



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
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JA Brown

**MINUTES OF
MEETING OF TUESDAY, JANUARY 23, 2018
COUNCIL ON AGING
227 CHACE RD, EAST FREETOWN, MA 02717**

10:15 A.M. Call to Order Chairman Lisa A. Pacheco calls the meeting to order at 10:15a.m. Also present are Selectman Robert P. Jose and Selectman Charles B. Sullivan, Town Administrator David DeManche, Administrative Assistant Alexandra Golz and Town Counsel Mark Reich.

- Discuss Opioid/Marijuana issues with Atty. Mark Reich.

In regards to the recent discussion with Liberty Compassion Center, the Board has questions regarding the host community agreements (HCAs) for marijuana facilities. According to Atty. Reich, Freetown can be granted up to 3% of gross sales for up to 5 years in an HCA. Selectman Jose asks about an amendment vs. a new agreement. Atty. Reich thinks we would run the risk of a challenge on the old agreement if we add amendments. Selectman Pacheco notes that the 2 HCAs in place, with Liberty and AmeriCann, are both for grow facilities only, explicitly stating no retail sale. She wants to know if we can have a separate retail medical marijuana agreement for Liberty. Atty. Reich has concerns with this because of the statute, questioning the enforceability of an amended HCA. He says they could "donate" more money to the Town. Atty. Reich would want to see a proposal from Liberty. If there was a second agreement with Liberty, Selectman Jose questions the permitting process on this, would their permit applications with the Department of Public Health be affected? Selectman Pacheco questions what would happen with the AmeriCann HCA if we were to re-do the Liberty one to open it up for retail sale.

On opioid issues, Atty. Reich gives a presentation on a consortium of local and national lawfirms, who are filing suits behalf of towns, pertaining to the opioid crisis. He says that from 2012-2016, there were 10 opioid-related deaths in Freetown. Towns can withdraw from the suit at any time with no issues. Atty. Reich wants to know if there is any interest in Freetown joining the suit. The Board will take this up at a future meeting.

- Discuss date for Marijuana Ballot question.

After discussion on a timeline of the vote, the Board is looking at Saturday, March 24 for the vote. The question would just pertain to prohibition. Atty. Reich says KP Law has handouts available on their website.

The Board will take up the opioid suit question as well as voting a date and language of the marijuana ballot question at a meeting on Friday, January 26.

Executive Session

The Board did not enter into executive session, as originally posted. As posted, the executive session was as follows:

- M.G.L. c.30A, Sec. 21(a) (3) to discuss strategy with respect to collective bargaining with the Town Hall, Library, Highway Union because an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.
- M.G.L. c. 30A, sec. 21(3) - to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares – Excel Recycling, LLC vs. Lisa Pacheco, Robert Jose, and Charles Sullivan Individually and as Members of the Freetown Select Board, CA No. 1773CV00612.

At 11:20a.m., motion (Jose/Sullivan) to adjourn, passed unanimously.

Respectfully submitted,



Timm McIntosh

Senior Clerk

Recorded from Ali Golz's Notes