

MARIJUANA AD-HOC COMMITTEE

Meeting Minutes – August 24, 2017

Members in Attendance: Edward (Ted) Haley – Chairman, Patricia Neary, Eric Desrochers, Patrick Hohman, Irving Smith, and Peter Robillard

Members Not Present: Karen Peabody, Betsy Chouinard, Linda Carp, Matthew Rushton

Officials in Attendance: Kimberly Williams – Assistant Town Manager

Meeting Called to Order: 6:01PM

Approval of Minutes. Minutes of 08.03.17 were amended and accepted by the Committee after a correction was made.

Marijuana Ad Hoc Committee Research and Chair's Report

The Committee engages in a discussion of their current research. The Chair notes he will include his reporting into this section of the meeting, thus combining items 2 and 3 of the current agenda together. Ms. Neary has noted it has been difficult to find information on current recreational marijuana regulation. Mr. Desrochers noted he was able to find statistics and data on recreational marijuana, but was still looking over the information before sharing with the Committee. Mr. Desrochers is hopeful that he can provide his findings during the next meeting.

The Chair asks a resident in the audience a question regarding towns establishing a ban on recreational marijuana. Ms. Jennifer Smith, 225 Boxwood Lane had previously indicated to the chair several towns which banned marijuana: Northborough, Southborough, Westborough, Raynham, etc. The Chair notes he will seek a list of towns that have enacted a ban at the present time.

Ms. Neary asks if the Committee's previous recommendation can be withdrawn and instead changed to recommend a ban. Citing that marijuana remains illegal at the federal level, a ban protects the town.

Mr. Smith indicates that the Town should put the issue of recreational marijuana to a ballot vote. According to Mr. Smith, the previous vote of the town was part of a non-binding state referendum in 2016. An actual ballot vote would reinforce

Mr. Desrochers states that a ballot election may not be necessary as a ban can still be offered; a moratorium provides the Town an ability to continue its research and for the public to share their input with the Committee

The Chair notes that any election process and continued public input will be important components to the Town's decision-making on recreational marijuana.

The Chair provides a brief update on his current research, but indicated that his results will be delayed as he is still awaiting contact from certain towns in Colorado that are analogous to Town of Bridgewater. The Chair is currently waiting for word from the towns of Aurora, CO and Brighton, CO and their respective managers or planners. In the case of Aurora, the Chair is interested in learning more about the Town's initial ban and upcoming work on easing their original restrictions. Mr. Smith cautions the Chair on his research into Colorado recreational marijuana. According to Mr. Smith, while there are populated areas in Colorado that are similar to Bridgewater, they are administered by county-level government as opposed to local town government. This may skew the results of any data, as it is more focused on county-wide information as opposed to town-by-town figures. The Chair further notes that Colorado's experience is

important because of similar tax practices on recreational marijuana (10% tax rate) and local tax options. There is a large amount of disbursement data which can be placed onto the website, and it is hoped that the Chair can provide that information shortly.

Mr. Robillard expresses concerns with implementing a ban versus a moratorium; indicating numerous variables and a lack of regulations at present, more research should be done and therefore the moratorium is more helpful.

Ms. Neary indicates to the Committee the revised recreational marijuana law is too broad in scope, and reiterates it is illegal at the Federal level. Mrs. Neary encourages a ban be issued to protect the town's legal interests. Mr. Desrochers notes to the Committee that the law, while broad currently, will be refined with regulations and standards.

Open Discussion

The Chair segues to the Open Discussion portion of the agenda. Mr. Desrochers provides comments to the Committee based on personal experience with Colorado, indicating that he was against recreational marijuana sales, but recognizes that sales in Massachusetts will be very regulated and analogous to current sales of alcohol products. Mr. Smith notes to the Committee that ultimately, the Town is responsible for policing marijuana in the community. The Town can implement rules and regulations which are stricter than state statutes. The Chair provides an example of a Colorado town (Brighton) which banned marijuana initially, but is currently working to ease the restrictions with difficulty, citing lost revenues and opportunities to policing an industry which exists elsewhere in neighboring areas.

Mr. Desrochers and the Chair note that in the event the Town did place a ban on recreational sales, it would still not preclude the consumer's ability to grow at their homes, purchase elsewhere and consume in town, or to have shipped from outside Town to a residence. The way the Massachusetts law is written, importation, transport, and sales are still allowed to pass through a town, even if the community doesn't allow sales within their own boundaries. Ms. Neary notes Town should consider a ban because while state law allows for medical and recreational marijuana, it is still illegal at the Federal level. Mr. Robillard notes to the Committee that the Town has ability to go further in regulating recreational marijuana sales because a ban won't prevent the existence of marijuana in Town.

Public Comments

The Chair opens up the floor to comments from the public.

Dr. Fred Kern, 77 South Street is first to provide public comments. Dr. Kern restates his previous support of a ban on recreational sales in Bridgewater. According to Dr. Kern, studies show that youth who use recreational marijuana develop an inability to pursue goals/activities/jobs, and also develop mental issues. Dr. Kern further cites anecdotal personal experience in traveling to Colorado stating that marijuana dispensaries (both medical and recreational) change the character of a community and increase the rate of accidents, emergency room visits and accidental overdoses in a community. Dr. Kern then asks that the Committee withdraw their previous affirmative vote on a moratorium and instead vote for a full ban of recreational marijuana sales.

Jennifer Smith, 225 Boxwood Lane addresses the Chair and Committee. Ms. Smith goes over a list of towns and cities in Massachusetts which have outright banned recreational marijuana sales; and provides references to multiple news article headlines describing "smart communities" which went for a ban right after they voted down the 2016 ballot question (known as Question 4). Ms. Smith further echoes the sentiment of Dr. Kern that a ban should be put in place to preserve family values in the community.

Ed Ivaldi, 10 Boxwood Lane is last to address the Committee in public comments. Mr. Ivaldi asks the Committee to consider how much more research they have to do, in seeking out more information, the Committee needs to look at

more than just monetary costs/benefits; they need to look at all costs (social, moral, ethical). Mr. Ivaldi also notes that researching the Colorado model of marijuana sales creates a problem for the Committee's work because Colorado's laws are opt-in, versus opt-out. In Colorado, the law allowed communities to outright refuse sales at their choice (much like dry-counties in other parts of the country); Massachusetts is opt-out, where communities must decide first to ban outright or to develop local guidelines to be consistent with state law.

With all discussion concluded a motion is made to adjourn.

Meeting Adjourned: 6:58PM