

Select Board Minutes

Monday, September 12, 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 107 of the Acts of 2022.*

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

Chair Scott Wrenn called the meeting to order at 6:30 P.M.

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.

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.

The Chair confirmed that all members were present in person for the meeting.

The Board led the Pledge of Allegiance.

Public Comments

Mr. Dan Largesse of 39 Perry Place addressed the Select Board and he asked if there was any update on his request at the last meeting that the Board considers an allocation of ARPA funds for COVID premium pay for the Police and Fire/Rescue officers. Mr. Wrenn advised that allocation of funds was still under consideration and there would be an agenda item at some future meeting.

Public Hearings/Presentations

Presentation of Proclamation to R. Scott Roberts for his Heroic Action on July 31, 2022.

Police Chief Todd Lemon introduced Mr. Roberts and his family and the women he assisted on July 31, 2022 and gave an acclamation to R. Scott Roberts for his heroic actions that morning.

Select Board Chair Scott Wrenn read and presented a proclamation on behalf of the Select Board to R. Scott Roberts for his courage in intervening in an ongoing assault by a man upon the two female clerks at the Shell Gas Station, 611 Southbridge Street, Auburn MA. despite the risk to his personal safety.

Mr. Roberts said a few words thanking the Select Board for their acknowledgement of his courageous actions.

Presentation of Proclamation to Tony Pellegrino to acknowledge his Years of Service as CERT leader

Fire Chief Stephen Coleman introduced and spoke in recognition of Tony Pellegrino for his long-time volunteer service in the Town of Auburn as a member of the Community Emergency Response Team (CERT).

Chair Scott Wrenn read and presented Tony Pellegrino with a proclamation on behalf of the Select Board recognizing and honoring Mr. Pellegrino and congratulating him for his service as a member of CERT and as CERT Leader since 2007.

Mr. Pellegrino spoke a few words in appreciation of the Board's recognition of his service.

Presentation on Constitution Week – by Deborah Nurse

Deborah Nurse gave a presentation to the Select Board in acknowledgment of Constitution Week, this year the 235<sup>th</sup> anniversary of drafting the Constitution. She presented a copy of the Preamble to the Constitution to the Chair Scott Wrenn.

Public Hearing- R B Auto Sales, Motor Vehicle Class II License at 16 Montclair Drive, Auburn, MA.- 6:30 PM

At 6:46 P.M. the Board voted to open the public hearing on the license application (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) voted in favor 4 to 0.

The applicant, Richard Bianculli, was in attendance as well as his attorney, Morris A. Bergman, Esq.

Atty. Bergman, on behalf of the applicant, explained the application for the Motor Vehicle Class II License at 16 Montclair Drive, Auburn, MA. He advised the Board that Mr. Bianculli has gone through the process with the Planning Board and Zoning Board of Appeals, responded to any of their concerns, and has been granted approvals.

The Development Coordinating Group (DCG) has met with the applicant and has provided the following conditions to include on the license:

- The applicant shall obtain all necessary permits and inspections from Town Departments, Boards or Commissions;
- The applicant shall obtain any necessary approvals of State agencies;
- No vehicle repair, painting, or maintenance work shall be done on the parcel.

There were no abutters wishing to speak on the application.

The Board then voted to close the public hearing (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) voted in favor 4 to 0.

The Select Board voted to approve the Motor Vehicle Class II 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 (Motion made by Ms. Ruffli; motion seconded by Mr. Chambers) voted in favor 4 to 0.

Public Meeting on Whitney Street Home Builders, LLC for a Local Initiative Project (LIP) for Housing Development at 16 Perry Place.

Ms. Jacobson presented the item and asked Mr. Tetreault to review the additional information that had been provided to the Select Board for the meeting.

Mr. James Venincasa and Mr. Steve Venincasa were in attendance. Mr. James Tetreault, Azimuth Land Design Engineer, was also present.

Mr. Tetreault reviewed and discussed the revised Municipal Impact Analysis provided to the Select Board in the meeting packet:

- Information on the impact on the Auburn School Department
- Road Maintenance / DPW Impacts
- Local Preference at 16 Perry Place
- Impacts on Police and Fire/Rescue Departments
- 40B Benefits
- Auto Excise Taxes and Annual Real Estate Tax Revenue
- Sewer Revenue
- Projected Costs and Revenues

Steve Chambers asked about the water interconnections with the City of Worcester and if they were just for the Perry Place development. Mr. Tetreault replied that the interconnections with Worcester would not be just for the development. The interconnections would benefit the entire town and would address the concerns of the Water District about supplying adequate water capacity for its current customers without implementing water use restrictions if the District should lose one of its major water sources.

Mr. Chambers asked about projected traffic impacts. Mr. Tetreault spoke about the standard ITE trip code for multi – family units per day, which is 7.5 and 10% of that total, which is about 1,000, occur in the peak hours.

Mr. Carpenter asked about the road being upgraded to subdivision standards and if the developer was forecasting that the road would be brought to the Town Meeting and turned over to the Town. Mr. Tetreault said that there was no plan for the Town to take the road.

Mr. Steve Venincasa replied that it was not the plan for the road to be public, but they could work with the Town on the improvements to be made to the roadway. He said that they were happy to work with any agencies in the town or town officials for input.

Mr. Carpenter said that he was concerned that upgrading the road would create additional financial impacts for residents in the future if the road remained private.

The Town Manager said the administration reached out to Town Counsel about an agreement with property owners relative to the roadway. Town Manager Jacobson raised the questions

about the right of the owner (developer) to repair the Right-of-Way and how that affected the rights of other abutters whose properties were also affected and how the road work would proceed without the agreement.

Atty. Louis Levine was participating remotely and he said that he was confident that they have the right to work and improve the road based on the information already given to the Board. He said that they were not taking away abutters' rights. It is a common thing that happens in development to improve the roadway and utilities including drainage and would get the abutters a better roadway. Atty. Levine added that they would be happy to do anything more that the Board wanted.

Mr. Chambers said that other people might have the right to have input on the way to do the improvements and on the utilities to be installed.

Atty. Levine addressed the questions and stated that he would be more than happy to provide a more definitive opinion on the roadway.

Mr. Carpenter made a motion to formally request the more definitive opinion letter as offered by the Attorney. Ms. Ruffli seconded the motion and the Board voted in favor 4 to 0.

The Chair read an email from a resident on Colonial Road with questions about the wetlands near Kettle Creek and stating that flooding regularly occurs there and it is home to abundant wildlife. He asked if an environmental impact study was done.

Mr. Tetreault said that a Notice of Intent had been filed with the Conservation Commission for the front of the property and the north end of the property (near Kettle Brook). He said that areas that the development was supposed to stay out of were delineated in the concept plan. He said that they could not alter any wetlands in the project unless impacted by a change in roadway plans. Mr. Tetreault advised that there was no proposal for changes at this time, and if a small change needed to be made that would be mitigated with another wetland. He said that they have an Order of Conditions by the Conservation Commission confirming the wetland boundaries.

Kevin Jermyn of 12 Pearl Street stated opposition to 152 units and the number of parking lots/garages on Perry Place. He said that getting water would be an issue as well as increased traffic, which will impact the safety of pedestrians and children playing in the area. He strongly asked the Board not to change this area of Auburn.

Dean Hazzis and Amy Miller of 11 Pearl Street spoke in opposition to the development. Mr. Hazzis said he was concerned with the narrow roadway and he was not sure how it was going to work because of the amount of increased traffic the development would generate. He said that it doesn't make sense for the area. He also expressed apprehension about the lack of a traffic study.

Amy Miller said that she also was worried about the increased traffic and safety for residents and children playing in the area and that the development would change the character of the neighborhood to be more like a city.

Mr. Tetreault talked about the roadway. He pointed out that Perry Place is a 40' wide Right-of-Way right now, which is the legal limits. The drivable surface varies in width between 18'- 22' that they would be making wider and improving the width to 24 feet.

The Chair noted the existence of some 40' easements.

Ms. Jacobson said that the administration wants to work with the developer and keep the conversation going and get questions answered. She said the information the developer has provided would be circulated to department head for their input. Mr. Wrenn encouraged residents to send their questions in writing so that the developer can respond. He said that we are in the fact-finding phase of the project and once again urged questions to be sent to the Select Board.

The Board voted to continue the meeting on the Housing Development at 16 Perry Place to Monday September 26, 2022 (Motion made by Mr. Chambers; motion seconded by Ms. Ruffli) voted in favor 4 to 0.

At 7:34 P.M. the Board took a brief recess.

The meeting was reconvened at 7:41 P.M.

The Board voted to move forward agenda item 5a) Proposed Zoning Amendment for 2022 Fall Special Town Meeting- Vote to transmit the proposed zoning amendment to the Planning Board for the required public hearing to be held per MGL Ch. 40A Section 5 (Motion made by Ms. Ruffli; motion seconded by Mr. Chambers) voted in favor 4 to 0.

Town Planner Adam Menard was present and explained the zoning amendment for the Table of Uses, Apartments Section 3.2.2.3. The Town of Auburn was designated an MBTA Community by the Commonwealth of Massachusetts with the passage of the Economic Bill in 2021. This new law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute, MGL Ch. 40A § 3A.

Compliance is achieved when an MBTA community adopts a multi-family zoning district that meets all the requirements of the Commonwealth's guidelines and is certified by DHCD. The deadline to submit a compliance application to DHCD varies by community for Auburn the deadline is December 31, 2024. The penalty for not complying would disqualify Auburn from several grant programs. To comply with the MBTA Community requirements changes to section 3.2.2.3 of Auburn's Zoning Bylaw are proposed.

The proposed zoning bylaw amendment would allow apartments in the RA, RB, and LB zoning districts with Site Plan Approval, this complies with the "by right" requirement. Site Plan Approval does not allow a prohibition of a use it is a regulation to ensure proper site construction and reasonable conditions prior to issuance of building permits, thus is allowed under the by right requirements. Adoption of the proposed zoning bylaw amendment will bring Auburn into compliance of MGL Ch. 40A §3A.

Mr. Chambers asked if any map was available. Mr. Menard replied that there were no changes to the map, just to the Table of Uses.

The Select Board voted to transmit the proposed zoning amendment to the Planning Board for the required public hearing to be held per MGL Ch. 40A Section 5 (Motion made by Mr. Carpenter; motion seconded by Ms. Ruffli) voted in favor 4 to 0.

#### Final Town/School Human Resource Study

The Town Manager introduced Mary Aicardi of the Edward J. Collins, Jr. Center for Public Management, the consultant that conducted the Town/School Human Resource Study.

Ms. Aicardi presented the final report on the Town/School Human Resource Study that was funded by the Community Compact Best Practices grant from the Commonwealth of Massachusetts. She gave an overview of the methodology used by The Collins Center and the primary recommendations:

1. Modify the Assistant Town Manager position to also serve as the HR Director
2. Create a Centralized Human Resources function within the Town Manager's Department
3. Create an HR Generalist Position
4. Adopt recommendations for improvement on key HR functions

Ms. Aicardi discussed details of the recommendations as provided within the report.

#### Communications

There were no items.

#### Select Board General Items

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

There were no items.

#### Proclamations and Recognitions

The Board reviewed the request from Kids Cancer Connection, Inc. for a proclamation to recognize September as Childhood Cancer Awareness Month.

The Select Board voted to approve the request for a proclamation to recognize September as Childhood Cancer Awareness Month in Auburn (Motion made by Ms. Ruffli; motion seconded by Mr. Carpenter) voted in favor 4 to 0.

The Board voted to move forward agenda item 6d) Request by DPW Director for Board Vote to Declare Equipment as Surplus for Disposal Purposes (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) voted in favor 4 to 0.

DPW Director Joanna Paquin was participating remotely and described the request to declare the following items as surplus equipment for disposal purposes:

1. 2007 F-350 dump truck, VIN 1FDWF37Y68EC66039
2. 2009 F-350 dump truck, VIN 1FDWF3HY6AEA82496
3. Swanson Sander with Honda motor, Serial # 1014-5693

4. Swanson Sander with Honda motor, Serial # 0415-7108
5. Airflo Sander with Honda motor, Serial # GXV340

The Select Board voted to declare the list of DPW equipment as listed in the memo from the DPW Director (attached) as surplus for disposal purposes (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

#### Town Manager Items

##### Update on the Reserve at Ashworth Hill and Donation Recommendations

Town Manager Jacobson relayed information on the Reserve at Ashworth Hill development and she provided an updated donation recommendations list for the Board's consideration.

##### School Request to allocate \$45,000.00 from ARPA for COVID Air Filters

Julie Jacobson presented a revised request for ARPA funds for the COVID Air Filters.

The Select Board voted to allocate up to \$30,000.00 from ARPA funds for COVID air filters for the School Department (Motion made by Ms. Rufli; motion seconded by Mr. Chambers) voted in favor 4 to 0.

#### Tabled Items

There were no items.

#### Select Board Member Items

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

Mr. Carpenter spoke on the item and said that he had nothing further to add. He said that he was looking for input on how the Board wanted to proceed. Mr. Wrenn, Ms. Rufli and Mr. Chambers expressed that they were not opposed to further review and the possibility of a sub-committee. Mr. Carpenter said that he was not looking to form a sub-committee, but to get the Board's ideas about how to proceed and he would share his ideas with the Board. Mr. Carpenter said that he would be happy to talk with the School Committee and other groups for their thoughts on how their student representative program has worked at the school committee meetings to come up with ideas on the structure of a program.

The Board voted to allow Mr. Carpenter to go forward on that basis (Motion made by Mr. Carpenter; motion seconded by Ms. Rufli) voted in favor 4 to 0.

##### Discuss and Vote on a Budget Transfer to Fund the Annual Volunteer Appreciation Event (Mr. Carpenter)

Mr. Carpenter explained his request for a transfer to fund the annual volunteer appreciation event for possibly a date in the spring. The Select Board voted to submit a budget transfer request of at least \$800.00 to the Finance Committee (Motion made by Mr. Chambers; motion seconded by Ms. Rufli) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes – passed 4 to 0.

The Chair Scott Wrenn asked if there were any edits or concerns about the minutes of August 22, 2022. There being none, Chair Wrenn accepted the minutes of August 22, 2022 as presented.

The meeting was adjourned at 8:41 P.M. (Motion made by Mr. Carpenter; 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 September 12, 2022 and are retained in the Executive Office of Town Manager:

- September 12, 2022 Agenda
- Application Documents – R B Auto Sales, Motor Vehicle Class II License at 16 Montclair Drive, Auburn, MA.; Recommendations DCG dated August 31, 2022
- Presentation- Municipal Impact Analysis, Housing Development 16 Perry Place Auburn, Massachusetts
- Final Town /School Human Resource Study by Edward J. Collins, Jr. Center for Public Management September 2022
- Memo from Town Planner dated August 23, 2022 – Proposed Zoning Amendment for 2022 Fall Special Town Meeting -Request Vote to transmit the proposed zoning amendment to the Planning Board for required public hearing to be held per MGL Ch. 40A, Section 5
- Request dated August 21, 2022 from Kids Cancer Connection, Inc. for a Proclamation to Recognize September as Childhood Cancer Awareness Month
- Revised Request for ARPA Funds for the COVID Air Filters for School Department
- Letter from Town Manager dated September 12, 2022 - Update on the Reserve at Ashworth Hill and Donation Recommendations
- Request by DPW Director dated September 7, 2022 for Board Vote to Declare DPW Equipment as Surplus for Disposal Purposes
- Member Request dated August 31, 2022 (email) from Dan Carpenter to Discuss and Vote on Budget Transfer to Fund Annual Volunteer Appreciation Event
- Minutes of August 22, 2022