

## HOLLISTON BOARD OF SELECTMEN

June 19, 2017  
7:00 p.m.

Selectmen's Meeting Room – 105  
Town Hall

Present: Kevin Conley, Chairman; Jay Marsden, Vice Chairman; Mark Ahronian, Clerk and Jeff Ritter, Town Administrator.

**AT 7:01 P.M., MR. MARSDEN MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS NON-UNION CONTRACT NEGOTIATIONS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR. A ROLL CALL VOTE WAS TAKEN.**

	AYE	NAY
MR. CONLEY	X	
MR. MARSDEN	X	
MR. AHRONIAN	X	

**AT 7:32 P.M., THE BOARD EMERGED FROM EXECUTIVE SESSION AND MOVED TO OPEN SESSION**

**MR. AHRONIAN MOVED TO APPROVE THE FOLLOWING WARRANT**

17-50	GENERAL WARRANT	\$ 547,122.42
	STUDENT ACTIVITY (8030) PLACENTINO	\$ 2,288.63
	MEALS TAX (220)	\$ 42.35
	STUDENT ACTIVITY (8030) MILLER SCHOOL	\$ 4,975.00
	SPECIAL FUELS TAX	\$ 1,134.96
	COMMUNITY PRESERVATION (265)	\$ 10,350.00
	DEBT CARD (001)	\$ 3,918.78
	AGENCY (890) VETERANS DISTRICT	\$ 158.62
	AGENCY (890) VETERANS DISTRICT PAYROLL	\$ 1,125.00
	TOWN PAYROLL	\$2,550,284.28
	TOTAL PAID WARRANT	\$3,120,275.04

**ACCOUNTANT'S NOTE:**

ACCRUED DEDUCTION LIABILITIES NOT PAID	\$ 469,691.66
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**TREASURER'S NOTE:**

WIRE TO HEALTH INSURANCE TRUST	\$ (99,136.15)
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**THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

### COMMENTS FROM THE AUDIENCE

Jay Leary, 146 Karen Circle, he said that the Highway Department were removing the double yellow line on Chamberlain Street. Mr. Leary asked why was this done?

Mr. Leary asked the Selectmen to review the meeting minutes about the line painting on Chamberlain Street, before any more of the lines are removed.

**THERE WERE NO COMMENTS FROM THE BOARD**

**REPORT OF THE TOWN ADMINISTRATOR**

Jeff Ritter, Town Administrator, was present. He said that today he and Chief Cassidy went to the State House to receive the next installment of the Green Communities Grant. He said that this is a team effort. He said that Chief Cassidy, Technology Director Chris Meo and Administrative Assistant Andrea Minihan have worked so hard on these grant applications. He said that we received \$247,228. Mr. Ritter said that they are going to be looking at energy efficiencies at the Senior Center, Library and Town Hall. He said that we will also be purchasing two electric vehicles. He said that there will also be a charging station installed behind Town Hall.

**TOWN COUNSEL INTERVIEW – FEELEY AND BROWN P.C.**

Kevin Feeley was present. He said that he and Dan Brown are a small Law Firm that was started about six and half years ago. Mr. Feeley said that he has practiced law for 27 years. And all those years have been with the municipal side of the law. Mr. Feeley said that Mr. Brown has been helping out the Town for the past few months and has enjoyed it. Mr. Feeley said that he thinks their small Law Firm would be a good fit. He said that they are small and plan on staying that way. He said that they do not bid on contracts to every Town that is looking for Town Counsel.

Mr. Conley said to Mr. Feeley that they only represent Towns. Mr. Feeley said yes. Mr. Conley said to Mr. Feeley, you only do municipal law? Mr. Feeley said yes.

Mr. Conley asked if he was insured?

Mr. Feeley said yes. He said that they have malpractice insurance.

Mr. Conley asked how accessible are you?

Mr. Feeley said twenty-fours per day, seven days per week. He said that you can call us anytime.

Mr. Marsden said that Mr. Feeley and Mr. Brown do great work.

Mr. Feeley thanked the Board for taking the time to interview him.

**BOARD BUSINESS – MINUTES NOVEMBER 16, 2016 AND NOVEMBER 22, 2016**

**MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF NOVEMBER 16, 2016, AS WRITTEN. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE THE MEETING MINUTES OF NOVEMBER 22, 2016, AS WRITTEN. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**CULTURAL COUNCIL APPOINTMENT**

**MR. MARSDEN MOVED TO APPOINT RACHEL CHAMBERS TO THE CULTURAL COUNCIL FOR A TERM TO EXPIRE JUNE 2019. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**ANNUAL BIDS FOR ROAD REHABILITATION – MILLING AND RECLAMATION**

**MR. MARSDEN MOVED TO APPROVE THE ROAD REHABILITATION (MILLING) TO PJ ALBERT, INC. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE THE REHABILITATION (RECLAMATION) TO MURRAY PAVING & RECLAMATION. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**TYLER TECHNOLOGY CAMA CONVERSION CONTRACT**

Mr. Ritter said that the Assessors have reviewed this conversion contract and have approved it. He said that Town Hall Technology Director, Chris Meo, has looked at this and is recommending it.

Mr. Conley said that all costs for this contract will be paid for by the Assessors.

**MR. MARSDEN MOVED TO APPROVE THE TYLER TECHNOLOGY CAMA CONVERSION CONTRACT. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**LIAISON ASSIGNMENTS**

Post-poned

**YEAR END TRANSFERS**

**MR. CONLEY MOVED TO APPROVE A LINE ITEM TRANSFER IN THE AMOUNT OF \$13,252.94, FROM UNEMPLOYMENT INSURANCE TO LIABILITY INSURANCE. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. CONLEY MOVED TO APPROVE A LINE ITEM TRANSFER IN THE AMOUNT OF \$1,820.15, FOR CLERICAL SALARIES, OFFICE SUPPLIES AND PROFESSIONAL DEVELOPMENT. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. CONLEY MOVED TO APPROVE A LINE ITEM TRANSFER IN THE TREASURER/COLLECTORS LINE AMOUNT OF \$30,368.55. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER IN THE AMOUNT OF \$568.71, FROM PROFESSIONAL DEVELOPMENT AND TRAVEL TO COMMUNICATIONS FOR YOUTH AND FAMILY SERVICES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A RESERVE ITEM TRANSFER IN THE AMOUNT OF \$270.00, FOR ADVERTISING FOR YOUTH AND FAMILY SERVICES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**EVENT PERMITS – AMERICAN LEGION, HAZARDOUS WASTE DAY, HIGH ROCK BLOCK PARTY**

**MR. AHRONIAN MOVED TO APPROVE THE EVENT PERMIT FOR THE RIBBON CUTTING READJUSTMENT COUNSELING VA GRAND OPENING ON MONDAY JUNE 26, 2017, FROM 1:00 P.M. TO 3:00 P.M. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. AHRONIAN MOVED TO APPROVE AN EVENT PERMIT FOR THE RECYCLING COMMITTEE FOR THE HAZARDOUS WASTE COLLECTION DAY ON JULY 8, 2017, FROM 8:00 A.M. TO NOON. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. AHRONIAN MOVED TO APPROVE AN EVENT PERMIT FOR KIMBERLY LENTROS FOR A BLOCK PARTY ON HIGH ROCK ROAD ON SATURDAY JUNE 17, 2017, BEGINNING AT NOON. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**SEASONAL COMMON VICTUALLER'S LICENSE – OUTPOST FARM**

**MR. AHRONIAN MOVED TO APPROVE A SEASONAL COMMON VICTUALLER'S LICENSE FOR OUTPOST FARM FROM JUNE 1, 2017 TO OCTOBER 31, 2017. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE THE FOLLOWING APPOINTMENTS FOR FY 18**

**MARY BOUSQUET** one year term  
Custodian of Tax Title, Treasurer & Tax Collector and West Suburban Health Group Representative.

**DANIEL BROWN** one year term  
Labor Counsel

**MICHAEL CASSIDY** one year term  
Community Emergency Response Coordinator, E911 Coordinator, Fire Engineers-Chief, Forest Warden, Hazardous Waste Coordinator, MAPC, Natural Hazards Mitigation Planning Team and Emergency Management.

**CONSTABLES** one year term  
Craig Denman, James Peterson and James Deluca

**NICOLE COSTA** one year term  
Assistant Treasurer and West Suburban Health Group Representative

**MARK DELICKER** one year term  
Deputy Fire Chief

**CRAIG DENMAN** one year term  
Police Lieutenant

**PAUL ELDER** one year term  
Plumbing and Gas Inspector

**WILLIAM ERICKSON** one year term  
Wiring Inspector

**DAVID GATCHELL** one year term  
E911 Liaison and Police Lieutenant

**ELIZABETH GREENDALE** one year term  
E911 Liaison and State Ethics Commission Liaison

**JOANNE HULBERT** one year term  
Town Historian

**KELLEY & RYAN** One year term  
Deputy Tax Collector and Parking Clerk

**JOSEPH MARSDEN** one year term  
Metro West Regional Collaborative and Metro West Regional Transit Authority

**LINDA MARSHALL** one year term  
Director of the Senior Center

**ARTHUR MOORE** one year term  
Deputy Chief

**NEW ENGLAND EMULSIONS AS WEIGHERS** one year term  
Matthew Anotnioli  
Gregory Patry  
Domenic Porcello  
Richmond Mann  
James Porcello  
Jerrold Hilliard

**COVANTA WEIGHERS** one year term  
Sharon Leavitt  
Ryan Fillion  
Carlos Young

**SOPHIA DOWLING** one year term  
Associate member of the Council on Aging

**SEAN REESE** one year term  
DPW Director

**LOUIS SAKIN** one year term  
Sealer of Weights and Measurers

**JEFF RITTER**

one year term

Affirmative Action Officer, Affirmative Marketing Construction Officer, Chief Procurement Officer, Construction Officer, Contract Compliance Officer, Fair Housing Officer, Metro West Veterans Service District Director, Municipal Hearing Officer, ADA Coordinator and Town Administrator.

**MATTHEW STONE**

one year term

Police Chief

**LINDA STOICO**

one year term

Assistant Collector

**PETER TARTAKOFF**

one year term

Inspector of Buildings

**LOU TRAVAGLINI**

one year term

Deputy Wiring Inspector

**RICHARD TWOMEY**

one year term

SMOC Representative

**WEIGHERS, MEASURERS & SURVEYORS OF COMMODITIES**      one year term

Craig Denman, Kenneth Belson, Brian DiGiorgio, Scott Downey, Daniel Griffith, Todd Hagan, Timothy Heney, George Leurini, Andrew MacGray, Ciara Maguire, John Scanlon, Chad Thompson, Matthew Waugh, Michael Woods, Jonathan Remkis and Kate Hickey

**EMERGENCY MANAGEMENT**

one year term

Paul Coffee

Randolph Catlin III

Robert Gianopoulos

Scott deGanne

**ASSISTANT PLUMBING AND GAS INSPECTOR**

one year term

Joseph Zacchilli

**ASSOCIATE MEMBER OF THE ZONING BOARD OF APPEALS**

one year term

Jay Peabody

**AGRICULTURAL COMMISSION**

three year term

P.J. Kilkelly

**COMMUNITY FARM ADVISORY COMMITTEE**

Kristine Westland  
Dennis Serocki

three year term

**COMMUNITY PRESERVATION**

Michael Pelon

three tear term

**CONSERVATION COMMISSION**

Allen Ruthberg

three year term

**CONSTABLES BONDED**

Barry Sims

three year term

**COUNCIL ON AGING**

Mildred Bedard  
Louis Hosmer

three year term

**CULTURAL COUNCIL**

Leslie Lee Kauffman  
Richard Morse

three year term

**GOLF COURSE ADVISORY COMMITTEE**

Bob Smith

three year term

**HISTORICAL COMMISSION**

Lee Desorger  
Kim Sullivan

Three year term

**HOUSING TRUST FUND BOARD OF TRUSTEES**

Diana Harrington

three year term

**OPEN SPACE COMMITTEE**

John Beling  
Alix Carey

three year term

**RECYCLING COMMITTEE**

John Varga

three year term

**REGISTRAR**

Elaine Doyle

three year term

**TAXATION AID COMMITTEE**

James Lane

three year term

**TRAILS COMMITTEE**

Kenneth Henderson

Marc Connelly

Martha Ellis

Three Year term

**YOUTH ADVISORY COMMITTEE**

Darlene Vittori-Marsell

Lynne Rahim

Holly Fischer-Engel

three year term

**ZONING BOARD OF APPEALS**

John Love III

three year term

**THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**GRANT ACCEPTANCE – PARK AND RECREATION**

**MR. AHRONIAN MOVED TO ACCEPT A GRANT FROM THE NEWCOMERS CLUB IN THE AMOUNT OF \$3,000 FOR THE SUMMER CONCERTS. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**8:00 P.M. PLANNING BOARD AND ECONOMIC DEVELOPMENT UPDATES**

Karen Sherman, Town Planner, was present to say that the new video is up on the Town's webpage, giving all the great points that Holliston has to offer, if you open up your business in Town.

Ms. Sherman said that packages have gone out to some of the larger business in Town from the Holliston Business Association.

Mr. Conley asked if there was a check list in this package.

Ms. Sherman said that there is a permitting guide and a resource guide that covers all the Boards and Committees.

**DECLARATION OF RESTRICTIVE COVENANTS – HOLLISTON WOODS**

**MR. MARSDEN MOVED TO APPROVE THE RESTRICTIVE COVENANTS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**29 EVERETT STREET**

Ron Lipof said that he is a management consultant for New England Cannabis Corporation. He said that they would like to establish a medical marijuana cultivation facility at 29 Everett Street. He said that

They are looking for a letter of support or non-opposition that is a requirement for them to finish their final phase with the Department of Public Health.

Mr. Lipof said that the staff will be a medically trained. He said that the facility will have state of the art security system. Mr. Lipof said that there will be twenty-five employees. He said that all staff will have to be CORI checked. He said that there will not be any sales from this location. There will not be any signs indicating what is going on on the property. He said that cars will come and go to transport and they will not have any signs on them. Mr. Lipof said that there will be cameras inside and outside the facility. He said that the Chief of security has 28 years of experience.

Dr. Ken Vaid, Chief Operations Officer said he is the co-founder of the Northshore Cataract and Laser Center (NCLC). He said that he has performed over 7,500 ophthalmic procedures. Dr. Vaid said that marijuana is medicine for people who use it responsibly. He said that it can do wonders. He said that the people that he generally sees are in their 80's or 90's. He said that many of these people suffer, and marijuana could be the answer.

Mr. Marsden asked if Dr. Vaid was going to purchase the building or rent it?

Dr. Vaid said that is up to the CEO.

Mr. Lipof said that they do have an accepted agreement with the seller of the property, subject to the site plan approval by the Board of Selectmen.

Mr. Lipof said that they are looking for a letter of support or non-opposition from the Selectmen so that they can send it along to the Department of Public Health.

Mr. Conley said that the Board has approved their letters in the past, there is just one problem, it is within 500 feet of a gymnastics academy, and State law said that there should be a 500 foot buffer area if children are going to be in the area.

Mr. Lipof said that buffer zones should be left to cities and towns. Mr. Lipof said that if they get a letter from the Selectmen, they can talk to the Department of Public Health about the buffer zone.

Mr. Conley asked Mr. Lipof about the buffer. Mr. Lipof said that the Town should be responsible to set the buffer zone. If a buffer zone is not in place it, will go to a 500 foot buffer.

Ms. Sherman said that the buffer zone is the responsibility of the Planning Board not the Board of Selectmen.

Don Mase said that he is a friend of Zufanf Shen, owner of Shen's Gymnastics Academy. He said that she is very concerned about this because it is within the 500 buffer zone. Mr. Mase said that Ms. Shen thinks that there will be a problem with keeping students because of this facility. He said that there are children in and out of the building all day long. Mr. Mase read a letter from Ms. Shen. See attached

Mr. Conley asked Mr. Mase what are your concerns?

Mr. Mase said that there is a reason that there is a 500 foot buffer, because there are children in the area. He said that when parents find out there is a marijuana growing facility next door to the gym, they will take their kids to another gym. He said that it does not matter how non-descript the building would be, people will still know that it is there.

Someone said that there will not be any signage on the facility, so who is to know what is going on in this building. He said that it will not be open to the general public only staff.

Mr. Mase said that this is a small town and everyone in Town will know that this facility is growing marijuana. He said that there was a company in Concord that no one knew what they were

manufacturing. But, it did come out they were making nuclear products and dumping waste into the ground.

Joshua Santoro, 51 Dean Road, said that there is a big difference between nuclear products and medical marijuana. He said that he works in a dispensary and it is next door to a pre-school. He said that there are air filters in the facility and you can't smell anything at all.

Ken Stevens, CEO of Kenneth Stevens Custom Homes, said that the Selectmen have already approved two sites. He asked if Holliston was a hot site for growing marijuana.

Mr. Stevens said that they are 504 feet from door to door to Shen's Gymnastics Academy. He said that if you want the buffer to be more, they can move the door on the facility.

Zufang Shen, Owner of Shen's Gymnastic Academy, said that she is very happy in Holliston. She said that she is concerned about the younger kids. She said that there is another academy in Ashland and it is only seven minutes away, she will lose business. She said that there is an academy in Millis. She said that she has worked so hard to build her business. She wants the Board to think about their decision.

Mr. Marsden said that he does not have any issues with this facility. He said that there is no difference between this business and any other business. Mr. Marsden said that this Town voted in favor of medical marijuana.

**MR. MARSDEN MOVED TO AUTHORIZE AND APPROVE A LETTER OF NON OPPOSITION FOR THE GROWING FACILITY AT 29 EVERETT STREET.**

Mr. Ahronian said he is not comfortable voting on this tonight.

Mr. Conley said that he thought that the 500 foot buffer was the Town's regulation. Mr. Conley said that he would like to delay this vote for one week. He said that he would like more clarification on the buffer regulation.

Mr. Marsden said that they have had multiple discussions on this kind of facility in the past. It is a legal business and they are manufacturing this product. It is not a dispensary. He said that there is nothing that makes him want to wait a week for a vote. Mr. Marsden said that if any member of the Board has questions they should attend a Planning Board meeting to get all their questions answered.

Mr. Ahronian said that he would like to talk to the business in the area, they are all paying taxes. Mr. Ahronian said that he was not present for the two other discussions because he was not on the Board yet. He said that he wants to do a little homework.

Jay Leary, 146 Karen Circle, said that when you talk about buffer zones, that he pulled up the article from the Department of Public Health on medical marijuana. He said that the 500 foot buffer is measured in a straight line from the nearest point of the facility. He said that it is from building to building. Not property line to property line. He said that a playground would be considered a facility where the children congregate. In a case like that the measurement would be from the edge of the playground property to the nearest point of the building that would be housing a medical marijuana facility. He said that the Town should be responsible for setting the buffer zone. If one is not in place, it will automatically go to the 500 foot buffer. Mr. Leary said that we do not have a buffer regulation so this 500 foot buffer zone should be enforced.

Mr. Lipof said that is why a letter of non-opposition would be helpful so they can move forward with the Planning Board.

**MR. CONLEY ASKED IF THERE WAS A SECOND? MR. AHRONIAN SAID NO.**

This will be on the Selectmen's agenda next week.

**8:30 P.M. TOWN COUNSEL INTERVIEW – JOHN MOORE**

Mr. Conley said that John Moore was present to talk about his proposal for Town Counsel services.

John Moore retired Police Chief for the Town of Holliston, is a lawyer. Attorney Moore said he does municipal law. He said that he worked for the Town for twenty-two years. He knows all the Department Heads in Town Hall and most of the staff. He said that he knows how government works. He said that he has not been practicing Municipal Law for a long time, he has been participating in it as Police Chief.

Mr. Marsden asked about municipal law and his position as Chief?

Attorney Moore said that as Chief he had to have knowledge of the law on marijuana, open meeting law, conflict of interest, civil rights and to uphold the Constitution.

Mr. Conley asked if Attorney Moore had any experience with Towns as their Counsel. Mr. Conley said that Attorney Moore has been involved, but on the other side.

Attorney Moore said that if he was hired as Town Counsel and if something came up that he could not handle he would ask another Town Counsel.

Mr. Conley asked if he would be willing to come to Town Hall and have Department or staff ask him questions.

Attorney Moore said that yes he would.

Mr. Conley asked if Attorney Moore would be available to attend Town Meeting?

Attorney Moore said yes.

Mr. Ahronian asked Attorney Moore what kind of cases have you been involved with?

Attorney Moore said a wide variety from criminal law to employment law. Lots of real estate, personal injury and municipal law.

The Board thanked Attorney Moore for taking the time to come to the meeting.

**CHAPTER 90 REIMBURSEMENT**

Mr. Conley said that this is for work that was done on Maple Street, Norfolk Street, Marked Tree Road and Washington Street.

**MR. MARSDEN MOVED TO APPROVE THE CHAPTER 90 REQUEST FOR REIMBURSEMENT. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**AT 9:27 P.M., MR. CONLEY MOVED TO ADJOURN. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

Respectfully submitted,

Donna A. Muzzy

Approved \_\_\_\_\_