

Memorial Town Hall, 1 Library Street, Georgetown, MA 01833

Ph. (978) 352-5755 □ Fax (978) 352-5727

BOARD OF SELECTMEN MEETING MINUTES

Memorial Town Hall

9/18/17

6:00PM-Executive Session~2nd floor meeting room, Town Hall

7:00PM-General Meeting~3rd floor meeting room, Town Hall

A Joint Meeting with Light Commissioners will be a part of this Meeting

Selectmen Present: Joseph Bonavita, Chairman; Steven Sadler, Clerk; Douglas W. Dawes, Gary C. Fowler, and C. David Surface

Others Present: Michael Farrell, Town Administrator; Janet Pantano, Administrative Assistant; David Schofield, Light Department Manager; Peter Dion, and John Smolinsky, Light Commissioners

Absent:

6:00PM Executive Session

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the governmental body and the Chair so declares ...;

7:00PM Call to order

Invocation-Douglas W. Dawes
Pledge of Allegiance

Mr. Bonavita stated he wanted to give condolences to the Nazzaro family on the passing of Steve Nazzaro.

NEW BUSINESS

Joint meeting with the Light Commissioners for appointment to fill unexpired term
David Schofield, Light Department Manager; Peter Dion, and John Smolinsky, Light Commissioners were present

Mr. Bonavita welcomed the commissioners to the meeting and explained that the board has an open position with a commissioner moving out of town. He stated that Scott Edwards has volunteered to be appointed to fill the unexpired term.

Mr. Smolinsky stated that after Mr. Anderson moved out of town they advertised the opening and no one had applied. He stated that Mr. Edwards has volunteered to be appointed and that he has 20 years of experience as a previous Light Commissioner member.

Mr. Fowler asked if this appointment would be until the next election and if Mr. Edwards would run for election. Mr. Dion stated he did not know at this time if Mr. Edwards would run for election.

Mr. Fowler nominated Mr. Scott Edwards. No other nominations. Mr. Bonavita did a roll call vote.

Fowler-yes

Sadler-yes

Surface-yes

Dawes-yes

Bonavita-yes

Dion-yes

Smolinsky-yes

The nomination was approved by a roll call vote.

Request for a Common Victualler License-Lola's Mex Cocina

Kevin Oliva, Jose Oliva were present

Kevin Oliva explained what they propose for the restaurant, a Mexican restaurant.

Mr. Dawes asked if they will apply for a liquor license. Mr. Oliva stated that they would be applying for a liquor license. Mr. Dawes asked if this would be a chain or family restaurant.

Mr. Oliva stated a family restaurant. He stated that they plan to have ice cream on one side and maybe seats outside. He stated that there is seating inside for 38. Mr. Bonavita asked if they have all their paperwork. Ms. Pantano stated that they still need signoffs from the Building Inspector, Board of Health, and Fire Department. Mr. Oliva stated that they will obtain all the signoffs.

Mr. Surface asked if this is a new lease. Mr. Oliva stated that it is and they will have a one year lease.

Mr. Surface moved to approve a *Common Victualler License for Lola's Mex Cocina*, Manager Kevin Oliva, 21-23 West Main Street term December 31, 2017 *contingent on approvals from departments*. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Healthy Pharms, Inc.-Community Benefit Agreement letter

GreenBridge Health, Inc.-Host Agreement & Letter of Non-Opposition

Rick McDonald, Mark DeAngelis from GreenBridge Health and Barry Enos, Carleton Drive property owner were present.

Mr. Bonavita stated that the board has a draft of the host agreement and will discuss tonight but that they just received the agreement today and not all members have had time to review.

Mr. Surface asked about the side letter with Healthy Pharms.

Mr. Farrell stated that he met with HP and they agreed to sign the side letter and they have asked for a side letter from the board that they would not oppose HP selling recreational marijuana.

Mr. Surface asked if we could have one letter as we have already agreed in the host agreement to allow recreational marijuana sales at HP if allowed by the State.

Mr. Bonavita explained to the audience that the side letter regarding HP is that they will not cut their payment to the town because of this RMD coming to town.

Mr. Bonavita stated that they have not moved forward as they are waiting to settle an agreement with Health Pharms and the board will be meeting next week and can vote at that time. He asked if anyone in the audience had a question.

Donna Ricci asked if the town has had any response from the public to this business. Mr. Bonavita stated he has not had any negative feedback. Mr. Surface stated that residents have stated that they are in favor of the new business. He stated that there have been some concerns that the archery business will not have their lease renewed. Mr. Surface stated that this is a business to business relationship. Mr. Enos stated that they have a 3-year lease and it expires May 2018. Mr. Surface asked if they would be able to relocate. Ms. Ricci stated that she cannot afford to relocate.

Mr. Fowler stated that he has seen 2 letters to not dislocate the archery business. He stated that they have had positive comments from town's people and one cautionary comment on the marijuana business. He stated that the town has voted favorably for recreational marijuana but that is not what we are discussing and voting on.

Mr. Dawes stated that he has had conversations with residents and most are in favor and a few have had concerns over the other businesses in the building.

Mr. Sadler stated that he has received concern from one resident and has had some conversations with the martial arts studio and a concern for CrossFit. He stated that the town did approve this area as a medical marijuana overlay district. He stated that he personally does not agree that we should have another marijuana facility in town.

Dr. Donna Ricci owner of the archery studio, stated that she is not opposed to the new business and she does not disagree with Mr. Enos to not renew her lease that this is about business. She stated that she did not know that this was a medical marijuana district and she put time and funds into her business. She stated that last week she was told that Mr. Enos would not renew her lease. She stated she sunk a lot of money into this business and it is a national business. She explained that she does not know what she will do. She stated that if she has to go someplace and invest more funds she would go bankrupt. Mr. Bonavita stated that this is between her and the landlord.

Mr. Bonavita stated that they have the host agreement to review and do any members have any questions.

Mr. Surface stated that he is not willing to move forward if they will lose funds from HP. Mr. McDonald stated that they heard the board last week and would cover any loss fees from HP. Mr. Surface stated that maybe there is some help from the landlord or GreenBridge to help out the Archery Studio.

Mr. Fowler asked if the moratorium would have any effect on GreenBridge. Mr. Farrell the moratorium is on recreational marijuana and stated that the State will start issuing permits in July 2018. Mr. Fowler stated that what is on the spring ballot would not go into effect until June 30, 2018. He asked about the fee being called an impact fee. He stated that he does not agree with the State that these are impact fees and the funds can be in a gift account. Mr. McDonald stated that is up to the board and this language was put in by the Town's attorney. Mr. Fowler stated that the town may have to show how they spend the money.

Mr. Surface stated that he agrees with Mr. Fowler that the funds should go into a gift account.

Mr. McDonald stated that he does not care what fund the board puts the funds in.

Mr. Dawes read from HP host agreement section regarding recreational marijuana sales. He read on GreenBridge the section regarding HP. He stated that GreenBridge has agreed to cover any loss of funds from HP. He stated that GreenBridge will not be competition to HP. He stated that he is disappointed to not move forward tonight.

Mr. Sadler stated that the board has not thought through the legal fees for this type of business and he does not think we have thought through the impact. He wants the board to be aware of the cost of legal fees and that this is a new business.

Mr. Dawes stated that he has talked to realtors in other states with Medical Marijuana and they have not seen any changes.

Mr. Surface stated that even once the board approves the host agreement they still need Planning Board and State approval. He stated he thinks this is a good business for town and there is risk.

Mr. Farrell stated that once we have the side letter that the third whereas would not be needed.

Mr. Bonavita stated that he has read about some odors in buildings from marijuana. He asked

Mr. Enos how many other businesses are in the building. Mr. McDonald stated any venting

would be out the back and any odor would not linger long. Mr. Bonavita asked about

environmental concerns. Mr. MacDonald stated that they will use organic ingredients and are very regulated. Mr. DeAngelis stated that they will use ladybugs instead of pesticides. Mr.

Bonavita asked about inspections by the State. Mr. McDonald stated that there will be regular inspections by DPH.

Mr. Sadler stated that the bylaw from the Planning Board had a section on odor and the marijuana facility can have a skunky smell and if not an issue it would not be part of the bylaw.

Mr. Bonavita thanked them and the plan is to vote at the next meeting.

WARRANT and MINUTES

July 10, 2017, August 16 & 21, 2017

Mr. Bonavita asked if board looked at the minutes

Mr. Dawes moved to approve the minutes of July 10, 2017. Mr. Fowler seconded the motion and the motion was approved by a 4-0 vote. Mr. Surface abstained

Mr. Fowler moved to approve the minutes of August 16, 2017. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

Mr. Fowler moved to approve the minutes of August 21, 2017. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

CORRESPONDENCE

Notice from the Town Clerk of the Resignation of Detective Adam Raymond

Mr. Bonavita thanked Detective Raymond for his service to the town.

Notice from the Light Dept.-American Public Power Week- Open House 10/5 2-4PM

Mr. Bonavita read the notice on Power week.

Affordable Housing Trust

Mr. Surface stated that signals crossed and Mr. Nelson was to come in on the Housing Production Plan and can come in next meeting.

Fall STM Warrant set date and discussion

Mr. Bonavita stated that they will vote tonight to open and close the special town meeting warrant and asked Mr. Farrell to explain.

Mr. Farrell explained the dates and that September 27th is the Marijuana Moratorium Public Hearing. He asked that they close the warrant on September 28th the day after the hearing. He stated that the Moderator is okay with the date and the Assessor and Accountant are okay with the date. Mr. Farrell stated that in talking with the Town Accountant the Free Cash will be around \$400K as last year and they need to plan \$200k for Snow & Ice. He stated that new growth will be higher due to final sale of 10 homes at Turning Leaf and personal property at Healthy Farms.

Mr. Bonavita asked when they would have final new growth numbers. Mr. Farrell stated that he will have the new growth amount at the end of the week and he recommends putting some funds in the Stab Fund or Capital Stab Fund.

Mr. Surface discussed funds.

Mr. Dawes asked where the funds were coming from. Mr. Farrell stated new growth. He stated that we estimate new growth in the spring and we do not know the actual number until the fall.

Mr. Fowler moved to set the date for the Special Town Meeting as Monday, October 30, 2017 at 7:00PM and open the warrant tonight and to close the warrant on Thursday, September 28, 2017. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

MVPC contract for FY18 MIMAP from Planning Board

Mr. Surface moved to approve the Chairman to sign the contract between MVPC and the Planning Board for the FY18 MIMAP. Mr. Sadler seconded the motion.

Mr. Fowler stated that this is taking pictures of your property and will be used by Building Inspector and Assessors. Discussion

The motion was approved by a 4-1 vote.

OLD BUSINESS

Elm Street Update-Peter Durkee to be present

Mr. Bonavita stated that Mr. Durkee could not make tonight but he talked to him and all is going well and all work will be done by mid-October. Discussion on how it looks.

Mr. Sadler asked if any overages. Mr. Farrell stated that it may be under budget and there was an incentive to the contractor to finish on time.

Mr. Fowler stated that he does not know why we have to give up all the intersections and make T's and lose the greenspace.

TOWN ADMINISTRATOR'S REPORT

National Ave-RFP

Mr. Farrell explained the RFP and stated that this is what is required from the Inspector General to dispose of property. He explained different options.

Mr. Surface stated that this is just for review. He stated that he had an email from Peter Milano and he will be here at our next meeting.

Mr. Sadler stated that he heard back from WRS who did Market Street in Lynnfield and they are only looking at high traffic areas and that retail business are having a hard time.

Mr. Surface stated he would like to see a sewage treatment plant here. Mr. Farrell stated to get the grant for infrastructure you have to do an exhaustive town study.

Mr. Farrell stated he talked to the appraiser today and he will have the appraisal at the end of this week.

Mr. Bonavita asked about the access and if that will be an issue. Mr. Farrell stated that spite strips are no longer allowed and they could go after the spite strip. He stated that the access will be an issue. Mr. Bonavita asked for two appraisals one with access and one as is.

Moody's Annual Report

Mr. Farrell stated he ran the Moody's report by our financial advisor and they stated that the town is still in a sound position. He stated that our advisor stated that the town has too much debt burden but a double 2A is enviable for a small town. He stated hopefully we will retain our bond rating. Mr. Fowler asked if we put funds in Stab Fund will this help. Mr. Farrell stated they look at last audit so it will not help for now. Discussion

45 Central Street

Mr. Farrell stated that he received the asbestos report today and he has a demolition person coming out next week to give him an estimate. Mr. Sadler asked if the Highway Department would be able to remove the building. Mr. Farrell stated that Mr. Durkee stated they would have to lease an excavator and he would be concerned on liability.

Complete Streets

Mr. Farrell stated that we have met all the regulations on Complete Streets and are working on a submission for a project the end of October. He stated that we would be eligible for up to \$400K. Discussion

Cable Studio-TV's

Mr. Sadler asked for an update on the installation of TV monitors.

APPOINTMENTS and APPROVALS

Declaration of Surplus Property

Mr. Surface moved to approve the request to *Surplus Property* from the ConCom agent Steve Przyjemski as presented. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

One-Day Liquor License-Partners for Georgetown Football

Mr. Surface moved to approve a *One-Day Liquor License to Partners for Georgetown Football, Oktoberfest Friday, October 20, 2017 7PM to 11PM at Camp Denison, 84 Nelson Street*. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

MSBA Second Amendment to the Project Funding Agreement-Penn Brook School

Mr. Farrell explained the PFA document to the board and the need for the board to sign the document or to vote for the Chair to sign the document.

Mr. Fowler stated that he did not sign as the public needs to know what is happening and that maybe a joint meeting with MSBA and the School Building Committee should be held as the project is ending. Board agreed that a meeting would be a good idea.

Mr. Farrell explained that the signatures are holding up \$500K of our money.

Discussion on what has been finished, landscaping, etc.

Mr. Fowler moved to approve the Board of Selectmen *Chairman Joseph Bonavita* to sign the *Second Amendment to the Project Funding Agreement* between the Town of Georgetown and the Massachusetts School Building Authority. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.

NEXT MEETING

September 25, 2017 at 7:00PM, 3rd floor meeting room, Town Hall

ADJOURNMENT

Mr. Surface moved to adjourn. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.

Meeting adjourned at 9:25PM.

Minutes transcribed by J. Pantano.

Minutes approved on October 16, 2017.

Documents used in this meeting:

- July 10, 2017, August 16 & 21, 2017
- Notice from the Town Clerk of the Resignation of Detective Adam Raymond.
- Notice from the Light Dept.-American Public Power Week- Open House 10/5 2-4PM
- Joint meeting with the Light Commissioners for appointment to fill unexpired term
- Affordable Housing Trust
- Fall STM Warrant set date and discussion
- MVPC contract for FY18 MIMAP from Planning Board
- Healthy Pharms. Inc. –Community Benefit Agreement letter
- GreenBridge Health, Inc.-Host Agreement & Letter of Non-Opposition
- National Ave-RFP
- Moody's Annual Report-Draft Confidential
- Declaration of Surplus Property
- Approval of a Class II Used Car Sales License to expire 12/31/2017
- One-Day Liquor License-Partners for Georgetown Football
- Request for a Common Victualler License-Lola's Mex Cocina