

**Palmer Town Council
Meeting Minutes
August 10, 2017**

1. Call to Order

The Palmer Town Council Meeting of Monday, August 10, 2017 was called to order at 6:30 pm by Town Council President Barbara Barry. Councilors Lorinda Baker, Mary Salzmann, Karl Williams, Matthew Lemieux and Michele Sikes were present. Robert Lavoie was absent. Also present was Town Manager, Charles Blanchard and executive assistant, Nicole Parker.

2. Visitors Comments

Donald Blais, came up and congratulated the newest Councilor, Michelle Sikes, on her appointment. He also stated that though the budget was passed last month for the state, the east-west rail study was not included in the budget and he would like to see the town stay vigilant on keeping the topic in the forefront for the foreseeable future. He spoke of the rally for rail and the great turnout and the possible legislation coming in the fall. He also stated that he hopes the community forum coming up will have some topic related to the rail study.

Sarah Brodeur, Chairperson of the Conservation Commission was requesting authorization to use local wetland funds to pay one of the commissioners \$100.00 a meeting to type the minutes. She stated the agent has no time to compose the minutes. She stated that the local authority does not require approval but wanted full support of the Council to do so. She also stated that she would like to use the wetland fund to pay for an outside attorney whom she believes is much more qualified in the conservation area of law. Her name is Rebekah Lacey, with Miyares and Harrington, LLC. Ms. Brodeaur stated that she previously asked Charlie for permission but was denied. She stated specifically Dollar General has requested large amount of public records. She stated that they need an attorney to help the Commission decide what documents they have to provide and what they do not have to provide.

B.Barry reminded the Council the Conservation Commission previously asked to come before the Council to request the approval of the Council for the Commission to use the local funds to pay for additional hours for the Conservation Agent, to which she denied as the request was out of the purview of the Council. Tonight's request to use the funds for attorney fees is somewhat different but nevertheless, it is still not under the Council purview, and reiterated that the law is very specific in allowing the use for the wetland funds, and requires the approval of the Commission and the Town Manager. She also explained that as far as record requests, the Commission has every opportunity to request clarification if they are not clear on exactly what is being requested. She also referred to the record request law regarding the labor it will take and the amount of paper that will need to be printed and that they can charge for this service and does not believe an attorney needs to be retained to find these things out. B.Barry asked if Ms. Brodeaur has spoken with the Town Manager regarding the request, to which Ms. Brodeaur replied that she had only asked him to retain the lawyer with wetland funds and that they need an attorney. She also stated that within the local wetland ordinance, it is written in that there is no prior authorization required. C.Blanchard stated that after they received the appeal from Dollar General, Ms. Brodeaur and Conservation Agent, Angela Panniccione, requested the

1 use of the outside attorney, who works with the land use attorney the town is using in one other
2 instance, but is in fact not the Town's land use attorney, and would be referring the matter to the Town
3 land use attorneys, Mirick O'Connell, who employs a conservation expert, and will be assigned to this
4 matter. At present time, he has not heard back from the attorney, and is waiting. Ms. Brodeaur stated
5 that she was not aware of the attorney or anything that C.Blanchard just explained to the Council. He
6 stated that he explained it very clearly to Angela, and she has already been speaking with the attorney
7 at Mirick O'Connell, Brian Faulk.

8 M.Lemeaux asked if Dollar General had an approved site plan. Ms. Brodeaur stated that the site plan
9 was approved by the Planning Board. Dollar General had come to them for a Request for Determination
10 last fall, and the Commission issued a negative determination so there were no further approvals
11 needed from Conservation. However, if unforeseen work impacts conservation jurisdiction, a "Notice of
12 Intent" must be filed with the Commission, and the determination is no longer valid. This project
13 allegedly impacted their jurisdiction. She stated Dollar General is not willing to accept that they have to
14 file.

15 Ms. Brodeaur stated that she believes they do not want to file due to the fact that she believes their
16 stormwater system is insufficient, which she states the Commission has been saying since the beginning
17 of the project. C. Blanchard responded that the issue with water getting backed up under Route 20 is an
18 issue that has been ongoing for many years. The problem exists not only from this site if this site at all,
19 to the railroad property across the street. He stated that the Town attorney is working on this. He also
20 reiterated to the Council that the laws in Massachusetts regarding stormwater are such that they
21 require no more stormwater to leave the site than previous before development and that during site
22 plan review the engineers that designed the system did so as well as the Town's reviewing engineer.

23 B.Barry questioned the validity of using the local wetland fund to pay the Conservation Agent or
24 anything in the Conservation department and was provided with some detail but she is still uncertain
25 about procedure using the fees at their discretion.

26 Linda Leduc, Town Planner and Economic Development Director was present and stated that there is a
27 large infiltration basin underneath the parking are and landscaping along westerly and north borders
28 and that the stormwater system was built to take above and beyond what was required previously
29 flowing off the property. Michael Marciniec, Chairman of the Planning Board was also present and
30 stated that the system is still being built, which is why there is flow going off of the property. Once the
31 project is complete, the stormwater system will be working properly as designed and the same
32 standards as DEP requirements.

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35 **3. Old Business**

36 **a) Meeting Minutes, July 10**

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38 Motion was made to approve minutes as amended by L.Baker. Seconded by K.Williams. Motion passed
39 6-0-1 (M.Sikes)

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1 **b) Public Hearing; False Alarm Ordinance 6:40PM**

2 B. Barry read public hearing notice and opened the hearing at 7:04PM.

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4 There was no one from the public present for the hearing. There was no comment from the Council.
5 The public hearing was then closed at 7:04PM.

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7 **c) Laviolette Field Bathroom Renovation Update**

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9 C.Blanchard stated that the update is in DPW Director Gerry Skowronek’s report. The project has
10 gone out for new proposals due to the fact that the previous proposals are so far apart in price and
11 content. He stated that there are concerns over the handicap accessibility and the current codes so
12 the proposals need to be reviewed by the Building Inspector.

13
14 B.Barry questioned the need for complete sets of plans with drawings for contractors considering
15 the work that needs to be done. She also inquired as to when he would have more information on it.
16 C.Blanchard stated that he agrees that renderings should not be required and will have more
17 information to them by the next meeting.

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19 **d) Discussion; Community Forum**

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21 The minutes of the community Forum meeting from May 15 were in the Council packets. There was
22 discussion regarding Mr. Peter Blake and trees that overhang Rt 181. C.Blanchard stated that the
23 DPW has taken care of the issue. There was also discussion of the removal of tree belt trees that
24 residents had planted that were being removed. C.Blanchard stated that he could look into it. The
25 next issue was a private road issue and the discussion of how to bring the roads up to possibly
26 becoming public roads or bringing the roads in better condition through betterment. B. Barry stated
27 that she would reach out to the individuals with the concerns hopefully before the end of
28 September.

29 There was discussion regarding having the Manager meet with business owners to see how we can
30 better serve them. The Council requested that C.Blanchard reach out to Dan Belanger of Fire Service
31 Group to address his specific concerns.

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33 **e) Endleson Park Spray Park Update**

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35 There was discussion over the hours and when the spray park will be closed. It was stated that once
36 it closes around Labor Day it is drained and winterized.

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38 **4. New Business**

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40 **a) Letter of Support; Altitude Organics**

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42 Present were owners of Altitude Organics, Aaron Bluse and Billy Martin, along with their Attorney,
43 Valerio Romano and Phillip Silverman, of VGR Law Firm out of Quincy, MA.

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1 The applicants are looking for a letter of support from the Town Council as required by the state for
2 their application to run a medical marijuana growing facility located at 8 Chamber Road in Three
3 Rivers Industrial Park.

4 The applicant provided packets to the Council that has all of the necessary information as well as
5 relevant information about the company.

6 There was discussion on the company itself, and their history. It was stated that there have been no
7 infractions or recalls against them in the 7 years they have been in business.

8 There was also discussion over the process of the growing itself and the regulations Massachusetts
9 has in place in order to open and operate this type of business. They stated that there is no
10 distribution of the product at this site. They are required to dispense in another municipality. It was
11 stated that this business is highly regulated by the state. It was also stated that the applicant will be
12 going through site plan approval and special permit process, giving plenty of opportunity for
13 residents to become familiar with the project. They also stated they will be moving out here
14 permanently to monitor the work and the day to day operations. There was also significant
15 discussion regarding the safety and security system that they will be working with police very closely
16 on.

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18 Motion was made to ratify the letter of support and sign by Council President, Barbara Barry by
19 M.Salzmann. Seconded by L.Baker. Motion passed (6:0)

20 21 **b) Eagle Scout Project**

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23 Alex Stevenson is a resident who is working on the Eagle Scout project and inquired as to whether
24 he could refurbish the memorial area outside of Town Hall. He submitted a sketch and a brief
25 history of the project. He proposed fixing or replacing benches, adding flowers and mulch or brick
26 pavers and a permanent plaque, as the original has faded and it is no longer legible. He is hoping to
27 get the plaque donated by Pathfinder. He stated that the funding will be coming from sources
28 outside of the Town and will not cost the Town anything. It was stated that the project was
29 originally an Eagle Scout project. His fundraising will determine whether the benches are fixed or
30 replaced. The Council was very receptive to the project and offered their assistance in any other
31 help they can provide.

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33 Motion was made to approve project by M.Salzmann. Seconded by L. Baker. Motion passed (6:0)

34 35 **c) Subcommittee Appointments**

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37 B. Barry read the list of all of the subcommittees and who would be on them. She stated that PVTA
38 advisory Board would be Paul Burns. She stated although no longer a Councilor he has been the
39 liaison for many years was just appointed the vice chair, and would like him to continue in that role.

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41 B.Barry also stated that a subcommittee for the budget and for Converse Middle School reuse would
42 be appropriate due to the fact that a lot of time is taken up or would be taken up in regular Council
43 meetings and having the subcommittee work through the fine details before bringing it to the entire
44 group would make meetings more streamlined and efficient. She asked the Councilors for their
45 opinion and everyone thought it was a good idea. She stated that if any Councilor is interested in

1 serving on the committees to email her and she will get back to everyone and let them know who
2 she chose to put on the committees.

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6 **d) Committee Reappointments**

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8 C. Blanchard reviewed various reappointments for the Council and read them all aloud and are as
9 follows:

- 10 • Board of Appeals – Norman Czech
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- 12 • Board of Assessors – Michael Burns
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- 14 • Board of Registrars – Chester Topor
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- 16 • Board of Health – Paul Lukaskiewicz
- 17
- 18 • Conservation Commission - Sarah Brodeur and Peter Izyk
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- 20 • Council on Aging - Genevieve Bates, Peggy Corriveau and Betty Koss
- 21
- 22 • Historical Commission - Frances Nowak and Stephen Nowak
- 23
- 24 • Palmer Housing Authority - Russell Webb
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- 26 • Palmer Redevelopment Authority - Alphonse Lasota
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30 Motion was made to approve appointments by M.Lemeaux. Seconded by K.Williams. Motion
31 passed (6:0)

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33 **e) Cultural Council Appointments**

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35 C. Blanchard read aloud his appointments for the Cultural Council. He also attached copies of their
36 letters of interest for the Council’s review. He also state that the former Chair to help the new group
37 make a smooth transition. The new Cultural Council members are as follows:

- 38
- 39 • Carol Holden
- 40
- 41 • Jayne Heede
- 42

- 1 • Nancy Roy
- 2
- 3 • Donald Blais
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- 5 • Laura Hicks
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8 Motion was made to approve appointments by L.Baker. Seconded by M.Lemieux. Motion passed (6:0)

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10 **f) Wading Pool**

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12 There was a recommendation by the Park Department that the pool be filled in due to the fact that it
13 would be far too expensive to bring up to current regulations. The Council stated that they would like to
14 see an opinion and price from a licensed pool professional before filling it in. They believe once it is filled
15 in it will never be uncovered for reuse. C.Blanchard will look in to it.

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17 **5.Other New Business**

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19 M.Salzman inquired as to why the Speedway gas station was boarded up. It was stated that as of the
20 end of August there are new regulations and the pumps there are not up to code so they had no choice
21 but to close. The business said it is not in the financial position to fix the pumps. C. Blanchard was asked
22 to contact the company to see if in fact this was the case.

23

24 M.Salzman requested that all Palmer municipal employees' salaries get put back in the annual report.
25 She stated that they used to be in there and inquired as to why it had been removed. She stated that it
26 has been a very long time since it was in there and she hears from residents that they would like to see
27 it put back in there. C.Blanchard stated that he would have it done.

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29 **6. Miscellaneous Correspondence**

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31 a)There was a letter from the Department of Housing and Community Development regarding grant
32 money awarded through the Community Development office of \$507,663.00.

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34 b) A letter from Comcast regarding programming update, and that RL tv will no longer be available.

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Councilor's Roundtable

M.Salzman stated that there will be a 9/11 candlelight ceremony and remembrance at 6:30PM on September 11 at Fire Service Group. She would like everyone to attend.

L. Baker stated that she wanted to let Charlie know Gerry Skowronek from DPW did a fantastic job covering for him while he was on vacation.

4. Adjournment of Formal Session

9:45PM

Motion to adjourn from formal session by K.Williams. Seconded by L.Baker. Motion passed (6:0)