

**Board of Selectmen
Agenda
Municipal Center Resource Room
Tuesday July 19, 2022**

7:00 PM

- Call to Order
- Pledge of Allegiance
- Chairman Announcements
- Citizen's Forum

1. Board of Selectmen Reorganization – Possible Votes
2. Open Space Committee Full Member Appointment / Kathleen Sugrue-Richards – Possible Votes
3. Planning Board Associate Member Appointment / Richard Preston – Possible Votes
4. Carbon Canopy / Blake Mensing HCA Discussion for Adult Use Cannabis Cultivation and Manufacturing – Possible Votes
5. Review and Discuss CEMP Plan – Possible Votes
- 6. Vote Granting Permission to Level or Grade Portions of Town Owned Property in Uxbridge (Parcel 15-1443) - Votes**
7. Review & Sign Development Agreement with CRG – Possible Votes
8. Approve **Temporary/Limited** Appointment for Beth MacKay / Assessor's Office – Possible Votes
9. Review & Ratify Contract for Lisa Freeman / Executive Assistant – Possible Votes
10. 2nd Review & Discussion of Goals for the Town – Possible Votes
11. Approve Minutes – Possible Votes
12. Town Administrator's Report
13. Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
14. Executive Session
 - a. Litigation
15. Adjournment

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Note: Times are estimates unless denoted as a Hearing.

The Town of Douglas is an equal opportunity provider and employer.

BOARD OF SELECTMEN
TUESDAY, JULY 19, 2022
MEETING MINUTES

Attendance: Chair Kevin Morse, Tim Bonin, Mike Fitzpatrick, Hal Davis, Matt Wojcik Town Administrator, Lisa Freeman Executive Assistant.

Chair Kevin Morse calls meeting to order at 7:00 PM

(0:35) Pledge of Allegiance

(0:58) Chairman Announcements

Chair Kevin Morse announced that on July 7, 2022 Vice Chair David Cortese passed away unexpectedly, and that David was a valued member of the Board of Selectmen. Mr. Cortese was a retired state trooper, a gifted lawyer, and a highly dedicated family man. Mr. Morse is opening up the floor for members of the Board and people in the audience to speak and offer condolences to the Cortese family.

(2:50) Senator Ryan Fattman joined remotely and spoke about how it was privilege and honor to work David Cortese while he served as a Selectman. He was an advocate for the Town of Douglas and the school system and how he cared deeply for his community and family. Senator Fattman wanted to pass along his condolences to the town and Mr. Cortese's family.

(6:06) Chair Kevin Morse read a memo from Police Chief Nick Miglionico and passed along his condolences to all Mr. Cortese's family and friends. Chief Miglionico stated that he was a dedicated public servant throughout his life, first as a police officer then as an attorney and finally a selectman. Most importantly he was a dedicated family man to his wife and two sons. He will be greatly missed.

(6:38) John Furno and Adam Furno from the Highway Department were unable to attend, but also sent a memo. They wanted to thank the Board of Selectmen and recognize Mr. Cortese for his support for the town and the Highway Department specifically. He will be missed.

(8:10) The Board members spoke about Mr. Cortese and how humble, generous and reliable of a man he was and there will be a huge void on the Board without him. His level of integrity and professionalism will be missed and he was a valuable part of the Board of Selectmen.

(10:40) Town Administrator Matthew Wojcik stated that he thought David would have enjoyed this quote from Dante "Be as a tower firmly set; shakes not its top for any blast that blows". TA Wojcik feels that this quote sums David up because he was a man of bedrock principles, with a core set of beliefs that were unshakable and everyone he interacted with knew that. He could be counted on to be a man of his word, and to listen and keep an open mind. He was an invaluable help to the town with his vast knowledge of the law and his compassion for people was inspiring.

(15:15) Fire Chief Kent Vinson would like to express his deepest condolences to the Cortese family. Chief Vinson wanted to share one his memorable moments about being on the search committee for the town administrator with David. Mr. Cortese was the chair and Chief Vinson never had more fun on that committee in his life. He appreciated and respected Mr. Cortese with his help and knowledge on fire department issues and assisting with contracts and negotiations.

(16:45) Finance Director Jeanne Lovett would like to express her condolences to the Cortese family, town employees, and Board of Selectmen. Ms. Lovett stated that David will be leaving a void that will be truly hard to fill. Ms. Lovett will always remember Dave's integrity, wit, guidance, leadership, and he will be the only one allowed to say, "I can pull a rabbit out of a hat". David was an asset to the town and will be missed.

(17:50) The Board will observe a moment of silence in memory of Vice Chairman Mr. David Cortese followed by a short recess.

(19:15) Citizen's Forum: NONE

(19:24) 1. Board of Selectmen Reorganization – Possible Votes

TA Wojcik stated that the process of reorganizing the Select Board works in this way, the chair yields and the Town Administrator presides only for the election of a chair. The election of vice chair or any other officers is conducted by the newly elected chair. TA Wojcik opens the floor to nominations for the position of chair of this board. Hal Davis nominates Kevin Morse to serve as chairman. Tim Bonin stated that Mike Fitzpatrick expressed interest in the position of chair and would like to know if there might be a discussion on the reason for wanting to be chairman. Mr. Fitzpatrick states that he has an interest in either one of the two seats of chair or vice chair. Mr. Fitzpatrick is interested in either seat because he would like to help the town move forward with things that need to be done. Mr. Morse expressed that he enjoys being accessible to the community. Tim Bonin seconds Hal Davis's nomination for Kevin Morse to be chair. TA Wojcik stated if there are no other nominations, show of all in favor of Mr. Morse remaining chairman. All members of the board in favor.

(22:24) Motion to nominate Mike Fitzpatrick as vice chair made by Tim Bonin, seconded by Hal Davis. All members in favor. Mike Fitzpatrick would like to thank the members of the Board for considering him for the position of vice chair.

(23:50) TA Wojcik is asking to take items 6, 7, & 13 out of order and stated that there is an item that needs to be added which is a certificate of authority. There needs to be an actual recorded vote of the Select Board, and if it is the Board's intention to have TA Wojcik sign documents at the closing then they need to authorize him to do so. TA Wojcik will get Mr. Dan Bailey a Real Estate and Land Use Attorney at Pierce Atwood in Boston, so that they can have this dialog with town counsel later in the meeting.

(25:02) 3. Planning Board Associate Member Appointment / Richard Preston – Possible Votes

(26:07) Motion to appoint Richard Preston as a Planning Board Associate Member made by Tim Bonin, seconded by Hal Davis. All members in favor.

(26:32) 6. Vote Granting Permission to Level or Grade Portions of Town Owned Property in Uxbridge (Parcel 15-1443) – Possible Votes

Attorney Bowen joined remotely for discussion, and he extended his condolences to Board for the loss of Mr. Cortese. There are a couple documents in front of the Board tonight, one is a license that would authorize the developer to use parts of town land in connection with access improvement. The documents have been very carefully crafted to make sure that it satisfies the requirements of being a license rather than being an easement. It is Attorney Bowens recommendation that with those changes that the Board may proceed with that particular document. The other document is the certification which is what TA Wojcik touched on earlier for the vote of the Select Board to authorize him to sign the closing documents. This authorization gives them the flexibility to deal with any unanticipated changes to documents at the closing. Attorney Bowen stated that everything is on track for a closing tomorrow. The deed has been reviewed and approved, and all documents appear to be in order.

(29:10) Motion to approve the license agreement as presented made by Hal Davis, seconded by Mike Fitzpatrick. All members in favor.

(29:30) Motion to appoint the Town Administrator the authority to sign the deed and any other documents in connection with the closing on behalf of the town made by Hal Davis, seconded by Tim Bonin. All members in favor.

(30:38) 7. Review and Sign Development Agreement with CRG – Possible Votes

TA Wojcik state that there is no substantial changes to the draft that the Board has previously reviewed, and it was tentatively agreed upon by the Board at the last meeting. The development agreement contains a significant amount of consideration for the town. Items in Appendix C and the potential to help the town offset any traffic impact that is documented to have occurred from the development. Which was a clear wish of the boards to protect the town in that fashion. TA Wojcik respectfully requests that the board approve this tonight.

(32:00) Motion to approve the development agreement presented to the Board made by Hal Davis, seconded by Mike Fitzpatrick. All members in favor.

(37:00) 2. Open Space Committee Full Member Appointment / Kathleen Sugrue-Richards – Possible Votes

Ms. Richards has been working with the committee since the beginning of the year to redo the Open Space plan and she was asked by the committee if she wanted to be a full-time member, and she said yes.

(38:26) Motion to appoint Kathleen Sugrue-Richards to the Open Space Committee as full member for a term of 3 years made by Tim Bonin, seconded by Mike Fitzpatrick. All members in favor.

(39:18) Mr. Fitzpatrick has a question for town counsel. The Board issued a sign permit to a business in town back in October and there is also a second business that has sign permit lingering. The Board is inquiring about the liability release for Attorney Bowen was asked to create. The one on Main Street (Gregory's Pizza) is a sign permit, and the one on Webster Street (Dog Orphan's) is use of a public way. The board is looking for the documents so that the Building Department can finalize the permits

(41:45) 4. Carbon Canopy / Blake Mensing HCA Amendment for Adult Use Cannabis Cultivation and Manufacturing – Possible Votes

Attorney Blake Mensing is in attendance on behalf of Carbon Canopy and they are proposing an amendment to their current HCA cannabis cultivation operation at 183 Davis Street. They would like to amend the address to 286 & 286R Webster Street, with a 9,000 square foot existing building. They are proposing a tier 2 cultivation canopy (there are 11 tiers under the states cannabis control commission regulations). This would allow them to grow up to 10,000 square feet of canopy. They are also proposing a co-located manufacturing operation which will entitle them to process everything they grow in-house, as well as to purchase wholesale from other licensed cultivators throughout the state. There is no retail component here, it is not a public facing operation. The only people allowed into the facility would be state inspectors, local fire or police, or a registered agent of the facility. The applicants are present; Tyler Beltran-Harris and Mike Weldon and they submitted the PowerPoint presentation in advance. What the applicants would be seeking tonight is a green light to negotiate an amendment to their current host community agreement.

(48:26) Motion to allow the process to continue regarding developing a suitable HCA for both the town and Carbon Canopy made by Tim Bonin. Chair Kevin Morse stated that there is usually a delegate from the Board of Selectmen in the negotiations. Mr. Bonin volunteered to serve as delegate. TA Wojcik stated that it will be three people including himself, a member of the Board and Kate Federoff (KP Law), and they will handle it and bring it back to the Board when it's ready. TA Wojcik asked Attorney Mensing if he could go into more detail about the change in legislation that he mentioned earlier. Attorney Mensing stated that there is pending legislation that is being reconciled between the senate committee and the house committee relating to the cannabis control commission's duties around host community agreements. The proposed legislation would order the commission to review the contents of every contract in the state. MGL Chapter 94 G Section 3d describes how a community impact fee may be collected. It states that a municipality may collect up to 3% of gross revenues from a facility for reasonably related impacts. One thing TA Wojcik would like to protect the town against is the impact on false alarms, the police and fire frequently running

to attend faulty alarms. TA Wojcik would also like to have a conversation with the building official and fire chief on fire inspection on this racking system the applicants are proposing to use in the facility before they apply for a building permit. Mr. Fitzpatrick was questioning whether this would trigger a site plan review because the building is going from an office building to manufacturing facility. Attorney Mensing responded that they will go through what ever steps required by the town for change of use.

(58:23) Motion seconded by Mike Fitzpatrick. All members in favor.

(58:43) Attorney Rich Bowen joined the meeting remotely again to state to the Board that he emailed Lisa Freeman and TA Wojcik the releases they requested to be used for the signs on the two establishments previously mentioned.

(59:45) 5. Review and Discuss CEMP Plan – Possible Votes

Fire Chief Vinson joined the Select Board table to explain the Community Emergency Management Plan. This is a plan on paper to help mitigate emergencies throughout the town. Chief Vinson described how they will deal with emergencies. This also mentions ways that they notify the public of emergencies, and the use of CODERED. This is something required and that should be updated on a regular basis.

(1:14:27) Motion to accept the plan as written made by Mike Fitzpatrick, seconded by Hal Davis. All members in favor.

(1:14:55) 8. Approve Temporary / Limited Appointment for Beth MacKay / Assessor's Office – Possible Votes

Beth MacKay was the Principal Assessor for the town, and she has since retired. The town has hired a new full-time assessor. Ms. MacKay has made herself available when an issue comes up on things she has done in the past, so the town probably will spend a few hundred dollars maybe a couple thousand dollars on her hours that are submitted. What town does not have is a rate of pay for a part-time limited temporary employee. The Board has to ratify the creation of this position and allow it to happen as the Chief Executive Board of the town. There is extra money in the compensation line of the principal assessor's budget to cover this.

(1:17:35) Motion to approve the temporary, limited appointment of Beth MacKay to the assessor's office made by Mike Fitzpatrick, seconded by Hal Davis. All members in favor.

(1:17:55) 9. Review & Ratify Contract for Lisa Freeman/Executive Assistant – Possible Votes

This is position is Executive Assistant to the Board of Selectmen and Town Administrator and was an hourly compensation. This as a salary position was authorized through the compensation table by town meeting every year. State statute authorizes municipal governments to take this position and create a contract to set the terms and conditions of employment. TA Wojcik's recommendation to the Board is to do just that because this position handles all the confidential information of the Board and within the Town Administrator's office., TA Wojcik believes that this not an hourly job, so she could work over the 40 hours if the Board or town administrator needs her to.

(1:22:03) Motion to approve, review and ratify the contract for Lisa Freeman made by Tim Bonin, seconded by Hal Davis. Mr. Fitzpatrick had some concerns about the language in the contract and TA Wojcik is making note to come back with an amendment. All members in favor.

(1:29:13) 10. 2nd Review and Discussion of Goals for the Town – Possible Votes

There have been no changes to this document. TA Wojcik did not put these in any order and suggests that the Board review and decide the priority level of each item on the list.

(1:35:10) Motion to approve the goals presented by the Town Administrator with the understanding that the Board will prioritize and review the items at an upcoming meeting made by Mike Fitzpatrick, seconded by Hal Davis. All members in favor.

(1:35:45) 11.Approve Minutes – Possible Votes

(1:36:38) Motion to approve the June 21, 2022 meeting minutes as presented made by Hal Davis, seconded by Mike Fitzpatrick. All members in favor.

(1:37:14) 12. Town Administrator's Report

Seven windows have now been removed from the gymnasium by the contractor who is remediating the asbestos, and we expect the new windows to be installed as we proceed through the week. TA Wojcik estimates the project should be done by next Wednesday or Friday.

The town received a report today from their environmental consultant on the condition of the situation in the basement of municipal center and this new consultant has put the town in a good place. This should have never been categorized as a tier 1 environmental response. This consultant is going to get the town out from underneath the tier 1 designation to do a risk assessment and then close-out the incident. We may have to relocate the groundwater monitoring system outside the building. The town is going to put together a report and an action letter that the environmental consultant will send to the Board and to TA Wojcik that will probably trigger a conversation with the town's insurer about their relationship with the old vendor the town was using to at the least make them answer some questions.

The town is currently posting a lot of bids. The Highway Department pavement bid is out and hopefully in the work can be completed before it gets too cold. The town is also going out to bid for the generator in the municipal building. Town meeting approved \$215k and the engineer's cost estimate is \$165k, without a contingency it would be around \$180k, we should come in under budget. The LED lighting projects are completed, and now waiting for the insulation project to go on at the fire station, which is grant money not taxpayer funds.

Taxpayers will hopefully soon see their tax rate go down because of the project in town that the Town Administrator will be signing closing documents for tonight will bring an additional 100 million dollars to the tax base.

Lastly the town is still waiting to hear about our EDA grant. We are waiting for the Secretary of Commerce's Office to release a yes or no decision on the grant application.

(1:55:15) 13.Open Session for Topics Not Reasonably Anticipated 48 Hours in Advance of the Meeting
Mr. Fitzpatrick would like to extend an invitation to the superintendent of schools to come to the next meeting to acknowledge the accomplishments of the graduating class of 2022.

14. Executive Session

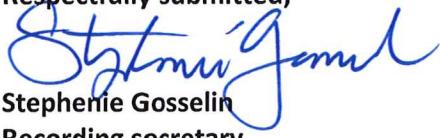
a. Litigation

(1:55:58) Motion to move into executive session for the purposes of litigation and then to leave executive session for the sole purpose of adjournment made by Tim Bonin, seconded by Mike Fitzpatrick. Roll call vote: Bonin - aye, Fitzpatrick - aye, Davis - aye, Morse – aye. All in favor.

15 Adjournment

Mr. Bonin made a motion at 9:37 pm to leave Executive Session and return to Regular Session for the purpose of adjournment. Mr. Fitzpatrick seconded the motion. All in favor. Roll call vote: Bonin – aye, Davis – aye, Fitzpatrick – aye, Morse – aye.

Respectfully submitted,



Stephenie Gosselin

Recording secretary