

Sarah Etelman, Chair
John Hine, Vice-Chair
Andrea Miles, Clerk
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Michael J. Sullivan
Town Administrator

November 17, 2017

Honorable South Hadley Selectboard,

Please accept this abridged accounting of the activities and projects the staff and I have been working on over the past two weeks, it has been very busy, but progress is being made on a number of fronts.

Thank you for your support, suggestions and guidance.

Unreserved Free Cash; will be certified for FY 18 at just over \$2.7 million dollars. This very healthy URFC amount may give people some pause and should, if there was not some legitimate answers to the size of the amount. I would suggest some of the largess comes from tight fiscal management and cooperation from many departments. This accounted for about \$770K and is not extraordinary. End of year “returns” are usual in the course of municipal business.

The receipts which are higher than normal and also ones we cannot really count on again, are \$242K over the Cherry Sheet estimate for Choice/Charter, some warrant articles close-outs for projects which were completed and were under budget accounted for \$162K and as you have heard before permits and Building Department fees were \$200K over revenue projections (MHC). Excise tax receipts (approximately \$120K up) continues to be robust as people seem to have expedited their new car purchases. We also have enjoyed healthy growth which cycles back to revenue growth in subsequent years.

In the next few weeks I hope to outline some of the “savings” accounts I would like to appropriate some of the URFC. You may remember accepting a “Compensation Account” Town Meeting accepted and we have set up, but we have not actually appropriated any money into the account. This account is designed to address contractual or employment related costs when someone is leaving the employ of the Town of South Hadley. Presently it must be taken from the individual departments personnel budget, often causing a need to hold off on replacement hiring’s. It is prudent to fund that account, with \$100K. You might draw a similarity to our self-funded “workmen’s comp” or “injured on duty”, where the balances are reviewed each year to consider if additional appropriations are needed or should be considered.

Other funds which I would recommend we consider making additions include OPEB, Capital Stabilization, Stabilization and perhaps forming a new “South Hadley Senior Center Building Stabilization Fund”, this would be helpful in preparing for some of the costs associated in advance of the need to borrowing. I realize we are getting somewhat ahead of ourselves as no determination has been made about a new center, but I still believe it is prudent planning.

AG’s Cannabis Seminar; the AG’s Chief Counsel Margaret Hurley was on hand at a forum held in NoHo to clarify the new regulations being promulgated from the Massachusetts Cannabis Control Commission (MCCC). After a couple of hours of explanation and questions, it still seemed a little “foggy”. It was not for a lack of trying on the part of Atty. Hurley. It simply put a situation where the state government seems to like
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a deer in the headlights. The pro-lobby has done a great job at making this a opt out scenario and has taken away a great deal of local control afforded to the Local Licensing Authority. If a community does nothing by April 1, 2018 a retail interest can apply to MCCC and will only be subjected to the restriction placed upon them by the state, with the exception with getting a PILOT agreement with the town in place (the agreement seems to be fairly prescribed) and have a tax rate (up to 3%) of sales in place.

There were BOH members, ConsCom members, Planning Board Members, Selectboard Members (including SoHa SB Member Forcier), representatives from NoHo, Hatfield, Hadley, Hilltowns, Springfield, Westfield, Easthampton, there were communities which seemed for and against, but the majority seemed unsure. This forum was helpful and I would like to thank Conservation/Planner Anne Capra for attending as well.

When a community chooses to restrict the number of or an outright ban retail or cultivation operations within their boundaries the Town must have a by-law voted on by Town Meeting and a ballot vote in the affirmative. Attorney Hurley strongly suggested the ballot question language should be a mirror image of the by-law to hopefully help avoid any challenges.

South Hadley, unlike some communities took the step to place a moratorium in place last fall. The moratorium was approved by the AG's Office. The moratorium will protect the community from applications until July 1, 2018. This is the date which was suggested by the AG's Office to be prudent since then there has been some communities who have successfully gotten moratoriums in place which have November 30, 2018 (this speaks to the rapid changing dynamic of the regulation).

With the suggestions and information provided to me I would suggest the most prudent step would be to start the process of an outright ban at this time and place some zoning by-laws in place which would still give a level of protection to the community in that regard if the "ban" was to fail.

Please understand I am not taking a position professionally or personally on the issue of recreational marijuana. My recommendation to the SB to seek a ban is to allow this community to see the issue settle out, what the MCCC does in the end, how it effects other communities, generally a period of enlightenment about this budding (sorry) industry. In the future as a town you could go back a re-visit how it would serve South Hadley.

It should be noted that there will still be a need to consider some "General By-laws" regarding bans form use in public space, "bring your own cannabis" cafes and I am sure a number of other challenges which I would have to expand my mind to recognize. These considerations could I believe could wait until ATM as they do not have the constrictive and complex approval process attached ...at this time.

South Hadley Drug and Alcohol Prevention Coalition; Karen Walsh Pio did a wonderful job presenting information about and the success South Hadley Drug and Alcohol Prevention Coalition has achieved and by way of the teen representatives testimony the successes to be reaped in the future.

PhD Amy Turncliff spoke about her advocacy in her home town of Westborough which was the first town or city in Massachusetts to ban cannabis sales or cultivation. She also presented some interesting factual evidence about problems (ie marijuana related accidents, increased use by youth) and how it was adversely affecting communities which allowed "pot shops" to be located in Colorado.

The information Dr. Turncliff presented was very much a wake up call for anyone who feels it will not have any effect on their lives, if a shop is in your community. As we all realize we are not Colorado, and very likely surrounding cities or towns will be allowing, if not embracing the industry, so it will be here in South Hadley.

There was also information given by Heather Warner from SPIFY (a drug and alcohol prevention group for Hamp County) about how people ingest the cannabis. Vaping, edibles, lotions, infused drinks are all part of the program now, making the detection and monitoring much more difficult. This was a great opportunity to learn more about this subject matter.

PVPC Roundtable; SHELD Manager Sean Fitzgerald and SB/SHELB member John Hine took time out from their busy schedules to attend a presentation on Solar Energy Placements, various models of income structures and how the SMART program works. Unfortunately according to Katelyn Kelly from Mass DOER is not presently available to SHELD customers, it is only available to investor owned utility customers.

This is another subject area which is very complex and I was happy to have some high IQs with me to explain what they were talking about at a later date. Please do feel I do not think these quarterly “Roundtables” are not excellent opportunities to network and steal ideas or should I say hear about “best practices”, because they are helpful and I appreciate PVPC providing us with the medium for exchange.

MassDevelopment visit to South Hadley; Beth Murphy Vice President of Real Estate Development and Julia Cowan Vice President of Financing for MassDevelopment were kind to accept an invitation to speak with RDA Chair Frank DeToma, Town Planner Richard Harris and myself about how they may fit into some of the projects and plans being developed for South Hadley Falls.

It occurred to me that sometimes it is hard to see the forest through the trees or even how some we see the trees so often we stop seeing them change. What I mean by this when the Town Planner and I start discussing all that is going on in the Falls or is being developed for the neighborhood it is eye popping. Houses and businesses are being cleaned up on North, Ludlow, Lamb and Main, all good signs.

Our friends from MassDevelopment strongly suggested we apply for a \$50K no match planning grant they offer. This would be essentially a starting off point where we can both get to know each other’s organizations and ways a little more intimately. The Town Planner is creating an application concentrating on Main and Bridge which if all goes well we will receive in early 2018, which will add to other technical assistance we have gotten and work we are contracting for now.

Marion Dangerous Dog Hearing: I would like to thank Richard Todryn and Dr, Golusha for their courageous and truthful testimony in regards to this sad case heard in Belchertown District Court on November 15, 2017. Town Counsel Edward Ryan and his associate Attorney Brian O’Toole did a commendable job preparing and presenting the Town Of South Hadley’s appeal.

It was a long proceeding to say the least, starting at 10 AM and the last testimony was heard about 3:30 PM (April Marion). It is now in the hands of Judge Shea to make a decision. Health Director Sharon Hart, ACO MacClair Mailhott, Sgt. Robert Whelihan and Officer Ray Faginski all prepared and provided their expertise in this public safety matter.

During the process I learned a great deal and recognize some of the mistakes I made along the way. I have been given and accepted some sage advice in how I would manage a “Dangerous Dog” hearing in the future, all while I hope it proves unnecessary to ever have another such hearing. Thank you to the SB for your patience in this matter.

COA Training; I attended the COA Board Training today, held at the South Hadley Senior Center. There were representatives from Ludlow, Chicopee and South Hadley in attendance to hear suggestions from an Elder Affairs Office representative about how boards should function.

The most salient “take away” I heard from the presenter was something I wholeheartedly agree with “COA Boards should not direct the Director”. It is always difficult it seems, particular for COA Boards to stay in their lane and develop policy, as opposed to trying to manage day to day. This idiom should apply to other South Hadley boards as well. It should be stated I am blessed that the South Hadley Selectboard realizes and does a great job at allowing me to manage, I appreciate your efforts to guide me towards solutions to problems. Thank you.

Comcast Negotiations; I wanted make sure the entire SB was aware we have had an initial meeting with Comcast about the 2019 renewal. Attorney Eileen Leahy met with SB Vice-Chair John Hine, and Media Director Bob Smith.

It was a typical first meeting and all parties were provided with plenty to consider and each with due diligence, as well. It is not stated enough to the general public, these negotiations due not cover rates, programming and in fact unless there is continued and egregious break in service to customers there is little we can do in that area. We will meet again in late January or February.

Regional Services; The first regional relationship I would like to mention is that the Town of South Hadley and the Town of Hadley have been working with the PVPC to apply for a grant to make platform enhancements to customer service platforms. The intent is to explore if there is way to “share” some software platforms at a reduced rate and to coordinate and offer training to both staffs. We will see if we get the grant.

The second is the South Hadley/Granby limited shared inspectional service agreement. I am hoping I will receive back from Granby Town Administrator Chris Martin a signed MOA to share with you in regards to the relationship. Basically it will be a one year MOA where we would allow the BC to provide a limited oversight and assistance to the Granby Local Inspector, until such time he can get the appropriate and required certifications to be a Building Inspector. The Town of Granby would pay the Town of South Hadley \$9,500 for FY18 for the service. The Town of South Hadley would pay a stipend to the Building Commissioner \$6,500 for his additional time and responsibility. This would be a lump sum up front payment...not that I do not trust Granby, just that I would prefer money in the bank to a promissory note.

As always thank you for your patience and support. Happy Thanksgiving! Go HolyoI mean South Hadley!

Respectfully submitted;

Michael J. Sullivan
Town Administrator, South Hadley