

## **BOARD OF SELECTMEN**

March 26, 2013

Minutes

The Board of Selectmen met on Tuesday, March 26, 2013 at 7:00 p.m. in the Town Hall Clark Room. Those present were Selectmen Peter Scavongelli, John Gorecki, John D. Williams, Timothy F. Hult and Douglas A. G. Stevenson. Town Administrator Timothy D. Goddard was not present.

### **Community Input**

There was no community input this evening.

### **Discussion of Pathways Project**

Mr. Scavongelli said Deb Belanger was present tonight for a discussion on the Town pathways. Deb said a few months ago she corresponded with Mr. Goddard regarding what our next steps should be with the pathways. She said there is money in two (2) accounts. In the debt exclusion account there is about \$79,000.00 and in the Gift Fund about \$12,000.00. Deb said we have these two sources of funds however, they cannot be comingled. She said the debt exclusion funds can be used for building segments of pathways. She said there are no limitations on Gift Fund money. Knowing this, Deb said we could use all of the debt exclusion funds for many of the substantial hotspots and extensions.

Deb said another option would be to take all or a significant portion of the money and try to make a pathway on Westford Street. She said this was discussed previously but not acted upon because it has two issues. The first issue is the wetlands and the second was the grade issues. She said if we were going to do a pathway on Westford Street we would have to do a type of engineering that was very expensive. Deb said this is a viable option if the Town is seriously interested in doing it

Deb said another option is to wait. She said we can see what developments are coming up around Town and make a decision in the future when we have more information.

Mr. Scavongelli thanked her for reinvigorating the pathways issues. Deb said she and John Bakewell were interested in working on the pathways however she also suggested placing an ad in the *Mosquito* for new volunteers. Mr. Scavongelli liked the idea of starting a new pathways committee. Deb said if you are looking for a 'hot-spot' committee that is different from a committee for a long term project committee like Westford Street. She explained that for the hotspots, the committee would basically have a lot of community interaction whereas a long term project committee would work with engineering firms and surveys.

Mr. Scavongelli said we need to know that we have the funding for these projects.

Mr. Hult said the one thing that was very helpful the last time was the visual Deb brought showing where the pathways were and where the potential or new ones are anticipated. He said he would advocate another significant project. He thought it was very exciting and it would benefit a significant group of people.

Mr. Scavongelli asked her to come back to the next meeting with a layout.

Deb spoke about cycling in Town and some of the intersections and roadways that have become dangerous to cyclist. She suggested that a few bicycle clubs, both residential and non-residential get together and make some recommendations to the Board of Selectmen and the Traffic Safety Advisory Committee regarding bike safety. Mr. Hult said this advisory group could make recommendations once a year.

### **Town Counsel Recommendation**

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This agenda item was postponed to a future meeting.

### **Finalize ATM/Election Warrants**

Mr. Scavongelli said our objective tonight is to review the Warrant Articles as a Board. He noted that Town Counsel has proposed a slight change to Article 26 that would make the intent of the amendment sharper and more consistent with the standard bylaw language. Mr. Scavongelli said at our last meeting the Board decided not to go forward with placing the Zoning Bylaw amendment for a medical marijuana moratorium on the warrant given the unlikelihood that Carlisle would be chosen as a dispensary location. He said since then we have learned that there is very little restriction in the law on the number of facilities that may grow marijuana to sell to dispensaries. Mr. Scavongelli said even though medical marijuana must be grown indoors in a locked facility [greenhouse] he felt there may be marijuana growers in Carlisle. Mr. Scavongelli said Town Administrator, Tim Goddard has reached out to Police Chief John Fisher to see if he has any enforcement related concerns. Chief Fisher was present tonight to discuss his concerns. Mr. Gorecki questioned the timing issues for opening and closing the Warrant and for the Planning Board to hold a public hearing on this matter. Town Clerk, Charlene Hinton was present and she said there was sufficient time for the Board to open and close the Warrant tonight for a particular matter.

Chief Fisher said there has been a lot of discussion on this matter at the regional Chief's meetings. He said the question has been, 'how do we proceed?' Chief Fisher said the administrative rules are not out yet. He said the issues and concerns in Carlisle are: parking, school distance, signage and cash flow. Chief Fisher said he has no set rules at this time to follow or enforce. He noted that public health still has their issues. Chief Fisher said a moratorium would lend time to look at this so we would all be on the same page.

Mr. Williams asked the Chief what his concerns are. Chief Fisher said he had concerns about transporting seeds, how much people can grow, what is a 60-day supply, and what should a dispensary look like.

Mr. Scavongelli said the Board discussed this at a previous meeting and he felt that they weren't fully informed, but not to say they were misinformed. He said that is why he asked the Police Chief here tonight.

Mr. Williams said communities do have a right to regulate how close to schools a dispensary can be placed.

Mr. Hult said he was pleased that the Police Chief has met with other regional Chief's and discussed this matter and has brought this to our attention. He said the cautious route may be the best way to do this. He would like to know what the rules are before we make any decisions. Mr. Hult said the people that we represent expect us to be cautious.

Mr. Gorecki said he was inclined to stay with the Board's original decision, which was to not put this item on the Warrant.

In reply to Mr. Stevenson, Chief Fisher said he was recommending to the Board of Selectmen to place a moratorium on this matter.

Mr. Williams said he has great respect for Chief Fisher, however he did not agree with him.

Mr. Hult said what he understands from the Chief is that he wants to be able to police this matter properly.

Mr. Stevenson said he was compelled by the Chief's request to take this seriously.

Mr. Hult said given the information the Police Chief has given us, he supports the moratorium.

On a motion made by Mr. Stevenson and seconded by Mr. Hult it was **VOTE 4 YES 1 NO** to reopen the Warrant for the 2013 Annual Town Meeting.

On a motion made by Mr. Hult and seconded by Mr. Stevenson it was **VOTED 4 YES 1 NO** to add an additional article, a zoning bylaw amendment relative to a medicinal marijuana moratorium.

On a motion made by Mr. Hult and seconded by Mr. Gorecki it was unanimously **VOTED** to close the Warrant.

On a motion made by Mr. Stevenson and seconded by Mr. Hult, it was **VOTED 4 YES 1 NO** to refer to the Carlisle Planning Board the Medical Marijuana Warrant Article as it is a bylaw amendment for their appropriate review pending our Annual Town Meeting.

### Warrant Article Review (Warrant attached hereto)

Mr. Scavongelli read through the Consent Agenda.

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Mr. Stevenson spoke about Article 22, the CPA Article. He asked if there could be a brief description of what each recommended CPA Article is in the Warrant.

Mr. Hult noted that the Medical Marijuana Article will be Article 28.

### **Town Administrator Report**

Annual Nomination of Animal Inspectors On a motion made by Mr. Gorecki and seconded Mr. Stevenson it was unanimously **VOTED** to nominate Deborah A. Toher and Lawrence Sorli as Animal Inspectors for the Town of Carlisle in accordance with MGL Ch. 129, sections 15-16.

61A Request for 776 East Street Mr. Williams asked the Board to delay action on this item until the Recreation Commission has had an opportunity to offer their thoughts on purchasing the property. Mr. Stevenson said a decision on this matter should be made at the Board's next meeting.

Mr. Scavongelli suggested that we ask Town Counsel to come to Town Hall and educate us, the Planning Board, Conservation Commission and Assessors on this matter because it is so complicated. Mr. Stevenson the key to this whole process is to decide in the beginning if you want the property or not.

### **Liaison Reports**

Mr. Hult said the Carlisle Public School Superintendent's Screening Committee has been busy. He noted that they received 32 applications for the position and they are in the process of cutting that number down to 5 or 6 for interviews next week. Mr. Hult said the Concord-Carlisle High School Building Committee is on track with MSBA.

Mr. Stevenson said the Carlisle Public School Building Committee is finishing the punch list items and settling lingering financial matters.

Mr. Stevenson spoke about the tax credits that were discussed at a previous meeting. He said he has been working with Lee Storrs and HMFH on this matter.

Mr. Stevenson said he attended the Carlisle Public School 7<sup>th</sup> Grade play and thoroughly enjoyed it.

Mr. Williams said another Police Union Negotiation session has been scheduled on Thursday, March 28<sup>th</sup>. He also said that the Community Preservation Committee approved the application that was submitted by the Board of Selectmen and Housing Trust. He added that there were a few modifications made to the application.

Mr. Gorecki reported on the Financial Management Team. He said Snow and Ice is over by about \$20,000. He said it was unclear whether Gary Davis will be able to cover that amount within his budget otherwise it will have to be cover by a Reserve fund Transfer. Mr. Gorecki said there was a discussion over possible Reserve Fund Transfers for the Fire Department, Police Department and Board of Health.

Mr. Gorecki said the School Business Office reported that the last day of school will be June 24<sup>th</sup> due to all of the snow days this year.

Mr. Gorecki read the letters of congratulations and the Proclamations prepared for the two new Eagle Scouts Patrick Bourque and Robert Hitchner from Troop 135 (attached hereto).

On a motion made by Mr. Stevenson and seconded by Mr. Williams, it was unanimously **VOTED** to sign the letters of congratulations and proclamations for Patrick Bourque and Robert Hitchner.

Mr. Scavongelli said the Highland Committee met [earlier] this evening and they are in process of preparing a report for the Board of Selectmen on the Highland Building.

The meeting adjourned at 9:45 p.m.

Respectfully submitted by Margaret Arena

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