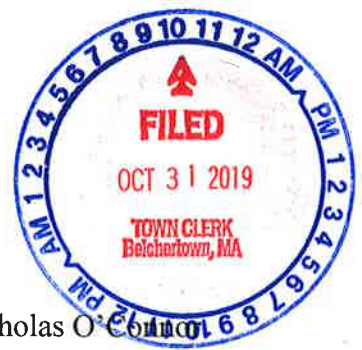


**TOWN OF BELCHERTOWN
BOARD OF SELECTMEN'S MEETING MINUTES
MONDAY, OCTOBER 7, 2019
Selectmen's Meeting Room, Lawrence Memorial Hall**



Present: Ed Boscher, Gail Gramarossa, Jen D. Turner, Brenda Q. Aldrich, Nicholas O'Connor

Call to Order: Chairman Boscher called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

2) Sign Documents :

- a) Warrant #2015 was signed for \$575,795.26, which brings the total fiscal year expenditures to \$19, 272,522.27.
- b) Routine documents
- c) Approval of Minutes: None.

3) Additions to the Agenda:

- Award Bid#2020-02 – Lining of Maple Street Sewer Main: Mr. Boscher presented the details to the Board. Steve Williams, Director of Public Works, recommended the Board award Bid#2020-02 for the lining of the Maple Street sewer main to Insituform Technologies, LLC, 17988 Edison Avenue, Chesterfield, MO, for the base bid amount of \$58,700 together with bid alternate #1 of \$190 per lineal foot and bid alternate #2 of \$210 per vertical foot. Mr. O'Connor moved the Board award the bid as recommended. Motion seconded by Ms. Turner. Motion passes 5 – 0.

4) Appearances Before the Board:

- 7:35 p.m. Pole Hearing #2020-1, State Street and Maple Street – Continuation: Ms. Turner read the public hearing notice. Mandy Patenaude was present for the hearing. The hearing was continued because a resident at 55 Maple Street had a question about whether a pole would end up on her property. The town met with the resident and the State staked the location. It is confirmed that the resident is okay with the pole placement.

Ms. Aldrich moved to close the public hearing. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

Mr. O'Connor moved the Board grant petition #2020-01. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

- 7:45 p.m. High Peaks LLC – Community Host Agreement: Mr. Boscher briefly explained that High Peaks LLC is seeking a community host agreement as a marijuana cultivator.

Isaac Fleisher, legal counsel for High Peaks LLC spoke to the Board. This will be an establishment at 401 Mill Valley Road for cultivation and manufacturing of marijuana. He introduced the owners of High Peaks to the Board as Jeremy Moon and William and Daniel Douglas. He is impressed with the owners and how they want to run their business. They have been coming out to Belchertown every week

and meeting with residents and officials trying to find out what the town needs and how they can fit into the town.

He received a copy of their draft agreement today, which he reviewed with his clients. They are happy to sign it; however, there is one issue, which is an oversight, which is the use mentions retail, and they will be cultivation and manufacturing. He re-drafted the first few pages where retail is referenced and not attached to any of the language as he tried to change as little as possible. He wanted the Board to have something to look at this evening. He passed copies out to all Board members and the town administrator. Mr. Moon also passed out information for the Board to read at their leisure. Mr. Fleisher indicated the draft portion that he passed out only goes to the section on annual charitable contributions because beyond that there are no more references to use.

Jeremy Moon the CEO of High Peaks LLC spoke to the Board regarding the site and plans for it. They have 2,400 sq. ft., and it is a great location. Security wise they do not really have any neighbors other than a fellow cultivator on the other side of them. They have made contact with the police department and now have them coming back to their facility. There had been an issue with Ellie Vaughn, their property owner and the police department. Initially it was written in the lease that the property owner, Ellie Vaughn, did not want the police on her property. High Peaks addressed it with her as they are leasing it for the next three years and they want the police to be there. She clarified she does not want the police out front doing radar to catch speeders. The police are more than welcome on the property and the k-9 officer can bring his dogs out to the field in the back to let them run if necessary. They want to have the police presence there. He explained the security and cameras that they will have. They will have onsite security once they are operational. There are no windows in the building – there is only door access. They will be installing biometric doors so not just anyone can walk in. They are going with a good system so they do not take any chances with a possible break in. Mr. Fleisher reported that High Peaks has submitted an extensive security plan to the chief of police. Mr. Boscher questioned if the chief had any comments on their security plan. The approval is without any recommendations or conditions.

They want to set themselves apart from other cultivators. Many of the other cultivators put in their plants and in four months cut them down. They will have a constant turnaround of over a thousand plants a week. They will be able to keep this consistency of turnaround. They will have 52 crops a year unlike E & J who will have four crops a year. They are looking at about 800 lbs. a week of product a week. Ms. Gramarossa questioned if they had conversations with potential retailers about who they will supply their product to. Mr. Moon confirmed they have talked to two retailers and one of them has said they are interested in the first 400 lbs. that they produce at \$3,600 a pound they are looking at making some serious money. They get no tax breaks on anything. They eventually want more space inside the building they are leasing, as they will have the opportunity to go a little bit bigger.

Ms. Gramarossa questioned if all of the owners will be working in the facility, will they be hiring employees. The owners would start the cultivation process with

possibly one other person who is a close friend and is knowledgeable in the growing process. When/ if they hire it will be locally. They will be doing a hand trim on their product that is not how most cultivators are doing it. Most run it through a machine. They will hire out to do the trimming as they feel it has been to have people working rather than spending the money on a trimming machine. Ms. Gramarossa also questioned if they are doing any edibles at all or just grow. Mr. Fleisher responded to that question. Under the Cannabis Control Commission, what is called manufacturing is any processing where you are extracting oils out of the flower. It does not necessarily mean making some sort of vaped product or edible. It is literally just the process of taking oils out of the flower. Currently the property is zoned for cultivation but not manufacturing. They have been speaking with the town planner about it and he believes it would be an appropriate site for manufacturing. They are reviewing the necessary steps to try to make it happen so they can also manufacture.

Mr. Boscher is aware that some small changes were recently made to their community host agreement; however, he questioned the Board voting on the document this evening to give the Board the chance to review the changes. Conceptually he believes he is on board with what they are doing.

Ms. Gramarossa asked for clarification as to when they are having their community outreach meeting. It is scheduled for the 24th of this month. They will be doing it at the facility so that people can see where it will be. She thinks it makes sense for them to come back before the Board after the outreach meeting to see how it went before the Board signs off on it. The High Peaks owners had no concerns about doing that. Other Board members agreed. High Peaks will return on October 28, 2019 following their community outreach forum on October 24th.

Ms. Turner commented that she is curious about the charitable contributions. As she is new to the Board, she questioned how the charities were chosen. Mr. Moon explained how the charities were chosen. Initially DART was supposed to get \$10,000 but they were informed that the program was already well funded. He is an animal lover and has many family and friends that are in law enforcement. It only made sense to him to include the K-9 program. Ms. Turner reminded the Board that she was not part of the Board when the first marijuana establishment came before the Board and just wanted to understand how the charities were chosen.

Mr. Brougham asked if he could address the question. The document in the packet is a clone of the other host agreements. He apologized for not catching the retail establishment and changing it to cultivation. He went over the initially proposed charities with donation amounts and explained that Chief Pronovost felt that DART was adequately funded. He asked the Chief if he had another program within the police department that needed to have some money designated to and the chief responded the K-9 program. He also mentioned that the first time he met Mr. Moon that Mr. Moon spoke about donating to the K-9 program. He reminded the Board that when the Cannabis Control Commission established their guidelines they said the towns could demand charitable donations. They later changed that to it now being a courtesy. High Peaks is looking to donate \$20,000 to the Town of Belchertown without any forgiveness in year one so they can grow a crop. He also

spoke with the Chairman of the Board last week reviewing the proposed charities. The town accountant informed him that the contribution to BOAT could be lowered to \$2,000 but that SOAAR needed the \$5,000. He proposed the Family Center, the Clapp Memorial Summer Reading program, and the Chief recommended the K-9 program, which is how the changes happened.

Ms. Turner wanted to know how as a town did we determine which charities would get money. Mr. Boscher commented that this is the first time that a program has said that they are adequately funded. He feels the Board should discuss how they go from here. His understanding is that there is a list that the money can go to and that the Board as a group should look at that list. Ms. Gramarossa agreed that it is time to look at expanding the groups that receive funding. Mr. O'Connor agreed that it is time to look at the list but reminded the Board that they cannot demand the money.

Mr. Fleisher commented that in his revision he had it stopped right at the list of charitable contributions. He noticed that the new numbers add up to \$21,000, which he ran by High Peaks, and they were still fine with it. Mr. Boscher does not feel the contributions should hold anything up. The Board will see them again on October 28, 2019. Mr. Brougham asked Mr. Fleisher to check his numbers again as he comes up with \$20,000 and not \$21,000. He will look at the numbers again.

5) Discussion/Action Items:

- a. Review/Approve Auction Permit Application: Mr. Brougham presented details to the Board. A Class II Dealer's License has been issued to College Town Auto Sales and recently the owner of the business, Mr. Pratt passed away. His wife is intending to close the business so the auction will liquidate all the tools and automobiles in inventory on the date specified. The auctioneer does have the appropriate state licenses to liquidate the business. It's a one-day auction with plenty of parking. He has no concern about police details.

Ms. Gramarossa moved the Board approve the auction permit application. Motion seconded by Mr. O'Connor. Motion passes 5 – 0.

- b. Award Bid #2020-01 – Winter Sand Bid: Mr. Boscher presented the details. Director Williams has presented a proposal to award the winter sand bid to Westfield Ready Mix out of Chicopee with a delivered price of \$ 11.25 per cubic yard and a pick up price of \$7.50 per cubic yard. Ms. Gramarossa moved the Board accept the recommendation to award bid #2020-01 as presented. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.

Ms. Gramarossa questioned if this has been a company that has been used in the past. The town administrator commented that we had not. He explained that they were the lowest bid. He believes the source is the old Westfield sand and gravel next to the Westfield River. He had concerns about the material, as they have not seen it yet. In talking about winter sand, the lower price isn't always the best product. If the sand has a lot of silt in it, it mudds up, plugs up the sanders, and does not dispense onto the road evenly or it plugs up the chute and the drivers have to get out and try to free the chute. The bid is being awarded but if the product does not meet expectations, we will not be doing much business with them.

Mr. Boscher questioned the back-up plan. He was told we would go back to Haluch. It was confirmed that it could happen in the middle of winter – the town would not have to wait until next year.

- c. Accept CP Committee Member Resignation: Ms. Turner presented the details to the Board. Peg Louraine has submitted a letter of resignation from the Community Preservation Committee, effective immediately. The Board thanked her for her service to the Town.
- d. Appointment of Member to Council on Aging: Ms. Gramarossa presented the details to the Board. Jessica Langlois, Executive Director of the Council on Aging has recommended the appointment of John Belding to the Council on Aging, term to expire June 30, 2022. Motion seconded by Mr. O'Connor.

Mr. O'Connor questioned if this vacancy had been posted or if it was an internal candidate. Ms. Gramarossa commented that she had attended a Council on Aging meeting several months ago when Timothy Niejadlik had vacated his position maybe back to even July. She assumes that it was probably posted for a while. The town administrator confirmed it had been posted. Mr. O'Connor commented that typically, the Board sees the letters of interest and he did not see it. He did not know if it was posted in the *Sentinel* and if that's how his letter was received. Ms. Turner did have the letter or interest.

Mr. Boscher asked for a vote. Motion passes 5 – 0.

- e. Appointment of Meals Driver: Ms. Gramarossa presented the details to the Board. Jessica Langlois, Executive Director, Council on Aging has recommended the appointment of Norbert Delage as a home delivered meals driver for the Council on Aging, effective immediately. Ms. Gramarossa moved the Board appoint Norbert Delage as recommended. Motion seconded by Ms. Aldrich. Motion passes 5 – 0.
- f. Appointment of Member to Historical Commission: Ms. Aldrich presented the details to the Board. Per the recommendation of Patrick Bierly, Chairman of Historical Commission Ms. Aldrich moved to appoint Angela Bergeron-Alexander to the Historical Commission, term to expire June 30, 2022. No second. Motion passes 5 – 0.

** Mr. O'Connor interjected a point of interest – he did see the three letters of interest that came in for the Council on Aging.

- g. Review Social Media Policy: Mr. O'Connor presented the details to the Board. It has been circulated to department heads at least twice and once to the town committees. Following the input of appropriate language the draft was sent to town counsel for their review. Town counsel came back with mostly spelling issues and punctuation issues with the only significant change that with the advice of legal counsel all of our social media be one way. The direct comment from counsel was read to the Board. Comments from non-employees will be disabled with a note on how to contact the appropriate department/committee for additional information. He took the liberty of taking out some language in the instance of the Cultural Council where the town wants to celebrate the vendors that are coming into town for the food truck events. We don't want to not be able to mention the food trucks as they spotlight them for the food truck event. He did leave the language in about not endorsing political candidates. He will send his draft with corrections from town counsel and the language that he removed to Board

members for their final review. The Board should be able to vote on it at the October 28th meeting. Following the acceptance of the policy procedures will need to be put in place before it is actually implemented. It will mean working with Kevin Hannon, IT Director.

- h. Endorse Wastewater Treatment Discharge Permit Application: Mr. Boscher presented the details to the Board. The Department of Public Works is requesting that the Board endorse the renewal documents for the wastewater treatment plant discharge permit application.

He asked the town administrator to provide the highlights of the application, as there is a lot of detail to it. He questioned what some of the new requirements are – what is new and exciting in the new discharge requirements.

The town discharges into Lampson Brook with a federally issued permit called NPDES – it is part of the national pollution discharge system. The permits are five-year cycles. We are currently discharging on a permit set to expire in 2020. We usually begin the process two years before the expiration of the current license as the process is very complex and we hope to have the new one in place sometimes not even before the expiration of the current one. In this round the EPA is not only looking to further ratchet down on some of the parameters that we discharge under but to add new parameters which are at the point of which we are exceeding the capacity of our wastewater treatment plant. Due to the complexity of these renewals, we usually hire a competent environmental consultant, a scientist, who is more proficient in biology and science to try to negotiate the best limits for the town that we have some potential opportunity to meet. We are pushing back on some of the criteria that they are asking us to meet as it is not uncommon for the EPA to ask us to meet analytical parameters that there is no developed analytical process to make those determinations as the numbers are so finite that it is almost beyond the capability of known laboratory procedures. We never say that we'll just endorse the permit we usually challenge them to the extent that we can trying to make science-based arguments that have no benefit or exceeds the capability of our plant. We get great results out of our plant even though it is now 21 years old and went into further detail about the plant and what we've accomplished. He also went into detail describing what the EPA is now trying to minimize phosphorus from Long Island Sound they are targeting every treatment plant that discharges into the Connecticut River. He explained how our discharge flow goes eventually making its way to the Chicopee River to the Connecticut River. We are miles from Long Island Sound, we are discharging 300,000 – 400,000 gallons a day, and he questions our tiny plant's discharge so far away in comparison to the larger plants that are much closer to the Sound.

Mr. O'Connor moved the Board authorize the Chairman of the Board to endorse the Wastewater Treatment Discharge Permit Application. Motion seconded by Ms. Turner. Motion passes 5 – 0.

- i. Set Annual Winter Parking Ban 2019 - 2020: Mr. Boscher presented the details to the Board. Per the request of Steve Williams, Ms. Aldrich moved to set the Annual Winter Parking & Impediment Ban from November 1, 2019 through April 1, 2020. Motion seconded by Ms. Turner. Motion passes 5 – 0.
- j. Miscellaneous Matters: Mr. Brougham announced for Steve Williams that they would be doing smoke testing through the majority of the town center of sanitary

sewers. They will pump non-toxic smoke into the distribution system looking for illicit discharge or failed piping within homes. The smoke could get into resident's homes but it is non-toxic. It could trip smoke detectors. It is beneficial though because if there were smoke in the home then they would know that there is a breach in the pipes somewhere.

Ms. Aldrich questioned if it affects Howard Street. It was confirmed it would. Her concern is that if people are not home, smoke detectors go off, and people have animals at home. She's hoping that the streets that are being done will get a phone call letting the residents know its happening. She would like a robo call to be done informing residents when it will happen. Mr. Boscher suggested putting it on the town website. The MSDS sheet should be posted on the website. Mr. Brougham thinks they handout will be hung on people's doors letting them know about the smoke testing. It will be in the Sentinel and on the website. The Board feels that robo calls should be made to residents affected by it.

6) Town Administrator's Report:

- The Veterans' Agent screening committee met tonight for the first time to organize. The committee members received complete packets including all the applications. They will begin the process of screening the applications and will meet again next week.
- Mr. Janke has extended his time with the town through November 29th to allow the town to get a new agent and hopefully do some training with that individual.
- There will be an orientation on Thursday for the improvements in the auditorium. It will be at 3:00 p.m. for town employees and 7:00 p.m. for committees within the town. Mr. O'Connor briefly explained to the audience the changes to the auditorium. In addition, he would like to hold one of the Board of Selectmen's meeting in the auditorium to break it in, as it is impressive.

7) Review of Weekly Mail: Reviewed, no discussion held.

8) Individual Board Members' Reports:

Ms. Aldrich: Next Monday is the beginning of the Clapp Memorial book sale. Monday is member's night. She and Ms. Gramarossa are sales clerks at the book sale.

Ms. Gramarossa: She attended the Mass Municipal Association and the Selectmen's Association Statewide conference at UMass. We should revisit our Master Plan as this is recommended by MMA.

There will be a world-renowned expert on age friendly communities coming to Springfield. She believes he is from Sweden where some of the age friendly and dementia friendly communities originated. She is hoping to attend.

Ms. Turner: Pioneer Valley Planning Commission offers two days of technical assistance toward updating the Master Plan. They will come and review it and about ways that we are meeting our plans or revising them.

The Cultural Council grant cycle is still open for a few more days. It closes on October 15th.

Mr. O'Connor: He questioned if the Master Plan should be added to the Board's goals and objectives for the year.

We received notice from the State that we were not awarded the PARC grant for the recreational complex. He is waiting for feedback as to why the town did not qualify for this grant.

Senator Lesser had secured funding for the town last year for the project and he questioned if the town can use the funding from the State budget for other beneficial projects at the location. He has a meeting with Senator Lesser's aid tomorrow.

Mr. Boscher: He met with the town administrator and the Veterans' Agent Search committee earlier today. The committee is made up of all veterans themselves with diverse backgrounds. The committee questioned if they should rank the candidates. His initial comment was he does not want them ranked but felt it should be a Board decision. Ms. Aldrich does not want them ranked. Mr. O'Connor prefers not to know but the information should be available. He would like to know the committee's ranking of candidates but only after he has met them. Ms. Aldrich would like to meet with the committee after meeting the candidates to get their feedback. Mr. Boscher feels the committee shouldn't send anyone to be interviewed by the Board if the committee is not happy with them.

Mr. Brougham commented that we had received twelve applications before the deadline and two after the deadline. He feels the committee will have no difficulty in providing three or four candidates for the board to review. Committee member Poulin asked him what it was that Mr. Janke brought to the town that improved the department over the part-time position. He brought a lot of visibility to the department, he brought a lot of accountability to the department, and there is a great deal of coordination between the veterans' agent, the treasurer-collector's office and the town accountant's office. He recommends that the candidate should have visibility, accountability and approachability.

It was agreed that the Board would like to interview a minimum of two candidates up to four if the committee feels it is appropriate. There will be no ranking of candidates at this time. The search committee will be asked to attend the meeting following interviews so the board can ask any questions they may have.

***Mr. Boscher questioned the Board about changing the start time of the meetings from 7:30 to 7:15. The Board had no objections. Ms. Aldrich moved the Board move the start time of their meetings to 7:15 p.m. Motion seconded by Ms. Gramarossa. Motion passes 5 - 0.

***Mr. Brougham confirmed with the Board that he was close to confirming the special meeting on Friday at 8:30 a.m. It will be a short

- 9) **Questions from the Press:** Steve Hill from the *Sentinel* questioned the financial specifics on High Peaks in the Community Host Agreement. Ms. Aldrich provided the information to him. She also asked that he include the smoke testing for the sewers in the *Sentinel*. Mr. Hill went back to the Host Agreement and questioned if the town

can mandate the charitable contributions. The Town can ask for it but per the Cannabis Control Commission the applicant can say show us where your impact is, demonstrate where your out of pocket is going to be. Early on, the CCC had stated the towns could demand the 3% charitable contributions they are no longer indicating the town can demand it.

BCTV questioned when and where the special meeting was being held. He was told it is an employee matter and will be in executive session.

10) **Adjournment:** Meeting adjourned at 9:08 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

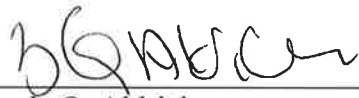
Board approved/endorsed: 10/28/19

Board of Selectmen - Town of Belchertown


Endorsed by a majority:



Ed Boscher, Chairman



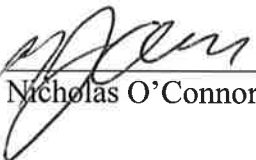
Brenda Q. Aldrich



Gail Gramarossa



Jen D. Turner



Nicholas O'Connor