

December 4, 2019

**Board of Selectmen  
December 4, 2019  
Town Hall**

Amended

**Present:**

Mary Blanchard, Chairman  
Mary Dowling, Vice Chairman  
Michael Suprenant, Clerk  
Priscilla Gimas  
Chase Kaitbenski

**Staff:**

Jeff Bridges, Town Administrator  
Samantha Evans, Administrative Assistant

**Executive Session:** To consider the purchase, exchange, lease, or value of real property, if the chair declares that an open session may have a detrimental effect on the negotiating position of the public body.

**Motion: To Move into Executive Session and Return to Open Session By: Selectman Gimas**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Roll Call Vote: Chair Blanchard YES, Vice-Chair Dowling YES, Selectman Suprenant YES, Selectman Gimas YES, Selectman Kaitbenski YES**

**Chair Blanchard called the meeting to order at 5:30pm**

**The Selectmen led the Pledge of Allegiance.**

**Chair Blanchard read through the agenda**

**Department Head Updates**

**Economic Development**

Economic Development and Tourism Coordinator Kevin Filchak went before the Board and shared goals for the department in 2019. One goal was to better understand the needs of the Sturbridge business community. They wanted to complete a branding and marketing study that the Sturbridge Tourist Association is leading along with using the Commonwealth Community Compact grant the committee received. The department will take the data from the reports and use it to understand who their audience is. The department is focusing on the residents, visitors, and tourists separately. Economic Development will also update the economic master plan.

The department is accepting at this time business of the year program nominations. Economic Development has received approximately 70 nominations so far.

Vice-Chair Dowling commented on the amount of work that has gone into the activities that are taking place. Some of the events included road races, the farmers market, and bon fires. The Board shared comments on how impressed they were and their appreciation for the work completed by Economic Development.

Tourism Coordinator Filchak requested that any business needing aid and support contact Economic Development.

### **Department of Public Works**

DPW Director Butch Jackson went before the Board and shared that the department had paved on roads including Shepard Road, Wallace Road, Willard Road, and Farquhar Road. They started doing snow and ice preparation. DPW had helped with the library renovation by moving shelves and other tasks. In October DPW sent some of their employees to training. All the line painting has been completed. Chair Blanchard was curious on whether the department had received any complaints. Director Jackson said the department received a lot of positive feedback. There were a few mailbox issues and some snow in a few wrong spots but overall it was good.

Selectman Kaitbenski inquired on how the salt they were using for the roads work out for DPW. Director Jackson replied that it worked perfect. They removed sand from the mix and use straight salt.

Selectmen Suprenant asked when DPW does the annual bids for materials. Director Jackson relayed that they did them in March this year and they last from July to July. Selectman Suprenant encouraged Butch to consider a future policy to schedule the annual bid for the calendar year, so the entire construction is set for contracts. .

### **Town Administrator**

Town Administrator Jeff Bridges shared with the Board the recent actions taken on the report from the resident at 358 New Boston Road. The resident reported on a gentleman building a home, claiming excessive excavation. Town Admin. Bridges shared his findings that the gentleman was in compliance with town bylaws and regulations. Selectman Suprenant made it clear he believes an EPA permit is necessary for the type of project taking place under state regulations. Chair Blanchard requested Selectman Suprenant get documents on the state regulations he referred to. Vice-Chair Dowling asked if they needed to address the possible loophole in the bylaws. Town Admin. Bridges shared that he would be willing to bring about the proposed amendments to the bylaws and town regulations.

### **Accept resignation of Call Firefighter/EMT Justin Pike**

**Motion: To accept resignation of Call Firefighter/EMT Justin Pike By: Selectman Gimas**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Vote: All in Favor (4-0) (Vice-Chair Dowling Absent)**

### **Concur with appointment of Jennifer Babcock as Senior Center Program Assistant for Council On Aging**

Jennifer Babcock shared her interest in the position and introduced herself to the public. She believes she would be a good addition. Selectman Kaitbenski stated that after being a stay at home mom she could handle the job.

**Motion: To appoint Jennifer Babcock as Senior Center Program Assistant for Council on Aging for 15 hours per week, starting salary at \$17.35 By: Selectman Gimas**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Vote: All in Favor (5-0)**

**Accept proposal from BH+A for a feasibility study/concept plan for a renovation to/or construction of a new Council On Aging building**

Chair Blanchard read the memo on the proposal. Town Admin. Bridges provided information on the proposal and the process that the town has gone through so far. There are two new proposed spots for the Senior Center. One being 70 Cedar Street and the other being the parcel located at 80 Route 15. A third proposal is to renovate the existing building. Town Admin. Bridges recommended going forward and getting the funds at the Town Meeting. Selectman Gimás shared that she does not want to waste time and money on the parcel located at 80 Route 15. She said it would have hurdles, it is an ideal location but she wants the money to go where it will be viable. Chair Blanchard made it known that Selectman Gimás was not the only one with that concern. Selectman Suprenant decided he would vote against this proposal. He knows of other firms that proposed on this study who he believes would have been a better choice. Town Admin. Bridges was requesting the full proposed amount to apply to this contract.

Vice-Chair Dowling asked if the proposals were going to be presented as one warrant article. She shared that if they are they may receive more support. The proposals should be separate with the different amounts and the town should develop multiple warrant articles.

**Motion: To accept the proposal from BH+A for a feasibility study for a renovation or new Senior Center for an amount not to exceed \$105,150 By: Vice-Chair Dowling**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Vote: (4-1) (Selectman Suprenant Opposed)**

**Set date for winter Town Meeting**

Chair Blanchard read the recommended date proposed by the Town Administrator.

**Motion: To approve the Special Town Meeting for Monday, January 27, 2020 at 7:00pm to be held at the Tantasqua High School Auditorium By: Selectman Gimás**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Vote: All in Favor (5-0)**

**Appointment of Board of Selectmen Delegates to the Central Massachusetts Regional Planning Commission**

**Motion: To appoint Selectman Suprenant as delegate and Vice-Chair Dowling as alternate By: Selectman Gimás**

**2<sup>nd</sup>: Selectman Kaitbenski**

**Vote: All in Favor (5-0)**

**Draft water and sewer rate study – review solicitation**

Chair Blanchard chose to put this on hold until they ask Veolia about their rates. Online Tighe & Bond does state wide rates. She said the town does the rates themselves every year as well.

**Motion: To put on hold the study until provided the Tighe & Bond report.**

**Vote: All in Favor (5-0)**

**Appointment of Leslie Wong, Council on Aging Director, as Elderbus Representative**

**Motion: To approve Leslie Wong as Elderbus Representative By: Selectman Gimas**  
**2<sup>nd</sup>: Selectman Suprenant**  
**Vote: All in Favor (5-0)**

**Acceptance of a \$32 donation from We're All In This Together to Sturbridge Farmers Market**

**Motion: To accept the \$32 donation from We're All In This Together for the Sturbridge Farmers Market**  
**By: Selectman Gimas**  
**2<sup>nd</sup>: Selectman Kaitbenski**  
**Vote: All in Favor (5-0)**

**Review of proposed host community agreements with applicants for retail sale of marijuana**

**253 Organic LLC**

253 Organic presented to the Board of Selectmen. Seth Rutherford encouraged the town to accept their agreement because of their experience, respectful nature, and cooperative setting. They stated that marijuana is highly regulated and should be. They are fully committed to being in Sturbridge. Providing good paying jobs with good benefits. Their licenses are in place. They believe they have proven they are capable of doing this with no debt. They are their own supplier and are interested in infrastructure first. The proposed location is 138 Main Street. It is not in the center of town or near a school. They currently have an open location.

Selectman Gimas had a question on the agreement about the company providing brownies, ice cream, and other desserts. She requested that they agree not to dispense desserts. 253 Organic refused that request due to the fact that they have a kosher kitchen. They would intend to sell edibles. The packaging is child proof and not visible.

Selectman Gimas also had concerns with traffic asking if 253 Organic would turn people away if they don't have an appointment. They answered that their appointments will be controlled by using traffic apps. They will turn people away if they do not have an appointment. When customers make an appointment, 253 Organic will provide a map and encourage people to only use Google maps.

Selectman Kaitbenski stated that they had a great presentation, then thanked 253 Organic for their interest in Sturbridge. He said that the edibles are very popular nowadays and he believes that brownies are the same as a chocolate bar. He then asked how many appointments they have per day. 253 Organic answered that in their other location they have approximately 200 per day based off their point of sale system, in 8-10 minute cycles for purchasers.

Selectman Suprenant asked about their verbal claim that they only use their own product. There is nothing in the agreement saying 253 Organic is only using their own product. 253 Organic confirmed they do not have a cultivation license and agreed that they cannot say they are craft.

Selectman Suprenant had a health concern about vaping oils. He asked if 253 Organic thought about having any controls on the oils and what they are doing for quality control. The answer was that currently there is a ban on vaping and all the oils will go through testing by the CCC. The CCC made it clear that the testing will confirm purity.

Vice-Chair Dowling said that on the annual community benefit contribution she would prefer to have it tied to revenue. 253 Organic said that the town can have the benefit on a multiplier.

Vice-Chair Dowling compared the finances of each proposed applicant. She also stated that the town should have more than one officer going through training. She said the police training should be an addition to the amount provided and three officers should be trained. 253 Organic did not oppose the three officers being trained.

Town Admin. Bridges said the agreement provided for a 3% community impact fee provided by the applicant. Those funds can be used to train officers. The 3% impact fee is not a general fund revenue.

Vice-Chair Dowling believed the town needed more than two weeks to deal with complaints and requested changes be made to the agreements for that. The entire Board shared concerns on traffic. One of the factors that brought concern was the differences in the hours of operation for the businesses. Each applicant would impact commuters in their own way.

Vice-Chair Dowling requested the applicants change the wording in the agreement on the topic of change in manager.

Town Admin. Bridges told the Board that in the agreements "town" would be replaced with "Board of Selectmen" for approval processes.

Chair Blanchard requested rough estimates for sales per day. 253 Organic provided that they do not believe they would do 500 a day. They will not service more than 600 a day and they agreed to set that limit.

253 Organic shared that their intention will be to renovate, not tear down the building at 138 Main Street.

### **Caregiver**

Caregiver presented to the Board and thanked them for their time. They also thanked the Board for visiting their facility. Caregiver intends to construct a facility at 365 Main Street. They shared that the community is very welcoming to them and supportive. Chair Blanchard confirmed the claim by providing that the Board did receive many letters of encouragement.

The Board brought up their concern with the flow of traffic with this applicant. On 365 Main Street there is a possibility of a lot of customers from Connecticut. The topic of police officers being trained was also addressed. Selectman Gimás said that she liked that Caregiver would not be selling desserts and requested that they do more than 20 hours of volunteering. The Board also discussed the possible consequences for violations that may occur.

Town Admin. Bridges and Chief of Police Ford have considered working with the schools to educate the students on marijuana. Selectman Suprenant encourage the idea of educating the younger people in town. He also asked the same question about the oils in the products that may be provided. The CCC was brought up again and Caregiver confirmed they will be going through testing.

Chair Blanchard shared that the education and police training was provided in the proposal.

Vice-Chair Dowling brought up the traffic study request to Caregiver. She stated that everyone's profit is tied to something illegal, income from Connecticut. She also asked if Caregiver would be getting into vaping if it was allowed in the future. Caregiver provided that they will comply with the CCC if the ban is lifted.

Vice-Chair Dowling requested documentation be provided by the applicants on appointments provided to customers. To keep applicants accountable on their agreed limits. Town Admin. Bridges said that the Board can request a document whenever they would like. The documentation would provide raw numbers with no names.

### **HEAL**

Heal thanked the Board for the opportunity to share their proposal and for visiting their facility.

Town Admin. Bridges stated that Heal has created a new company, Heal Sturbridge. They are not applying under the current Heal medical marijuana company.

Heal hopes that the Board keeps in mind their relationships with the departments in town. This company provided a more accurate estimate on the gross revenue and traffic because the information was tied to the cash registers in their building. They could provide that they would have six 10 minute appointment slots per hour. With a little less on Sunday. These applicants plan to be located at 660 Main Street.

Heal is willing to donate their amount to the Library Council on Aging and anything else. They are also perfectly fine with three officers and restrictions on edibles. It is not clear if Heal will be open for medical or adult use. Heal was advised by the Town Administrator to only provide the adult use for now.

Heal presented three options for the Board moving forward with the agreements. The first of the three was lifting the 5 year moratorium that was placed on their business. Heal provided different directions the Board could take with the HCA. Heal was determined to have two companies but an amendment would be necessary. Chair Blanchard helped confirm that the medical marijuana proposal was not provided in the current agreements.

Selectman Gimás was aware that this group did the traffic study. She asked if they were willing to do the officer training. Heal confirmed they were.

Selectman Kaitbenski thanked Heal for their interest in Sturbridge. He pointed out that Heal was the only applicant with .0025 for gross sales. He was looking to quantify the amount of the annual payment, \$11,000 roughly per year to break even. He asked how Heal came up with the 100 customers per day. Heal relayed that it was just a conservative estimate. They will be selling chocolate bars and gummies, etc.

Selectman Suprenant was aware that traffic was already covered, so he asked the same question about the oils as previously done with the other applicants. The extraction procedure will remove the oil completely. No additives will be going in. It will be as pure as possible and be in regulation with CCC.

Vice-Chair Dowling thanked Heal for opening up their retail as well as their facility. She also shared that a multiplier would be much more beneficial to the town. Vice-Chair Dowling believes that the moratorium on Heal should be removed. Town Admin. Bridges recommended to the Board that they wait and lift the moratorium. Chair Blanchard said she saw no issue with lifting the moratorium. Town Admin. Bridges stated again that there are two different companies, HEAL, Inc. and HEAL Sturbridge.

Selectman Gimás requested that the Board have a meeting to go over the negatives and positives of each application.

Heal clarified for the Board their intentions with the two companies that they own.

Vice-Chair Dowling does not want Heal to have two separate licenses. She would like them to have one due to the fact that they can convert and change location. Town Admin. Bridges said that was not possible because Heal Inc. is a separate company.

Heal made a final request for the moratorium to be lifted and the Board relayed that they would take it under consideration.

### **Old Business**

Selectman Gimas brought up traffic concerns by citizens.

Selectman Suprenant asked the Town Administrator about the Cable Television Committee. He asked if the committee was active. The Board has been receiving an increased amount of correspondence from Charter Communications.

Vice-Chair Dowling asked if the marijuana host agreement proposals were now public. The applicants can now view each other's applications and make changes accordingly. It was confirmed everything is now public.

### **New Business**

Chair Blanchard and Vice-Chair Dowling received correspondence from a Tantasqua student. Tantasqua Young Democrats would like to have the voting age for the town elections lowered. The Board would like to invite the requestor to come to a meeting.

Chair Blanchard also received a MIIA lunch function request, asking for names of those attending.

**Motion: That Chairman Blanchard be the voting member at MIIA lunch event By: Selectman Suprenant  
2<sup>nd</sup>: Vice-Chair Dowling  
Vote: All in Favor (5-0)**

### **Correspondence**

Selectman Suprenant read the correspondence.

<b>November 4, 2019</b>	<b>The Immigrant Learning Center</b> Thank You Letter
<b>November 13, 2019</b>	<b>Charter Communications</b> Upcoming Changes
<b>November 14, 2019</b>	<b>Charter Communications</b> Upcoming Changes
<b>November 18, 2019</b>	<b>Charter Communications</b> Upcoming Changes
<b>November 19, 2019</b>	<b>Charter Communications</b> Upcoming Changes
<b>November 25, 2019</b>	<b>MIIA</b> Holiday Card
<b>December 2, 2019</b>	<b>Police Department</b> Assessment and Evaluation

### **Approval of Minutes**

December 4, 2019

November 18, 2019

**Motion: To Approve the Minutes for November 18, 2019 as Amended By: Selectman Suprenant  
2<sup>nd</sup>: Selectman Kaitbenski  
Vote: (4-1) (Selectman Gimas Abstained)**

**Citizens forum**

Paula Patruno from 358 New Boston Road went before the Board to address a contractor excavating for house construction in her area. She asked a side question on whether it was possible to have Sturbridge in the marijuana applicant's business name. The Board answered that it was possible and it is the same for any other business.

Ms. Patruno claims the gentleman in her area who is building a home is still excavating. She brought maps from the Planning Board containing the layout of the area and what lots the gentleman owns.

This situation is not considered a subdivision. Subdivision and approval not required lots have been separated in the Town of Sturbridge. Town Admin. Bridges will have to meet with staff and see how this gets changed. Under current regulations it has not been the practice. The town can change this if they go through the process.

Town admin. Bridges talked to counsel about this. The contractor is building houses rather than a gravel operation simply saying they are going to build a house. The town would have to prove that the amount of excavation was not necessary to claim a violation of the bylaw.

Chair Blanchard stated that the Board will check on the lot, the proposed regulations, and check with conservation.

Ms. Patruno inquired how to get an ordinance about sound in the early morning. Chair Blanchard shared the process. Vice-Chair Dowling said that at an annual town meeting 10 signatures are needed and at a special meeting 100 signatures are needed.

**Adjourn**

**Motion: To Adjourn at 9:45 pm By: Vice-Chair Dowling  
2<sup>nd</sup>: Selectman Gimas  
Vote: All in Favor (5-0)**

**Adjourned at 9:45 pm**

**Minutes prepared by: Samantha Evans**

**Clerk of the Board:**



**Date signed:** 12-02-2020