberte announced that this Open Meeting of the Town of Auburn Select Board was being operated as a hybrid model under Chapter 22 of the Acts of 2022 with in-person and remote participation options. For the public to join the meeting remotely by telephone, 1-408-650-3123 and Access Code 235-235-861. Or, the public can join via computer at <https://global.gotomeeting.com/join/235-235-861>.

All supporting materials that have been provided to members of this body are available on the Town's website. The public is encouraged to follow along using the posted agenda.

Chair Tristan Laliberte confirmed that all members that were present were in-person at the meeting.

The Chair noted that the meeting was being recorded by Auburn Cable Television.

The Board led the Pledge of Allegiance.

Public Comments

DDIS Director Darlene Coyle was present and introduced the new Economic Development Coordinator Brooke Hultgren. Board members welcomed Ms. Hultgren to the Town of Auburn.

Public Hearings/Presentations

Public Hearing on Motor Vehicle Class II License and Auto Repair License – Classic Partners LLC d/b/a High Octane Classics at 141-143 Washington St., Auburn, MA. 6:30 P.M.

At 6:39 P.M., the Select Board voted to open the hearing (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

Chuck Stearns of High Octane Classics was participating and he explained the application and the business operation.

The Development Coordinating Group (DCG) had reviewed the application and submitted the following recommended conditions:

- The applicant shall provide all necessary permits and inspections from Town Departments, Boards, and Commissions;
- The applicant must reach out to MassDOT to make them aware of the MV Class II license at this location and make sure that there are no right-of-way issues;
- No car washing shall take place at this location;
- The applicant must remain up-to-date with all annual licenses and permits.

There were no abutters wishing to speak on the application. There were no comments from Select Board members.

The Board voted to close the hearing at 6:41 P.M. (Motion made by Mr. Berthiaume; motion seconded by Ms. Rufli) voted in favor 4 to 0.

The Select Board voted to approve the Motor Vehicle Class II License and Auto Repair License, provided that all applicable requirements of the state and town and any of its departments, boards and commissions have been fulfilled. Said licenses are subject to all the conditions stated upon them. 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 (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Communications

There were no items.

#### Select Board General Items

##### Town Manager Annual Evaluation

Chair Tristan Laliberte summarized the Town Manager's 2021 performance evaluation. The overall performance review score was a perfect 60 out of 60. The Chair explained that the evaluation was based on a new approved evaluation form that was recommended by a sub-committee and approved unanimously by the Select Board.

Select Board members gave comments congratulating Town Manager Jacobson on her successful 2021 performance evaluation and her perfect scores from all members.

The Town Manager Julie Jacobson thanked the Select Board for their evaluations and their comments. She recognized CFO/Assistant Town Manager Ed Kazanovicz and the department heads/division heads, assistants and her staff for their efforts and dedication throughout the year.

Former Select Board member and Chair Doreen Goodrich was present and congratulated Town Manager Julie Jacobson on her perfect score for this year's performance evaluation.

##### Open Air License- Friends of the Auburn Public Library on April 30, 2022, June 04, 2022, July 8, 2022 and August 20, 2022

Linda Dattis of the Friends of the Auburn Public Library was present on behalf of the application and explained the book sale events.

The DCG recommended the following conditions to be on the licenses:

- The applicant shall receive all necessary permits and inspections from Town Departments, Boards, or Commissions;
- The applicant shall obtain any necessary approvals of State agencies.

Mr. Carpenter asked whether a layout of where the tables would be set up and the circulation could be provided for the office. Ms. Dattis agreed.

The Select Board 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 with the condition that the applicant submits a circulation plan and where the tables would be set up and if there are any concerns raised by the Building Inspector that they are addressed at the administrative level (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

The Select Board voted to waive the Open Air License fee (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Vote on 2022 Annual Secondhand (Junk) License Renewals

The Select Board considered license renewals for the following:

- George Hannoush Jewelers, Inc.
- Tom's Collectibles
- Gamestop, Inc.

The DCG recommended the following conditions to be on the licenses:

- The applicant shall remain up to date with all necessary permits and inspections from Town Departments, Boards, or Commissions;
- The applicant shall obtain any necessary approvals of State agencies.

The Board voted to approve the 2022 Annual Secondhand (Junk) License renewals, 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 licenses (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Discussion and Potential Vote on Wage Theft and Tax Fraud Strategy

There were no public comments or comments from Town Administration. Chair Laliberte said that discussion would be continued at the next meeting for the full board to be present.

#### Vote to designate one board member to serve on the Flag Design Committee

The Select Board voted to appoint Chair Tristan Laliberte to serve on the Flag Design Committee (Motion made by Mr. Berthiaume; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Vote to designate one board member to serve on the Committee to Recognize Individuals that have contributed to Auburn

Mr. Carpenter suggested to wait for this designation until after the annual town election for the new board member to have the opportunity to serve on the committee.

The Select Board then voted to table the item until after the annual town election (Motion made by Mr. Berthiaume; motion seconded by Ms. Rufli) and the Board voted in favor 4 to 0.

Vote to adopt the amended Zoning Marijuana Bylaw Revisions per the suggestions of the ZBRC meeting of April 4, 2022

The Select Board discussed the revisions as outlined by the Chair.

Mr. Carpenter stated his belief that the use should require special permits with the Planning Board for more control, instead of just site plans. He voiced support for putting the amendment before the town meeting.

The Board voted to send the item forward and leave it open for town administration to adjust this if necessary for consistency to conform with the body (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 3-1. Mr. Carpenter opposed.

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

There were no items.

Proclamations and Recognitions

There were no items.

Town Manager Items

Vote to accept and expend a grant in the amount of \$2,427.99 from the Automated External Defibrillator Equipment Program through the Executive Office of Public Safety and Security's Office of Grants and Research

The Select Board voted to accept and expend a grant in the amount of \$2,427.99 from the Automated External Defibrillator Equipment Program through the Executive Office of Public Safety and Security's Office of Grants and Research (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Vote to Apply for, Accept, and Expend Funds from the 2022 State Department of Energy Resources Green Community Grant.

The Select Board voted to apply for, accept and expend funds up to \$100,000.00 for any eligible uses from the 2022 State Department of Energy Resources Green Community Grant (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

Discussion and vote to extend outdoor table service by holders of liquor licenses licensed for on-premise consumption, conditional upon review by the Building Commissioner and the Director of Public Health, in accordance with Chapter 22 of the Acts of 2022 to April 1, 2023, or such date as the law may be extended in the future.

The Select Board voted to extend outdoor table service by holders of liquor licenses licensed for on-premise consumption, conditional upon review by the Building Commissioner and the Director of Public Health, in accordance with Chapter 22 of the Acts of 2022 to April 1, 2023, or such date as the law may be extended in the future (Motion made by Mr. Berthiaume; motion seconded by Mr. Carpenter) voted in favor 4 to 0.

Discussion and vote to extend the period for outdoor table service of food and outdoor dining by holders of Common Victualer Licenses, conditional upon review by the Building Commissioner and the Director of Public Health, in accordance with Chapter 22 of the Acts of 2022 to April 1, 2023, or such date as the law may be extended in the future.

The Select Board voted to extend the period for outdoor table service of food and outdoor dining by holders of Common Victualer Licenses, conditional upon review by the Building Commissioner and the Director of Public Health, in accordance with Chapter 22 of the Acts of 2022 to April 1, 2023, or such date as the law may be extended in the future (Motion made by Mr. Carpenter; motion seconded by Mr. Berthiaume) voted in favor 4 to 0.

#### Tabled Items

Continued Discussion on the report on Wage Theft/Tax Fraud ordinances/bylaws.

The item was discussed earlier in the meeting.

#### Select Board Member Items

Discussion Zoning Bylaw 7.5 Signs which do not require a Sign Permit, and Proposed Amendments (Tristan Laliberte)

Chair Tristan Laliberte discussed his proposed amendments to the zoning bylaw 7.5 Signs which do not require a Sign Permit.

Mr. Carpenter made a motion to forward the proposed amendment to the Town Administration, Town Clerk, Board of Registrars, Republican and Democratic Town Committees. There was no second. Mr. Carpenter withdrew his motion.

The Board voted to table the item until after the annual town election to the June 13, 2022 meeting (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Discussion on Rank-Choice Voting in Municipal Elections. For discussion only (Tristan Laliberte)

Mr. Laliberte gave an overview of his proposal. The Select Board voted to table the item until the next meeting (Motion made by Ms. Rufli; motion seconded by Mr. Carpenter) voted in favor 4 to 0.

Chair Tristan Laliberte asked if there were any corrections or omissions to the minutes of January 18, 2022. There being none, Chair Laliberte accepted the minutes of January 18, 2022 as read.

At 8:01 P.M. the Board voted to adjourn the meeting (Motion made by Mr. Berthiaume; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Submitted: Sharon A. Kwiatkowski

## Adm. Assistant to the Town Manager

The following documents were part of the Select Board's Meeting of April 11, 2022 and are retained in the Executive Office of the Town Manager:

- April 11, 2022 Agenda
- Application Documents - Motor Vehicle Class II License and Auto Repair License – Classic Partners LLC d/b/a High Octane Classics at 141-143 Washington St., Auburn, MA.; Comments/Recommendations from Development Coordinating Group (DCG) dated March 10, 2022
- Application Documents - Open Air License- Friends of the Auburn Public Library on April 30, 2022, June 04, 2022, July 8, 2022 and August 20, 2022; Comments/Recommendations from DCG dated March 30, 2022; Approval from Library Director via email dated March 21, 2022
- 2022 Annual Secondhand (Junk) License Renewals - George Hannoush Jewelers, Inc., Tom's Collectibles, Gamestop, Inc.; Comments/Recommendations from DCG dated March 30, 2022
- Draft Wage Theft and Tax Fraud Strategy Document
- Draft amended Zoning Marijuana Bylaw Revisions per the suggestions of the Zoning Bylaw Review Committee meeting of April 4, 2022
- Award Letter dated March 30, 2022 of \$2,427.99 Grant Award from the Automated External Defibrillator Equipment Program through the Executive Office of Public Safety and Security's Office of Grants and Research
- Zoning Bylaw 7.5 Signs, which do not require a Sign Permit, and Proposed Amendments
- Information on Ranked Choice Voting in Municipal Elections
- Minutes of January 18, 2022