

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

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**BOARD OF SELECTMEN MEETING MINUTES**

**Memorial Town Hall**

**5/22/17**

**7:00PM-General Meeting~3<sup>rd</sup> floor meeting room, Town Hall**

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**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  
FinCom: Ashley Pierson, Matt Newhall  
Planning Board: John Cashell, Town Planner; Rob Hoover, Bob Watts, and Matilda Evangelista

**Absent:**

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**7:00PM Call to order**

Invocation-Douglas W. Dawes

Pledge of Allegiance

**Joint meeting-Planning Board & Joint meeting-FinCom will be a part of this meeting**

**NEW BUSINESS**

*Auditor's Report-Renee Davis & Romina Mameli to be present*

FinCom: Ashley Pierson, Matt Newhall-No quorum

- *Report on Examination of Basic Financial Statements*
- *Management Letter*
- *Reports on Federal Award Programs*

Ms. Davis stated all went well with audit and went over the 3 reports. She stated that that this was the first year for testing on Federal Award Programs. She stated that the Hazard Mitigation Grant was over the threshold and had to be audited under this program. She stated a low asset amount for capital item threshold and should look at increasing. She stated that GASB 75 reporting on OPEB liability \$16M is coming and that the town has invested a small amount and light department is investing. She stated that in FY17 OPEB will have expanded reporting. Mr. Dawes asked if the town should be funding the OPEB. Ms. Davis stated that the town is not required to fund at this time. She stated this is a town policy decision. Mr. Fowler asked about bonding. Ms. Davis explained the bonding and financial impact. Ms. Davis answered some additional questions.

Mr. Bonavita thanked them for coming in and giving the report.

**7:30PM PUBLIC HEARING**

*Crosby's Markets, Inc. - ABCC License change*

James Crosby and Mrs. Crosby were present

Mr. Bonavita opened the public hearing.

Mr. Crosby stated that they had to make some stock officer changes because of the death of his son. He explained that they also combined a store in Hamilton owned by one of his sons.  
Mr. Bonavita asked for questions from the board. There were none.  
Mr. Bonavita asked for public comments. There were none.  
Mr. Bonavita closed the Public Hearing.

**Mr. Surface moved to approve the New Officer/Director, Change of Beneficial Interest, and Issuance/Transfer of Stock/New Stockholder for Crosby's Markets, Inc. dba Crosby's Marketplace. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.**

*Community Compact-Information Technology Grant Program-Update*

Fred Mitchell, Fire Chief was present

Chief Mitchell explained we were awarded part of the grant the town applied for in the amount of \$69K, which will pay for IMC technology. He stated that we were not awarded the whole grant request. He explained what the IMC software will do. He stated that the grant did not fund the laptops for the apparatus. He stated that he is looking for other options for the laptops maybe using iPads.

Mr. Bonavita stated that the grant was put together quickly and if it was just the amount of requests that made them give less. Chief Mitchell stated yes only so much to go around and there is no match by the town for the grant so he is happy with the grant.

Mr. Sadler thanked him and congratulated him on the grant and asked when we could apply again. He asked for a list of all the available grants if there is one. Mr. Farrell stated that he will find out if we are eligible for another IT grant next year.

Mr. Farrell stated that we have received \$89K in grants from Community Compact this year and in the fall the town will be compliant with Complete Streets.

Mr. Surface stated some of the Community Compact grants are available only every two years. He stated a list of grants would be good for departments to have.

Mr. Fowler asked if the grant needs a vote from the board and if the Lt. Governor will come out to present the grant. Chief Mitchell stated that he will check to see if the Lt. Governor will come out. Mr. Farrell stated that they need a vote to authorize the chair to sign the agreement.

**Mr. Surface moved to authorize the Chairman to sign the Community Compact IT Grant Agreement. Mr. Dawes seconded the motion and the motion was approved by a unanimous vote.**

**OLD BUSINESS**

*Marijuana Moratorium-Planning Board to be present*

Planning Board: John Cashell, Town Planner; Rob Hoover, Chair; Bob Watts, and Matilda Evangelista were present

Attorney J. Eichmann, KP Law was present

Mr. Bonavita invited the board up and asked that they introduced themselves.

**Mr. Hoover moved to open the Planning Board meeting. Mr. Watts seconded the motion and the motion was approved by a unanimous vote.**

Mr. Surface stated that rules and regulations from the State on recreational marijuana will not be set until next year. He stated he is not opposed to having a store it is how the town can handle applicants if the State has not set the rules.

Mr. Bonavita asked Atty. Eichmann if there is anything new that they should know about. Atty. Eichmann stated that there is nothing new. He stated that the deadlines are March 15, 2018 for draft regulations and July 1, 2018 for final regulations.

Mr. Sadler asked if we can create an overlay district for the recreational as we did for the Medical marijuana. Planning Board stated that they could do this.

Discussion on temporary moratorium on recreational marijuana businesses

Mr. Dawes asked about restricting the number of establishments. Mr. Cashell stated that the number is determined by the number of liquor stores. He stated for Georgetown it would be one business.

Mr. Sadler asked if we have told Healthy Pharms that we would not oppose a recreational facility. He stated that they would have to abide the regulations.

Mr. Watts stated that this is a new industry and he stated this is a remarkable new business.

Mr. Fowler asked about voting on a sales tax and need to come out with roles of BoS and Planning Board in this process. He stated the sales tax would need to be on a town meeting warrant and then a vote on the ballot. He stated that there is a lot of talk on Cafes and not sure what these are and if these fall under the Planning Board.

Mr. Hoover stated regarding Healthy Pharms that they do not know what is happening at the State level and we would not know how to proceed without knowing more. Mr. Watts stated that the board may want to regulate how consumed and where.

Mr. Surface stated first step is do we want to push this off and have discussions with others involved or do we want to start the wheels turning for fall town meeting for a moratorium. Mr. Fowler stated do not forget Sales Tax.

Mr. Cashell stated that it would be best to have a moratorium and then over the winter they can work on regulations and have something for spring town meeting.

Mr. Sadler asked Mr. Eichmann if the clause in the Healthy Pharms agreement regarding the town not opposing them to sell recreational marijuana, is it legal. Attorney Eichmann stated that they have not supplied an opinion and it is not an easy answer.

Mr. Fowler asked who decides how many licenses. Atty. Eichmann stated that the State is setting the license procedure.

Ms. Evangelista stated that Planning Board could put in the bylaw that the recreational marijuana is under the control of the Selectmen. She stated that recreational is different than medical.

Mr. Dawes stated that no one in the State knows what is going to happen. He stated that the Sales Tax could be 2% and should we vote on this if the town is planning on allowing the sale of recreational marijuana. He stated that we could hold a hearing and at town meeting would have comment from the public.

Mr. Fowler stated he would in favor of one license and add sales tax and a moratorium on cafes.

Mr. Cashell stated that he suggests the moratorium and then by January or May have a better idea of what the State will do.

Atty. Eichmann stated that a moratorium is a zoning bylaw and can only be voted on by town meeting and requires a 2/3 vote.

Mr. Farrell stated that in the worst case if the State does not have regulations the town can push out the moratorium.

Atty. Eichmann stated that the State can make regulations at any time.

#### Discussion

Mr. Hoover stated that he is in favor of the moratorium, Mr. Watts and Ms. Evangelista stated that they are also in favor. Mr. Cashell stated if the town has the moratorium we will not be blindsided when the regulations come in.

Mr. Bonavita stated that we want to make sure everyone is on the same page.

Mr. Bonavita polled the Selectmen if they are on a favor of a temporary moratorium all members were in favor of a temporary moratorium on recreational marijuana.

**Mr. Hoover moved to adjourn the Planning Board meeting. Mr. Watts seconded the motion and the motion was approved by a unanimous vote.**

**Mr. Surface moved for a 3-minute recess. Mr. Sadler seconded the motion and the motion was approved by a unanimous vote.**

#### WARRANT and MINUTES

*Minutes of May 15, 2017*

**Mr. Fowler moved to approve the *Minutes of May 15, 2017*. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

#### CORRESPONDENCE

*Resignation of Nick Feitz from the ConCom*

Mr. Bonavita thanked Mr. Feitz for his service to the Conservation Commission.

#### ITEMS NOT REASONABLY ANTICIPATED BY THE CHAIR 48 HOURS IN ADVANCE OF THE MEETING

#### TOWN ADMINISTRATOR'S REPORT

*Line Item Transfer Requests*

Mr. Farrell stated that the FinCom was going to be present to vote on the transfers tonight. He stated that they did not have a quorum. He explained the Line Item transfers. Chief Mitchell explained the Fire Department transfer for some air bottles and apparatus repairs. Mr. Bonavita asked how many bottles they are looking to buy. Chief Mitchell stated bought 10 last year and will buy 5 more this year. He explained that the bottles all have to be replace as they have reached their live expectancy. Chief Mitchell stated that they also have to buy a vent saw as the one they had is no long working.

**Mr. Surface moved to approve the 3 Line Item Transfer Requests as presented. Mr. Dawes seconded the motion.**

Mr. Fowler asked for an explanation on the line item transfer for insurance. Mr. Farrell explained.

Mr. Farrell stated on the transfer for health insurance he tries to estimate insurance cost but employees change from single to family, add insurance, etc and it is a moving figure. He explained that where they would transfer funds from.

**The motion was approved by a unanimous vote.**

Mr. Farrell explained the Reserve Fund transfers are just a vote of the FinCom.

*National Ave Property Update (former Kennedy Property)*

Mr. Farrell showed the board a plan of the National Ave Property and explained access to the land, the wetlands, and the flood plain. He stated that he has asked for a memo from the Zoning Enforcement Officer for uses of the property. He stated that the other big issue the board has is to decide if they want to put out for sale or can auction or dispose of it under 30B under a request of proposals that would give the board control of who gets the land. He explained their options. Mr. Bonavita asked if we could do two projects on the property. Mr. Farrell stated that we could and go to the Planning Board for an ANR.

Mr. Sadler stated that the EDC wants to work on this property and have dedicate a meeting on this. He asked how the board feels with EDC taking the lead.

Mr. Bonavita stated that he feels it is premature to move forward on the property or a poll of the board until we know more. He stated that Mr. Farrell has some steps that he and the Town Planner, and Zoning have to work on before the board makes a decision.

Mr. Surface stated he discussed the property with Peter Milano from the State and he would come in with some ideas and this could be at a joint meeting with the Planning Board, ConCom, Zoning, etc.

Mr. Surface stated that Tarr's office was going to put in for some Economic Developments funds for \$50K. He stated that if they look at a Treatment Plant they would need help from the State.

Mr. Fowler asked if the Water Department looked at the land for well fields.

Mr. Bonavita stated that he feels we have to generate some revenue off of this land.

Mr. Farrell stated that the board must be aware that the Zoning Board has granted no variances and the ConCom has not granted any wetlands crossings.

Mr. Sadler stated that he wanted to know if the EDC should move forward. Mr. Bonavita stated that they should work with Mr. Farrell.

*45 Central Street-Update*

Mr. Farrell stated that he is working on finding someone to demo the property and an assessment of the asbestos.

**SELECTMEN'S REPORT**

*Veterans' Day events*

Mr. Dawes stated that there are two additional events for Veterans': Thurs May 25<sup>th</sup> at the Penn Brook School, and another on May 26<sup>th</sup> at the M/H School. He listed all the events. He stated that if there is rain the event will be at 10AM at VFW, on Andover Street.

*Mello Transfer Station*

Mr. Bonavita asked for an update. Mr. Farrell explained the changes that Mello proposes to the transfer station. He stated that the lease is for 2 acres and Jason Mello may want to expand to the capped area. He stated that the project needs approval from DEP, then Planning Board, and

ConCom. Mr. Sadler stated that the notice states that they will increase tonnage will abutters be notified. Mr. Farrell stated that they would be as part of the process.

*Summer Meetings-7/10, 8/21, 9/11, & 9/25*

Mr. Bonavita asked the board how they feel about the once a month meeting in July and August. He stated if another meeting needed can be added. Mr. Surface stated that he would not be available on 7/10. Mr. Sadler stated he would not be available on 9/11. Mr. Fowler stated he does not like once a month and hopes to keep meetings to the 2<sup>nd</sup> and 4<sup>th</sup> Monday. Mr. Dawes stated these are the 2<sup>nd</sup> and 4<sup>th</sup> Monday one in each month. He stated that he also did not like the once a month but that the board could add a meeting if needed.

**NEXT MEETING**

June 12, 2017 at 7:00PM, 3rd floor meeting room

**ADJOURNMENT**

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

Meeting adjourned at 9:55PM.

Minutes transcribed by J. Pantano.

Minutes approved June 12, 2017.

Documents used in this meeting:

- Minutes of May 15, 2017
- Resignation of Nick Feitz from the ConCom
- Auditor's Report-Renee Davis & Romina Mameli to be present
- Crosby's Markets, Inc. - ABCC License change
- Marijuana Moratorium-Planning Board to be present
- Community Compact-Information Technology Grant Program-Update
- Line Item Transfer Requests