

Select Board Minutes
Monday May 8, 2023 - 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 (Remote), Daniel S. Carpenter and Steven Chambers

Also Present: Town Manager Ed Kazanovicz, Assistant Town Manager/Human Resources Director Dori Vecchio

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 conducted both in person and remotely, consistent with Chapter 107 of the Acts of 2022, which suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed to participate remotely as long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

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 announced that the meeting was being recorded by Auburn Cable Television.

Chair Scott Wrenn confirmed that all members that were participating remotely could hear him.

- Mr. Carpenter - Here
- Mr. Chambers - Here
- Ms. Rufli - Yes (remotely)

Each vote taken in this meeting would be conducted by roll call vote.

The Board led the Pledge of Allegiance.

Public Comments

Ms. Doreen Goodrich, former Chair of the Board, congratulated and thanked Mr. Scott Wrenn on his last meeting for his service to the town as a member and Chair of the Select Board.

Town Manager Ed Kazanovicz thanked Mr. Wrenn for his guidance and leadership during his time of service and wished him good luck in future endeavors.

Mr. Wrenn thanked Ms. Goodrich and Mr. Kazanovicz for their comments and also thanked his fellow board members for the last three years.

Public Hearings/Presentations

99 Restaurants of Boston, LLC 793 Southbridge Street, Auburn, MA. Change of Officers/Directors/LLC Managers -6:30 PM

At 6:37 P.M. the Board voted to open the public hearing on the Change of Officers/Directors/LLC Managers of 99 Restaurants of Boston, LLC 793 Southbridge Street, Auburn, MA. (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

Elizabeth Pisano of Upton Connell & Devlin, LLP was participating remotely and explained the application for the change in officers, directors and LLC managers.

Since the new officers/directors involves several locations, the State Alcoholic Beverages Control Commission (ABCC) reviewed and investigated the applications internally and only requires the local licensing authorities of each location to have a public hearing to approve the changes.

There was no public comment.

At 6:39 P.M. the Board voted to close the hearing (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

The Select Board voted to approve the changes in Officers, Directors and LLC Managers as requested (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

Change of Manager Apple New England, LLC for Applebee's Neighborhood Grill & Bar, 680 Southbridge Street, Auburn, MA. - 6:30 PM

At 6:40 P.M. the Board voted to open the hearing (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

The general manager of Applebee's Paul Williams was present on behalf of the application.

There were no questions from members of the public or concerns stated by Town Administration or Board members.

The Board voted to close the hearing at 6:41 P.M. (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

The Select Board voted to approve the change of manager to Paul Alan Williams (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

Communications

There were no items.

Select Board General Items

Common Victualer License and Hotel/Motel License Applications - Comfort Inn 426 Southbridge Street, Auburn, MA.

The applications are due to a change of ownership of Comfort Inn. The owner Sabeena Rizvi was participating remotely and explained the change of ownership and the business operations.

The applicant had met with the Development Coordinating Group (DCG) and the group provided the following recommended conditions:

- The applicant shall obtain all necessary permits and inspections, and any requested waivers, from Town Departments, Boards or Commissions;
- The applicant shall obtain any necessary approvals of State agencies;
- The applicant should work with the Board of Health on any permitting.

The Select Board voted to approve the Common Victualer 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 that the conditions recommended by the DCG are placed on the license (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

The Select Board voted to approve the Hotel/Motel 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 that the conditions recommended by the DCG are placed on the license (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

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

Fire /Rescue Dept. - Donation for Ambulance and Equipment (\$525,000)

The Trustees and personal representatives for the Estate of Deborah Farnum Virgilio, Joseph E. Shenette, Donna Gaulin and Donna Bacon, were in attendance. Mr. Shenette read their letter announcing that Deborah Farnum Virgilio left instructions to her executors, that upon her passing, they were to distribute a sum of money up to \$525,000.00 that will purchase a new ambulance for the Town of Auburn in memory of her parents, Earl W. Farnum, Jr. and Marion Kindon Farnum.

Fire Chief Stephen Coleman spoke in gratitude and much appreciation for the most generous gift from Deborah Farnum Virgilio.

The Select Board then voted to approve with gratitude and a letter of thanks signed by the Chair, the gift from the Estate of Deborah Farnum Virgilio of a sum up to \$525,000.00 for the purchase of an ambulance (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Abstain; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 3 -0 - 1.

The Select Board voted to approve, with gratitude and a letter signed by the Chair, a gift from Southbridge Credit Union in the amount of \$1,000.00 to the Department of Public Works Recreation for the 2023 Summer Concert Series, specifically for the Boom Box performance at the Dr. Arthur and Dr. Martha Pappas Recreation Complex (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

Proclamations and Recognitions

Request for Eagle Scout Proclamation

The Select Board received a letter from the Assistant Scoutmaster of Troop 53 requesting a recognition for Gabe Lazerick, who will be presented his Eagle rank in the Boy Scouts of America sometime in June.

The Select Board voted to approve and issue a proclamation to Scout Gabe Lazerick in recognition of achieving the rank of Eagle Scout (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Rufli, Yes; Mr. Wrenn, Yes - passed 4 to 0.

Letter of Resignation from the Finance Committee.

The Select Board received notice that Diane Byrne has submitted her resignation from the Finance Committee effective June 30, 2023. The Town Manager spoke about the process to advertise the position and bring potential candidates to the Board for consideration.

Town Manager Items

Update on Biohazardous Waste Remediation by Fire Department

Deputy Fire Chief Glenn Johnson and Director of Development & Inspectional Services Darlene Coyle were present and gave an update on the grinder that was purchased with ARPA funds. The grinder will allow the town to resume needle collection from residents and disposal of internal needles and other hazardous waste generated by other town departments.

Deputy Chief Johnson also gave an update on Community Preparedness.

Housing Production Plan Update

Town Manager Ed Kazanovicz gave an update on the Housing Production Plan and discussed planned public outreach through mailings with the next Solid Waste billing.

Update on Development Agreement Perry Place - Potential Vote

Mr. James Venincasa was present. He addressed some of the issues recently raised by the Board.

He said that sidewalks down Perry Place would be complicated to put there in terms of size and the possible effect on drainage. He said that maybe the sidewalk could be on one side for less impact, but the issue was still with drainage.

Mr. Carpenter suggested the members should have a site walk of the area.

Mr. Venincasa also said that they might not be able to do everything with the water because of the costs.

Sara Ruffli made a statement that the Board should go forward with the mitigation measures already agreed to when the development is going to happen.

There was discussion about ongoing road maintenance in perpetuity paid by the developer or a contribution set aside dedicated to the area for road maintenance.

Mr. Wrenn stated that the item would be put off pending the site walk.

Tabled Items

There were no items.

Select Board Member Items

There were no items.

Chair Scott Wrenn asked if there were any questions or comments on the minutes of April 10, 2023. There being none, the Chair accepted the minutes of April 10, 2023.

Mr. Carpenter thanked Mr. Wrenn for his service and said that he has enjoyed working with him.

Mr. Chambers thanked Scott Wrenn for his service on the Select Board and on other town boards and getting involved with the community.

At 7:17 P.M. the meeting was adjourned (Motion made by Mr. Carpenter; motion seconded by Mr. Chambers) roll call vote: Mr. Carpenter, Yes; Mr. Chambers, Yes; Ms. Ruffli, Yes; Mr. Wrenn, Yes - passed 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 May 8, 2023 and are retained in the Executive Office of the Town Manager:

- May 8, 2023 Agenda

- Application Documents for 99 Restaurants of Boston, LLC Change of Officers/Directors/LLC Managers at 793 Southbridge Street, Auburn, MA.
- Application Documents for Change of Manager Apple New England, LLC for Applebee's Neighborhood Grill & Bar at 680 Southbridge Street, Auburn, MA.
- Application Documents for Common Victualer License and Hotel/Motel Licenses for Comfort Inn, 426 Southbridge Street, Auburn, MA; Recommendations of Development Coordinating Group (DCG) dated May 3, 2023
- Gift Acceptance Forms - Fire/Rescue Department and Department of Public Works Recreation
- Letter of Resignation from the Finance Committee from Diane Byrne dated February 27, 2023
- Update on Biohazardous Waste Remediation by Fire Department
- Minutes of April 10, 2023