

June 18, 2019

Board of Selectmen

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Town Hall

AMENDED

Present:

Mary Blanchard, Chairman

Mary Dowling, Vice- Chair

Priscilla Gimás

Chase Kaitbenski

Absent:

Mike Suprenant, Clerk

Staff:

Jeff Bridges, Town Administrator

Andrea Mensen, Administrative Assistant

Chair Blanchard called the meeting to order at 5:31 pm.

The Selectmen led the Pledge of Allegiance.

Chair Blanchard read through the agenda.

Mr. Bridges introduced Jean Bubon, Town Planner and Nicole Costanzo, KP Law.

Ms. Costanzo introduced herself and briefly described to the Board how hosting a Marijuana establishment in the community worked. She stated that it is not “one size fits all” and each community varies on case by case basis. Ms. Costanzo explained to the Board that Host Community Agreements are built of many different components, and will depend on items such as: location, parking, signage agreements, sold or consumed on property.

Ms. Costanzo stated that the law permits 3% of the establishment’s gross annual sales to be paid to the Town. She summarized that a Community Impact Fee is different in all communities, and may be separate from the 3%. In addition to the 3% Community Impact Fee, some municipalities have asked for more of the establishment’s gross annual sales be contributed to the Town for what the Town believes they need. Ms. Costanzo provided examples of what the 3% fee or the additional fee could go towards.

Ms. Costanzo went over the re-opener clauses, and stated that they are used for applicants that have more than one establishment. An additional branch of establishment would allow the town to re-open their Host Community Agreement. She went over the commitment not to challenge the Host Community Agreement, because it is brand new to the law, and stated that if the town had any discrepancies, the Auditor would review. Ms. Costanzo recommend that communities not request an appeal once a Host Community Agreement is settled upon.

Ms. Costanzo informed the Board that communities can have multiple Host Community Agreements, and went over some criteria that the board should consider. She recommended that the Board develop a policy on how they will be adopting the agreement, and at that point they should come up with a time frame as far as when the business will be able to open.

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Vice- Chair Dowling asked if the Board is free to negotiate with all four of the potential companies, or will they have to narrow it down to two and then negotiate. Ms. Costanzo stated that there is no set way to do it, and the board is free to consider all applicants, and negotiate with all four potential companies.

Vice- Chair Dowling followed up about the 3% of the company's gross annual sales, asking about the Community Benefit Fee, and the possibility of putting the money into escrow for any future projects such as building a plan to alleviate the traffic. Ms. Costanzo stated that the 3% fee is to be put towards what the town needs because of the impacts made by the company opening. In addition to the 3% fee, the Town has the option to adopt a Community Benefit Payment that would be an additional percent of the company's profits. Ms. Costanzo stated that the Town would have to document one years' worth of evidence of the impact made, in order for the company to give more of a percentage of their gross annual sales. She stated that it is one year, because it would take one calendar year for the community to see relevant impacts.

Vice- Chair Dowling inquired about limitations on types of goods sold, and asked what communities put a limit on the amount of the types sold. Ms. Costanzo said she did not have a list of communities to provide the board with because it depends on the scale of the town, and the company, and that every community does it differently.

Selectwoman Gimás asked if a medical marijuana facility, that already has a Host Community Agreement, would like to start selling recreationally, can they re- negotiate. Ms. Costanzo stated that if approved and then amended by both parties, the company would be able to sell recreational.

Selectman Kaitbenski asked if Mr. Bridges if he could get the CCC regulations. Mr. Bridges will follow up.

Vice- Chair Dowling would like some background of the language and specific provisions utilized in other municipalities Host Community Agreements. Ms. Costanzo stated she will see if she can pull some and send along to the Board.

Bob George, the attorney for potential company CPC, came before the Board and asked a question about the impact fee. Ms. Costanzo stated that it would require negotiations, and that the Board would not be going into that at the moment, but she did provide examples on impact fees and what it would be used for, given the impact.

Vice- Chair Dowling followed up on the Community Benefit Fee and asked for examples which have been negotiated into other community's fees. Ms. Costanzo stated that although she does not have specific communities to report, some communities have asked for specific dollar amount, and again stated that it all depends on size and scale of the town and the establishment. As far as what the fee may go towards her examples included: drug enforcement costs such as the employment of a Dare Officer, drug recreational programs, a new police cruiser, or an additional EMT officer.

Mrs. Bubon gave an overview of the four potential recreational marijuana sites.

1st – 138 Main Street

2nd- 365 Main Street

3rd- 660 Main Street

4th- 55 Main Street

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Mr. Bridges stated the key points and takeaways. 1. The attorney will create a draft written policy and bring it to the Board. 2. The Board will begin negotiations with all four potential companies. 3. Mr. Bridges will locate the CCC agreement and regulations.

Ms. Costanzo recommended the Board nominate a designated person to officially engage in the negotiation process. She also stated that negotiations will all have to be in open session.

**Motion: To nominate Mr. Bridges as the designated person to engage in negotiations of potential recreational marijuana companies, along with the Board of Selectmen. By: Chair Blanchard
2nd: Selectwoman Gimas**

Vote: All in Favor (4-0) (Selectman Suprenant Absent)

Adjourn

**Motion: To Adjourn at 6:38pm. By: Selectwoman Gimas
2nd: Selectman Kaitbenski**

Vote: All in Favor (4-0) (Selectman Suprenant Absent)

Minutes Prepared by: Andrea Mensen

Clerk of the Board:



Date Signed:

