



**Advisory Committee
Meeting Minutes
Center of the Performing Arts, High School
Monday, April 9, 2018
6:00 pm**

Committee Members Present: Lincoln Heineman, Chairperson; Jamie Gilmore; Patrice Metro; Sean deLacy; Anthony Antonello; Geoff Burns; Jerry Kelly

Committee Members Absent: Mark Sandham; Mike Westort entered the meeting at 6:50 PM

Also in Attendance: Police Chief Michael Stewart; AnnMarie Galvin

The meeting was called to order at 6:07 PM by Lincoln Heineman

Approval of Minutes

Jamie Gilmore made a motion to accept the minutes from the March 22, 2018 meeting and Anthony Antonello seconded the motion, Unanimous vote (6-0)

Jerry Kelly walked in at 6:03 PM

Article 21 Revote:

South Shore Vocational School charter revision: At the last meeting, Lincoln had a concern that the new agreement would not require budget reporting to the finance committees, including the Advisory Committee. Even though the wording is missing from the new agreement, it was later discovered that a reference in the Massachusetts General Law still required them to do so.

Therefore, the only notable changes are:

- 2/3 vote rather than an unanimous to make changes
- Clarifications to how they are able to bond

Lincoln stated that he no longer has concerns with the agreement

Jamie Gilmore made a motion to reconsider Article 21 based on the new information provided by the chair. Second by Lincoln Heineman, unanimous vote (7-0)

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (7-0) in favor of this article.

ARTICLE 15. Zoning Bylaw Amendment: Recreational Marijuana

Mike Stewart clarified that he is not saying "Not in Scituate" he is just saying not yet. The money will not be worth it. He does not feel we are not ready for it; we need about 3 to 5 years to prepare. We currently do not have a place to put the business and we have people with licenses in the Town.

Towns around us have already banned it and come December of 2019 we will not be able to. We cannot regulate this business as well as we do liquor stores.

Jamie Gilmore made a motion to reconsider Article 15 and Article 16, seconded by Jerry Kelly; Unanimous vote (7-0)

Lincoln Heineman said we are revisiting this article because there was an ethics complaint against one of the members, even though he felt it was without merit. He has a business interest in another town, but has no desire to open it in Scituate. Out of caution, the moderator has recommended that the Advisory Committee revote without Mike Westort to remove any perceived conflict of interest. We did not recommend approval to ban recreational marijuana 2 – 5 [in the March 22 meeting] the Committee was not in favor of an outright ban.

The Committee received additional information from AnnMarie Galvin (Massachusetts General Laws and a FAQs document), but Lincoln did not feel this data was different from what they had previously voted on. Lincoln said prohibition does not work. Originally, he thought the Planning Committee was going to come out with a plan to zone for this type of business, but they zoned against it instead.

Jerry Kelly said that we could reject or accept a business on a case-by-case basis and that also there would be a financial benefit to the town.

Anne Marie Galvin apologized for not being at the March 22 meeting, and felt she could have answered many of the questions that the Committee had.

She stated that there is only a 3% max tax benefit and that there are new regulations around host community agreements. They are set for a 5-year term and only pay for costs related to the marijuana business.

She further stated that a Community Host Agreement does not allow you to pick and choose a business, it is not true that a town can review on a case-by-case basis. The town has to let in a business if we have zoning for it.

Jamie verified that people with a criminal background could not open this type of business.

Sean said it is legal, but all we are saying is to go outside of our town to buy it. It is different from alcohol and it is a lot for the police to deal with.

Patrice asked the Police Chief about the effects of it being a cash business. Chief Stewart said it was a concern to him. Hull and Weymouth are going to sit back and watch other communities to see how they handle it.

He further said that we [the Town] could always vote it back if we changed our mind. Jerry said it could be significant tax revenue, and asked how much it would be, AnnMarie said there is not a Massachusetts example, the average dispensary sales in Colorado is \$2.5 million and at 3% would be about \$75,000 or \$6,000 a month to Scituate. Jerry thought it would create more trouble than it is worth.

Geoff asked if a ban is not in place, who would be responsible for providing the zoning and the ability for the business to open up. AnnMarie said the Board of Selectmen and the Zoning Board would have some say in it, but they cannot red or green light it. If we do not ban, than the Town

would be responsible for writing the rules for the business.

Lincoln said if we ban it tonight, it could be banned forever.

There was some discussion about kids drinking versus smoking marijuana and the ability to get both substances. AnnMarie said the recent high school survey showed a 74% chance to get both alcohol and marijuana.

Jamie said he has a problem with the money going to organized crime, gangs, and individual recalcitrants. In addition, he expressed concern that kids are buying this stuff not knowing its composition including solvents and toxic additives as the standardized regulated ingredients, which would be mandatory in a regulated environment.

AnnMarie said most towns are banning it, but it is not stopping the marijuana from being sold. Medical marijuana is being regulated and eliminates the black market.

Sean said that in Colorado since it is a cash business that people are being robbed and murdered. He was concerned with the type of person this business would bring to our town.

Jerry said if we support the Board of Selectmen warrant, it is not done forever, he is concerned about the Chief's safety concern and does not think \$6,000 a month is a big enough benefit.

Anthony thinks we have enough social problems with children.

Patrice said she felt that the infrastructure is not there yet.

Jerry Kelly made a motion to revote Article 15 and Article 16 and to vote them together, seconded by Jamie Gilmore; Unanimous vote (7-0)

The vote changed from the last meeting and the committee voted to ban recreational marijuana business in Scituate.

Recommendation: The Advisory Committee recommends approval of Article 15 and Article 16.
Advisory Committee Vote: Majority in favor of this article. (4-3)

Lincoln Heineman reassigned some of the Articles for the Town Meeting.

Jamie Gilmore made a motion to suspend the meeting at 6:42 until the conclusion of the Town Meeting, seconded by Jerry Kelly; Unanimous vote (7-0). Advisory Committee and Town Meeting adjourned at 10:45 PM.

Mike Westort entered the meeting at 6:50PM

The Advisory Committee reconvened at 7:00 PM on Tuesday, April 10th and adjourned at 10:42 PM.

Respectfully submitted by,
Lianne Cataldo (Recording Secretary)

Follow-up Items:

- None

Referenced Materials

- *Agenda*
- *03/22/18 Meeting Minutes*
- *Massachusetts General Law*
- *Marijuana Town Meeting Facts (AnnMarie Galvin write-up)*