

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
2/11/19
7:00PM-General Meeting~3rd floor meeting room, Town Hall

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

Others Present: Michael Farrell, Town Administrator; Janet Pantano, Administrative Assistant

Absent:

7:00PM Call to order

Invocation-Douglas W. Dawes
Pledge of Allegiance

CORRESPONDENCE

Request from the Tour de Cure-American Diabetes Assoc.-Cycling event May 19, 2019 to pass through town

Callie Roberts, American Diabetes Assoc. was present

Ms. Roberts explained the Tour de Cure event. Mr. Bonavita read the email from Lt. Scott Hatch on the Police Department approval of the event.

Mr. Durney asked if all the paperwork is in order. Ms. Pantano stated that it was. He stated that there are two events in town that weekend Friday and Sunday and to keep that in mind. Mr. Dawes asked how many years they have been traveling through town. She stated that it has been awhile.

Mr. Dawes moved to approve the American Diabetes Assoc. Tour de Cure to travel through Georgetown on approved route on May 19, 2019. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Request for Ride to End Alzheimer's to pass through town 6/22

Sara Trimble, Alzheimer's Assoc. was present

Mr. Bonavita asked how many years that the event has been held. Ms. Trimble stated 23 years. Mr. Bonavita read Lt. Hatch's email with the Police Department approval.

Mr. Dawes moved to approve the Ride to End Alzheimer's to travel through Georgetown on approved route on June 22, 2019. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

2nd Annual Laurie Hodges Memorial 5 K Run/Walk April 6 at Perley School

Ashley Steeves, High5EM was present

Ashley Steeves stated that this was a great event last year and they plan to have a good turn out this year. Mr. Dawes asked if expecting more participants this year. Ms. Steeves stated that they do and that this is the same route that was used for the Mike Donahoe Run.

Mr. Dawes moved to approve the 2nd Annual Laurie Hodges 5K Run/Walk on Sat April 6, 2019 at 5PM. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

3rd Annual Flatbread Fiery 5K-May 17 starting at Black Swan CC

Ashley Steeves, High5EM was present

Ashley Steeves stated that this event is at Flatbread and is the 3rd annual and this event has more participants from out of town. She explained the event and that they invite more runners to this event.

Mr. Durney stated a great event but the hill is a killer.

Mr. Dawes moved to approve the 3rd Annual Flatbread Fiery 5K May 17, 2019. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Appointments and Approvals

Request from the ConCom for appointment of Chris Candia 6/30/2019 and Elisabeth Clark 6/30/2020

Mr. Bonavita invited both applicants up to introduce themselves.

Ms. Candia stated she has lived in town for 30 years and just retired and would like to volunteer and is interested the environment.

Ms. Clark stated she has been in town for 4 years and studied marine biology and has gone in a different direction but wants to keep her hand in this area.

Mr. Dawes asked why the ConCom. Ms. Candia stated that she is concerned on the environment and wants to do the right thing. Mr. Dawes stated hopes she can see both sides of a project.

Mr. Bonavita asked Ms. Clark why she is interested in the ConCom. Ms. Clark stated she has the background and understands the laws and that we have to follow letter of the law. Mr. Bonavita stated hopes she would be open minded.

Mr. Fowler stated that he is concerned when she says the letter of the law. He stated that the job of the ConCom is not always the letter of the law and have to come up with answers and may have to take into effect how a project effects the residents. Mr. Durney stated he echo's that and that the board just wants balance and thanked both for stepping up. Mr. Sadler also thanked them for stepping up.

Mr. Dawes moved to appoint *Chris Candia* to the Conservation Commission term to expire June 30, 2019. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.

Mr. Dawes moved to appoint *Elisabeth Clark* to the Conservation Commission term to expire June 30, 2020. Mr. Durney seconded the motion and the motion was approved by a unanimous vote.

Humboldt East, LLC-Community Host Agreement-Jayme Fishman

Mr. Fishman had a PowerPoint presentation to show the board. He showed the team, himself Jayme Fishman, Mr. Norino Mirra, Advisory Board; The Unofficial Syndicate, Angel investment group co-founded by Mr. Fishman that will provide part of the funding for this project; Rory Rawlings, Tech pioneer turned cannabis entrepreneur; Mario “Sherb” Guzman, Facility design consultant; Davis Maim, Cannabis Law firm Boston. He gave his background and education. He gave the background for all involved above. Had a map of the lot, and letters of intent from partners.

Mr. Durney asked to see the map again and asked if there were other empty lots. Mr. Sadler asked if this was next to the water tower lot. Mr. Farrell stated that it was but not sure if the town owns all the land. Mr. Sadler had questions on the filtration system and the amount of water to be used. Mr. Fishman explained what is needed.

Mr. Dawes asked about the Humboldt East name and if affiliated with another company. Mr. Fishman explained the name and how it is associated with cannabis.

Mr. Fowler asked about odor and stated that he rode by a local facility and got an odor in his car and it did not go away for quite a while. He asked how are we assured that the odor can be overcome. Mr. Fishman stated that the large facilities can control the odor with filtration systems. He stated the host agreement states that they comply with CCC and control odor. Mr. Fowler stated that this does not always work. Mr. Fishman stated that one member, Mr. Mirra has an investment in an abutting property and would not want to impact his business. He stated that they will use state of the art equipment.

Mr. Sadler stated that in the apartments some residents are transient but the Longhill Rd residents are the most impacted of any of the local projects. Mr. Bonavita stated that the town voted to put these businesses in that area and that it not on Mr. Fishman. Mr. Dawes stated if there is an issue it would have to be mitigated right away.

Mr. Sadler asked Mr. Lawler if the lot shown is owned by the town. Mr. Farrell stated that the lot is owned by a cell tower company and the town has a road and then an easement to the water tower.

Mr. Dawes stated that Mr. Fishman proposes to build a building up to 60,000 sq. ft. Mr. Dawes stated that the HP building is 65,000 sq. ft. to give them a size. Mr. Bonavita asked where they are in the process. Mr. Fishman stated will be working with the attorneys on the application and the Planning Board and while before the Planning Board will secure the financing and hope to

get license in a year. Mr. Sadler asked if he had talked with the Water Dept. Mr. Fishman stated that he talked to Bruce Trumbul and he said 2020 would be good timing.

Mr. Dawes moved to approve a Community Host Agreement with Humboldt East, LLC Cannabis growing facility at 2 Norino Way. Mr. Durney seconded the motion and the motion was approved by a 4-1.

Water Light Merger Discussion-Nick Lawler

Nick Lawler, Light and Water Commissioner; Dave Schofield, Light Manager; Steve King, Water Commissioner were present

Mr. Bonavita stated the group was back to answer questions raised at the last meeting.

Mr. Lawler had a handout he stated that answered questions the board had on the merger. He stated the document shows: Savings Realized Years 1-3, Transition and Contingency, Opportunities Realized Years 3-6. He also had a hand out on the Electric and Water rates over the next 5 years with merger, without, and contingency.

Mr. Bonavita asked if numbers are projections. Mr. Lawler stated that the numbers are actuals. He stated that there will be a water engineer who will communicate to the boards, DEP, residents, etc. He stated that they plan a lot of infrastructure improvements. He stated that the engineer would be able to help with any projects and give a savings.

Mr. Lawler stated he did not know the insurance of the building. Mr. Farrell stated that the town insures the building.

Mr. Lawler stated that there is a cost to go to one billing. He stated going to a monthly billing they will be able to catch leaks at homes if large increase in water usage. He stated that there may be a savings on the fleet but they will keep level until we start. He stated union is negotiated and these staff members know their value. Mr. Sadler asked if there will be any crossover of staff. Mr. Lawler stated will not be only be some "in kind" work but both have specialties. He went over the 1-3-year savings \$250K.

Mr. Bonavita asked what they would do with savings. Mr. Lawler stated that the funds would be used to update the Light Department. He stated that they may put some staff offices at the West Street site and would do this with the West Street Treatment Plant update. He stated that Light Department may use the Water Building lot for Gas transmitters. Mr. Bonavita stated that property may be used for something. Mr. Schofield stated that not as much land as you think and the substation is right there and there is a clean-up site behind the building. Mr. Lawler explained what these transmitters would in a storm keep the downtown up and running, restaurants, stores, public safety building, town hall, etc.

Mr. Fowler asked about West Street. Mr. Lawler stated that they plan to update the building and add administration if we do not merge. Otherwise administration goes to Searle Street. He stated that for 1 year 2 hours a day they will have a consultant. He stated that contingency is to bring someone in 3 hours a day. Mr. Fowler stated that they are using the consultant services now. Mr. Lawler stated that would not need as much and not for management after the merger. Mr. Durney asked if the consultant comes on site or online. Mr. Schofield stated it depends. Mr. Bonavita stated concerning contingency his concern is that Mr. Schofield changes his mind. Mr. Lawler stated that the Water Department has a commitment with Mr. Schofield for 3 years if the merger goes through. Mr. Lawler stated that they have a consultant AECOM vetting his

numbers to make sure he did not miss anything. He stated that he believes he will have a report in 3 weeks. Mr. Bonavita asked if they have discussed compensation. Mr. Lawler stated that they have. Mr. Schofield stated that he is comfortable with the compensation.

Mr. Bonavita asked how staff feels about the merger. Mr. Schofield stated that the workers will do some in kind services. He stated that the office staff is confident that they can do this and he has a good group.

Mr. Bonavita stated how does he see this moving. Mr. Schofield stated that he will work on getting the structure in place and will work on bonding for some of the water projects. He stated that the system is the same in other towns and people will feel better that we are moving forward. Mr. King stated that both commissions will work to help Mr. Schofield succeed and they all work in the same field just in other towns.

Mr. Fowler stated that they have two public meetings for residents coming up in March and April. He stated that the questions asked tonight prepare them for Town Meeting.

Mr. Sadler asked what they project to rate payers. Mr. Lawler stated one of the handouts shows rates with merger, with contingency on merger, and bonding. He stated on the light side the rates will go down with the merger and with the generators. Mr. Schofield explained their portfolio and hope to help the residential rate payers and with the new business growth in town.

Mr. Lawler stated on the water side he explained some improvements and the increase to the residents.

Mr. Sadler asked if the attorneys can talk and draw up an article and legislation. Mr. Lawler stated that they have this already. He stated that they cannot join funds under MGL.

Mr. Bonavita thanked them for coming in and talking to them. He stated if the study is done have it for the boards meeting March 25 or before. He stated that if this board does not vote the merger forward wants to give them time for a citizen's petition. Mr. Fowler stated that he would want the citizens to have the opportunity to vote on this. Mr. Dawes agreed. Mr. Bonavita stated wants a strong manager and that is what this merger is about. He stated have to get water quality to where it needs to be.

Mr. Farrell stated that he would like to consult with DoR and with our Accountant and Treasurer on the merger.

Limiting Marijuana Retail Outlets Bylaw

Mr. Bonavita stated Mr. Sadler asked for this to be discussed.

Mr. Sadler stated that this has nothing to do with growers. He stated that if the town voted in favor of marijuana then it depends on licenses. Mr. Farrell stated that he has discussed with town counsel and depends on how many Section 12 liquor licenses issued. Mr. Farrell stated we have 2 package stores and 1 beer and wine. He stated so that means the town can have 1 retail marijuana store. He stated that the town can have 7 package stores and if those were issued the town could then have 2 retail stores. He stated he discussed a bylaw with town counsel and he gave options. He stated where the town was a yes vote at the ballot then now the town would need to have a bylaw and a ballot vote.

Mr. Sadler stated that we don't know the risk with this new industry and can always amend a bylaw. He stated that the town did vote in favor but that does not mean we want all these businesses in town. He stated if the town does not put restrictions, we need to put the brakes on and if the businesses are not intrusive then the town can allow more. Mr. Bonavita stated that we

have mentioned as a board over a year ago that the board only wanted one retail marijuana facility.

Mr. Fowler stated that he is not that concerned as he has heard the numbers from Mr. Farrell. He asked if we have the power and if the board wants to vote for a change. Mr. Farrell stated that the key is having the ballot vote that is the key. Mr. Fowler stated we do not know the future of the business. He stated that right now he is comfortable with the one. Mr. Sadler stated that now there is no limit so the board could allow as many as they like. Mr. Dawes listed all the Marijuana/Cannabis bylaws that the town has voted in favor of already. Mr. Durney asked what did the town vote to approve. Mr. Dawes stated that the town voted in favor and the board of 5 should not override the citizens vote. Mr. Bonavita stated that maybe some residents may want to vote differently.

Mr. Sadler stated that he voted in favor of legalizing marijuana but he did not think that all these businesses would come to town. He stated that we did remove some overlay areas from the downtown.

Mr. Fowler stated that at this time he does not see a bylaw. Mr. Durney stated he does not want retail stores in the downtown and does not see this happening in the near future and he agrees that we have to watch and see the direction of the business. Mr. Bonavita stated if there is a concern on retail establishment now is the time to act and have a bylaw to restrict. He stated that the citizens that he talks to have a concern on the retail. He agrees with Mr. Sadler and is okay with a bylaw.

Mr. Dawes stated the that the town did have a moratorium but it was so the Planning Board could develop bylaws.

RFP's for National Ave property

Mr. Farrell stated that they have the Request for Proposals, Purchase of Sale, and Land Development Agreement. He stated that in the RFP it states that we need a vote at the Town Meeting to approve the sale. He stated that this sale does not fall under 30B as the land was taken under tax title.

Mr. Bonavita stated that he wants this on the STM warrant and out to bid right away after town meeting. Mr. Farrell stated that they have to get the funds for the \$81K tax bill from the sale of the two lots. Mr. Bonavita stated that what does this board have to do. Mr. Farrell stated have to have a determine a minimum for each parcel. Mr. Bonavita stated asked members to review and they will revisit at the next meeting. Mr. Dawes asked if we have an appraisal. Mr. Farrell stated that we only have the one that was done on the whole property and the assessor will not have appraisals until after town meeting. Mr. Farrell stated that the spit strip and land around this lost has sold and that owner may purchase the town lot.

ATM & STM Warrants May 6, 2019

Mr. Farrell stated that the only article added was for the 25MPH speed limit. Mr. Sadler stated that there is an article that can go street by street and the Police Chief would know about this. Discussion on 25MPH in thickly settled areas and speed limit signs.

Mr. Bonavita stated that we need money in the budget for flags. Mr. Farrell stated that it has to be in a budget and could be a department budget. Mr. Dawes stated \$1500 was proposed a couple years ago. Mr. Farrell stated that the board can discuss at the workshop.

WARRANT and MINUTES

Minutes of January 28, 2019

Mr. Dawes moved to approve the minutes of January 28, 2019. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.

Mr. Durney stated there is school tomorrow, but no after school activities because of the projected snow storm.

Mr. Sadler stated on ClearGov it said the town had more debt than other surrounding towns. Mr. Farrell stated that it is the new school that increases the debt.

Mr. Dawes asked when we will get the final funds from MSBA for the Penn Brook School. Mr. Farrell stated at the February MSBA meeting and that now the town is getting \$1M back instead of the \$500K at first anticipated.

Mr. Bonavita stated that Wednesday, February 13th is the joint workshop with the FinCom in the 2nd floor meeting room.

Mr. Bonavita stated he wanted to thank Lt. Governor Polito, Senator Tarr, and Representative Mirra for coming to town and for the Community Compact grant of \$10K.

Next Meeting

Monday, February 25, 2019 at 7:00Pm, 3rd floor meeting room

Adjournment

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

Meeting adjourned at 9:59PM.

Minutes transcribed by J. Pantano.

Minutes approved February 25, 2019.

Documents used in this meeting:

- Request from the Tour de Cure-American Diabetes Assoc.-Cycling event May 19, 2019 to
- pass through town
- Request for Ride to End Alzheimer's to pass through town 6/22
- 2nd Annual Laurie Hodges Memorial 5 K Run/Walk April 6 at Perley School
- 3rd Annual Flatbread Fiery 5K-May 17 starting at Black Swan CC

BoS Minutes

February 11, 2019

- Request from the ConCom for appointment of Chris Candia 6/30/2019 and Elisabeth Clark 6/30/2020
- Humboldt East, LLC-Community Host Agreement-Jayne Fishman
- Water Light Merger Discussion
- RFP's for National Ave property
- ATM & STM Warrants May 6, 2019
- Minutes of January 28, 2019