

BOARD OF SELECTMEN'S MEETING
September 9, 2019

A meeting of the Board of Selectmen was called to order by Chairman James Athanas at 6:30 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA. Board Members Present: Ampagoomian, Athanas, Cannon, Melia and Nolan. Also Present: Adam D. Gaudette, Town Manager.

The Pledge of Allegiance was recited by those present.

Chairman Athanas announced that the Board would be going into Executive Session and declared that having an open meeting may have a detrimental effect on the litigating position of the body.

A motion/Mr. seconded/Mr. to go into Executive Session under **M.G.L c.30A, Sec. 21 #3** - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town. Roll Call Vote: Mr. Athanas/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes, Ms. Cannon/Yes, and Mr. Nolan/Yes.

Open Session Adjourned: 6:31 PM

Executive Session Convened: 6:32 PM

Executive Session Adjourned: 7:05 PM

Open Session Reconvened: 7:06 PM

APPROVAL OF MINUTES/None

PUBLIC HEARING/None

APPOINTMENTS/By the Board of Selectmen [Vote to appoint] A. 1) Central Mass. Regional Planning Commission – a) Second Delegate b) Alternate. Mrs. Cannon offered to be the Second Delegate and Mr. Nolan offered to be an Alternate. Therefore, a motion/Mr. Ampagoomian, seconded/Mr. Athanas to appoint Mrs. Alicia Cannon as the Second Delegate to the Central Mass. Regional Planning Commission and Mr. Nolan as the Alternate. Vote yes/Unanimous.

2) Economic Development Committee – Board of Selectmen's Representative. Selectman Melia offered to be the Selectmen's Representative on the Economic Development Committee. A motion/Mr. Ampagoomian, seconded/Mrs. Cannon to appoint Mr. Melia to the Economic Development Committee as the Selectmen's Representative. Vote yes/Unanimous.

CITIZENS' COMMENTS/INPUT/None

Open Sky Community Services, Valley Bag Toss, Saturday, September 14, 2019 from 12 Noon to 5 PM/Request for a one-day wines and malts license [Rain Rate: September 15, 2019 12 Noon to 5 PM]. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the request for a one-day wines and malts license for Open Sky Community Services, Valley Bag Toss on Saturday, September 14, 2019, from 12 Noon to 5 PM with a rain date of September 15, 2019 from 12 Noon to 5 PM. Vote yes/Unanimous.

Northbridge Association of Churches/Request to hold the 45th annual Blackstone Valley Crop Walk on Saturday, October 19, 2019 at 8:30 AM. A motion/Mr. Nolan, seconded/Mr. Ampagoomian to

approve the above request to hold the 45th Annual Blackstone Valley Crop Walk on Saturday, October 19, 2019 at 8:30 AM. Vote yes/Unanimous.

Bill's Autobody and Radiator Service, 36 Providence Lane, Linwood, MA/Vote to revoke the Class II - Used Car Dealer's License. Town Manager Gaudette explained that we received notice that his bond was cancelled and after looking into the matter further, we were informed that the owner, William Frowein, has retired. A motion/Mr. Ampagoomian, seconded/Mrs. Cannon to vote to revoke the Class II - Used Car Dealer's License for Bill's Autobody and Radiator Service at 36 Providence Lane, Linwood, MA. Vote yes/Unanimous.

Vote to accept a monetary donation from Walmart in the amount of \$4,000 for the Northbridge Police Department. Police Chief Warchol informed the Board that Walmart gave the Police Department a donation of \$4,000 dollars, which will be used in conjunction with the Drug Court Program at Uxbridge District Court. He explained this program is a pre-jail diversion program for substance abusers. Chief Warchol further noted the donation needs to be administered through the Police Department as they are the liaison for the Drug Court. A motion/Mr. Melia, seconded/Mrs. Cannon to accept the monetary donation from Walmart in the amount of \$4,000 for the Northbridge Police Department. Selectman Ampagoomian requested a letter of appreciation be sent to Walmart for their donation. Vote yes/Unanimous.

Host Community Agreement/Community Forum for a Recreational Marijuana Cultivation Facility (Eskar) – proposed location is off Riverdale Street [Present: Michael Aldi]. Mr. Michael Aldi, co-founder and Vice President of Eskar, introduced Mr. John Paul Aldi who is the head of operations for Eskar. Mr. Aldi advised based on discussions with their architects and design professionals they are thinking of building the cultivation facility in the 10,000 square foot range with the option to expand to the 30,000 square foot range. He reported that they are projecting a net revenue of \$6,000,000 dollars with an average of \$3,000,000 million over the next 5 to 6 years. Additionally, the timeline for construction of the building would be a 20-month process, which includes remediation of the gravel pit, finishing permitting, and getting the state provisional permits. Next, Mr. Aldi stated that the build up should start in month 10 and last about 5 months, and in month 16, they would hope to receive State approval. Selectman Melia inquired about the Host Community Agreement. Town Manager Gaudette explained that this process began with changing the zoning of the gravel pit, allowing cultivation use on this particular site. He said there are 3 things that are required to run this type of business: Host Community Agreement, State License, and permission from the Planning Board for a special permit. Mr. Gaudette added that in order to get to the point of building a facility, those processes need to be completed but prior to those processes they need to complete a Host Community Agreement, which is currently ongoing. Mr. Gaudette further explained if the Board votes to approve the agreement, it would allow Eskar to move on to the next 2 steps of the process, which is permitting and acquiring the state License. He noted that for this particular site, Mr. Hunnewell achieved the zoning change and discussion began with The Botanist, who is a larger company through Acreage Holdings. The Town Manager further noted that The Botanist approached us about a Host Community Agreement on the site off Riverdale Street but that we have not had any contact with them for 6 to 9 months. Town Manager Gaudette stated that even though the town is allowed 2 recreational marijuana facilities, the town can still sign 10 Host Community Agreements still only 2 can be built. Mr. Gaudette mentioned that Mr. Hunnewell and Mr. Aldi have come before us to do a smaller facility, but it doesn't change the terms of the agreement. Further, if the board agrees to allow for the Host Community Agreement at tonight's meeting, they [Eskar] would submit documentation that this community forum has occurred, and they would then be able to begin the process. Selectman Melia asked how many employees are expected to be employed. Mr. Michael Aldi replied that it would probably be 50 to 60 employees in 3 shifts. Selectman Melia asked if anyone within the company or working for the company has been associated with the Mayor of Fall River. Mr. Michael Aldi replied they have not. Chairman Athanas asked no matter how many Host Community Agreements are completed are they handled on a first come, first served basis. Mr. Gaudette explained that for marijuana cultivation there is no limit, but for retail there is a maximum of 2, which

would be whoever gets permitted through the Cannabis Control Commission. Selectwoman Cannon asked about a bullet point on the PowerPoint slide regarding negotiating leftover space to sub-lease other cannabis vendors and asked what that would entail. Mr. Michael Aldi replied that in the cultivation industry there are other processes, such as taking the trim from flowers and make other products from it such as vape cartridges and edibles. Mrs. Cannon asked how the sub-leasing would work. The Town Manager replied that they would need to start with the Cannabis Control Commission as well for licensing but if they sub-lease to an outside company that company would need to come before the Board to bargain their own Host Community Agreement. Selectman Ampagoomian asked what the remediation of the gravel pit entails. Mr. Aldi responded that it would be part of the engineering process to figure out what steps need to be taken, if there is any contamination, etc. Selectman Ampagoomian asked about the artist rendition and the solar panels within it. Mr. Michael Aldi answered that the owner had expressed interest that he may or may not also want solar on the site. Chairman Athanas asked about the permitting with the Arlington, MA location and how far along it is. Mr. Michael Aldi said that they are submitting the State application this week. Next, the Town Manager reviewed the Host Community Agreement with the Board. Selectman Melia asked what the length of payment is for the Community Development payment. Town Manager Gaudette explained that it would be paid annually, and Mr. Michael Aldi added that typically the Host Community Agreements last 5 years for retail and 10 years for cultivation. Chairman Athanas asked if there were any audience members that would like to speak. Monica McCallum, owner of 40-42 Riverdale Street, expressed concern for the construction traffic and traffic after the building is built. Town Manager Gaudette clarified that the Board isn't approving the project but instead they are approving a mitigation agreement if the project is approved at this property it would go through the CCC and the Planning Board. He further noted that this company would be required to submit a traffic analysis to the Planning Board as part of the special permit, which would look at different intersections, problems, noise and lighting. There being no further questions, Town Manager Gaudette recommended the Board of Selectmen approve the Host Community Agreement with Eskar for marijuana cultivation at this site. A motion/Mr. Melia, seconded/Mr. Ampagoomian to approve the Host Community Agreement with Eskar, with the changes to reflect Eskar in place of The Botanist. Vote yes/Unanimous.

Fall Annual Town Meeting [October 22, 2019]/Vote to sign warrant upon completion and final review of Town Counsel. (Draft Warrant #4 – dated 8.23.19 amended by Town Counsel). **ARTICLE 1: (Board of Selectmen) FY20 Budget Adjustments.** Town Manager Gaudette explained that this is a standard operating article that would amend Article 3 from the Spring Annual Town Meeting held on May 7, 2019 to update changes in the State budget and other Departmental budgets. Town Manager Gaudette stated that we will need to amend the appropriation for the debt service for the school building project and the DPW project. **ARTICLE 2: (Board of Selectmen) Payment of prior year bills.** Town Manager Gaudette stated that currently there are no prior bills. **ARTICLE 3: (Community Preservation Committee).** Town Manager Gaudette described that Articles 3 and 4 are connected and is for the appropriation of Community Preservation Funds. Town Manager Gaudette explained the Community Preservation Act was approved at Town Meeting and also passed the ballot, and since then a bylaw has been created, which also established a Community Preservation Committee. He mentioned that the next step for the Committee is to create and develop a prioritization plan in order to be able to spend the money. The Committee would need to go before Town Meeting for approval for appropriations. The funds have to meet the minimum percentage for each category. **ARTICLE 4: (Community Preservation Committee).** Town Manager explained that this Article 4 is for use of the committee and their admin. **ARTICLE 5: (Board of Selectmen) Balmer Construction/Maintenance Easements.** Town Manager Gaudette stated that with the Balmer School construction we will have easements or agreements with the utility companies which includes Verizon, National Grid, Whitinsville Water Company and eventually Eversource. **ARTICLE 6: (Board of Selectmen) Kennel Bylaw to correct the effective date that the original petition didn't do.** Town Manager Gaudette explained that there was a petition for change to the Kennel Bylaw by Paw Steps at a previous Town Meeting, which passed but there was no effective date within the petition. Town Counsel has recommended that we correct the date since the petition was approved. **ARTICLE 7: (Local Historic**

District Study Committee) LHD General Bylaw. Town Manager Gaudette explained that the Local Historic District Study Committee plans to sponsor this article to create a bylaw. **ARTICLE 8: (Conservation Commission).** Town Manager Gaudette stated that the Conservation Commission is looking to increase the Conservation Agent's hours due to increase workload from projects such as the solar farms, large condominium construction, etc. Town Manager Gaudette explained that funds go into the Wetlands Revolver Account from applications turned in, which in part goes to the Department of Environmental Protection and the other portion to the Town. **ARTICLE 9: (Petition).** Town Manager Gaudette explained that this article is for a solar PILOT property tax agreement, and if approved by the Zoning Board of Appeals, this language would approve the PILOT tax agreement for the project. Selectman Melia asked if this article was in preparation for if/when the ZBA approves it and clarified that if the ZBA does not approve the solar farm this article would be moot. Town Manager Gaudette confirmed that is correct. A motion/Mr. Melia, seconded/Mr. Ampagoomian to sign the October 22, 2019 Fall Annual Town Meeting Warrant upon completion and final review by Town Counsel. Vote yes/Unanimous.

Town Manager Evaluation Process. Chairman Athanas stated that the Board has received the evaluation form for the Town Manager and should be completed and returned to Sharon Susienka in the Town Manager's Office by Thursday, September 19, 2019. Selectwoman Cannon asked about the subject of Personnel Administration and if feedback is received from staff, how does the Board know how the HR responsibilities are handled. Town Manager Gaudette stated that he does not see an issue with the Board reaching out to staff for feedback.

TOWN MANAGER'S REPORT: 1) Key Meetings Attended: Tuesday, August 27, 2019 – Attended the School Committee Meeting to vote to ratify the Teachers Association CBA. Wednesday, August 28, 2019 – Attended a regional Town Managers Luncheon. Wednesday, August 28, 2019 – Attended the BPCC Meeting to discuss the Lasell Field Designer Services RFP and also the Fire Station Feasibility Study. Thursday, August 29, 2019 – Annual Review for Gary Bechtholdt, Town Planner. Friday, August 30, 2019 – Attended the first graduation ceremony at the BVCC Education Hub. Wednesday, September 4, 2019 – Met with N. Vaidya and S. Susienka to go over the draft Annual Town Meeting Warrant. Wednesday, September 4, 2019 – Met with Selectman Melia. Wednesday, September 4, 2019 – Met with the Fire Fighters Union. **2) Eastern Equine Encephalitis (EEE) Threat:** Eastern Equine Encephalitis (EEE) – The Town of Northbridge was identified as a “critical risk community” two weeks ago after a Grafton man was diagnosed with the EEE virus and two horses, one in Mendon and one in Uxbridge, passed away due to EEE. A horse in the Town of Douglas tested positive for EEE this week raising their community risk level to Critical – Webster and Oxford have now been categorized at High Risk. To date, four (4) humans have tested positive; one having deceased. Also, eight (8) horses have tested positive for EEE in MA. The MDPH has updated their web site with information on EEE (see the following link for more info: <https://www.mass.gov/guides/eee-in-massachusetts>). Aerial spraying of our community occurred on August 26th and 27th. Although a second round is typically recommended two weeks later, it is likely that this will not happen due to evening temperatures dropping below 60°F. Selectman Melia asked if the School Department has made any adjustments with this critical risk alert. Town Manager Gaudette stated that the Parks and Recreation voted to limit outdoor activities to the hours of 8 AM to 6 PM and a discussion occurred with the superintendent who then implemented the same policy. **3) Balmer School Building Project:** The School Building Committee met last on Monday, August 26th, which included a forum to discuss issues with abutters. The project construction has begun with site work by Fontaine Brothers being under way. Grading, tree removal and replacement of a 36” drainage culvert across the site have taken place. The 3rd party sewer analysis has been completed and forwarded to the OPM for review. Sub bids have been received as well and are under review by the CM and OPM. Fontaine is preparing the Building Permit application for review. The Committee meets again on September 17th. **4) Fire Station Project (Feasibility Study):** The BPCC met with Kaestle-Boos Architects last week on August 28th. Highlights of the meeting included an update from KBA on the Fire Programming, draft response time analysis, site selection and criteria analysis, and draft site restriction plans. The BPCC will meet again with KBA on

September 18th to review final drafts of these task items. Once finalized, I will schedule a special BOS meeting in either late September or early October to have KBA and the BPCC present these items to get feedback from the Board and public. Following this meeting, these items will be posted on the Town's website to garner additional feedback. **5) Lasell Field Turf Project:** The Legal Advertisement for the Request for Proposals for design services (engineering, permitting, construction oversight) was posted on August 14, 2019. As of this week, 30 firms had requested a copy of the RFP. A pre-proposal conference was held on Friday the 23rd at which 10 design firm representatives attended. This office sent out two Addendums this week; one to clarify the form of submission (electronic and hard copy) and another for the required Certificates of Non-Collusion and Tax Compliance. The submittal date is September 13th. Once received, the BPCC and staff will review submittals and schedule interviews with finalists. **6) LED Streetlight Conversion:** As of last week, our LED Contractor was continuing to install the remaining "cobra-head" style LEDs. Approximately 790 LEDs (or 64%) have been installed to date. Based on a production rate of 25 LEDs per crew - and - if all goes well, they anticipate that all work will be completed in September 2019. TANKO (i.e. our LED Consultant) also provided us with a Streetlight Web Map to track progress. **7) Recreational Marijuana:** The Host Community Agreements for **True Nature's Wellness** (retail), **Eskar** (retail) and **The Botanist** (cultivation) have all been approved by the BoS. The applicants' next steps include getting Planning Board and Cannabis Control Commission approvals. The Conservation Commission has informed this office that True Nature's Wellness has submitted an RDA (Request for Determination of Applicability) to determine if a Notice of Intent Application is required. The Selectmen will be reviewing a Cultivation HCA for Eskar/Hunnewell at the Riverdale Mill gravel pit this coming Monday the 9th.

SELECTMEN'S CONCERNS: **Selectwoman Cannon/1)** asked for an update on paving from the Highway Department Superintendent. Mr. Luchini stated that Old Quaker Street is completed, all of Benson Road is paved and the company will be back to do some berm work and remaining is the 3 sections of School Street. Mr. Luchini continued stating that what ever is left for money will be allocated to Moon Hill Road, specifically the beginning portion and the ending portion. **2)** asked for an update on the Providence Road and Sutton Street intersection. Town Manager Gaudette stated that most recently the Town filed a Project Notification Form (PNF) with the Department of Transportation, which initiates the process for the town getting a program in with the Transportation Improvement Program [TIP]. He advised that the TIP program is Federal Highway money, which is funneled through the Central Mass. Regional Planning Commission, and in order to get a program year you need to complete a road safety audit, the PNF form, and then pay for the design, which for that intersection is in the \$250,000 to \$300,000 dollars range. In addition, you would need to secure right-of-way acquisitions. Once that is complete, you would be on the docket for federal funding. The Town Manager noted the discussion has been to go to Town Meeting in the spring and having it be a priority. **Selectman Melia** expressed concern with cyber attacks and the recent attack on the City of New Bedford and asked if Town Manager Gaudette could check with our IT Director and the School to make sure the Town is current with security, fraud protection, and other systems. Town Manager Gaudette added that the Town of Charlton was just hit last week, which raises concern. Town Manager Gaudette replied that the IT Director is currently testing users and has completed cyber training with staff. **Selectman Ampagoomian/1)** asked for an update on Plummer's Corner. Mr. Luchini stated that he has reached out to the State on changing the timing of the signal but has not heard back yet and intends to keep on it. **2)** asked for an update on dead trees. Mr. Luchini stated that the operation is still ongoing. **3)** asked for an update on the solar farm on Providence Road and Church Street. Town Manager Gaudette stated he would check in with the Planning Board. **4)** asked about the possibility of replacing the Selectmen's chairs. **5)** asked about the rental of the Great Hall and the availability of use of tables and chairs. Town Manager Gaudette stated that we have acquired some tables and chairs from the Senior Center and from a private entity for use in the Great Hall. **6)** asked Chief Warchol about the intersection of Henry Street and RT 122, and if a patrol could be made, as someone is dumping household items. Chief Warchol stated that they would check into it. **7)** asked about the Police Chief Assessment Center. Chief Warchol

mentioned that he is scheduled to come before the board at their following meeting to discuss in detail about the program. **Selectman Nolan** shared that he has had a lot of residents comment on the condition of Benson Road now that it has been completed and how appreciative they are and wanted to pass the good words on to the Highway Department. **Chairman Athanas/1)** asked about prescription drugs and the process for residents to dispose of them properly. Chief Warchol directed residents to bring them to the Police station and upon entering the lobby, there is a deposit box. He explained that once the box is full, they place it in the evidence locker and is then turned over when the Drug Enforcement Administration has a drug take back. **2)** asked about the salt supply for the upcoming winter months. Mr. Luchini stated that the salt shed is about halfway full; the bids have gone out and should be back mid-September. Chairman Athanas asked when those bids come in if an email could be sent to the Board. Mr. Luchini stated that he would send the information along.

ITEMS FOR FUTURE AGENDA: Selectman Ampagoomian asked if the new Superintendent of Schools could come to a future meeting to be introduced to the Board and town residents. Town Manager Gaudette stated that is scheduled for the next agenda.

CORRESPONDENCE/None

EXECUTIVE SESSION: 6:30 PM: Under M.G.L. c.30A, Sec. 21 #3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

A motion/Mr. Melia, seconded/Mrs. Cannon to adjourn the public meeting. Vote yes/Unanimous.

Meeting Adjourned: 8:20 PM

Respectfully submitted,

Daniel Nolan, Clerk

/mjw

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING - OPEN SESSION

September 9, 2019

- I. APPROVAL OF MINUTES/None**
- II. PUBLIC HEARING/None**
- III. APPOINTMENTS/By the Board of Selectmen [Vote to appoint] A. 1) Central Mass. Regional Planning Commission – a) Second Delegate b) Alternate**
-Copy of letter explained the appointments to CMRPC
-Copy of Appointment form
-Copy of CMRPC flyer
- 2) Economic Development Committee – Board of Selectmen's Representative/No documentation**
- IV. CITIZENS' COMMENTS/INPUT/None**
- V. DECISIONS**
- B. Open Sky Community Services, Valley Bag Toss, Saturday, September 14, 2019 from 12 Noon to 5 PM/Request for a one-day Wines and Malts license [Rain Date: September 15, 2019, 12 Noon to 5 PM]**
-Copy of application for a Special License from Open Sky Community Services
-Copy of Revenue Enforcement and Protection Attestation
-Copy of Hold Harmless Agreement
-Copy of Workers' Compensation Insurance Affidavit
-Copy of TIPS Certification
-Copy of License Routing Slip
- C. Northbridge Association of Churches/Request to hold their 45th annual Blackstone Valley Crop Walk on Saturday, October 19, 2019 at 8:30 AM**
-Copy of email request for the Northbridge Association of Churches
-Copy of approval email from Police Chief Warchol
-Copy of approval email from DPW Director James Shuris
-Copy of Hold Harmless Agreement
- D. Bill's Autobody and Radiator Service, 36 Providence Lane/Vote to revoke the Class II Used Car Dealer's License**
-Copy of letter from Owner William Frowein confirming his retirement from his Class II business License
- E. Vote to accept monetary donation from Walmart in the amount of \$4,000 for the Northbridge Police Department**
-Copy of email requesting the Selectmen accept the monetary donation from Walmart
- F. Host Community Agreement/Community Forum for a Recreational Marijuana Cultivation Facility – Eskar – proposed location is off Riverdale Street [Present: Michael Aldi]**

- Copy of the PowerPoint presentation
- Copy of Draft Host Community Agreement

G. Fall Annual Town Meeting [October 22, 2019/Vote to sign warrant upon completion and final review of Town Counsel/No documentation

VI. DISCUSSIONS

H. Town Manager Evaluation Process

- Copy of 2018 -2019 goals for the Town Manager
- Copy of Bond Rating for Northbridge

VII. TOWN MANAGER'S REPORT/No documentation

VIII. SELECTMEN'S CONCERNS/No documentation

IX. ITEMS FOR FUTURE AGENDA/No documentation

X. CORRESPONDENCE/None

XI. EXECUTIVE SESSION: 6:30 PM: Under M.G.L. c.30A, Sec. 21 #3 – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the Town.

- Documentation not listed until minutes are released by Town Counsel