

**Selectboard
October 24, 2018
Town Offices
Open Session
6:00 pm**

The open session of the Selectboard of the Town of Whately was called to order on October 24, 2018 at 6:00 p.m. by the Chair, Jonathan Edwards. Also present were Selectboard members Fredrick Orloski and Joyce Palmer-Fortune (via remote video connection). Town Administrator Brian Domina and Administrative Assistant Amy Schrader were also present.

Jonathan informed the audience that Joyce was participating remotely in the meeting due to geographic distance and that all votes would need to be done by roll call vote.

The Board voted to approve the meeting minutes from October 3, 2018.
Roll call vote: Jonathan – yes, Fred – yes, Joyce – yes. All in favor

Comments from the Public – No Public Comment

Public Hearing – Request to amend the license to store flammable materials at 372 State Road, Whately, MA (Whately Truck Stop) submitted by NEC OPCO I, Inc.

Mark Smith (Engineer for NEC OPCO I) discussed the proposed amendment submitted by NEC OPCO I, Inc. Mark stated that the proposed amendment reduces the overall quantity of flammables from 38,000 gallons in 4 tanks to 36,000 gallons in 3 tanks. He discussed that at some point in the past, the license became out of sync with what was actually in the ground. The former company FL Roberts, likely, did a tank replacement without amending their license. This amendment will get the permit, license, and what is in the ground back on the same page. The storage tanks will decrease in capacity by 2,000 gallons. There will be two 12,000 gallon tanks of regular fuel. The third tank will be a split of 7,000 diesel fuel and 5,000 premium fuel. NEC OPCO I is the operator and owner of the Whately Truck Stop and Whately Diner. Mark informed the Selectboard that the existing canopy needs to be replaced, but the estimated completion date for the underground work should be 4 weeks from now. Joyce made motion to approve the license amendment as requested. Roll call vote: Joyce – yes, Fred – yes, and Jonathan – yes. All in favor.

Scheduled Appointments

Attorney Dick Evans (Attorney for Harvest, Inc.) appeared before the Selectboard for a preliminary introductory meeting to discuss a proposed marijuana retail establishment to be located at 424 State Road, Whately, MA (Sugarloaf Shops). Attorney Evans stated that Harvest, Inc. held their Community Outreach Meeting today at the potential retail location. They had about 9-10 people attend the meeting. Attorney Evans presented the Selectboard with a Host Community Agreement. The Host Community Agreement includes the same terms as the Agreement that was executed between the Town and Urban

Grown. Joe Kachuroi (Business Consultant for Harvest, Inc) informed the Selectboard that Harvest, Inc. headquarters is located in Arizona. They anticipate having over 100 retail shops in the next year and currently have 97 dispensaries that operate in 15 states. Harvest, Inc. has plans to purchase Pioneer Gardens in Deerfield. This location will be used to cultivate their own material. Right now, Harvest Inc.'s manufacturing facility is located in Boston; however, they would be interested in establishing a manufacturing facility in Western Mass. Harvest, Inc. offers above minimum wage full time positions, BlueCross BlueShield medical and dental plans and a retirement package. Mr. Kachuroi stated that Harvest, Inc. works only with local companies. Their dispensaries have a brand feeling with an open floor plan, warm colors, and light wood floors. Brian and Joyce will review the Host Community Agreement. The Host Community Agreement will need to be signed before they can submit the application to the Cannabis Control Commission.

Old Business

- a. Municipal Aggregation Plan prepared by Colonial Power to the Department of Public Utilities – Brian stated that the Municipal Aggregation Plan has been posted on the Town's website for a few weeks. The Town did not receive any comments back from the public. The next step in the municipal aggregation process likely won't happen any sooner than January 2019. Joyce made a motion to approve the Municipal Aggregation plan as posted on the Town's website. Roll call vote: Jonathan, yes – Fred, yes, - Joyce, yes. All in favor.
- b. Legal documents for 219 Christian Lane – Lot #1. Brian presented the Board with the Deed and License Agreement for 219 Christian Lane - Lot # 1 with a tentative closing date of October 31, 2018. Jonathan and Fred signed the deed. The Board discussed the License Agreement allowing the Town to use the ballfield at 219 Christian Lane. Jonathan made a motion to accept and sign the License Agreement with clarification of which parcel the License Agreement applies too. Roll call vote: Jonathan, yes – Fred, yes, Joyce – yes. All in favor.
- c. Municipal Representative for the Frontier Regional contract negotiations - Brian mentioned that the Board will have another meeting before the Frontier Regional meeting on November 13th so the Board does not need to make a decision tonight. Jonathan is in favor of choosing someone who doesn't have ties to a school committee. Jonathan and Fred both stated that Scott Bergeron would be their choice. Jonathan made a motion for Whately to support the appointment of Scott Bergeron as the Municipal Representative for the Frontier Regional contract negotiations. Roll call vote: Jonathan, yes – Fred, yes, Joyce – yes. All in favor.

New Business

- a. License fees for 2019 – Brian recommended that the Town's license fees remain the same as last year. Jonathan made a motion to keep the license fees the same for 2019 as they were in 2018. Roll call vote: Jonathan, yes – Fred, yes – Joyce, yes. All in favor.
- b. Discuss and sign a letter addressed to Representative Stephen Kulik requesting an amendment to bill H.4547. Jonathan and Fred signed a letter requesting an amendment to the legislation clarifying that John Hannum be allowed to work until the age of 70, but no later.

- c. Manganese Filtration Project – Brian informed the Selectboard that the bid opening for the revised project has been postponed to Friday, October 26, 2018.
 - d. Additional Selectboard Appointments for Fiscal Year 2019- Jonathan read the names of additional residents to be appointed for fiscal year 2019 as listed on the sheet titled FY19 Appointments - Additions. Jonathan made a motion to accept the appointments as stated for one year terms, except for Fred Orloski and Katherine Roegge who were appointed for two year terms on the Housing Committee. Roll call vote: Jonathan, yes – Fred, yes – Joyce, yes. All in favor.
 - e. Massachusetts Downtown Initiative (MDI) Grant – Brian mentioned that he would like to work on getting a wayfinding/branding grant to help residents and visitors find different destinations in different part of town. Joyce made a motion to move forward with the MDI Grant to be presented at the next Selectboard meeting. Roll call vote: Jonathan, yes – Fred, yes – Joyce, yes. All in favor.
 - f. Umass Cost of Community Services Study – Brian informed the Board that the Town has been approached by a graduate student from Umass who is looking to do a cost of community services study. The study will try to assign different costs of services for different types of land uses. Joyce made a motion to move forward with the Umass Cost of Community Service Study. Roll call vote: Jonathan, yes – Fred, yes – Joyce, yes. All in Favor.
 - g. Rural Commonwealth Letter Request – Brian stated that the Town received an email from Rural Commonwealth requesting that the Board write a letter to various state officials expressing concerns and calling for action on increasing the state's payment for state owned-land. The Selectboard elected to review this request and bring it back to a future Selectboard meeting.
 - h. Judy Markland's resignation letter from Committees - The Board accepted the resignation of Judy Markland from the Municipal Building Committee and Implementation Committee.
- d. Town Administrator Updates – No time for updates due to scheduled Special Town Meeting at 7:00 pm.
 - e. Items not anticipated within forty-eight (48) hours of the meeting.

Adjourn – Motion to adjourn (Jonathan Edwards) – 7:00 pm.

Respectfully submitted,

Brian Domina, Town Administrator

Next Meeting Dates: November 7, 2018, November 28, 2018

Document List on File in the Selectboard Office

Meeting Minutes dated October 3, 2018

NEC OPCO I, Inc. Legal Notice

Email from Mark Smith dated September 27, 2018

Amended License for NEC OPCO I, Inc. with underground storage tank replacement title sheet, layout plan, UST plan, and UST details.

The Commonwealth of Massachusetts Department of Public Utilities Petition of Town of Whately for approval of Aggregation Plan

Town of Whately Community Choice Power Supply Program Aggregation Plan

Release Deed for 219 Christian Lane

Disclosure Statement for Transaction with a Public Agency concerning real property

Letter from Frontier Regional and Union 38 School District dated 09/21/2018

Liquor and Regular License Renewals FY18

Letter to Representative Stephen Kulik dated 10/24/2018

Email from Jessica Atwood dated 10/04/2018

Email from Helena Murray dated 10/15/2018

FY19 Appointments - Additions

Letter from Umass Extension – Cost of Community Services

Email from Beth Bandy dated 10/05/2018

Letter from Judy Markland dated 10/22/2018