

**HOLDEN BOARD OF SELECTMEN
MEETING MINUTES
April 3, 2023**

6:30PM

Memorial Hall

Present: Anthony Renzoni, Stephanie Mulroy, Geri Herlihy, Richard Bates
(participating remotely), Thomas Curran

Others Present: Peter Lukes, Town Manager
Steven Madaus, Town Counsel
Ms. King, Assistant Town Manager
Liz Fotos, Town Recorder (Participating remotely)

Chairman Renzoni called the Board of Selectmen meeting to order. The Board stood to recite the Pledge of Allegiance. Chairman Renzoni stated that Sel. Bates was participating remotely this evening and all votes would be taken by a roll call vote.

1. Appointments, Licenses, Permits

None

2. Citizens Address

Steve Cooley, 172 Jennifer Drive, was present at the meeting. He stated that he wanted to address the MBTA regulations. He stated that when he and his wife moved here 15 years ago they opened the windows and could hear nothing and that is what they wanted and why they moved here. He stated he joined the army to get here and that is how he got here without anyone helping him and the same went for his kids as well. He stated that if you work and plan you can move where you want and it should be kept that way.

Christine Valerie Taylor, 7 Tisbury Lane, was present at the meeting. She stated that she was at the meeting last week and learned more about the MBTA regulations. She stated that she was there for an update to see where the conversation went from the last meeting and if the town was in compliance at this point. She stated that she also moved here about 16 years ago. She stated that Holden had allowed for 40b housing or she would not be here. She stated that it was unique to speak to people that could not be here without those programs. She stated that in her family there are public servants, teachers, kids that have gone here and people that contribute to the community. She stated again without 40b she would not be here and it is important for her to promote housing that is yes measured and guided but that it should not be delayed.

3. Open, Set, Close Annual Town Meeting Warrant

Chairman Renzoni stated that the Board needed to go through a process to open, set, and close the Town Meeting Warrant. He stated that they could open it up again at any point

up to two weeks out from Town Meeting but for the sake of beginning the process it was on the agenda today.

Motion by Sel. Curran, seconded by Sel. Mulroy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO OPEN THE 2023 TOWN MEETING WARRANT AS PRESENTED** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

Sel. Bates asked about Article 38, the banning of single use plastic bags.

Chairman Renzoni stated that this was a citizen petition that was presented to the Town Clerk and the citizen would present it. He stated that the Board would take positions on these articles at the next meeting.

Sel. Mulroy asked the Chairman about the procedures around this.

Mr. Madaus stated that as a housekeeping item, 37 is not a bylaw amendment it would be moved to housekeeping. He asked if they would have the opportunity to speak about item 34.

Chairman Renzoni replied that they could discuss it at the next meeting.

Motion by Sel. Mulroy, seconded by Sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO SET THE 2023 TOWN MEETING WARRANT AS PRESENTED**. (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

Motion by Sel. Mulroy, seconded by sel. Curran, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO CLOSE THE 2023 TOWN MEETING WARRANT AS PRESENTED**. Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

4. Street Opening Bylaw Amendments, Approval and Referral to Planning Board

Mr. Madaus stated that unless the Town Manager wishes for this to go to the Planning Board it does not have to go to the Planning Board. He stated that there is no requirement to refer it.

Motion by Sel. Herlihy, seconded by Sel. Mulroy, it was **UNANIMOSULY VOTED BY A ROLL CALL VOTE TO APPROVE THE STREET OPENING BYLAW AMENDMENT AS PRESENTED**. Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

The Board decided it was not necessary to pass this along to the Planning Board for their opinion.

5. All Inclusive Playground Committee

Chairman Renzoni stated that he would put this on the next meeting. He stated that they have been working hard to track down information to refine their plan.

6. Shrewsbury Street and Doyle Road TIP Project

John Woodsmall, Director of DPW was present at the meeting. He stated that this was similar to what was done a few weeks ago at the Board meeting. He stated that there were changes that were incorporated into the design in the form of permanent easements that were shown on the right of way plans. He stated that the layout was changing so they need to change the legal description of the right of way and that was what this way.

Sel. Mulroy asked for Mr. Woodsmall to outline the changes.

Mr. Woodsmall replied that there were about 12 permanent easements that are due to road way realignment, sidewalks, tree removal. He stated that these were relatively minor but a few were 1300-2000 sq feet but they were all the same or about the same as from last years meeting in the fall. He stated that as part of the outreach process all the property owners have received notifications. He stated that this layout change only has to do with permanent easement.

Chairman Renzoni asked if there were still objections from the neighbors.

Mr. Woodsmall replied that there was nothing that was brought to his attention.

Sel. Herlihy asked if anything had changes since last Town Meeting.

Mr. Woodsmall replied that there were some small changes on the corner of Doyle and Shrewsbury Street and Brattle and Shrewsbury Street but everything else was largely the same.

Motion by Sel. Mulroy, seconded by Sel. Currant, it was to **VOTED 4-1 BY A ROLL CALL TO VOTE THE BOARD OF SELECTMENS INTENTION TO ALTER THE LAYOUT OF THE WAY AS SHOWN ON THE PLAN AND TO SEND NOTICE TO THE ABUTTERS** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: no).

Mr. Madaus stated that statutorily the Board needed to send notice to the Planning Board whenever there was a change in the way to have them vote on the matter.

Motion by Sel. Mulroy, seconded by Sel. Herlihy, it was **VOTED 4-1 BY A ROLL CALL VOTE TO SEND NOTICE OF THE PROPOSED ALTERATION OF THE EXISTING RIGHT OF WAY EASEMENTS TO THE PLANNING BOARD AS PRESENTED.** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: no).

7. Selectmen Subcommittee

Chairman Renzoni stated that he had seen a few people at the FinCom meeting but there was some talk about using Water/ Sewer revenues to pay rent at 18 Industrial Drive. He stated that the Manager has looked into this in other communities. He stated that he is open to discuss it but he is not open to discuss something that would effect rates or the budget five weeks before the budget. He stated that he would bring it back to the Board as something to talk about in the next budget cycle.

Chairman Renzoni stated that if they were going to change the policy about how we do business as an enterprise it would have to be something that was changed by the Water/Sewer Commissioners. He stated that it would have to be addressed well in advance of budget season. He stated that Water/ Sewer had never paid for their space in their history so this would be a change in policy which they should be open to discuss but the timing of it would not work for this years Town Meeting.

Sel. Herlihy stated that it is new business so she can see the logic. She stated that last year they went through the process of splitting up the DPW Directors salary and what he did with Water/ Sewer and this is a new process now with the new building and the debt service. She stated that there is value in this conversation.

Mr. Lukes stated that there needed to be a distinction made between rent and debt service. He stated that we don't charge the Cable Revolving Fund or the Recreation Department rent they have paid debt service on certain assets but it is not rent. He stated that it is a fair conversation but it was not part of the original plan and he thinks that it is unfair to discuss it when they just moved in. He stated that possibly with a plan it would be a fair model but as of right now it should not be dropped on them.

Chairman Renzoni stated that they would need to be prepared to discuss this with how it relates to rates.

8. Public Hearing: On Premises, Restaurant All Alcoholic Beverages Liquor License, Brilla Coffee, LLC

Motion by Sel. Curran, seconded by Sel. Mulroy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO OPEN THE PUBLIC HEARING FOR ON PREMISES, RESTURANT ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, BRILLA COFFEE, LLC.** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

Chairman Renzoni invited the owners of Brilla Coffee to the podium.

The owners stated that they wanted to expand the menu to include alcoholic beverages and also to expand their hours to accommodate. He stated that they understand the laws and requirements.

Sel. Curran asked about expanding the hours.

The owners stated they currently open at 6am and close at 4pm. He stated that they would want to expand to about 6:00 / 7:00pm to capitalize on people coming back through town in the evenings.

Sel. Herlihy asked if they intended to expand their hours regardless of the alcohol aspect.

The owners replied that they were.

Mr. Lukes stated that hours of operation is a voluntary agreement that the Board can ask for and should if there is a change in type of business but the type of business should be defined along with hours of operation when approving a license.

Sel. Herlihy asked about addendum A; she stated that the birthdates were incorrect. She stated that on the CORI check one was correct and one appeared incorrect.

The owner replied that they could change that.

Mr. Lukes replied it could be amended before it went to the ABCC.

Sel. Mulroy stated that she loves the energy and the idea and that she supports the business.

Sel. Herlihy stated that it was a great addition to the town.

Chairman Renzoni opened it up for public comment.

Bob Lavigne, 129 Cannon Road, was present at the meeting. He stated that this business took the biggest eye sore on Main Street and turned it into this glorious community business. He stated the Board and Town have always supported businesses and he hoped that they continue to back them as they invest in our Town.

Motion by Sel. Mulroy, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO CLOSE THE PUBLIC HEARING FOR ON PREMISES, RESTURANT ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, BRILLA COFFEE, LLC.** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

Chairman Renzoni stated that before we vote we need to set the hours and have full understanding of the business model that covers the extended hours.

Chairman Renzoni called for a one minute recess.

Chairman Renzoni called the meeting back to order.

Chairman Renzoni asked what hours they wished to extend to.

The owners replied that they wished to change the hours of operation to 6:00AM – 8:00PM.

Chairman Renzoni asked about the new model with alcohol.

The owners replied that they want to be able to offer more Hispanic/ Latino coffee experience. They wanted to have a higher end pastry that could be paired with a drink, something more than your traditional coffee and pastry. 6:00am-8:00pm seven days a week.

Chairman Renzoni stated that this did not require them to stay open this entire time but they could.

The owner stated that this would only be for use in the building.

Chairman Renzoni asked if there was any intention of having an entertainment license.

The owner stated that they could perhaps pursue that separately.

Chairman Renzoni said maybe something in the building in the future.

The owner clarified that it was possible to do that but inside and related to South and Central America and coffee.

Sel. Curran asked about summer months.

Chairman Renzoni stated that for now it would be held until 8:00PM unless they came back in.

Sel. Herlihy stated that this was a public hearing for the liquor license and not expanded hours. She stated that there was no opportunity for neighbors or abutters to come in and express any thoughts or feelings they may have on noise or the expansion of business.

Chairman Renzoni stated that they were increasing their hours in the scope of adding alcohol.

Sel. Mulroy stated that this was an already established business.

Mr. Lukes stated that with their Common Vic. License that they can stay open and the alcohol can be served up until the time defined. He stated that they should also outline the premises that is being discussed so it is known that it is not speaking about the outside space. He stated the hours are strictly for the alcohol; not the sale of anything else.

Chairman Renzoni stated that they will attach to the Meeting Minutes, the floor plan and they will define the licensed premise which is in the confines of the wall.

Mr. Madaus asked where those of age would be served and those who were not of age not served.

The owners stated that they will follow state and local laws. Anyone serving or interacting with alcohol will be TIP certified. He stated they will of course check ids and they will follow the laws accordingly.

Sel. Curran asked how they would identify those not of age.

The owners stated they would check ids.

Mr. Lukes stated that he is sure that they are aware of storage rules but if they need any clarification that they should feel free to call the Town Manager's office and they would be happy to help.

Motion by Sel. Mulroy, seconded by Sel. Herlihy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE THE LICENSE FOR ON PREMISES, RESTURANT ALL ALCOHOLIC BEVERAGES LIQUOR LICENSE, BRILLA COFFEE, LLC. AS PRESENTED** (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

Chairman Renzoni called for a two minute recess

Chairman Renzoni called the meeting back to order.

9. Town Manager Update

See attached

10. Follow Up to Citizens Address

Chairman Renzoni stated that Affordable Housing was mentioned again and he just wanted to clarify again that this was not Affordable Housing; this is multi family housing.

Sel. Herlihy stated that she thinks that this is designed as economics; to increase the amount of housing in MA to drive down the costs. She stated that this is not affordable housing. She stated that this is a one size fits all solution but every municipality has to work with it right now.

Sel. Mulroy stated that she disagrees and she stated that it is not effecting every municipality and town, it is effecting those that are considered MBTA communities. She stated that there should be other opportunities to come here, but she does not like being strong armed by the state government.

Chairman Renzoni stated that we should be careful because this should be a follow up to Citizens Address not a debate on MBTA Communities bill.

Sel. Curran stated that he thinks that they would be surprised how many communities are affected by this. He stated that to create a zone does not mean that it will happen overnight and the time it takes will allow the town to plan for schools and other infrastructure.

Chairman Renzoni again cautions about the difference between the follow up and the debate on the subject. He stated they should be careful when we speak about policies and tying it to students that are in a protected class and what we should be doing for them.

Sel. Curran stated that he was just forming this as how it would impact infrastructure.

11. Town Manager Review

Pass over

12. Retirement Pension Increase, C. 269 of the Acts of 2022

Mr. Lukes stated this is for retirees and this is a matter before the Town Manger for consideration about if there should be an increase. He stated that we have been approached about this and most municipalities have not yet taken action. He stated it was before you for discussion.

Chairman Renzoni stated that he has been contacted. He stated that the Board can take a vote about supporting the increase and then it would ultimately go to the Town Manager because we have relinquished control to the Town Manager.

Mr. Lukes stated that it would be a one time increase to 2%. He stated that it needs to be voted by 2/3 of the towns.

Sel. Bates stated that there was question about if it was the Board of Selectmen or the Town Manager and it appears that it was in the Town Manager per view.

Chairman Renzoni replied that he did agree but that the Board was able to take a vote if they wished to either support or not support the one time increase to COLA. He stated that it would not bind management but it would let the manager know how they felt.

Sel. Curran asked about how many people were they talking.

Mr. Lukes replied that he did not know, but it was addressed by the Worcester Retirement Board.

Motion by Chairman Renzoni, seconded by Sel. Herlihy, it was, **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO ENDORSE CHAPTER 269 OF THE ACTS**

OF 2022, RETIREMENT PENSION INCREASE (Bates: yes; Curran: yes; Mulroy: yes; Herlihy: yes; Renzoni: yes).

13. Selectmen Minutes

None

14. Selectmen Miscellaneous

None

Chairman Renzoni invited any Girl Scout/ Boy Scouts to the Board of Selectmen to further learn about Civics and Government.

Motion by Sel. Curran, seconded by, Sel. Mulroy, it was **UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO ADJOURN THE APRIL 3, 2023 BOARD OF SELECTMEN MEETING AT 7:40PM.**

APPROVED: 6/5/23 APPROVED AS PRESENTED