

## HOLLISTON BOARD OF SELECTMEN

June 26, 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 DEPLOYMENT OF SECURITY PERSONNEL.**

**AT 7:30 P.M., THE BOARD EMERGED FROM EXECUTIVE SESSION AND MOVED TO OPEN SESSION.**

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

17-51	GENERAL WARRANT	\$1,052,747.90
	STUDENT ACTIVITY (8030) PLACENTINO	\$ 2,388.00
	PAY.COM (APPLICATION FOR MEDICARE-HEALTH)	\$ 6,018.40
	CAPITAL PROJECTS (300)	\$ 17,368.11
	DEBIT CARD (001)	\$ 2,554.09
	HEALTH INSURANCE TRUST (700)	\$ 10,027.76
	PERFORMANCE DEPOSITS (801)	\$ 3,076.73
	AGENCY (890) VETERANS DISTRICT	\$ 83.74
	HIGHWAY CHAPTER 90 (230)	\$ 145,002.00
	AGENCY (890) VETERANS DISTRICT PAYROLL	\$ 1,125.00
	TOWN PAYROLL	\$ 122,878.68
	TOTAL PAID WARRANT	\$1,362,145.41

### **ACCOUNTANT'S NOTE:**

ACCRUED DEDUCTION LIABILITIES NOT PAID	\$ 14,249.17
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### **TREASURER'S NOTE:**

WIRE TO HEALTH INSURANCE TRUST	\$ 3,577.58
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**THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

### **COMMENTS FROM THE BOARD**

Mr. Conley wished Mark Ahronian a happy birthday.

There were no comments from the audience.

### **REPORT OF THE TOWN ADMINISTRATOR**

Jeff Ritter, Town Administrator, was present. He said that just today they had their sixth project meeting for the Flagg School demolition project. He said that they are 90% done with the abatement of the asbestos inside the building and 75% done with the abatement of the asbestos on the outside of the building. He said that this portion of the project should be completed by the end of next week. He said that the start of taking down the building will be on July 10, 2017. He said that this should take about four weeks. He said that the project is on schedule and on budget.

Mr. Ritter said that this week we received a letter telling us that we will be receiving \$36,650 grant for work completed at 1750 Washington Street. He said that this grant is from the Massachusetts Office of Disabilities. He said that the building has had many corrections.

Mr. Ritter said that the lights in downtown bid has been issued and posted. He said that there will be a pre-bid meeting on July 5, 2017 at 11:00 a.m. He said that all bids will be due on July 19, 2017.

#### **MR. REESE – WATER DEPARTMENT UPDATE**

Mr. Reese said that they put out a public notice on May 8<sup>th</sup> about a contaminated sample on Rockland Street. They have since re-sampled. He said that they will have another public notice in July. Mr. Reese said that they are flushing hydrants to help clear the water. He said that they are working to get the numbers down.

Mr. Ahronian said that we are heading in the right direction.

Mr. Marsden said that having Mr. Reese running the water side of the DPW is great. He is very good at what he does. He is that one that you want to manage this type of issue.

Mr. Reese said that there is a large team working on this not just him. He said that the department and a Consultant are both involved.

Mr. Reese said that is why we need to keep replacing water mains and the filtration system. He said that all improvements will help the system. Mr. Reese said that just this weekend there were four water main breaks all on Apple Yard Lane. Mr. Reese said that they are in that development replacing the water mains.

Mr. Conley asked Mr. Reese why was he seeing double? Because there were double yellow lines on Chamberlain Street. Mr. Reese said that the lines should stay. He said that if the Board decides not to repaint them then they will never be painted again. He said that the lines are down for public safety. He said that the Fire Chief wanted them and the Police Chief wanted them. Mr. Reese said that public safety comes first. Mr. Reese said that it does not matter if the lines stay or go there is always going to be someone that complains. Mr. Reese said that they can take the lines away, but it would go against the policy that the Selectmen have in place.

Mr. Ahronian asked if we promised the residents that we would not be re-painting the double lines?

Mr. Conley said that they did not promise the residents anything.

Mr. Reese said that the lines do fade but they will re-paint them.

Mr. Conley said that if there was a single line down the middle of the road, we would not have had so many complaints.

Mr. Conley suggested that the lines fade on their own. He asked that it get into the record.

Mr. Reese said that it is the Board's decision.

#### **7:45 P.M. TOWN COUNSEL INTERVIEW – BLATMAN, BOBROWSKI & HAVERTY, LLC.**

Mark Bobrowski, a partner, was present. He said that he is the Town's Land use Counsel for almost twenty years. He works with the Zoning Board of Appeals and Planning Board. He said that he has been advising both boards for a long time. He said that problems pop up all the time. He said that he has done litigation work for the Planning and Zoning Boards. He has been reviewing the subdivision regulations for the Town.

Paul Haverty is a partner and was present. He said that his practice has been on real estate and land development. He said that he is very experienced in zoning issues. He said that he is an expert in 40B projects. He said that he would be the backup Attorney to Mark Lanza.

Mark Lanza said that he was first a Municipal Administrator before he went into law. He said that because of his background, it was easy to shift to Municipal Law. He said that he is the former Town Administrator to the Town of Westwood and before that he was the Town Administrator for the Town of Cohasset. He said that since he graduated from Law School, he has been practicing Municipal Law. Mr. Lanza said that he practices land use and zoning law.

Mr. Lanza said that he has worked with some of our Department Heads in the past.

Mr. Lanza said that he can walk into this position, he will not need any training.

Mr. Ahronian asked what was the most difficult case that they ever had?

Mr. Bobrowski said dealing with Fafard is difficult. He said that they do things that do not get inspected. He said that they do not follow the rules.

Mr. Marsden said that Attorney Bobrowski is a great attorney.

Mr. Conley did not have any questions.

## **29 EVERETT STREET**

Mr. Conley said that this was discussed at last week's meeting and the Board wanted a little more time to review it. Mr. Conley said that this is for a marijuana growing facility at 29 Everett Street.

Jim Cormier, 53 Jeffrey Ave, Cormier Self Defense Academy, said that he teaches dozens of children in this location. He said that he does not have an objection about a cannabis facility, but his objection is the location of the facility. He said that he knows that the facility will be protected. He said that the parents might not like the idea of sending their kids to the area for class. He said that he is concerned about negative feedback. Mr. Cormier said that he supports Shens Gymnastic Academy by not wanting the facility that close to children who take classes at both locations.

Ellen Mason, Office Manager, Shens Gymnastics Academy, said that they started telling their customers about the growing facility that is proposed at 29 Everett Street. She said that she has received some feedback. She said that they have had customers for many years, and they are not comfortable with this. She said that some of the parents have told her that they would pull their children from the facility. Ms. Mason said that some of the children are at the gym 20 hours per week.

She said that the kids will be sitting outside having lunch in good weather just feet from a growing facility.

Tom Ekcht, owner of 100 Jeffrey Avenue, said that the property is leased out to Holliston Pediatrics. He said the he got a call from Holliston Pediatrics and they are very concerned about this facility so close to their pediatric office.

Martha Devoe, 35 Robin Hill Road, said that she shares the concerns of the Zoning Board. She said that the Town has filed letters with two other growers. She said that she does not see the need for another growing facility.

Cammie Griffith said that they moved to town because it is a wonderful community. She said that her daughter is always at the gym. She said that she is worried about the appearance. She said that the

kids bring a lunch and sit outside and they will be facing the facility. She said that they will even be closer by being outside.

William Richards, Millis resident, said that his two children attend Shens Gymnastic Academy. They have been enrolled since 2013. He thinks that a cannabis facility would have a negative impact on the business. Mr. Richards said that the Town has to stand up for small business.

Gretchen Coldwell is a Holliston resident and the team manager of Shens Gymnastics. She said that she has heard that there are a lot of unhappy parents about this growing facility being so close to the gym. She said that there is no valid reason why a new variance should be even talked about. She said that her daughter asked her "why are they doing this". She said that they talk about this in Health Class, not to drink and not to do drugs. Ms. Coldwell asked that the Board to up-hold the current State Law on the variance of 500 feet.

Ron Lipof, Cannabis Corporation, said that since the last meeting, he has reached out to Shen's Gymnastic Academy about trying to work out something. He said that the founders of the Corporation are all Doctors. He said that it is all about medicine. He said that this a valuable medication. He said that the State leaves the buffer zone to the Town. He said that they are a non-profit and they give back to the Community. He said that there is no visibility to the inside of the building, he said that you would never know what is going on in there. He said that the transportation of the product would be in a generic vehicle. There would not be any writing in it. He said that there would be two occupants in the car. He said that all product would be stored in the trunk. He also said that there would not be any markings on the building. To gain access, there would be a key card system. Mr. Lipof said that there is a natural buffer between the gym and the growing facility. He said they would put up more trees if that is needed. He said they want to show their neighbors how good this can be for the Town.

Zufang Shen, owner of Shen's Gymnastic Academy, said that as the owner of the gym, she needs to inform the parents about this proposed facility. She said that she wants to know what the parents are thinking about this. She said that she supports this personally because it is good for patients that need it, but it is too close to the gym.

Jay Leary, 146 Karen Circle, said that the law states that in absence of a by-law in place, the buffer zone will become five hundred feet. He said that in order to have that change it would have to go to Town Meeting. He said that the five hundred feet stands as it is. Mr. Leary said that he does not think that Mr. Lipof has five hundred feet between their building and Shen's. Mr. Leary said that he does not support this location. He suggested that the Selectmen not sign a letter of non-opposition.

Mr. Ahronian said that he has done some homework on this. He said that he took a ride to look at the building. He said that it is the last building at the top of the hill. He said that it backs up to the woods. He said that he is concerned that the industrial park is zoned industrial, but a dance studio is not industrial. He said that there are a few non-industrial business in the industrial park. He said and now we have a manufacture that wants to be there and it has become a problem. He said that this is taking away the opportunity that is properly zoned to be in an industrial area. He said that the industrial area has become a mixed use area. He said that we do not have a lot of industrial areas in Town and he does not want to lose a business.

Mr. Marsden said that some business are very loud, and some will have a lot of truck traffic. Mr. Marsden said that if this was a facility that makes medication for memory loss, everyone would love it.

He said that this will only be for medical use. Mr. Marsden said that we are trying to bring in business to Town. He said that an industrial park is the place for them to be located. He said that he does understand all the issues that people have raised. Mr. Marsden said that this is going to be a good thing for the Town. He said that this is a manufacturing facility only. He said that they can give them a letter on no opposition and then their next step is the Planning Board. Mr. Marsden said that he does not see an issue with it.

Mr. Conley said that this is a new industry for the State. He said that they are still trying to understand and figure it out. Mr. Conley said that the State has put in a five hundred foot buffer, not sure why. He said that the five hundred foot buffer should be held up. If they want to go to the Planning Board and have someone sponsor this as an article at Town Meeting to reduce the buffer or eliminate it, then come back to the Selectmen. Mr. Conley said that he wants to follow proper guidelines, and he does not want to rush anything through. Mr. Conley said that he is not comfortable with giving them a letter of no opposition. Mr. Conley said that he wants the zoning requirements done first, then back to the Selectmen.

**MR. MARSDEN MOVED TO SIGN THE LETTER OF NO OPPOSITION FOR THE APPLICANT THEN THEY CAN GO TO THE PLANNING BOARD. THE MOTION WAS SECONDED BY MR. AHRONIAN. TWO IN FAVOR MR. CONLEY VOTED AGAINST.**

#### **TOWN COUNSEL INTERVIEW – LOUISON, COSTELLO, CONDON & PFAFF, LLP**

Pat Costello, was present. Mr. Conley asked Mr. Costello, why do you want to be Town Counsel?

Mr. Costello said that he has a background in municipal law for over twenty-five years. He has represented many towns over the years. He said that he has been partnering with Mr. Louison since 1990. He said that their practice has ten attorneys. He said that he is the Attorney for Tax Title for Holliston. He said that they are a small firm and they want to keep it that way. He said that they like to give personalized service. Attorney Costello said that they do not want to service every town, they want to know who they are working with.

Attorney Condon said that she is the lead attorney for the Town of Upton. She has done municipal work for many years. She also has a private practice.

Mr. Ahronian asked about the other attorneys, do they work for other Towns?

Attorney Costello said that they do a lot of work for insurance companies. He said that they are very busy. He said that Attorney Condon specializes in tax collection and tax title.

Attorney Costello said that they are a seasoned group he said that seven attorneys have over twenty years of experience.

Mr. Marsden said that he does not have a lot of questions, he has worked with Attorney Costello in the past.

Mr. Conley did not have any questions. Mr. Conley thanked them for their time.

#### **BOARD BUSINESS –EXECUTIVE SESSION MINUTES JUNE 19, 2017**

**MR. MARSDEN MOVED TO APPROVE BUT NOT RELEASE THE EXECUTIVE SESSION MEETING MINUTES OF JUNE 19, 2017. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**CAPITAL IMPROVEMENT PLANNING COMMITTEE DISCUSSION**

Mr. Conley said that there will be a five member Board. Two at large, Finance Committee member, Board of Selectmen member, the Treasurer or their designee. Mr. Conley said that the terms will be three year staggered shifts.

Mr. Ritter said that there could be seven members. He will do some research.

**YEAR END TRANSFERS**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE ZONING BOARD OF APPEALS IN THE AMOUNT OF \$1,483.60. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE ZONING BOARD IN THE AMOUNT OF \$2,000.00 TO COVER SALARIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE PLANNING BOARD IN THE AMOUNT OF \$762.51 TO COVER BY LAW CHANGES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL N FAVOR**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE PLANNING BOARD OF APPEALS IN THE AMOUNT OF \$150.00 TO COVER LEGAL FEES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE ECONOMIC DEVELOPMENT COMMITTEE IN THE AMOUNT OF \$826.53 TO COVER SALARIES AND VIDEO PROMOTION. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A RESERVE FUND TRANSFER FOR THE BOARD OF SELECTMEN IN THE AMOUNT OF \$2,265.35 TO COVER SALARIES NAD OFFICE SUPPLIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$1,429.00 TO COVER NEW SOFTWARE. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$3,624.00 TO COVER SALARIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$3,869.00 TO COVER EVIDENCE COLLECTION. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$375.00 TO COVER A STORAGE CABINET. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$1,657.00 TO COVER OFFICE SUPPLIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$1,208.00 TO COVER OFFICE SUPPLIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$526.00 TO COVER OFFICE SUPPLIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$9,225.00 TO COVER THE COST OF NEW RECRUIT UNIFORMS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$4,000.00 TO COVER THE COST OF THE ACADEMY FOR TWO NEW RECRUITS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$3,095.00 TO COVER THE COST OF THE ACADEMY FOR THE TWO NEW RECRUITS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$7,971.00 TO COVER EXAMINATION FEES FOR THE TWO NEW RECRUITS. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

**MR. MARSDEN MOVED TO APPROVE A LINE ITEM TRANSFER FOR THE POLICE DEPARTMENT IN THE AMOUNT IF \$1,252.00 TO COVER THE PURCHASE OF SUPPLIES. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

#### **ANNUAL APPOINTMENTS**

**MR. AHRONIAN MOVED TO APPOINT DONA LEE WALSH AS THE ANIMAL CONTROL OFFICER FOR A ONE YEAR TERM. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. AHRONIAN MOVED TO APPOINT TOM SMITH AS HIGHWAY SUPERINTENDENT FOR A ONE YEARTERM. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR.**

**MR. CONLEY SAID AT THE THE REQUEST OF CHIEF CASSIDY THEY APPOINT PAUL WESTON AS AN EMT. THE MOTION WAS SECONDED BY MR. MARSDEN. ALL IN FAVOR. MR. RITTER APPROVED.**

**TOWN COUNSEL APPOINTMENT**

**Postponed**

**AT 8:55 P.M., MR. MARSDEN MOVED TO ADJOURN. THE MOTION WAS SECONDED BY MR. AHRONIAN. ALL IN FAVOR.**

Respectfully submitted,

Donna A. Muzzy

approved\_\_\_\_\_