

Select Board Minutes  
Monday, July 25, 2022

*Meeting to be held as hybrid with both an in-person and with a remote participation option in accordance with Chapter 107 of the Acts of 2022*

Present: Scott C. Wrenn, Daniel S. Carpenter, Sara K. Rufli and Steven Chambers  
Also Present: Town Manager Julie A. Jacobson and CFO/Asst. Town Manager Ed Kazanovicz

The Chair called the meeting to order 6:40 P.M.

The Board led the Pledge of Allegiance.

Mr. Wrenn announced that this Open Meeting of the Town of Auburn Select Board was being operated as a hybrid model under Chapter 107 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.

The Chair confirmed that all members that were to be participating were in-person at the meeting. There were no members participating remotely. Mr. Wrenn noted that the meeting was being recorded by Auburn Cable Television. He asked if anyone else was recording the meeting. No one so indicated.

Public Comments

There were no public comments.

Public Hearings/Presentations

Presentation of the Fire Rescue and Emergency Medical Services Study by Municipal Resources, Inc.

Town Manager Julie Jacobson introduced the item and she noted that the study was conducted with ARPA (American Rescue Plan Act) funds to try and address the increased call volume in the Fire/Rescue Department due to in part to the pandemic and other factors.

Representatives from Municipal Resources, Inc., Mr. Donald Bliss and Mr. Mark Cotreau, were present. Mr. Bliss gave a power point presentation on the results of the staffing study that was conducted on the Auburn Fire/Rescue Department and Emergency Medical Services.

Mr. Bliss explained that the firm was hired to:

- Undertake a review and analyze the current resources, staffing, and proposed ambulance plan
- Forecast future demands for service
- Identify any gaps or deficiencies
- Make recommendations regarding current and future needs for resources and staffing

The presentation reviewed the project overview, scope and methodology, In addition, Mr. Bliss discussed the challenges facing the department: growth and development of the town, industrial hazards and transportation network, aging population and building stock, multiple, simultaneous incidents, fire station deficiencies, Mutual Aid requests (especially EMS), ambulance ‘turn-around’ time, and low staffing.

There was discussion with the Select Board on various aspects of the study.

#### Communications

##### Mass State Lottery Commission re: KENO License Application by Yong Shing-Discussion on License and Possible Vote.

The Board discussed the letter from the Mass State Lottery Commission on the application by Yong Shing, 90 Auburn Street, for a KENO License. If the Board objects to the issuance of the license, it needs to notify the Lottery Commission within 21 days of receipt of the letter. The Development Coordinating Group (DCG) reported that the group has no objections to the issuance of the KENO license and monitor.

The Select Board voted to take no action to object to the KENO License for Yong Shing per the recommendation of the Development Coordinating Group (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) voted in favor 4 to 0.

The Board voted to move forward agenda item 6a) – Motion made by Mr. Carpenter; motion seconded by Ms. Rufli. The Select Board voted in favor 4 to 0.

DDIS- Solid Waste and Recycling - new program for the residents for hazardous waste disposal  
Department of Development & Inspectional Services Director Darlene Coyle was present and explained plans for a new program for residents to dispose of their hazardous waste materials.

Ms. Coyle advised that the Town has contracted with New England Disposal Technologies, Inc. (NEDT) for residents to bring their hazardous waste materials to the NEDT Household Hazardous Products Collection Center located at 83 Gilmore Road in Sutton, MA. She described the funding for the program and the types of materials that may be brought to the collection center.

The DDIS Director also announced and gave details about the Blackstone River Watershed clean up on Saturday August 27, 2022 from 8:00 A.M. to 5:00 P.M.

##### Discussion and Vote on Request to use \$1 Million Dollars in ARPA Funds for the Warren Road Pump Station.

Nick Swartz, Asst. DPW Director and Sewer Superintendent, was present regarding the request to allocate \$1Million in ARPA funds for the Warren Road Pump Station. He described the scope of the project for the pump station replacement. Mr. Swartz also talked about plans to give notice about the project to the area residents and he discussed strategies to lessen the impact of the building demolition.

There was discussion about the \$1Million requested. Mr. Swartz explained the methodology for the project cost estimate that he said would include costs for engineering, permitting, bidding and construction, including the replacement of the force main. The Sewer Superintendent said that the engineering design work is usually 20% of the project cost.

Mr. Chambers said that he would be in favor of approving \$300,000.00 first for the design and get a more definite idea about the total project cost.

Discussion was held about the suggestion to approve the \$300,000.00 allocation for the design work.

Town Manager and CFO Ed Kazanovicz stated their concerns about whether the partial allocation would be allowable for ARPA funding.

Mr. Chambers made a motion to approve \$300,000.00 in ARPA funds for the design work. Mr. Carpenter seconded the motion and the Select Board voted by roll call: Mr. Carpenter, Yes; Ms. Rufli, No; Mr. Chambers, Yes; Mr. Wrenn, No – vote failed 2 to 2.

Ms. Rufli made a motion to go forward with the \$1 Million in ARPA funds. Mr. Wrenn seconded the motion and the Select Board voted by roll call: Mr. Carpenter, No; Ms. Rufli, Yes; Mr. Chambers, No; Mr. Wrenn, Yes – vote failed 2 to 2.

Mr. Carpenter made a motion to table the item until the next meeting and ask the Town Manager to seek further guidance on procurement. Ms. Rufli seconded the motion and the Board voted in favor 4 to 0.

The Town Manager repeated concern about the partial allocation of ARPA funds without a vote by the Select Board to commit to the total project following the design study. She said that she would have to check with Town Counsel to see if the town could put out the RFP or bid unless all the funds were in place.

There was discussion about the optimum time for bidding the project and the time line. Nick Swartz discussed the potential for 3 to 4 months to design this project, for the bidding process, and the survey permit from the Conservation Commission. He discussed the impact that delay could have on costs and he said that it was a critical project because of the age and condition of the pump station and equipment.

The Town Manager discussed the importance of the project and that if ARPA funds could not be used, in order to avoid a terrible failure, the administration would need to seek a borrowing authorization from the town meeting for the pump station replacement.

The Select Board voted on Mr. Carpenter's motion to table to the next meeting so that the Town Manager can seek guidance from Town Counsel – voted by roll call: Mr. Carpenter, Yes; Ms. Rufli, No; Mr. Chambers, Yes; Mr. Wrenn, Yes – passed 3 to 1.

The Select Board voted to move forward agenda item 6e) Vote to accept and expend up to \$200,000 from the Massachusetts DEP Gap III Funding for Clean Energy Projects to upgrade the Holstrom Court and Sword Street Pump Stations (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Nick Swartz explained the grant from the Massachusetts DEP Gap III Funding for clean energy projects.

The Select Board voted to accept and expend up to \$200,000.00 from the Massachusetts DEP Gap III Funding for Clean Energy Projects to upgrade the Holstrom Court and Sword Street Pump Stations (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Select Board General Items

Vote to accept Tristan Laliberte’s Resignation from the Select Board per Mr. Laliberte’s Email Resignation to the Town Clerk

The Town Manager discussed Town Counsel’s research into the matter, in light of no wet signature from Mr. Laliberte on his letter of resignation to the Town Clerk. The Town Clerk Debra Gremo had advised that the Elections Commission had said a wet signature was needed.

Town Manager Jacobson said that there was no requirement in the law for a wet signature in the notice required to go to the Town Clerk and in fact the Elections Commission had commented that the Town should seek Town Counsel’s advice. Atty. Hennigan’s opinion following his research was that there was case law that the Select Board could accept Mr. Laliberte’s resignation as it was given to the Town Clerk. Then the Select Board could call a special election to fill the vacancy.

Mr. Carpenter stated that he was not in favor as the Town Clerk was the official who had to accept the resignation from an elected official.

The Select Board voted to accept Tristan Laliberte’s resignation from the Select Board per Mr. Laliberte’s email resignation to the Town Clerk, based on Town Counsel’s research (Motion made by Ms. Rufli; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, No; Ms. Rufli, Yes; Mr. Chambers, Yes; Mr. Wrenn, Yes – passed 3 to 1.

Vote to Call a Special Election on November 8, 2022 to Fill the Vacancy created by Tristan Laliberte’s Resignation

The Select Board held discussion on the item. Mr. Carpenter raised the issues of the cost for the special election for ballots and adding to the work of the Town Clerk.

Mr. Wrenn talked about the need for an uneven number of board members for effective operations of the Select Board.

Mr. Chambers made a motion not to have a special election to fill the vacancy created by Mr. Laliberte’s resignation. Mr. Carpenter seconded the motion and the Board voted by roll call vote: Mr. Carpenter, Yes; Ms. Rufli, No; Mr. Chambers, Yes; Mr. Wrenn, No – failed 2 to 2.

Request the Chief of Police to Assign Police Details to the Polling Site for the September 2022 Primary Election and the November 2022 General Election

The Select Board voted to request the Chief of Police to assign Police Details to the polling site for the September 2022 Primary Election and the November 2022 General Election (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) voted in favor 4 to 0.

Appoint New Member to Serve on the Flag Redesign Committee

The Select Board voted to seek a third member from the public (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) roll call vote: Mr. Carpenter, Yes; Ms. Rufli, Yes; Mr. Chambers, Yes; Mr. Wrenn, Yes – passed 4 to 0.

Mr. Carpenter made a motion to suspend the rules of the Board and appoint the candidate to the Flag Redesign Committee if it was the only applicant. Mr. Chambers seconded the motion and the Board voted in favor by roll call vote: Mr. Carpenter, Yes; Ms. Rufli, Yes; Mr. Chambers, Yes; Mr. Wrenn, Yes – passed 4 to 0.

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

There were no items.

Proclamations and Recognitions

There were no items.

Vote on Appointment of Elections Workers for the year 2022-2023

The Board reviewed the list of elections workers for the 2022-2023 year as submitted by the Town Clerk Debra Gremo.

The Select Board voted to appoint the individuals per the list of elections workers as presented by the Town Clerk (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) roll call vote: Mr. Carpenter, Yes; Ms. Rufli, Yes; Mr. Chambers, Yes; Mr. Wrenn, Yes – passed 4 to 0.

Vote on Board of Registrars Appointment

The Board received a letter from the Town Clerk regarding the resignation of Michael McNamara from the Board of Registrars and a list of three names of prospective members submitted by the Auburn Democratic Town Committee as per MGL Chapter 51 Section 15.

The Select Board voted to appoint Susan Weagle to the Board of Registrars for a term expiring June 30, 2025 (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Drainlayers License -Dowgiewicz Construction LLC of Webster, MA.

The Select Board received the application documents and the recommendation by the Board of Sewer Commissioners to issue the Drainlayer License to Dowgiewicz Construction LLC of Webster, MA.

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 (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Drainlayers License – James J. Bourke Services of Spencer, MA. (Previously licensed as P.B. Contracting).

The Board received the application documents and the recommendation by the Board of Sewer Commissioners to issue the Drainlayer License to James J. Bourke Services of Spencer, MA. (Previously licensed as P.B. Contracting).

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 (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Town Manager Items

Vote to Accept and Expend a FFY 2021 Emergency Management Performance Grant (EMPG) Emergency Backup Power for Shelter Competitive Subgrant in an amount up to \$50,000.00 to replace two main electrical switch gears in the High School generator.

The Town Manager Julie Jacobson explained the grant funding, which would pay to replace the two main electrical switch gears in the Auburn High School generator.

The Select Board voted to accept and expend a FFY 2021 Emergency Management Performance Grant (EMPG) Emergency Backup Power for Shelter Competitive Subgrant in an amount up to \$50,000.00 to replace two main electrical switch gears in the High School generator (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Vote to accept and expend a FFY 2019-2020 Department of Homeland Security/Federal Emergency Management Agency/ Massachusetts Emergency Management Agency EMPG Citizens Corps Program Grant Funds in an amount up to \$5,000.00 for CERT.

Town Manager Julie Jacobson discussed the grant that would provide funds up to \$5,000.00 for the CERT Program.

The Select Board voted to accept and expend FFY 2019-2020 Department of Homeland Security/Federal Emergency Management Agency/ Massachusetts Emergency Management Agency EMPG Citizens Corps Program Grant Funds in an amount up to \$5,000.00 for CERT (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

Tabled Items

Discussion on a Bylaw Amendment for the Purpose of Encouraging Biodegradable Packaging.

The Select Board voted not to pursue the bylaw amendment (Motion made by Mr. Carpenter; motion seconded by Ms. Ruffli) voted in favor 4 to 0.

Discussion on fossil fuel investments.

The Board voted not to pursue the item (Motion made by Mr. Carpenter; motion seconded by Ms. Ruffli) voted in favor 4 to 0.

Select Board Member Items

Discussion on the Potential Creation of a Student Member of the Board of Selectmen (Mr. Carpenter)

Mr. Carpenter explained his proposal. Board members agreed to keep the item on the agenda for further discussion.

Chair Scott Wrenn asked if there were any changes to the minutes of June 27, 2022. There being none, Mr. Wrenn accepted the minutes of June 27, 2022.

The meeting was adjourned at 9:19 P.M.

Submitted: Sharon A. Kwiatkowski  
Adm. Assistant to the Town Manager

The following documents were part of the Select Board's Meeting of July 25, 2022 and are retained in the Executive Office of the Town Manager:

- July 25, 2022 Agenda
- Report by Municipal Resources, Inc. – Auburn, Massachusetts Fire and Emergency Medical Services Study dated June 2022
- Letter dated June 30, 2022 from Massachusetts State Lottery Commission regarding Application by Yong Shing, 90 Auburn Street, Auburn, MA. for KENO License; Recommendation by Email dated July 20, 2022 from Development Coordinating Group (DCG) that it has No Objections to the Issuance of the KENO License and Monitor
- Contract between Town and New England Disposal Technologies, Inc. (NEDT) for House Hazardous Products Disposal for Auburn Residents at NEDT's Sutton HHP Collection Center
- Email to Town Clerk dated July 2, 2022 and Letter of Resignation from Tristan Laliberte to be Effective at Close of Business on July 4, 2022
- Letter from Town Clerk dated July 15, 2022 with List of Elections Workers to be Appointed by Select Board for the 2022 – 2023 Year
- Letter from Town Clerk on Board of Registrar Appointment to fill the Vacancy on the Resignation of Michael McNamara effective July 11, 2022
- Drainlayer License – Dowgiewicz Construction of Webster, MA. Application Documents and Recommendation of Board of Sewer Commissioners dated July 19, 2022

- Drainlayer License – James J. Bourke Services of Spencer, MA. Application Documents and Recommendation of Board of Sewer Commissioners dated July 19, 2022
- Email from Nicholas Swartz, Asst. DPW Director and Sewer Superintendent, with Write Up for Warren Road Pump Station Project
- Letter dated July 19, 2022 and Grant Application to MEMA Emergency Management Grants Team for Federal Fiscal Year 2019-2020 EMPG-Citizens Corps Program Grant in the amount of \$4,980.00.
- Request from Dan Carpenter for Member Item on July 25, 2022 Select Board Agenda – Discussion on the Potential Creation of a Student Member of the Board of Selectmen
- Minutes of June 27, 2022