

**Members Present:** Wayne R. Walker, Heather M. Billings, James A. DeLisle

**Others Present:** Karen Murphy, Stephanie Lahtinen, Steve Wallace, Kevin Nivala, Joe Flanagan, Keith Harding, Dan McCarthy, John Bowen, Ross Barber, Brian Riley, Town Counsel; Doneen Durling, Gardner News; Phil Silverman, Mass Patient Foundation Counsel

## **CALL TO ORDER**

W. Walker called the meeting to order at 6:00 p.m. in room 205 of the Town Hall. He announced that the meeting was being recorded by Ashburnham/Westminster Community Access TV and the Gardner News.

## **ANNOUNCEMENTS**

W. Walker announced that there will be EZ pass sign ups at Town Hall on 11/10/16, from 10am-2pm, hosted by Representative Kim Ferguson. Tomorrow, November 8<sup>th</sup> is voting day – polls are open to all registered voters at Westminster Elementary School from 7am-8pm, there will be a flu clinic held at Town Hall from 8am-8pm as well.

In addition, W. Walker indicated that the Civil War cannons have been fully restored by Fitchburg Welding Company and returned to their original location at the monument in front of the Congregation Church.

## **APPROVALS**

### WARRANTS

H. Billings made a motion to approve the following warrant.

November 3, 2016      Accounts Payable 17-18A      \$538,751.36

The motion was seconded and passed unanimously.

### MINUTES OF OCTOBER 3, 2016

J. DeLisle made a motion to approve the meeting minutes of October 24, 2016. The motion was seconded and passed unanimously.

### HOME HEATING ASSISTANCE APPLICATION

H. Billings made a motion to approve this year's annual application for the Emergency Home Heating Assistance Program, to be funded by the remaining \$2,788.83 in the Giles Fund. The motion was seconded and passed unanimously.

### PAYROLL AUTHORIZATION – ALTERNATE PLUMBING AND GAS INSPECTORS

H. Billings made a motion to appoint James Imprescia and approve a payroll authorization for his position as Alternate Plumbing and Gas Inspector. The motion was seconded and passed unanimously.

H. Billings made a motion to approve the payroll authorization for Wayne Little, as Alternate Plumbing and Gas Inspector. The motion was seconded and passed unanimously.

## **HEARINGS/OTHER SCHEDULED MATTERS**

### **9 VILLAGE INN ROAD LLC (RECOVERY CENTERS OF AMERICA)**

Recovery Centers of America (RCA) have submitted an application to the Board of Selectmen to amend their current above and underground fuel storage license from 6,104 total gallons to 10,000 total gallons. The Fire Chief, Building Commissioner, Health Department, Conservation Commission and Planning Board have all reviewed the application, and have either recommended its approval or deferred to the Fire Chief, who is in favor of this license amendment.

John Bowen, an abutter to the RCA property voiced his concerns about the manner in which RCA sent out their notice, as well as his opinion regarding their lack of attention to detail. He indicated that he would like the town to be more scrupulous when accepting any changes from this business.

Chief Nivala stated that the staff at RCA have made very large scale improvements to the property and have worked well with the town officials, and have been very cooperative with the various permitting processes.

The Board discussed the request for the license amendment further.

H. Billings made a motion to approve the requested amendment to the aboveground and underground fuel storage license for 9 Village Inn Road LLC (RCA). The motion was seconded and passed unanimously.

## **NEW BUSINESS**

### **DESIGNATE ONE MEMBER OF THE BOARD TO APPROVE AND SIGN WARRANTS**

K. Murphy indicated that as of November 7<sup>th</sup>, the Municipal Modernization Act will become effective. Sections 57 and 58 of the Act allow any multi member boards, committees or commissions heading departments to designate one of its members to review and approve bills or payment warrants, with a report provided at the next meeting.

Board members discussed this new Act and how it applies to our boards and committees with Brian Riley, Town Counsel.

H. Billings made a motion to designate the Board of Selectmen Chair to review and sign warrants in lieu of majority of the Board. The motion was seconded and passed unanimously.

### **HOST COMMUNITY AGREEMENT WITH MASS PATIENT FOUNDATION**

The Board discussed the Host Community Agreement for a proposed medical marijuana cultivation facility at 99 Development Rd, Fitchburg, with Phil Silverman, counsel for the Mass Patient Foundation. Mr. Silverman outlined the operations and security measures that will be taking place on the property that is located in both Fitchburg and Westminster.

The Board indicated that they need more time to go over the proposed agreement, and will take it up at again the next meeting.

### **APPROVE SPECIAL TOWN MEETING WARRANT**

The Board discussed the list of Special Town Meeting warrant articles.

H. Billings made a motion to sign and execute the November 29<sup>th</sup> Special Town Meeting warrant. The motion was seconded and passed unanimously.

**EXECUTIVE SESSION**

W. Walker moved that the board enter into Executive Session at 7:23 p.m. to discuss contract negotiations with non-union personnel and that the chairman declares that an open meeting may have a detrimental effect on the town's bargaining position. H. Billings seconded the motion. Mr. Walker indicated that the meeting would adjourn directly following Executive Session. The motion was passed unanimously on a roll call vote

**ADJOURNMENT**

There being no further business, the meeting was adjourned directly from Executive Session at 7:45 p.m.

James A. DeLisle, Clerk

*(Prepared by S. Lahtinen)*