

January 19, 2016

**BOARD OF SELECTMEN
MINUTES
JANUARY 19, 2016**

Present: Mary Blanchard, Chairman
Priscilla Gimas
Mary Dowling
Craig Moran
Michael Suprenant
Leon Gaumond, Jr., Town Administrator

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance.

Public Service Announcements

M. Blanchard announced that the Town of Sturbridge is now accepting applications for tax assistance for low income seniors or disabled residents. Applicants must be age 65 or older, or who have a state recognized disability, with an annual income of \$20,000 or less if single, or \$30,000 or less if married. Applications are available in the Finance Department, Senior Center and on the Town's website. The deadline to file is January 15, 2016.

M. Blanchard announced that nomination papers for the April Town Election are available at the Town Clerk's Office, or go to the the Town's website under Town Clerk.

Minutes

MOTION: To approve the minutes of December 14, 2015 as amended, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Department Head Reports

Nelson Burlingame, Building Inspector, reviewed his report with the Board. He said that boring hole tests were conducted at 21 New Boston Road, the site where the new motel will be constructed, and work will begin there in a few weeks.

January 19, 2016

N. Burlingame said that CVS is in the process of getting a demo permit. They must submit it to the Historical Commission; at that point, the Commission will have 30 days to make a decision. They must notify N. Burlingame in writing within 30 days after the close of the public meeting, then wait six months.

N. Burlingame said that the annual 110 liquor license establishment inspections have been completed, and have been downloaded into the GeoTMS system.

Regarding the fire at the Publick House Motor Lodge, Michael Glick is still negotiating with the insurance company.

N. Burlingame inspected the Baba Sushi Restaurant site, and they plan to be open within a couple of months. They have built a staircase against a wall, along with other improvements.

Regarding the Center Office Building, a cold water pipe has been leaking inside a wall, causing mold to form in the floors. The Service Master Company will get rid of the mold. All of the tile in bathroom must be removed.

N. Burlingame had a preliminary meeting with OFS Fitel. They are talking about a solar area behind the parking lot.

C. Moran asked who owns the property at the CVS site. N. Burlingame will look into it.

Police Chief Thomas Ford reviewed his report with the Board.

M. Blanchard asked whether OUIs are higher than usual. Chief Ford said that they are consistent with the number that they normally had.

M. Blanchard said that there was a thank-you letter from the Center of Hope, because a police officer had offered a handicapped person a parking spot at a concert.

Chief Ford thanked all of the officers, dispatchers and the ACO who contributed toward a successful spaghetti supper for the seniors, along with raffle prizes and gifts from Santa. He thanked Village Pizza for their contribution toward setting up, food service and cleanup, and all those who had participated and donated toward the event.

L. Gaumond informed the Board about an Injured on Duty claim for Lt. Earl Dessert.

MOTION: To approve the IOD claim for Lt. Earl Dessert, by P. Gimás.

2nd: C. Moran
Vote: All in favor.

Fire Chief David Zinther reviewed his report with the Board. He said that there have been 78 mutual aid ambulance calls.

Chief Zinther said that there were changes in the Fire Grant Program regarding vehicles, and noted that they have a better chance this year, as Sturbridge is considered a rural community and will not be competing with Boston or Worcester any longer. He said that the grant process start being awarded in May until the end of September. He said that the Fire Department received some of the state grants totaling just under \$7,000 for the SAFE and Senior SAFE programs due to the efforts of MaryLou Volpe, who had put the information together.

M. Blanchard announced that the meeting was being recorded by a reporter from the Worcester Telegram & Gazette.

Chief Zinther said that there had been a fire at the Publick House at 4:00 a.m., and at 7:45 p.m. the same floor board was actually seen smoldering. He noted that two teenagers had attempted to put out the fire at the point of origin. Rescues had been conducted early on. There were also fires in two other towns during that time.

P. Gimas asked whether there were any grants available for computer permitting programs. Chief Zinther said that MIIA had something for technology upgrades. He said that they are working on putting inspection forms online. He added that Jean Bubon, Town Planner, has put together some software for permitting that will be shared townwide, so that the Fire Department will be able to go online to see if there is anything that needs to be addressed.

P. Gimas asked about the status of burn permits. Chief Zinther said now there is the ability for residents to obtain burn permit applications online. He said that once that program is up and running, it will be generating a report. It will also indicate whether or not it is a good day to burn.

Pole Hearing: Kelly Road

M. Dowling read the legal ad into the record. Kelly Griel from Verizon appeared before the Board. She explained that they would like to extend service down to the solar farm.

L. Gaumond read DPW's comments into the record. Greg Morse, DPW Director, indicated that he had reviewed the plans regarding the proposed pole locations on Kelly Road dated December 16, 2015. He had no problem with pole #T15/E.15 on the northerly edge of Kelly Road. Pole #T14/E14 is proposed to be placed on the south side of the road to prevent the cutting of a white pine tree; he would much prefer the tree be trimmed or removed and all poles kept to the northerly edge of the right-of-way, as this section of road is gravel and may need improvement if additional development occurs. He stated that if the Board were to approve the plan as presented, the Town will be boxed in between utility structures, making repairs more difficult, if not impossible.

M. Suprenant pointed out that the petition did not agree with the petition plan. K. Griel said that they could revise and resubmit the petition, then come back before the Board. She asked that the hearing be continued.

MOTION: To continue the public hearing to February 1, 2016 at 7:30 p.m., by P. Gimas.
2nd: C. Moran
Vote: All in favor.

Attorney Katherine Adams: Heal, Inc. – Proposed Registered Marijuana Dispensary and Cultivation Site

L. Gaumond had received a request from Heal Inc. to establish a medical marijuana facility in Sturbridge. Attorney Katherine Adams and Attorney Stephen Buchbinder of Schlesinger and Buchbinder, LLP appeared before the Board. Attorney Buchbinder provided the Board with a brief introduction. He said that Heal, Inc. is one of a number of organizations which have begun the application process to the Massachusetts Dept. of Public Health (DPH) seeking licenses to operate registered marijuana dispensaries in the Commonwealth. Heal Inc. requested that the Board of Selectmen authorize the Town Administrator to prepare a letter of support or non-opposition to accompany Heal's application to the DPH. Attorney Adams reviewed the application process with the Board.

The Heal Team includes Alex Oliphant, President and CEO of Heal, who owns and operates the Dog Scoop in West Newton, a care and grooming operation for dogs. James Bonaccorsi is the CFO and Treasurer of Heal and is a self-employed financial advisor in Dedham. Gary Einsidler is the COO of Heal, and is a pharmacist and store manager with over 30 years of experience dispensing medication to patients, and is also an adjunct professor at the Massachusetts College of Pharmacy. Patricia Faass

will be overseeing the build-out of the RMD facility and will serve as the General Manager of the RMD. Mary Ann Walsh is a government relations strategist who assists the company in navigating the DPH application process and locating suitable sites for an RMF facility. Sinead Barry-O'Brien of Netwatch is the security consultant, who will deploy advanced video processing technologies to monitor and protect the property. 4Front Advisors is a national consulting firm to assist the company in preparing its application to the DPH. 4Front will also help the company develop responsible practices for the dispensing of medical marijuana.

Attorney Buchbinder requested that the Board of Selectmen vote to issue a letter of support or non-opposition for an RMD at 690 Main Street. He said that upon receipt of the letter and the submission of its Siting Profile to the DPH, Heal, Inc. looks forward to working with the Town Planner, the Design Review Committee and the Conservation Commission, with the ultimate goal of returning to the Board of Selectmen to request a special permit to operate in Sturbridge. He added that they will develop security protocols with Police Chief Ford. He noted that the facility will provide jobs to residents of Sturbridge. They are willing to engage in a dialogue to provide revenue to the Town of Sturbridge.

C. Moran noticed that Heal Inc. has two non-profit organization tax numbers. Attorney Adams said that their assistant made an error when setting it up, so one of the numbers will be declared invalid.

C. Moran asked how much money would be generated for the Town, and how much traffic is anticipated. He asked whether it would become a profit business in the event that marijuana becomes decriminalized. Attorney Buchbinder said that Heal's only interest is in the medical marijuana aspect. He said that most towns are working on host agreements, with some asking for a flat fee, and others a percentage.

C. Moran noted that the business is non-profit, will not be paying taxes to the Town, and will be using police, fire and public services.

James Bonaccorsi said that since the passage of the referendum, the dispensary will be for people who need access for medical marijuana, not recreational marijuana. It would be a facility where people would be able to get consistent quality product in a safe environment. Attorney Buchbinder said that they will hire and train people to staff the office.

M. Dowling noted that nowhere else in Massachusetts is there an operating medical marijuana facility yet, and expressed concern over Sturbridge being the test case. She

stated that the letter of no opposition is premature, and should be issued only after the Planning Board has had its public hearings under the bylaw. Attorney Buchbinder confirmed that. M. Dowling stressed the need for adequate security measures. She said that this must be vetted to ensure that Heal complies with the Town's permitting process and bylaws. She suggested getting input from Town Counsel before proceeding further and before issuing the letter.

Attorney Buchbinder said that the dispensary will operate like a doctor's office, only with more security. The Department of Public Health will issue an ID card to each patient. Once inside the facility, the patient would meet with a counselor. He added that there are many different strains of the product.

M. Suprenant stated that in 2014 there was a more than 2/3 vote at Annual Town Meeting to approve a medical marijuana district in Sturbridge. He said that Old Sturbridge Village has a federal permit to cultivate marijuana, and used to cultivate it for medicinal purposes. He was in favor of a letter of non-opposition. He noted that the zoning bylaw prohibits the dispensary within 300 feet of a public pool. Attorney Buchbinder said that they have the ability to carve out a base well beyond 300 feet.

Sinead Barry-O'Brien of Netwatch explained that her company specializes in video security and is now operating in four states regarding medical marijuana facilities. They will install a security system designed for this purpose to deter crime. They are also experienced with working with local law enforcement.

M. Suprenant said that it had been stated that the marijuana would be subject to home delivery, and asked if there would be a security issue in getting the marijuana from the facility to the home. S. O'Brien noted that they have specific guidelines including how product is delivered, having two people in the delivery vehicle in constant contact with the facility via tracking.

M. Blanchard said that issuing a letter of non-opposition would be a small part of the process; this needs to go through the Planning Board hearing process, etc. She noted that the townspeople had voted for it, and it would be an employment opportunity for the Town. Several members of the Board had requested more information.

MOTION: To issue a letter of non-opposition contingent upon negotiations, by P. Gimas.

2nd: M. Suprenant

M. Dowling asked the Board to reconsider the vote, and stressed the need for input from Town Counsel. She suggested discussing a pilot agreement. She felt that Heal Inc. should be required to come back with more information. Attorney Buchbinder said that they have to go back to the Department of Public Health before moving ahead with the facility. P. Gimas said that at this point, the Board would not jeopardize anything by sending the letter. M. Blanchard added that the letter just indicates that the facility is allowed in that zone.

Vote: Three in favor; M. Dowling and C. Moran opposed.

Attorney Buchbinder thanked the Board, and said that they would be happy to return to meet with the Board at any time.

M. Blanchard asked which template the Board wished to sign. L. Gaumond recommended using the language in template B, and said that he would have it prepared for the Board's signatures by next week.

MOTION: To allow the Board of Selectmen to sign the letter of non-opposition, by P. Gimas.

2nd: M. Suprenant

Vote: Three in favor; M. Dowling and C. Moran opposed.

Surplus Equipment Bids

MOTION: That the Town dispose of the items bid upon in the annual surplus auction to the highest bidders as identified by the Department of Public Works, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

Town Administrator's Update

- **Town Goals and Objectives for 2016**

L. Gaumond asked the Board to set the goals for 2016. He prepared a list based upon the things discussed and presented at the Selectmen's retreat.

M. Blanchard read the list of goals into the record:

- 1) Update/revise the Town's website
- 2) Organize and prepare a Policy Book for Selectmen's policies

- 3) Develop a New Selectmen Policy to assist new Selectmen as they are sworn in
- 4) Develop an Exit Interview Policy
- 5) Develop a formal hiring process for the Town
- 6) Update the Procurement Officer Training
- 7) Work with the Senior Center study group on their work reviewing the Senior Center Feasibility Study
- 8) Develop a formal Facilities Department
- 9) Develop a policy on vehicle titles and insurance fleet schedule
- 10) Review Traffic Rules of Order and produce an update
- 11) Prepare a feasibility study for the DPW Building
- 12) Prepare a feasibility study for the Public Safety Complex
- 13) Develop a strategic plan to address building issues named in the various Town Building reports
- 14) Develop a permit/license book which describes steps necessary to acquire each permit and license.

MOTION: To approve the list of goals for 2016, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

- **Town Gardens: Letter from Jack and Judy Taylor**

L. Gaumond said that the Town had received a very nice letter from the Taylors, who have maintained (even in their older years) the gardens behind Town Hall. Unfortunately, they cannot continue and would like to resign these duties. He asked the Board to accept their resignation and thank them for their years of service to the community.

MOTION: So moved, by P. Gimas.

2nd: C. Moran

Vote: All in favor.

- **Selectman Designees for Capital and Betterment**

L. Gaumond informed the Board that they need to appoint a Selectman as a voting member of the Betterment Committee and a Selectman as a non-voting advisory member of the Capital Committee.

MOTION: To nominate Mary Blanchard to continue serving on the Betterment Committee, by P. Gimas.

2nd: M. Dowling

Vote: All in favor.

MOTION: To accept the resignation of Kevin MacConnell from the Betterment Committee, by M. Dowling.

2nd: M. Suprenant

Vote: All in favor.

M. Suprenant noted that the Capital Committee meets during the day. L. Gaumond said that the Capital Committee will meet on Thursday, January 28th at 2:00 p.m., with a follow-up meeting on February 3rd at 2:00 p.m. M. Dowling said that she could attend the February 3rd meeting, but not the January 28th meeting. P. Gimas said that she could try to attend the January 28th meeting.

Correspondence

M. Dowling read the correspondence list into the record.

Old Business

M. Suprenant asked about the hearing on the Town Common recommendations. L. Gaumond said that the meeting was held at 5:00 p.m., and had been announced at the last meeting.

M. Blanchard asked about the status of the drawings for the signage for the Riverlands. L. Gaumond said that he has a draft of the signage and will share it with the Board.

New Business

C. Moran said that there was a letter from the town of East Brookfield regarding the flow barrier between Quacumquasit Pond (South Pond) and Quaboag Pond (North Pond), and asked what had been done with that. L. Gaumond said that he had sent it to the Conservation Department and DPW. C. Moran suggested that a copy be sent to the Sturbridge Lakes Advisory Committee.

MOTION: To adjourn, by P. Gimas.

2nd: M. Blanchard

Vote: All in favor.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

January 19, 2016

Judy Knowles

BOS Clerk

Date