



Town of Conway, Massachusetts

Special Town Meeting
30 October 2017

AT A LEGAL TOWN MEETING of the inhabitants of the Town of Conway qualified to vote in town affairs, convened at the time and place and for the purpose specified in the warrant, 120 voters were checked at the door and issued yellow cards for the purpose of voting. Aina Barten and Lorraine Boyden served as checkers. The meeting was called to order by the Moderator. The call and return of service having been examined and found to be in order, it was unanimously voted to dispense with the formality reading the warrant. The following action was taken by those persons in attendance:

ARTICLE 1: Voted to amend the *Protective Bylaws of the Town of Conway, Massachusetts* by adding a new Section 11, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, as provided below:

Section 11.1 Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses on April 1, 2018. Currently under the Town's Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, § I, is not specifically addressed. Potential changes to the legislation and regulations to be promulgated by the Cannabis Control Commission will provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and to address such issues. The Town also needs time to study and address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Town's Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Section 11.2 Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

Section 11.3 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town of Conway hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment. The moratorium shall be in effect through December 31, 2018 or for six (6) months after promulgation of the required regulations by the Cannabis Control Commission whichever occurs later. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town and to consider any changes to the law adopted by the legislature as well as the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these matters.

The Moderator called for a hand count to determine if there was a 2/3 majority vote. A total of 104 voters participated in the vote. Actual count for the article was YES = 70 and NO = 34

ARTICLE 2: Unanimously voted to transfer \$35,514.90 from free cash for **debt service for the new fire truck**.

ARTICLE 3: Voted to transfer \$6,000 from free cash for **matching funds for a grant** to help move the Town toward compliance with the Americans with Disabilities Act.

ARTICLE 4: Voted to "pass over" the article requesting funds for tornado related tree damage behind the Conway Grammar School.

ARTICLE 5: Unanimously voted to transfer a total of \$827.45 from free cash for payment of four **bills from a prior fiscal year** as follows: \$451.36 for water received as an emergency procurement after the tornado; \$29.79 for office supplies (envelopes); \$209.35 for fuel for the Police Department; and \$136.95 for clothing for the Police Department.

ARTICLE 6: Unanimously voted to establish a **revolving fund for Medicaid reimbursements** by amending the *General Bylaws of the Town of Conway, Massachusetts* to include a new section, "Revolving Funds," as follows, and to become effective July 1, 2018:

The Town shall have a Medicaid revolving fund under M.G.L. Ch. 44, Sec. 53E½ to receive funds from school Medicaid reimbursements for the purpose of paying related expenses. This fund shall be under the control of the Treasurer/Collector. The Accountant shall include a report on its activity in the annual Town Report.

ARTICLE 7: Voted to amend Section 4 under "Town Officers, Boards, and Committees" of the *General Bylaws of the Town of Conway, Massachusetts* as follows:

Section 4: There shall be a **Finance Committee of ~~six~~ five registered voters**.....

ARTICLE 8: Voted to "table" the resolution introduced by citizen petition requesting **A Bylaw Declaring Conway to be a Safe Community**.

The Moderator requested a hand count on the motion to table the article. Actual count to table was as follows: YES = 59 and NO = 56.

AT 8:45 p.m., MOTION WAS MADE and seconded and vote was taken to adjourn the meeting.

A True Record of the Meeting,
Attest:

Virginia A. Knowlton, Town Clerk