

SELECTBOARD'S SPECIAL MEETING MINUTES

TOWN HALL, 334 MAIN STREET

MONDAY, JUNE 4, 2018, 7:00 P.M.

PRESENT:

Steve Bannon
Dan Bailly
Ed Abrahams
Bill Cooke
Kate Burke

I. Call to Order:

Steve Bannon called the meeting to order at 7:00PM

Selectboard comments: Kate Burke asked if the Town's website could be edited to include a visitor page. Ms. Burke said she would also like to meet with someone to discuss updating the Town's Facebook page.

Ed Abrahams mentioned that the Community Development Corporation of Southern Berkshire is holding a "Dinner and Movie" fundraiser on June 6, 2018 at 6:30PM at BCC.

Steve Bannon said as a Board they will develop a list of what members are on different task forces and representatives on committees. Mr. Bannon said going forward each Town Department will be assigned a Selectboard member.

II. Review Final Plans for Downtown Street Improvements Project.

Chris Rembold, Town Planner reviewed the updates of the Downtown Street Improvements with the Selectboard.

Kate Burke asked about the timeline between the Powerhouse Square projects coinciding with these plans. Mr. Rembold said that the Town receives weekly updates regarding coordination from Powerhouse Square.

Mr. Rembold reiterated that it is not possible to bury the power line on Bridge Street but trees will be specifically selected to hide or camouflage the lines.

Drainage catch basins will be added to Bridge Street. The sidewalks will be widened to 9ft on each side of Railroad Street. Mr. Rembold emphasized that no parking will be lost on Railroad and that businesses will be accessible throughout construction.

Mr. Rembold asked for guidance on the selection of lights for Railroad Street, style, height, etc.

Dan Bailly asked when these improvements are anticipated to be completed. Mr. Rembold said if all goes well projects should be complete by the end of June 2019.

Karen Allen, store owner on Railroad Street. Ms. Allen said that from the Town Planner's presentation it seems as though the Town is losing more parking spaces due to these improvements and asked if there was any way to fix this problem.

III. SB – Vote to Approve the Downtown Street Improvements Project and Proceed to Bid.

MOTION: Ed Abrahams motioned to approve the Downtown Streets Improvements and authorize the projects to go out to bid.

SECOND: Dan Bailly

VOTE: 5-0

IV. SB – Review Host Agreement for Theory Wellness Inc. and D2N2, LLC dba Calyx Berkshire Dispensary. (Discussion/Vote)

Ed Abrahams recommended general terms of agreement for all potential host agreements. The terms are listed as bullets below:

- Operator shall pay 3% Community impact Fee based on gross sales, payable quarterly and due the 20th day of the following month. If the State of MA increases the allowable impact fee, the agreement changes to increase the fee to that amount.
- The Operator shall submit sufficient records to the Town so that the town can verify sales numbers.
- All property, both real and personal, owned or used by the Operator shall be treated as taxable, and all applicable real estate and personal property taxes shall be paid to the Town by the Operator or its landlord, and neither Operator nor its landlord shall object to or otherwise challenge the taxability of the property. If any property is deemed not taxable or partially non-taxable, the Operator shall make PILOTs equal to the taxes that would have been paid.
- The Operator shall make an annual charitable donation of at least \$10,000 to any Great Barrington based nonprofit service provider of the Operator's choice, for health, wellness, and/or substance abuse education programs, to be paid on or before the anniversary of the effective date of the HCA.
- The Operator shall cover the Town's legal costs associated with negotiating these contract terms by depositing \$5,000, to be deposited into a G.L. c. 44 sec. 53A gift account for purposes of covering legal expenses associated with the negotiation of a Host Community Agreement, with the unpaid balance or unused funds, to be returned at the time the agreement is signed.
- The Operator shall give hiring preferences to residents of Great Barrington who are otherwise qualified to work at the establishment, and give a similar preference to local contractors.
- The Operator shall coordinate with the Great Barrington police to establish and implement necessary and required security measures.
- Clear signage shall be placed inside the store visible to all patrons reminding them that cannabis is not legal in all U.S States and that it may be illegal to transport cannabis or cannabis infused products outside of Massachusetts.
- The Operator agrees in conjunction with the Town to create written policies and procedures to address concerns brought up in the Community Impact Hearing and those policies and procedures will become part of the eventual HCA.

Kate Burke expressed that she would like to keep the bullet about giving hiring preferences to Great Barrington and Local residents rather than striking it as some other Board members suggested. Ms. Burke said this is not a point that is entirely enforceable but it can't hurt to keep it in the agreement as our preference.

Ed Abrahams suggested an application process starting with contacting the Town Manager's office to receive application process information. Next, meet with the "Cannabis Team" consisting of a few Town employees, then present to the Selectboard, and organize the community informational session. The Board will then review the HCA and make any necessary changes, and deliberate at a public meeting and either accept or deny the application.

MOTION: Ed Abrahams motioned that the Selectboard direct the Town Manager, with Town Counsel, to create a standard retail Host Community Agreement including but not limited to the following terms, and to execute the HCA with Theory Wellness and Calyx and that the Board authorize the Selectboard Chair to sign the agreement for the Town of Great Barrington.

SECOND: Dan Bailly.

VOTE: 5-0

V. Citizen Speak Time.

VI. Adjournment.

On a motion made by Dan Bailly, seconded by Ed Abrahams, with a unanimous vote the meeting adjourned at 8:30PM

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Rebecca Jurczyk", is written over the text "Respectfully submitted,".

Recording Secretary
Rebecca Jurczyk