Town of Colrain

Select Board Meeting

55 Main Road,Town Office Building

6:00 P.M.

# MINUTES OF JANUARY 13, 2020

**Present** Eileen Sauvageau, Mark Thibodeau, Joe Kurland

**Others Present** Dennis DePaolo, Dominic Shelzi, Julianne Shelzi, Peter P. Shelzi, Sr., Joseph Shelzi, Andrea Nuciforo, Attorney, Jonathan Legreze, David Greenberg, Lynn DiTullio, Michael Shuipis, Paula Harrison, Treasurer; Betsy Shuipis, Administrative Asst.; Kevin Fox, Town Coordinator

Meeting was called to order by Chair Eileen Sauvageau at 6 p.m.

**Appointments: Jan Ameen – Franklin Solid Waste District – Recycling Contract**

Jan was unable to attend the meeting.

**Dominic Shelzi - Wellman Farm, Inc. - Host Community Agreement for the Siting of a recreational Marijuana Establishment**

Dominic provided background on Wellman Farm. It was established in MA to do cultivation. Their first indoor cultivation is in Lowell, MA, and the company received preliminary approval from the state, along with an application pending with the state for manufacturing of oil extraction, edibles and other products using cannabis in Lowell.

Wellman Farm, Inc. is a family business owned by Joseph, Julianne and Dominic Shelzi. Colrain would be their third request and their first for outdoor cultivation. Cultivation will be up to 90,000 square feet (allowed 100,000). Mr. Shelzi emphasized the importance of getting a host agreement as quickly as possible for spring planting.

Some questions answered:

* Water Use. They expect to be using rain/pond water unless drought conditions occur.
* Benefits for the Town. Jobs will be created and up to 3% of their revenue will go to the town. They are interested in bringing manufacturing – extraction facility – to Colrain.
* Security. There are strict State requirements required to have cultivation area cordoned off with a security fence, cameras, limited access to only those authorized, and locked access to all areas that have marijuana in it, and must be placed in an area not visible from the road. The security plan will be reviewed and approved by the police department. If the Town finds that Police Department needs to increase its staffing, with documentation, this would be paid by the community impact fee.
* Type of farming practiced. This will be a pesticide-free fertilizers, as required by the State, but are allowed to use chemical fertilizers. They will use sustainable farming practices. All product is thoroughly tested before it gets to the consumer.
* Increased police costs. This cost is what the community impact fee is designed for.

The Select Board requested the Town Coordinator to send the draft host agreement to Town Counsel for review. Wellman Farm agreed to fund legal review with a deposit of $5,000 to the Town of Colrain with the remainder after legal fees refunded to Wellman Farm.

**Dennis Depaolo – Twisted Yields, LLC – Host Community Agreement for the Siting of a Recreational Marijuana Establishment**

The lawyer for Twisted Yields, LLC, Andrea Nuciforo introduced himself and gave an overview of Dennis DePaolo’s farm (107 acres, 2.3 acres in growing marijuana) and the process that Dennis faces.

The process is controlled largely by state law – Chapter 94G – and regulations are extensive. Dennis will submit a completed application packet to the Cannabis Control Commission (CCC), including the community host agreement. The CCC will follow up with a required information packet. At the end of that process, the CCC will tell Dennis he’s met all the requirements for a provisional certificate. Once a required public hearing happens, the provisional certificate will be issued followed by a CCC site visit to determine if all requirements are met. He advised the Town of Colrain to quantify the impact cost to the Town in detail.

Dennis spoke about this past year’s hemp crop, employing 4 full-time people for the season, 15 full-time for the harvest, no complaints from neighbors, and no theft.

Twisted Yield agreed to fund legal review with a deposit of $5,000 to the Town of Colrain.

**Michael Shuipis – Broadband Advisory Committee Chair – Broadband Update**

The make-ready completion date has not changed (mid-March) when construction can begin. The federal program of grants to connect rural communities (CAF) like ours has been approved for our town. The flow of that money ($100,000/year for 10 years) will begin in 2 years. Sign up can begin as soon as make ready done.

These are some of the decisions that need to be made when making a budget: how much are we going to charge for this service, how generous can we be for households who want to connect to our service because it will cost anywhere from $700 to many thousands of dollars to connect from the street to the home because the committee doesn’t expect the homeowner to have to pay the full cost of connecting. The other big cost is paying off the debt.

The Town did vote that we could take it all out of taxes, we could pay it out of CAF2, or maybe there will be excess revenues out of the network after the first few years.

Based on preliminary information, with a reasonable price set for the subscription, the Town needs to get 350-400 connections before we’re covering our own expenses (65% of the town).

The committee asks that the Select Board think about their appetite for taxes, for using the CAF money, and setting a price for the service.

**New Business Contract Between the Massachusetts Department of Environmental Protection, the Contractor, and a Dual Stream Designated Community.**

The Town Coordinator provided an update on the process as Jan Ameen was unable to attend.

**MOVED:** Joe moved to approve the Special Town Meeting Warrant of 1/27/20.

Eileen seconded. **Approved unanimously.**

**Town Coordinator Contract**

No update at this time.

**Select Board 2021 Budget**

The Town Coordinator presented the FY20 budget and recommended no changes for FY21.

**Colrain Firefighters’ Association, Inc. – Boot Drive Request**

**MOVED:** Joe moved to approve the Colrain Firefighters’ Association Boot Drive Request. Mark seconded. **Approved unanimously.**

**Approve Select Board Meeting Minutes of 12/16/19**

**MOVED:** Joe moved to approve the Select Board Meeting Minutes of 12/16/19. Mark seconded. **Approved unanimously.**

**Old Business Draft of Town Policy for Disposal of Surplus/waste Materials Resulting from Public Works Projects**

The Select Board would like to have the Town Counsel review the proposed policy.

**Discontinue Winter Road Maintenance Clarification**

**MOVED:** Joe moved to continue winter road maintenance for 132 feet of Barber Hill Road from Franklin Hill Road up to Hale Johnson’s driveway. Mark seconded. **Approved unanimously.**

Scott asked if the Town could take a portion of South Catamount Road off the discontinued list.

**MOVED:** Mark moved to reverse the decision for plowing Charlemont Road to Tom Maloney’s driveway. Joe seconded. **Approved unanimously.**

**MOVED: Eileen moved to close the meeting at 6.40 p.m. Joe seconded. Voted unanimously.**

Respectfully submitted, Accepted by the Board of Selectmen

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Betsy Shuipis Eileen Sauvageau - Chairman

Administrative Assistant

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Mark Thibodeau

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Joe Kurland

Documents

Contract between the Massachusetts Department of Environmental Protection, the Contractor and a Dual Stream Designated Community

Host Community Agreement between the Town of Colrain and Wellman Farm, Inc. for the Siting of a Recreational Marijuana Establishment

Ledger History – Allocated Summary – Expenditure Ledger FY20

Memo from Rebekah Boyd, FRCOG, to District Local Technical Assistance (DLTA) Project Requests re: District Local Technical Assistance Project Requests

2020 Local Technical Assistance Request Form

Surplus Fill Policy

Request for Surplus Fill Material Permit

Discontinue Winter Maintenance Approved by Select Board on 3/18/19.

Dennis Bernard DePaolo’s Work and Job Background