

BOARD OF SELECTMEN'S MEETING
February 11, 2019

A meeting of the Board of Selectmen was called to order by Chairman Thomas Melia at 7:00 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. **Present:** Board Members: Ampagoomian, Melia and Nolan. Selectman Athanas and Selectwoman Cannon were absent, and it is duly noted. **Also Present:** Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

APPROVAL OF MINUTES: 1) December 3, 2018. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to approve the December 3, 2018 minutes as presented with the readings omitted. Vote yes/Messrs. Ampagoomian, Melia and Nolan. **2) January 28, 2019.** A motion/Mr. Ampagoomian, seconded/Mr. Nolan to approve the January 28, 2019 minutes as presented with the readings omitted. Vote yes/Messrs. Ampagoomian, Melia and Nolan.

PUBLIC HEARING/None

APPOINTMENTS/By the Board of Selectmen: Community Preservation Committee: 1) Barbara McNamee, Conservation Commission Delegate. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to appoint Barbara McNamee as the Conservation Commission Delegate to the Community Preservation Committee. Vote yes/Messrs. Ampagoomian, Melia and Nolan. **2) Gerry Ouillette, Member At Large.** A motion/Mr. Nolan, seconded/Mr. Ampagoomian to appoint Gerry Ouillette as a Member At Large to the Community Preservation Committee. Vote yes/Messrs. Ampagoomian, Melia and Nolan.

Stephen Miller, Historical Commission/Present: Kenneth Warchol. Mr. Warchol stated that the vacancy is the result of the unfortunate passing of Ms. Tally this past fall. He then introduced Mr. Miller and advised that he is interested in the vacant position. Mr. Miller then stated that he is a relatively new resident to Northbridge as he moved to town last year from Ohio. In Ohio, he served on the Railroad Commission, which is a historic railway organization dedicated to the preservation of railway history. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to appoint Stephen Miller to the Historical Commission. Vote yes/Messrs. Ampagoomian, Melia and Nolan.

Resignation: Troy Coutu, Cable Advisory Committee. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to accept Troy Coutu's resignation and send a letter of appreciation. Vote yes/Messrs. Ampagoomian, Melia and Nolan.

CITIZENS' COMMENTS/INPUT/None

Local Historic District Study Committee (LHDSC) Status Update; Property Owners' Opinion Survey (BOS input); Vote to utilize funds to increase the scope of work (Consultant), & Announcement of the LHDSC Public Forum to be held on February 26, 2019 @ 7PM in Town Hall. [Present: Harry Berkowitz, Chair & Ken Warchol, Vice Chair LHDSC]. Town Planner Gary Bechtholdt explained that the Local Historic District Study Committee was established with the hope of establishing a Local Historic District. With that the Town has entered into an agreement with the National Park Service to look to establish the Historic District. Mr. Bechtholdt stated that they hired a consultant to form the study report, which led to some missing pieces that are required. For that reason, the LHDSC is requesting to expand the scope of work. Mr. Bechtholdt indicated that the Committee hopes to have the report completed in June of 2019, with the hope of presenting it at the Fall Annual Town Meeting in October 2019, which would require a 2/3 vote. Last year, the LHDSC identified 19 possible properties to be included in the Historic District, however, while working with the consultant, they determined they needed

justification for several of the properties, which resulted in their decreasing the number to 12 properties. The 12 properties include: the Fletcher House, Paul Whitin Mill, the Cotton Mill; Memorial Town Hall, Aldrich School Building (Town Hall Annex), Whitinsville Community Center, Whitinsville Savings Bank, Town Common, Whitinsville Social Library, Trinity Episcopal Church, Village Congregational Church and the Congregational Parsonage. Mr. Warchol explained that the consultant felt as though the Committee should go for a crossroads village as opposed to a mill village. He spoke of the reasoning behind reducing the list to 12 properties. Mr. Berkowitz stated that he will be doing a tour with the National Park Service in September, which will tell the story of the buildings and how they came about. Mr. Bechtholdt explained that they are looking for input from the property owners at the Public Forum on February 26th, and then will begin looking at potential provisions for the bylaw. Selectman Nolan asked if they have heard from anyone and whether this project would affect them negatively. Mr. Bechtholdt stated that he spoke with Heather Elster of the Whitin Community Center, Dennis Rice of Open Sky [formerly Alternatives], Vin Osterman who represents the bank building and the two Church properties and they were all supportive of this and are currently discussing restrictions. Selectman Ampagoomian asked what the increased Scope of Work will cost. Mr. Bechtholdt replied that the Planning Board is looking to increase it by \$45,000, which are funds that were secured as part of the Pine Knoll modification through the Aries Group. Selectman Ampagoomian asked about the Post Office. Mr. Bechtholdt noted that the choice in buildings that they tied into was buildings that were specific to the Whitins. Selectman Ampagoomian asked if there was any way to tie in the walking map to the tour. Mr. Berkowitz stated that there will be a kiosk put up at Wal-Mart where they could put maps up for visitors. Chairman Melia expressed his concern for restrictions and asked if there is a need for the Historic District for National Park or Mass. Historical Commission. Mr. Bechtholdt stated that the Board of Selectmen signed a general agreement with the National Park Service, which stated they would pursue the establishment of a local historic district to define the boundaries. Selectman Melia asked what our Town would receive from this. Mr. Bechtholdt stated that it will allow the National Parks to invest into the community to provide staffing and publicize nationally. Selectman Melia asked if property owners have the right to opt out. Mr. Bechtholdt responded that the communities want the support of each individual and make sure they support it. A motion/Mr. Ampagoomian, seconded/Mr. Nolan to utilize funds to increase the scope of work with the consultant in the amount of \$45,000. Vote yes/Messrs. Ampagoomian, Melia and Nolan.

The Hills at Whitinsville Subdivision (7 Open Space parcels)/Vote to accept Deed as authorized by Art. 20 at the Spring Annual Town Meeting, May 1, 2018/ Present: Attorney Robert Knapik. Mr. Knapik stated that he is delivering a deed in lieu of foreclosure of seven parcels of land within the subdivision of the Hills at Whitinsville, a large subdivision located between Prospect Street and Hill Street. Selectman Ampagoomian asked if there are any restrictions on the use of the parcels. Mr. Knapik stated that he doesn't believe there is but doesn't think they can be developed. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to accept the deed as authorized by Art. 20 at the Spring Annual Town Meeting, May 1, 2018, for The Hills at Whitinsville subdivision (7 Open Space parcels). Vote yes/Messrs. Ampagoomian, Nolan, and Melia.

Community Forum for a Recreational Marijuana Retail Establishment – True Nature's Wellness – proposed location is 1096-1110 Main Street [Present: Steve Croteau and Phil Silverman]. Chairman Melia read aloud the chain of events in regard to recreational marijuana. Mr. Silverman noted the Community Forum is a requirement of state law. Continuing, Mr. Silverman explained that True Nature's Wellness is currently a Massachusetts non-profit corporation, a requirement under the old medical regulations, which has since been changed and he believes the company will soon be converting to a for-profit status. He mentioned there will be no on-site consumption at this facility as it is for resale only. Mr. Silverman advised that the facility, which meets the buffer requirements, is on 1.92 acres of land and has plenty of parking. He added that the building needed approximately \$1,000,000 worth of renovations. The facility, which is a limited access facility, requires an ID before entering through the first door. Mr. Silverman explained that there will be cameras at every door and window as well as around the perimeter

and they will be monitored 24/7. He spoke briefly about the Host Agreement, which will pay the town 3% and in addition can collect a 3% sales tax. Chairman Melia asked Town Manager Gaudette to talk about the Host Community Agreement. Mr. Gaudette explained this is a template document that has been approved by other towns. He added that the agreement is more of a boiler plate agreement and there are several items that become a negotiated effort between the proponent's counsel and town counsel. Mr. Gaudette explained that these negotiations are public and are not done in executive session like most agreements. The Town Manager then reviewed some of the key details in the agreement. Selectman Nolan asked when a customer enters the facility what is verified on their ID. Mr. Silverman replied that they verify the consumer is 21 years of age and is only allowed to buy an ounce per day. Selectman Nolan asked what type of payments are taken. Mr. Silverman answered cash and debit cards only. Century Bank provides the debit card system. No credit cards will be accepted. Selectman Nolan asked how long they expect a customer to stay in the facility. Mr. Croteau stated that typically about 15 minutes and explained that there is further labeling that occurs. Selectman Nolan also asked what their planned hours are. Mr. Croteau responded that they plan to open 7 days a week from 8 AM to 8 PM for setup. Selectman Ampagoomian asked if the edibles have an expiration date and if so how are they disposed of. Mr. Croteau replied that they do have an expiration date and explained that the disposal of edibles is regulated by the Cannabis Control Commission and needs to be kept in a log. The product also has to be made inert by mixing it with dirt or kitty litter before disposal. Mr. Croteau explained that they have a tentative agreement with NEDT in Sutton for waste disposal once the product becomes inert. Selectman Ampagoomian asked how they would handle complaints from residents, if received. Mr. Croteau said that he wants to get along with the neighbors and further described at his previous employer's location, Dunkin Donuts gave discounts to the employees of that facility, and they hope to bring the same vibe to Northbridge. He also explained that if there is a complaint they will listen and rectify or mitigate it as soon as possible. Selectman Ampagoomian asked how the funds received from the Host Community Agreement are distributed. Mr. Gaudette explained that it is considered a general fund receipt and would be considered a general fund revenue. Chairman Melia asked how many days of storage is required. Mr. Silverman replied that it is required to have 90 days, but they are looking to keep up to a year on file. Chairman Melia asked Police Chief Warchol his thoughts regarding the facility in Fall River. Chief Warchol stated that security procedures and inventory control were very tight. He also recommended that a license scanner be used to check for counterfeit ID's. Mr. Warchol expressed that his main concern was about consumption on site and added that he would add that to the Host Agreement. Chairman Melia asked for any members of the audience with comments to come forward. John Nulty, 62 Oriole Drive, asked how the town was chosen and what studies were done to come to that decision. Mr. Croteau stated that he is from Uxbridge, where he currently resides, but prior to getting married, he and his wife lived in the Fletcher House, and his daughter attends Northbridge High School. Mr. Croteau explained that with medical marijuana, the regulations fell on the outskirts of town, so they kept their eye on that location as a possibility while waiting to see where recreational marijuana stood for Northbridge. Once all the regulations were in place, the location they had their eye on, fell within the proper zone, so he took it to the Town Planner. Mr. Nulty stated that his concern is with the funding and making quarterly payments and the process. Mr. Gaudette stated that they are required to file with the Department of Revenue, so the "sales" information will go directly to the DOR, then comes down to us in the form of sales tax, so the Town will use that information to determine the impact fee. Mr. Nulty asked how the funds would come to the Town. Mr. Gaudette explained that there are two types of payments, the first would be the local sales tax, which would be funneled through the state and the impact fee would be handled like a PILOT, so it would come directly to the town. Mr. Nulty asked about other companies under Mr. Croteau's name to which Mr. Croteau gave a brief description of all of them. Mr. Nulty asked about the difference in process if someone were to buy medical marijuana. Mr. Croteau explained that they are not selling medical marijuana and explained that the process for taxing is separate. Mr. Silverman added that anyone with a medical card would be purchasing as a recreational user. Mr. Nulty sought clarification asking if he would be able to buy the max amount of an ounce from one facility, then go to another facility to buy another ounce. Mr. Silverman explained that the medical marijuana is tracked to limit the amounts and would not allow for more than one ounce to be purchased and explained that it does not exist right now on the recreational side.

Mr. Nulty asked if the security directors get together to identify individuals committing fraud. Mr. Silverman asked for clarification. Mr. Nulty gave the example as if he were making the purchase then give it over to someone else. Mr. Silverman addressed that if his concern is for resale after being purchased from this facility the individual is more than likely already selling on the black market and selling at a lower cost than it would be for them to sell this facility's product and there would not be a market for it. Mr. Nulty asked about the Host Community Agreement in regard to liability. Mr. Gaudette stated that there are many pieces to the agreement, which also requires they cooperate and read a clause about diversion. Mr. Nulty asked about union contracts if they have been updated with the newest moving parts of cannabis use. Chief Warchol interjected stating they issued a general order that they cannot use or consume any marijuana products. Mr. Peter Silver, Director of Security, stated that there are many different strains and the consumers are looking to use it for themselves not to sell it on the black market.

TOWN MANAGER'S REPORT: **1) Monday, January 28, 2019** – Attended the Board of Selectmen's Meeting. **Wednesday, January 30, 2019** – Met with Dennis Rice at Alternatives to discuss their Feasibility Study project with MassDevelopment. **Wednesday, January 30, 2019** – Met with Public Safety/Health staff and Planning Staff from Uxbridge who are working on a feasibility study for a regional emergency operations center. **Thursday, January 31, 2019** – Met with G. Bechtholdt and Energy Consultant to discuss FY2019 Green Community Energy projects. **Thursday, January 31, 2019** – Met with Representative Muradian and the new Secretary for the Executive Office of Economic Development. **Thursday, January 31, 2019** – Attended the BPCC Meeting to present the 5-year Capital Plan update. **Tuesday, February 5, 2019** – Attended the School Building Committee Meeting. **Tuesday, February 5, 2019** – Met with a working group ahead of the School project meeting to discuss efficient energy opportunities. **Wednesday, February 6, 2019** – Met with Dr. Stickney and M. Walker from NPS to discuss FY2020 Budge and Capital Outlook. **Thursday, February 7, 2019** – Met with Chairman Melia to discuss BOS Meeting Agenda. **Thursday, February 7, 2019** – Met with representatives from MA DOR and Financial Team. **Friday, February 8, 2019** – Attended a Legislative Breakfast in Millbury. **Friday, February 8, 2019** – Held a Department Managers Meeting. **2) Balmer School Building Project:** At their meeting this past Tuesday, February 5, 2019, the Committee reviewed exterior design elements including panels, stonework and color scheme. The next School Building Committee Meeting is scheduled for February 27, 2019 at 6:30 pm at the High School Library. **3) Fire Station Project (Feasibility Study):** The Project Team is finalizing the RFQ for BPCC for review at their meeting on February 21, 2019. The RFQ is to hire an architect team to perform the Feasibility Study. **4) LED Streetlight Conversion:** The Town has reviewed the Closing Documents drafted by National Grid and Town Counsel has submitted comments to National Grid. Once the closing occurs construction will begin as parts have been ordered/received and an installer has been selected. **5) Recreational Marijuana:** Host Community Agreement negotiations with **True Nature's Wellness** (retail) have been finalized and the agreement has been signed. A Community Forum will be held at the BOS Meeting this Monday, February 11, 2019. Negotiations with **The Botanist** (cultivation) and **Eskar/Hunnewell** (retail and cultivation) are ongoing. **6) Solar PILOTs:** The PILOT for Nexamp (Sutton Solar 2 project – Lasell Road) has been signed. The PILOT discussions for Syncarpha (Northbridge I project – Linwood Ave) are ongoing. **7) FY2020 Budget and Capital Plan Development:** The initial draft FY2020 Budget will be presented to FinCom on February 12th and the Selectmen on February 25th.

SELECTMEN'S CONCERNS: Chairman Melia 1) Asked Town Manager Gaudette to look into the cause for the trucks catching on fire at the Osterman property.

ITEMS FOR FUTURE AGENDA/None

CORRESPONDENCE/None

EXECUTIVE SESSION/None

Chairman Melia announced that the next scheduled meeting is February 25, 2019.

A motion/Mr. Ampagoomian, seconded/Mr. Nolan to adjourn the public meeting. Vote yes/Board Members: Ampagoomian, Melia and Nolan.

Meeting Adjourned: 8:58 PM

Respectfully submitted,

Daniel Nolan, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

February 11, 2019

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MINUTES:

A. 1) December 3, 2018

-Copy of December 3, 218 minutes

2) January 28, 2019

-Copy of January 28, 2019 minutes

II. PUBLIC HEARING

III. APPOINTMENTS:

B. Community Preservation Committee 1) Barbara McNamee, Conservation Commission Delegate 2) Gerry Ouillette, Member At Large

-Copy of memorandum from the Conservation Commission advising the Town Manager of the appointment of Barbara McNamee as a Conservation Commission Delegate and requesting the Mr. Ouillette be appointed as a Member at Large if a position was available

C. Stephen Miller, Historical Commission/Present: Kenneth Warchol

-Copy of Talent Bank Application for Stephen Miller

D. Resignation: Troy Coutu, Cable Advisory Committee

-Copy of email from Harry Berkowitz, Chairman of the Cable Advisory Committee notifying the Town of Troy Coutu's resignation

IV. CITIZENS' COMMENTS/INPUT

V. DECISIONS:

E. Local Historic District Study Committee (LHDSC) -Status/update, Property Owners' Opinion Survey (BOS input), Vote to utilize funds to increase scope of work (Consultant), & Announcement of LHDSC Public Forum February 26, 2019 (7PM-Town Hall) [Present: Harry Berkowitz, Chair & Ken Warchol, Vice Chair LHDSC]

-Copy of letter regarding Local Historic District
-Copy of Public Forum/Property Owners' Meeting letter
-Copy of Opinion Survey
-Copy of map of proposed Local Historic District

F. The Hills at Whitinsville Subdivision (7 Open Space parcels)/Vote to accept Deed as authorized by Article 20 at the Spring Annual Town Meeting, May 1, 2018/ Present: Attorney Robert Knapik

-Copy of deed

VI. DISCUSSIONS:

G. Community Forum for a Recreational Marijuana Retail Establishment – True Nature’s Wellness – proposed location is 1096-1110 Main Street [Present: Steve Croteau and Phil Silverman]

- Copy of Notice of Community Outreach Team
- Copy of presentation
- Copy of Business Plan
- Copy of Host Community Agreement
- Copy of letter from Jonathan Nulty
- Copy of True Nature Wellness outline

VII. TOWN MANAGER'S REPORT

VIII. SELECTMEN'S CONCERNS

IX. ITEMS FOR FUTURE AGENDA

X. CORRESPONDENCE

XI. EXECUTIVE SESSION