

## SELECTMEN'S MEETING

May 11, 2018

### 1. APPROVAL OF AGENDA

Ed Walsh made a motion to approve the agenda, seconded by Kimberly Stacey-Horn. All were in favor, the agenda was approved.

### 2. MINUTES OF LAST MEETING:

Minutes of last meeting will be tabled.

### 3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

None.

### 4. OLD BUSINESS

#### A. SPECIAL TOWN MEETING WARRANT:

The Town Administrator, Jennifer Roux told the Board that the recommendations for the overdraft were made as directed. If they approve to sign it, it will be posted and then officially scheduled for May 23<sup>rd</sup>. Since the Board already read it, they sought a motion to approve. Ed Walsh made a motion to approve the special town meeting warrant, seconded by Kimberly Stacey-Horn. All were in favor, the warrant was approved.

#### B. MARIJUANA

The Board of Selectmen have an update concerning the veto of the Governor's veto (override of the veto). In essence, the question on the ballot in regards to the ban on Marijuana. The Town's retail marijuana ordinance is unenforceable if it were to pass. The Board discussed what they'd like to do moving forward. Selectmen Miller read the options available to the Town. These options are:

- \* The Town may pull the proposed ordinance from the warrant as long as ballots have not been printed and distributed. The town can then propose a new ordinance, post notices, hold a public hearing and schedule a special town meeting to vote.
- \* The Town can keep the ordinance on the ballot as written, if the voters adopt the ordinance, it will have no legal effect, but is there is no harm in it. However, it is not unenforceable.
- \* The Town can amend the ordinance and the title but it is messy to do. Mrs. Miller feels like we'd be trying to hide something or hurrying to take care of. There is no rush. Currently the Town is in a position to have to opt into this in order to have any retail marijuana. The only concern we have is with the community grow which could propose problems which we couldn't enforce as a town. Mr. Walsh indicated the way the Board had thought about this and formed the ordinance and the question proposed before the voters was fine because the State had not gotten anything together yet in writing regarding this. However, now they have. There is a new set of rules which makes our question obsolete before even asked of the voters. He suggested we pull it and get our committee together to look at it and come up with a new game plan. Ms. Stacey-Horn agreed.

Mr. Cashin asked the Board if they have considered a moratorium to cover community grow. Mrs. Roux summarized that a moratorium would have to go to the voters as well. and if that was the direction the Board wanted to go, they mine as well as the voters if they wanted to vote on an updated ordinance. Attorney Kramer corrected all the statue labels (numbering), as well as, added a section about the limitations on home cultivation.

Mr. Cashin asked about a town meeting to see the amended document. No one has yet seen the changes as of yet, including the Board. The only changes made were those requested by the committee. The recommendation was, there is a public hearing scheduled on Tuesday why not go before the voters and explain this is unenforceable and thus we pulled. Present the new question, show the changes and note the

quickest time frame to schedule another election. The order can be prepared for Tuesday if that is the Board's direction. This will allow all a chance to read before voting.

Discussion ensued on whether to have two questions proposed. 1) for retail marijuana ban and 2) for personal/community growth. Mr. Nass approached the board regarding the coupling of both questions. He remarked, the ban even though they don't need it, we can be on record of where we stand. He also indicated his concern on using domicile word use and it's meaning. He also asked if a preamble could be drafted on the ordinance indicating public opinion and how it affects the town. In summary, if the Board is in agreement with pulling the question on the ballot for marijuana there must be an official vote. Ed Walsh made a motion pull the Marijuana question we currently have on the ballot, seconded by Kimberly Stacey-Horn. All were in favor, the question will be pulled. Public hearing at 7 pm on Tuesday will stand as the Board believes the people need to be clearly informed that this was not enforceable as written to any who will show up. Order will be prepared for Tuesday.

Mr. Nass asked it was the same rules for Tuesday's public hearing. Yes, 3 minutes; once around, property owner/residence, property owner, and tax payer. Remind all there is going to be a public hearing on the updated ordinance.

Mr. Cashin asked if there is any way to create the means to vote on this other than a special meeting. The Town Administrator said this will be a full referendum vote, per the Board.

**5. NEW BUSINESS:**

None.

**6. PUBLIC COMMENT**

None.

**7. ANNOUNCEMENTS:**

Spaghetti dinner tonight from 5 to 7 pm to support Odyssey of the Mind Team traveling to World Competition.

**8. UPCOMING MEETINGS:**

Board of Selectmen's Meeting, Tuesday at 5 pm.  
Public Hearing, Tuesday at 7 pm.

**9. MEMBERS PRESENT:**

Ed Walsh, Selectmen, Elise Miller, Selectmen, Kimberly Stacey-Horn, Selectmen,  
and Jennifer Roux, Town Administrator

**10. OTHERS PRESENT:**

Tom Cashin, Richard Nass, Susan Meehan, Brendan Meehan, Leslie Berlin