



TOWN OF ADAMS

BOARD OF SELECTMEN MEETING MINUTES

WEDNESDAY, May 10, 2017 – 6:00 PM

ADAMS TOWN HALL, 1st FLOOR, ADAMS, MA 01220

On the above date the **Board of Selectmen** held a meeting at the Adams Town Hall at 6:00 p.m. Vice Chairman **John Duval** presided the meeting. Present were Members **Joseph Nowak**, and **Christine Hoyt**. Member **Richard Blanchard** was absent. Also in attendance was **Town Administrator Tony Mazzucco**. **Town Counsel, Ed St. John III** was absent.

The Select Board Meeting was called to order at 6:00 p.m. The Pledge of Allegiance was recited.

PUBLIC COMMENT

Executive Session Minutes

Jeff Lefebvre inquired if the Town would be releasing any Executive Session minute.

Town Administrator Mazzucco will run them by Town Counsel to see what can be released

Citizens Petition

Jeff Lefebvre noted the *Citizens Petition* must be reworded, but the warrant articles are closed

Town Administrator Mazzucco gave an outline of the process and advised it is up against the deadline. If there is another amended agreement it will have to come before a Special Town Meeting. He noted that it is a complex issue and formulas are based in state law, so every change made will have other changes attached.

Northern Berkshire Community Coalition

Wendy Penner of *NBCC* advised there will be a Blunt Discussion event in North Adams with speaker **Rick Cresta**. She advised this is part of a county-wide collaborative that collects information from youth

NEW BUSINESS

Proclamation of Bay State Bike Week, May 13-21, 2017

Chairman Duval read aloud the proclamation of *Bay State Bike Week*.

Motion made by Member Hoyt to approve the proclamation of Bay State Bike Week May 13 – 21, 2017

Second by Member Nowak

Unanimous vote

Motion passed

Discussion on Letter of Non-Opposition for a Registered Marijuana Dispensary

Town Administrator Mazzucco gave a brief background of *Mission Massachusetts* requesting to open a Medical Marijuana Dispensary in Adams and need a letter of non-opposition from the Board of Selectmen. He advised he and Director Cesan have been working with them and 3% of revenues would come to Town, as well as taxes.

Corey Ravelson, the Business Manager of *Mission Massachusetts* advised an application had been submitted to the Department of Public Health and the application and background checks have been approved. It is in the 2nd stage of the process and will now need a letter of support from the Town and proof of control of the property in town that is properly zoned. The cultivation and retail facility will be located in Worcester and Burlington gave letter of support for a retail facility. Worcester is approved by the Department of Public Health and in the construction stage. The security firm has a background in federal and state homeland security and has transitioned into medical marijuana. The facility will be between 2,000 sq. ft. and 4,000 sq. ft. and would only be retail, not cultivating or packaging. There would be six full time employees and ten rotating shift employees, and would be open 8 hours per day, six or seven days per week. There would not be any residences as it currently stands above or adjacent to the facility.

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The *Mission Massachusetts* Security Specialist gave a background on expertise in working with states and communities as well as *Mission Massachusetts*, and their approach of working with local fire and EMS and phased approach to design and create a security system. A high level overview of the specifics of the security of the building were covered, including access control, restricted access, video recording, intrusion detection and video storage. A badge system would also be utilized.

The *Mission Massachusetts* Medical Marijuana consultant firm advised there are seven clients in the state; they are trying to bring the best in class facilities and work closely with towns to be upstanding members of the community like a pharmacy.

Bruce Shepley of Precinct 3 advised he is an advocate for the letter of non-opposition because it is another access to healthcare.

Jeff Lefebvre advised he is an advocate for only Medical Marijuana, not recreation.

Wendy Penner of NBCC advised the regulations have not been released yet and medical marijuana may be allowed to then become retail facilities. She noted that a retail marijuana facility will not be selling to the youth in the community. She gave the Board risk factors for youth in the community and asked parents to think about the messages youth are receiving for a medical marijuana facility in the community.

Sandra Moderski of the Planning Board asked if *Mission Massachusetts* is interested in applying for recreational marijuana in the future. She briefly inquired about the location and expressed concern about parking and the price of medical marijuana.

Mr. Ravelson advised there are too many unknown factors on the recreational marijuana as the state guidelines are not out yet and there are still federal government questions. For now, the only interest is in medical marijuana. There are 34 people in Adams approved for medical marijuana, and here is a void in northwestern Massachusetts north of Pittsfield, so there is a need in Adams for a dispensary. Pricing varies, and there are different products in a variety of forms and recommendations for how much to use. There will potentially be a Social Security Disability and Veterans Discount on products. He briefly reviewed how purchasing works and it was noted that it cannot be covered by insurance. Odor is not a problem with a retail facility, but more with a cultivation site since it is prepackaged, airtight and sealed. There would not be any smoking area in the facility because that would be illegal. Credit cards cannot be used, but debit cards may be used. Marijuana is not taxed but there are fees for state administration, inspections and property taxes. A Community Host Agreement is a way to bring revenue for a not-for-profit. PILOT agreements were also reviewed, and a percentage of the revenue would come back to the Town. Dual purpose residential and dispensary buildings were discussed but the ideal is a standalone building. The purchase or lease agreement is hoped to go forward as soon as possible, and projected operation would be March to May of 2018. The agreement to the Town would be binding as long as *Mission Massachusetts* is operational in Town.

Chief Tarsa presented his opinions and preferences to the Board. He advised the Town needs to have a regulation in place that helps the dispensary to work with the Police Department and prevent liability issues. When recreational licensing is available it is important to have a facility larger than original need to prepare for future option of recreational marijuana, with suitable parking. He requested *Mission Massachusetts* look for a free standing facility away from downtown, free standing if possible, and that the 500 foot buffer be looked at and adhered to for protection purposes for the business and general public. He advised the Board of the need to work together to create bylaw that protects the town, the community, and the business.

Town Administrator Mazzucco briefly reviewed potential aspects of the host agreement. He noted there is no ordinance agreement in town currently, so security and state requirements must be met, including the 500 foot buffer, but it could be less. Recreational marijuana is likely to be more regulated.



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Further discussion included prescribing qualifications, federal funding, and whether a doctor is in private practice or under a hospital policy which excludes medical marijuana. The necessity of public transportation availability to the facility was noted, as well as the perception of signage to the public. No break-ins or robberies were reported for the small amount of product being purchased has been seen from other dispensaries. It was noted that the state has a stringent permit process, 500 feet from schools and where children congregate, and Mission Massachusetts was urged to look outside of downtown and to have a free standing building. It was recommended to have in the agreement that the Town may reopen the agreement for renegotiation if recreational marijuana comes to Adams.

Approval of Letter of Non-Opposition for Mission Massachusetts

Motion made by Member Nowak to approve the non-opposition letter for Mission Massachusetts for a Registered Medical Marijuana Dispensary to open in Adams, MA

Second by Member Hoyt

Unanimous vote

Motion passed

SUBCOMMITTEE/LIAISON REPORTS

Historical Society

Member Nowak advised he went to the yearly meeting of the Historical Society. Eugene Michalenko will serve as president. There were interesting talks by Barry Emery of Cheshire and Seth Brown for the Blue and Grey about the battle in Bennington.

Parks Commission

Member Nowak attended the Parks Commission meeting. There was discussion about Russell Field restoration and coordinating discussion between groups that use the fields about the needs of each group.

School Committee Meeting

Member Nowak attended the School Committee meeting. There was discussion about having to delay moving and the Superintendent concerns. The wording on original petition needed to be rewritten and get adequate signatures. If the agreement goes through, both communities must agree or it is nonbinding. The Department of Education must also approve it.

Board of Selectmen Workshop

Chairman Duval advised at the next Workshop there will be discussion on appointment of liaison and sub-committee members. The Board will go through the list of Action Items and the Selectmen's Policy Handbook, as it is a yearly requirement to review it.

ACTION ITEMS

No Action Items were discussed.

ANNOUNCEMENTS & GOOD OF THE ORDER

Legislative Listening Session

Member Hoyt attended the Baker/Polito listening session with Secretary Ash and a number of Adams businesses and residents. There was robust conversation and they are taking back information to Boston.

Ashuwillticook Rail Trail Phase III Ceremony

Member Hoyt reminded citizens of the Ribbon Cutting event on Friday. Village Bike Rentals and Berkshire Outfitters will be participating.



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New Business in Adams

Member Hoyt announced that Bella Sky Gifts on Summer Street will be having a grand opening on Saturday.

ADJOURNMENT

Motion made by Member Nowak to adjourn

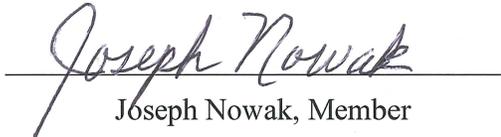
Second by Member Hoyt

Unanimous Vote

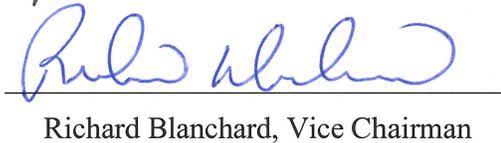
Motion passed

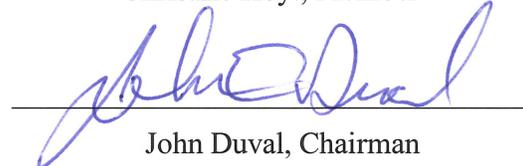
The Board of Selectmen Meeting adjourned at 7:24 p.m.

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member


Christine Hoyt, Member


Richard Blanchard, Vice Chairman


John Duval, Chairman