



BOARD OF SELECTMEN

TOWN HALL
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Kimberly J. Conway, *Chairman*
Andrew N. Deslaurier, *Vice Chairman*
Edward J. Giroux, *Secretary*
George J. Simolaris, Jr., *Member*
Michael S. Rosa, *Member*

MEETING MINUTES

MARCH 4, 2019

A regular meeting of the Board of Selectmen was held on Monday, March 4, 2019 at 7:00 p.m. in the Conway Hearing Room. Present were Selectman Kimberly Conway, Chairman, Selectman Andrew Deslaurier, Vice Chairman, Selectman Edward Giroux, Secretary, Selectman George Simolaris, Member, Selectman Michael Rosa, Member, Town Manager John Curran, and Assistant Town Manager Cathleen O'Dea.

CALL TO ORDER

Open Microphone

No one was present for Open Microphone

Vacancies on Boards and Committees

Selectman Giroux stated that there were four (4) vacancies on the Scholarship Foundation Committee.

Selectman Giroux stated that the Billerica Health and Wellness Fair will be held on Saturday, April 13, 2019 at the Elks Hall on Webb Brook Road, from 10 to 1 p.m. Over 70 vendors will be participating this year to help in our community's effort to support the Health and Wellbeing of Billerica's residents through its mission to Engage-Educate-Energize. Please join us for information, displays, activities as well the opportunity to pick up our free updated booklet listing all the sponsors, vendors, and important related contact information we are lucky enough to have available to all here in Billerica.

All other announcements may be viewed on the Town of Billerica Website, Selectmen's page.

America's Yankee Doodle Town

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MINUTES

February 4, 2019

Selectman Rosa asked for the following changes to the February 4th minutes.

- On page 4, under old business, the 2nd paragraph, last sentence; add the words "clothing recycling" after the word proposed and add "discussed" after the word previously.
- On page 6, 2nd paragraph, 2nd to last sentence, add "to 211" after the word increase and in the last sentence there was a question as to whether the number or location of driveways was to change. No one seemed to remember so if you could watch the replay and let us know, that'd be great.
- On page 7, in the very last paragraph, last sentence, after the word flexibility, he'd like "with mitigation funds" added and at the end of the sentence, please add "to as well as changing the number of units to 211 wherever it says 200".

The Minutes for February 4th were tabled until a future meeting.

OLD BUSINESS

Town Manager's Report

-Fiscal Efficiency

-Professional Recognition

Mr. Curran highlighted for the Board items on his Town Manager's Report; i.e. Fiscal Efficiency relative to the meter replacement program, Recreation Department, Brush Clean Up from the February 25th storm, Events around Town, Council on Aging Update, Board tour of the new High School.

Selectman Rosa asked if the \$62,000 savings during the water meter replacement is to date?

Mr. Curran stated it is to this point.

Selectman Giroux asked in regards to the tour of the new High School, would there be a tour for alumni and anyone else interested of the Old High School.

Mr. Curran stated he didn't know anything about that, but would look into it and report back.

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In regards to Council on Aging activities, Selectman Simolaris stated he had recently seen a play on Alzheimer's disease. He said he had spoken to the Director and told him he was on the Board of Director's for Billerica's COA. The director invited the entire COA Board to see this play. Selectman Simolaris stated he had sent the COA Director a note relative to this.

Conservation Related deed for former Cabot Property

Mr. Curran stated this was up at the last meeting with questions about amending it.

Mr. Curran stated he had spoken with Town Counsel and was told that the will on Town Meeting cannot be contradicted. The role of the Board is to convey the deed to Conservation and cannot be amended. Mr. Curran referenced a proposed amendment that was put forward at Town Meeting, which failed.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board convey the deed as presented for 10.833 acre once known as the former Cabot Land property to the Conservation Commission.

It was voted:

5 – In Favor

0 – Opposed

Discussion on next steps for RFP fir Adult Use Marijuana

Mr. Curran reviewed the steps in the guidance for the establishments for retail Marijuana. Mr. Curran stated that Billerica will be doing something similar that the community of Amherst has done. It is similar to an RFP. There are no procurement requirements. He stated he thought it would be a good way to get interested petitioners to submit proposals. He reviewed the Departments in Town who would be making up the Committee involved with the process; i.e., Police Department, Board of Health, the Planning Board, and the Substance Abuse Prevention Coordinator. Mr. Curran also stated he would be recommending a member of the Board of Selectmen to be a part of the make-up of the Committee along with Town Counsel.

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Mr. Curran reviewed what points in the checklist the Town would be looking for. He also stated that what he was looking for tonight from the Board is if this is the appropriate way to proceed to get the best applicants.

Selectman Simolaris stated he is concerned about transparency. He stated the process seems to be running very well and he agrees with it.

Selectman Rosa stated that he would like to see more specific information relative to location on the check list; i.e., plate and parcel number.

Selectman Rosa also stated he would like to have a primary supplier and a back-up supplier as a category listed.

Selectman Rosa also stated he would like to see on the authority to release information on the background check on the CORI form. He also stated he thought there should be language included there to enable the Chief to do a nationwide search in the event the applicant had another establishment that had problems. Selectman Rosa stated he would like to see where it says any fraudulent statements could result in the disqualification of the application to expand it to say that if a license has been issued it could be revoked for the same reason.

Mr. Curran stated that the background checks are done at the state level, but he would check with the Chief. Mr. Curran stated that he will check with Town Counsel on revoking a license if it is found out after the fact that there had been misstatements on the application.

Selectman Giroux stated this all looked very thorough, but inquired how detailed the Town will get relative to Financial information.

Mr. Curran stated it would probably mirror a liquor license.

Selectman Deslaurier commented on where there are 2 permits available in Town would we expect to go through the process to award once or twice.

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Selectman Deslaurier asked about the projected date after all of the steps have been completed for the review process.

Mr. Curran stated he believes he will be back in front of the Board within 40 days.

Selectman Deslaurier asked what the next steps are in approving the RFP process seeing that there are several prospective applicants that have already expressed an interest.

Mr. Curran state he could incorporate the changes the Board would like including Selectman Deslaurier's comments about the schedule and get everything going within the next week or so.

Selectman Deslaurier also suggested to clarify and clearly delineate who is meeting with whom during this process.

Chairman Conway clarified with Mr. Curran by example that if the Town received 3 applications and only 1 meets the necessary criteria; the Town is under no obligation to accept the others.

Chairman Conway asked if there is an expectation of an applicant if they already have an agreement for a location in place.

Mr. Curran stated the applicant would have to have a conditional agreement.

In response to questions from Chairman Conway about the community of Amherst, Clancy Main came to the podium and reviewed the specifics of how Amherst handled the process.

Mr. Dave Johnson came to the podium and commented on his interpretation of the process and who does the licensing.

In response, Chairman Conway stated the Board is aware that they handle the Host Agreement, and then it goes to the Cannabis Control Commission.

Mr. Curran stated that the Community Outreach Meetings handled by the petitioners are public meetings.

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NEW BUSINESS

Emerald Rose, 785 Boston Road, Re: Request Permission to Start Serving Liquor at 11:30 a.m. on Saint Patrick's Day, Sunday, March 17, 2019 instead of the usual 12 Noon start time indicated on their license.

Gary Oleson, General Manager of the Emerald Rose came to the podium for this item.

Selectman Giroux, seconded by Selectman Rosa, made a motion that the Board grant permission for the Emerald Rose to start serving liquor at 11:30 a.m. on Saint Patrick's Day, Sunday, March 17, 2019 instead of the usual 12 noon start time indicated on their license.

It was voted:

4 – In Favor
0 – Opposed
1 – Abstention (Selectman Conway)

MEETING SCHEDULE

March 18, 2019

April 8 and 22, 2019

Selectman Giroux, seconded by Selectman Rosa, made a motion to adjourn.

It was voted:

5 – In Favor
0 – Opposed

Chairman Conway adjourned the meeting at 7:45 p.m.

A TRUE COPY ATTEST



Sue Aker, Recording Secretary