

MINUTES OF THE BOARD OF SELECTMEN MEETING

December 8, 2014
Meeting held at Town Hall

MEMBERS PRESENT: Chairman Robert Merry, Vice Chairman Joseph Perry (ABSENT until 6:34 p.m.), Clerk Robert Snow, Jack Cook, David Petersen (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

PUBLIC ATTENDEES: Lawrence White - Finance Committee; Brent Baeslack - Conservation Agent; Michael A. Sabatini

CALL MEETING TO ORDER

Chairman Robert Merry called the meeting to order at 7:03 p.m. He said the meeting is being audio and video recorded digitally.

PLEDGE OF ALLEGIANCE

Dave Petersen led the Pledge of Allegiance.

CHAIRMAN'S COMMENTS

Chairman Merry said he participated in the Wreaths Across America ceremony today with Bob Snow and Dave Petersen. He said the wreath given to the Town this year will be placed on the grave of Ruth T. Pike. He then read the attached comments about Ruth Pike. He said it was a great ceremony. Snow said the ceremony was twice the size of the ceremony held last year. Petersen said there were fifteen tractor trailer units carrying 60,000 wreaths to Arlington National Cemetery.

7:05 – 7:15 p.m. CITIZEN QUERY

Citizen's Query opened at 7:05 p.m. and continued until 7:15 p.m. There were no citizen's queries.

GENERAL BUSINESS

1. Sign Full-time Police Officer Academy waiver application

Chairman Merry said, "The Board needs to vote to authorize Chairman Robert Merry to sign the Full-time Police Officer Academy waiver application. This pertains to the newly-appointed full-time officer, Daniel A. Lee."

Dave Petersen made a motion to authorize Chairman Merry to sign the Full-time Police Officer Academy waiver application, Bob Snow second, all in favor - aye (5-0).

2. Email from the American Diabetes Association regarding North Shore Tour de Cure event

Chairman Merry read the email from the American Diabetes Association regarding North Shore Tour de Cure event. He said we will wait to receive the final tour information and check in with the relevant department heads.

NEW BUSINESS

1. Memo from Treasurer Karen Summit regarding the Senior Tax Credit and Valor Act Credit compliance with IRS regulations

Chairman Merry read the memo from Treasurer Karen Summit.

Joseph Perry made a motion to allow the Town to pay both the Town and participant's share of the Medicare tax, Bob Snow second, all in favor - aye (5-0).

2. Request from Board of Water Commissioners to transfer funds from the Extraordinary & Unforeseen budget to Water Treatment Plant maintenance for grading of Pingree Farm Road

Chairman Merry read the following:

Selectmen Bob Snow and Dave Petersen attended last week's Water Board meeting. They have been attending the meetings on a regular basis and will discuss this request with the Board. Pingree Farm Road is in deplorable condition. Unfortunately, the water treatment plant construction bid specifications did not require the contractor to upgrade this narrow dirt road. Now, we are faced with needing to improve the condition of the road.

Eagan said she told the Water Superintendent that she did not need to attend tonight's meeting since Petersen and Snow attended the meeting and can speak on this request. Petersen said the road is deplorable. He said it is .5 miles long and is all ruts and puddles. He said delivery trucks cannot continue to travel down it and the Highway Department cannot plow it. He said they are getting bids to fix the road. He said the Board of Water Commissioners did not have any reasons why the road wasn't included in the bid for the water treatment plant project. He said this needs to be addressed before the frost and the Con Com has approved an emergency repair of the road with conditions. He said the Water Board slipped back into harassing the Water Superintendent and brought up their personal items. He said they were upset that there was only one qualified candidate for the Secondary Operator position, they still wanted three candidates. He said the situation between the Board of Water Commissioners

and the Water Superintendent is getting to be an emergency situation and if the Commissioners are not able to work with the Superintendent then it is time for them to resign. He said he recommends inviting the Water Board to next week's meeting and ask them to give an explanation. He said the Board of Selectmen cannot allow this to continue, there are numerous DEP violations, the situation with Pingree Farm Road, and they are not supporting the Superintendent to get the permanent occupancy permit for the water treatment plant. He said if they want to work and help the Town that is fine, but if they want to nit pick, harass and put up roadblocks, we need to ask them to resign.

Snow said Pingree Farm Road is horrible and he is surprised it was not part of the bid. He said the Water Department takes one step forward and two steps back. He said there was progress made at the Water Commissioners meeting two weeks ago, but during the meeting last week, there were petty arguments about nothing to do with town issues or the Water Treatment Plant. He said people need to watch the last three Water Commissioners meeting to get a flavor of them, and it is very aggravating. He said we have a new \$12 million dollar plant, a darn good Water Superintendent and he doesn't understand where the Commissioners are going.

Merry said the Selectmen have been given a report about the meeting and we need to bring the Water Commissioners in to discuss this.

Bob Snow made a motion to request that the Board of Water Commissioners attend the next meeting to give an update on the Water Treatment Plant, Pingree Farm Road and any other issues out there, Dave Petersen second, all in favor - aye (5-0).

Eagan said the road is deteriorating each day, there are no funds set aside to address this, and a transfer is needed from the emergency and unforeseen account to start the work. She said the Fire Chief and Building Inspector have not signed off on the occupancy permit, the Town needs to access the plant, and the work needs to be done as soon as possible.

Dave Petersen made a motion to approve the request from the Board of Water Commissioners to transfer \$8,000.00 from the Extraordinary & Unforeseen budget to Water Treatment Plant Maintenance for grading of Pingree Farm Road, Bob Snow second, all in favor - aye (5-0).

7:15 p.m. Michael Sabatini to discuss Historical Commission/Historic District Commission opening

Chairman Merry read the following:

Michael Sabatini is interested in serving on the Historical Commission and Historic District Commission. The Board will first ask Mr. Sabatini questions regarding his

interest in serving on the Historical Commission and Historic District Commission. After we finish the question and answer session, the Board will discuss the conflict of interest issues pertaining to this appointment.

Merry asked Sabatini, "Why are you interested in serving on the Historical Commission and the Historic District Commission?" Sabatini said he loves antique properties and has renovated and worked on them for decades. He said this is his niche, he appreciates, respects and restores history and wants to keep it alive. He said he has restored several properties in Town, including the Bradstreet Farm.

Merry asked Sabatini, "The Historical Commission and the Historic District Commission each have separate distinct responsibilities. Please describe your understanding of the roles and responsibilities of each of the two commissions." Sabatini said the Historic District Commission is an overlying district for the central area of Town that starts on Route 1A in Ipswich. He said the HDC also covers certain properties outside of this district, such as the Jewell Mill. He said the HDC oversees everything in the downtown area such as the types of windows, siding and fences that can be used on individual houses. Merry said there are two historic districts in Town: the Central Village and the Jewel Mill. Merry asked Sabatini what the Historical Commission is. Sabatini said he is learning, but the Historical Commission is the overseeing power for items such as the Bradstreet Historic Preservation Restriction and the properties that are listed on the National Register. Merry said if you are appointed, you need to get a copy of the laws and regulations for each of the Commissions since they are very different. Merry said the Historical Commission has some authority over the Historic District Commission, but not as much as Sabatini described. Merry said he was the Chair of each Commission and each has a distinct job, and they are sometimes intermingled, but they shouldn't be.

Merry asked Sabatini, "Please describe your understanding of the Open Meeting Law." Sabatini said individuals come before Boards, and the meetings are posted in advance. Merry asked how the law affects the Commission members. Sabatini said the members need to consider if there is a conflict of interest. Merry said that relates to his next question. Merry recommended that Sabatini read the open meeting law and said there are several things that can get the Commission in trouble if they aren't careful.

Merry asked Sabatini, "If appointed, you will be required to take the State Ethics Law online test. Do you have any objections to taking this test?" Sabatini said he has no objections.

Merry read the following:

Because Mr. Sabatini owns property that is covered under a Historic Preservation Restriction that is held by the Town's Historical Commission he has a potential conflict

of interest. Mr. Sabatani has contacted the State Ethics Commission to discuss this conflict. The State Ethics Commission has outlined the relevant sections of Mass. General Law Chapter 268A that are applicable to this situation. Mr. Sabatani has provided the Board of Selectmen with a copy of the letter from the State Ethics Commission. The letter addresses the potential conflicts with Sections 19, 20 and 23(b) of the law and outlines a process that would need to be followed by Mr. Sabatani to resolve each of the conflicts brought up under these three sections of the statutes.

The Board needs to go over each of these with Mr. Sabatani. Mr. Sabatani will need to complete and submit the disclosures. The Board of Selectmen will need to review them and then make the appointment.

Sabatini gave Merry a copy of the confidential letter from the State Ethics Commission to him and said section 20 (d) applies. Merry read the following from the letter, "Given the Agreement and your ownership of Bradstreet Farm, your appointment to the RHC would raise immediate and potential issues under sections 19, 20 and 23(b) of the law." Merry said Sabatini has to meet all the requirements of section 20, not just 20 D. Eagan said we only have the blank forms, and the Board needs to review the completed documents before making the appointment. She said the Board may have conditions, such as requiring Sabatini to recuse himself from matters relating to 239 Main Street.

Merry said Sabatini has given him the 268 A 20(d) disclosure. Eagan she strongly encourages Sabatini to file the disclosure regarding the conflict of interest appearance. Petersen said we should continue this discussion after the administrative staff and the Board reviews the forms to make sure they comply with the law since everyone needs to understand the conflict issues. Petersen said this should be put on next week's agenda. Eagan asked Sabatini to provide the disclosures and she will put this on the agenda for next week at 7:15 p.m.

7:25 p.m. Michael Sabatini and Conservation Agent Brent Baeslack to discuss invasive species program at the Bradstreet property

Chairman Merry read the memo that Brent Baeslack distributed. Sabatini said this has been resolved, the Conservation Commission has approved everything and since the trees are on Town owned property, the Con Com wanted him to inform the Board of Selectmen. Sabatini reviewed the map and the plan for the Board and said he is trying to protect and restore highly visible trees on the property. He said the trees are covered in invasive species and some are already dying. He said since he will be pruning trees technically on Town property, the Con Com asked him to come before the Board of Selectmen. Petersen asked how we stand on the enforcement order on the pond. Sabatini said it minimalizes it and they will also be removing the diving board. Petersen asked Baeslack if he agrees with Sabatini's statements. Baeslack said Sabatini has not

submitted anything and asked him to confirm that he is presenting the Bradstreet Farm revised restoration plan prepared by DeRosa dated November 11, 2014. Sabatini said that is a lot of words, Baeslack has an attitude with him, he doesn't have it in front of him, and he is just supposed to show the nine trees and see if he needs a general liability policy for him to be on Town property. He said this wasn't supposed to be a great submittal and he was supposed to talk them about nine trees. Merry said Sabatini is coming onto Town property and working on Town trees and we want a plan. Sabatini said he will get the plan, it probably is the plan from November 11, 2014 and we can do this another day. Petersen said to authorize Sabatini to do this other work, he would like to see the other situation resolved. Baeslack said the Con Com didn't ask Sabatini to tell the Selectmen what he is going to do, but asked that Sabatini respectfully request permission for activity to be done on the property under the Selectmen's care and custody. Sabatini said he will come back with another presentation, and left the meeting. Merry said the proposal needs to be documented and he can't accept it without seeing exactly what is happening.

OLD BUSINESS

2. Update on Girl Scouts Land

Eagan said she has been working with the Town Attorney on the Title V Enforceable Agreement, the Board of Selectmen needs to vote to sign it, Sean McFadden will notarize it, and then it will be recorded at the Registry of Deeds.

Chairman Merry read the following:

Title V Enforceable Agreement

The next step is for the Board of Selectmen to sign the Notice of Enforceable Agreement for Compliance with Title V. The Board of Health will also need to sign this during their meeting next week. Principal Assessor Sean McFadden must notarize this document during tonight's meeting.

Dave Petersen made a motion to sign the Notice of Enforceable Agreement for Compliance with Title V, Joseph Perry second, all in favor - aye (5-0).

The Selectmen signed the document and McFadden notarized it.

Merry read the following:

21E Site Assessment

DeRosa Environmental has submitted the 21E site assessment on time as promised. To sum up the report, they have found that everything looks fine. According to the report, no conditions are indicative of a release or threat of release of oil or hazardous materials or recognized environmental conditions. Chairman Merry has read through the report.

Petersen said we weren't expecting issues out there. Merry said they didn't find anything major, and there was an amazing amount of work put into the report. He said there was an apple orchard on the Smith Lane side of the property and logging was done there in the 1950s and 1960s. Baeslack said there were some oil storage containers listed in the draft report shared with him. Merry said there is nothing in the containers, so they don't need to do anything right away. Baeslack said the tanks are designed in such a way that they may read zero, but they have some residue. Merry said tanks of this age have sludge, which is less likely to spill. He said we should check with the organization who winds up operating the facility to see how they want to handle these. Eagan said four potential vernal pools were observed. Merry said there are also active beaver dams.

Merry read the following:

Draft Caretaker's Agreement

Debbie and Judy are working on the Caretaker Agreement. The document follows the existing agreement between the Girl Scouts and the Caretaker. Bob Merry and Dave Petersen met with the caretaker and toured the house.

Merry said the house is in good shape. Petersen said he was surprised and that the current occupants are happy to sign an interim agreement. He said they have experience dealing with the property and a temporary agreement is needed until there is a final agreement with whoever runs the camp.

Merry read the following:

Closing Date

Debbie is working on an anticipated closing date of December 17th. Debbie and Judy are trying finalize the draft deed, etc. with the Girl Scouts' attorneys.

Petersen asked if the closing happens on December 17, when the RFP will go out. Eagan said the Selectmen need to make some decisions about the responsibilities of the owners and the camp operator and about certain things about the property such as Title V work. Petersen said a preliminary check of the buildings with the Building Inspector should be done soon after the closing. Petersen said the caretaker has been doing the maintenance and will continue until told not to. Merry said Patrick Snow wants to look around and formulate a plan for snowplowing the property. Petersen said we will need access in case there is a fire up there.

7:35 p.m. Conservation Agent Brent Baeslack for update on federal National Pollution Discharge Elimination System (NPDES) storm water permit

Baeslack said the Board of Selectmen asked him to stay on top of the storm water permit under the Federal Clean Water Act. He said it has been discovered that storm water is a major contributing factor in water pollution. He said the draft mandate requires Towns with urbanized areas to take steps to reduce pollution by storm water. He said the map in the packet is outdated and under the new map, most of Rowley falls under the mandate. Baeslack reviewed slides from a recent EPA presentation he attended (COPIES ATTACHED). Highlighted items are as follows:

- September of 2015 is the proposed/postulated date of the permit
- Some work can be done collectively with MVPC versus being done by individual cities/towns
- Eagan said the Town is part of Greenscapes who can do the mailings on behalf of the Town of Rowley, and we may be able to utilize them for education requirements
- The illicit discharge will be tailored to municipalities, and it won't be too onerous for Rowley since we have no sewer system

Snow asked if the Town has to make financial commitments for this. Baeslack said yes, we need to test for outfalls and complete mapping. Eagan said there will be extensive costs and this is an unfunded mandate that the MMA has brought up several times. She said public relations, testing and compliancy have to be done and many municipalities have a full time staff and a budget to work on this. Baeslack said storm water catch basins will also need to be installed. Petersen asked if we are able to come up with a ballpark budget scenario for this. Baeslack said there need to be focused discussions on this and the EPA needs to consider the budgetary environments of the municipalities, such as things not being approved at Town Meetings.

Additional highlights are:

- Rowley has a storm water by-law in place that many need some revision
- We need to look at the impervious surfaces of existing buildings
- The Rowley and Mill Rivers are considered impacted by the total max daily load

Baeslack said most sub-divisions since the 1980s have some storm water measures, but some inadequately designed systems may need to be rectified. He said we will work with the Highway Department on the sodium chloride discharge. Petersen said it sounds like we have to do as much as we can collaboratively. Baeslack said there is a draft comment prepared by MVPC in the packet, and it is important for each community to say something, even if MVPC's draft is repeated. Merry said we have a storm water treatment center and asked if it is working. Baeslack said this was previously checked every couple of years by Highway Surveyor Scott Leavitt. He said this needs to be revisited and periodic maintenance needs to be done. Petersen said we need to get a financial estimate for budgeting. Baeslack said we may need to hire a consultant to assign staff to work on different sections and interpret what Rowley needs to do. Eagan said Haley and Ward was the consultant used for the first phase and they segregated tasks. She said some items will be phased in. She said December 2015 is the effective

date with a six month grace period, so we don't need funding in next year's budget. Petersen said we should start setting funding aside now. Baeslack said Newbury has been putting \$5,000 aside for this in their budget, but he doesn't know for how long. Baeslack said Reading and Newton have put storm water utility fees in place for private property owners to raise funds for storm water management. Eagan asked if the Board wants to send a letter to the EPA. Petersen said we should draft our own letter based on the MVPC model. Baeslack said small rural communities will face more challenges with this since there is little infrastructure in place and no DPW or Town Engineer. Merry said the MVPC draft should be manipulated to include these small town challenges. Eagan said she will draft it for a future meeting.

NEW BUSINESS

3. Discuss Skip's Country Store liquor license

Chairman Merry read the memo from Amy Lydon to the Board regarding 2015 liquor license renewals. Petersen said if Skip's wants to continue selling beer and wine, they will have to apply for a new license. Eagan said we have not gotten anything from Skip's through today, and a notification needs to be sent soon from this office that they can no longer sell beer and wine as of January 1, 2015. Merry said we should also notify the police department.

Dave Petersen made a motion to send Skip's Country Store a letter notifying them that they can no longer sell beer and wine as of January 1, 2015, Bob Snow second, all in favor - aye (5-0).

4. Liquor License renewals

Chairman Merry read the following:

The following licenses have been reviewed and are in order with all taxes, water and light bills paid.

Please make a motion to approve and sign the licenses.

- *Grape Island Inc., d/b/a Mill River Winery*
- *Rowley Liquors Inc., d/b/a Rowley Liquors*
- *Nippon Tepatiganon, T.J. Thai, Inc., d/b/a Royal Orchid*

NOTE : Other renewals have been submitted, but the applications are either missing some information or the applicants owe money to the Town.

Dave Petersen made a motion to approve and sign the licenses as stated by Bob Merry, Bob Snow second, all in favor - aye (5-0).

5. Request from Rafael Reyes d/b/a J R Reyes Transportation and Truck Center to change name on current Class II Dealer license to J R Reyes Transportation & Truck Center, Inc.

Chairman Merry read the following:

JR Reyes Transportation and Truck Center has submitted a complete renewal and are current on all tax, water and light bills. In addition to the renewal, they would like to change their name to JR Reyes Transportation & Truck Center, Inc. (see attached letter). They would like their name to be updated on their current license and their renewed license. Please make a motion to approve the name change and to sign their revised 2014 license.

Dave Petersen made a motion to make the changes as requested, Bob Snow second, all in favor - aye (5-0).

6. Class II Dealer License Renewals

Chairman Merry read the following:

The following licenses have been reviewed and are in order with all taxes, water and light bills paid.

1. *Please make a motion to approve and sign the licenses.*

- *William Cuddy, Hamilton Enterprises Used Cars LLC*
- *Thomas Boucher, Boucher's Automotive Machine Shop, Inc.*
- *Frank Iovanella and James Price, Car Lines*
- *Dale and Roy Ducrow, Rowley Auto Brokers*
- *Tim Slattery, Camping World Leasing Co., LLC*
- *Mark Ouellette, M&J Foreign Cars, Inc.*

Joseph Perry made a motion to approve and sign these licenses, Bob Snow second, all in favor - aye (5-0).

Merry continued:

- *Donald & Mark Savory, Bay Road Auto Sales (56 Newburyport Tnpk location)*
 - ***Frank Marchegiani, Regulatory Compliance, suggested after his site visit that the Board may wish to request a sketch of the*

property showing the designated spaces for vehicles that are for sale – does the Board wish to request this?

- *Donald & Mark Savory, Bay Road Auto Sales (588 Main Street location)*

Dave Petersen made a motion to approve and sign these licenses, Jack Cook second, all in favor - aye (4-0). Bob Merry - RECUSED

Petersen said we should delay requesting a sketch since they have an application in with the Planning Board and are moving things around. He said let's wait to see what comes out of the Planning Board.

Merry continued:

- *Phillip S. Mumley, Autopro Collision Center, LLC*
- *Gino Tzortzis, Gino's Collision Center, Inc.*
- *Darya Litvinava, Auto Imports Unlimited, Inc.*
- *J R Reyes Transportation & Truck Center, Inc.*

2. *NOTE : Other renewals have been submitted, but the applications are either missing some information or the applicants owe money to the Town.*

Joseph Perry made a motion to approve and sign these licenses, Bob Snow second, all in favor - aye (5-0).

7. Class III Dealer License Renewals

Chairman Merry read the following:

The following licenses have been reviewed and are in order with all taxes, water and light bills paid.

Please make a motion to approve and sign the license.

- *Donald & Mark Savory, Rowley Auto Salvage, Inc. (588 Main Street location)*

NOTE: The other renewal has been submitted, but the applicant owes money to the Town.

Dave Petersen made a motion to approve and sign this license, Bob Snow second, all in favor - aye (4-0). Bob Merry - RECUSED

8. Auto Auction Renewals

Chairman Merry said, "The one renewal has been submitted, but the applicant owes money to the Town."

9. Stable License Renewals

Chairman Merry read the following:

The following license renewals have been reviewed and are in order with all taxes, water and light bills paid.

Please make a motion to approve and sign these licenses.

- *Megan Bossonneau, Weathering Heights Farm, 66 Cross St.*
- *Dennis Pellecchia, 179 Boxford Road*
- *Anne Coan Belka, Winthrop Farm, 183 Rear Haverhill Street * requesting limit increase to 25 horses from 22 horses*
- *Rachel Thibault-Murrin, Kittery Crossing Farm LLC, 59 Kittery Avenue*
- *Christine Cassenti, Chrislar Farm, 944 Haverhill Street*
- *Bruce E. Tompkins, Bart Farm, 74 Long Hill Road*
- *Leslie Milne, BillieBo Farm, 204 Dodge Road* requesting limit increase to 14 horses from 10 horses*

Dave Petersen made a motion to approve and sign these licenses, Bob Snow second, all in favor - aye (5-0).

Merry continued:

Joshua Noble, Burkland Farm, 424 Main Street has submitted an application for a 2014 stable license and a renewal for the 2015 stable license. These have been reviewed and are in order with all taxes, water and light bills paid. Please make a motion to approve and sign the 2014 license and the 2015 renewal.

Jack Cook made a motion to approve and sign the 2014 and 2015 licenses for Joshua Noble, Bob Snow second, all in favor - aye (5-0).

10. Flea Market License Renewals

Chairman Merry read the following:

The following license renewals have been reviewed and are in order with all taxes, water and light bills paid.

Please make a motion to approve and sign these licenses.

- *Frank/Shirley Todd, Todd's River View Farm, LLC, 275 Main Street*
- *Starr P. Todd, Todd Farm LLC, 283 Main Street*

Jack Cook made a motion to approve and sign the flea market license renewals, Bob Snow second, all in favor - aye (4-0). Bob Merry - RECUSED.

OLD BUSINESS

1. Update from Vice Chairman Joseph Perry on Triton District Communications Committee Meeting on the proposed Triton Stadium project

Joseph Perry said the stadium needs to be renovated. He said the stadium has been condemned by the Town of Newbury, there won't be an outdoor graduation in June, and fields for the football practices and games need to be rented for \$275 to \$325 per hour. He said he thinks we need to get behind this renovation project. Perry asked the group to look at page two in the package. He said early estimates of cost for this project were \$3,000,000, but it has been revised to \$3,997,998. He said the current stadium has no restroom, which we are required to have, and the project also includes an amenities building with concession stands and a team meeting area. He said Triton's athletic director said having a team meeting area would be a major advantage. Perry reviewed the rest of the project estimates and funding estimates on page two of the packet (COPY ATTACHED). He said the preliminary required bonding is \$3,187,998 and will cost \$278,000 per year to bond it for a fifteen year period. He said if divided equally among the towns, it will cost \$92,667 each, and if divided based on enrollment, it will cost about \$2,000 less for Rowley. He said all three towns have to approve the project, not just two out of three. He said there is no plan B formulated and the School Committee is voting on April 1, 2015 for an amount not to exceed and will go out for bids. He said each town has its own capital funding commitments, but we have to do something. He said if a grass field is put in, the project will take two years, but if they put a turf field in, it would be done by September of 2015. He said there is a fifteen year cycle and the revenues from the field could cover the annual maintenance costs of the turf field and the cost to replace the turf every fifteen years, without additional costs to the Town.

Snow asked if they discussed the FY 16 assessments to the Towns. Perry said there are public meetings from January 12, 2015 - January 15, 2015. He said the meeting on the 12th is the same time as the Rowley Selectmen's meeting, and the schools will present to the School Committee. He said the state's shortfall will cause problems and said we have to see what Governor-elect Baker will do. Perry asked the board to give him a flavor about the interest to move forward with the stadium project. Petersen said

he is interested, but it is a matter of funding and whether we can pay for it through the regular budget or if an override will be needed. He said if Triton's budget increases by 5%, it will be difficult to fund this through the regular budget. Snow said the state is in terrible condition and when this hits it could devastate the three towns. Petersen said it is our intent to fund the stadium project. Snow said we are trying to be positive, but the reality is the state budget is challenging. Petersen said Triton needs to be tight with their regular budget. Perry said the stadium needs to be redone, but funding concerns are shared by the three towns. Snow said Triton really needs to look at their budget this year. Cook said the School Committee needs to realize that the state money isn't there and the need to look at making some cuts. Merry said we have to look at this project, but we also need to keep the Town running.

Larry White said the Town needs to consider the costs from the storm water permit that are upcoming. White asked if the team meeting room will be used just by Triton. Perry said they would be used just by Triton and they don't have restrooms in them. White said not added restrooms to the meeting room would be an oversight and to add them on later would increase the costs. Perry said they are deliberating including the concessions and team room versus just having restrooms. Perry said he will be attending the School Committee Meeting on Wednesday. Snow asked Perry to express the Board's concerns.

ANNOUNCEMENTS

- Marine Corp Reserves Toys for Tots drop off box located at Town Hall
- Flu shots are available to Rowley residents on Mondays and Wednesdays from 2:00 – 4:00 p.m. at the Annex. Contact the Council on Aging or the Health Department for more information.
- The Town has the following vacancies:
 - a) **Fence Viewer**– three positions;
 - b) **Wood, Lumber & Bark Inspector**; and
 - c) **Zoning Board of Appeals Associate** – two open seats
 - d) **Historical Commission-Historic District Commission** - three seats
 - e) **Parks and Recreation Committee** - two seatsFor more information on these positions, please contact the Selectmen's Office at 948-2372
- Rowley Food Pantry is in need of donations. The Food Pantry is open Tuesdays from 10:00 a.m. to 12:00 p.m. and Thursdays from 5:30 p.m. to 7:00 p.m.

There being no further business before the Board, Chairman Merry called for a motion to adjourn. Dave Petersen so moved, Jack Cook second, all in favor – aye (5-0).

Open meeting adjourned at 10:00 p.m.

Respectfully submitted,
Amy Lydon

Assistant Town Administrator

ATTACHMENTS:

1. Chairman's Comments regarding Ruth T. Pike
2. Meeting memo regarding General Business #1: Sign Full-time Police Officer Academy waiver application
3. Signed Full-time Police Officer Academy waiver application
4. Email from the American Diabetes Association regarding North Shore Tour de Cure event
5. Memo from Treasurer Karen Summit regarding the Senior Tax Credit and Valor Act Credit compliance with IRS regulations
6. Meeting memo regarding New Business # 2: Request from Board of Water Commissioners to transfer funds from the Extraordinary & Unforeseen budget to Water Treatment Plant maintenance for grading of Pingree Farm Road
7. Memo from Water Superintendent MaryBeth Wiser regarding Request for Transfer of Funds
8. Meeting memo regarding 7:15 p.m. Appointment: Michael Sabatini to discuss Historical Commission/Historic District Commission opening
9. Excerpt of Mass. General Laws Chapter 40 Section 8D: Historical Commission; establishment; powers and duties
10. Excerpt from General Bylaws of the Town of Rowley: Historic District Bylaw
11. Email correspondence between Michael Sabatini and Debbie Eagan regarding "Your Request for Written Commission Advice"
12. Confidential Letter to Michael Sabatini from David A. Wilson of the State Ethics Commission
13. Blank disclosure forms
14. Disclosure by Special Municipal Employee of Financial Interest in a Municipal Contract as Required by G.L. c. 268A, section 20(d) completed by Michael Sabatini
15. Meeting memo regarding 7:25 p.m. Appointment: Michael Sabatini and Conservation Agent Brent Baeslack to discuss invasive species program at the Bradstreet property
16. Letter from Brent Baeslack to G. Robert Merry dated December 8, 2014 regarding Bradstreet Farm – Selective release of native trees and suppression of invasive plant species to resolve Enforcement Order on Bradstreet Farm Conservation Area
17. Map from DeRosa Environmental dated November 11, 2014
18. Meeting memo regarding Old Business # 2: Update on Girl Scouts Land
19. Email and Report from DeRosa Environmental Consulting regarding Girl Scouts report
20. ASTM 1527-13 Phase 1: Environmental Site Assessment prepared by DeRosa Environmental Consulting, Inc. for Camp Penacook at the Center 390 Wethersfield Street, Rowley, MA
21. Signed and notarized Title V Enforceable Agreement
22. Draft Caretaker's Agreement

23. Meeting memo regarding 7:35 p.m. Appointment: Conservation Agent Brent Baeslack for update on federal National Pollution Discharge Elimination System (NPDES) storm water permit
24. Email from Brent Baeslack regarding MS4 General Permit, including attachments
25. Presentation slides presented by Brent Baeslack to Board of Selectmen regarding National Pollution Discharge Elimination System (NPDES) storm water permit
26. Memo from Amy Lydon to the Board regarding 2015 liquor license renewals
27. Meeting memo regarding New Business # 4: Liquor license renewals
28. Meeting memo regarding New Business # 5: Request from Rafael Reyes d/b/a J R Reyes Transportation and Truck Center to change name on current Class II Dealer license to J R Reyes Transportation & Truck Center, Inc.
29. Letter from Rafael Reyes to the Town regarding their name change
30. Meeting memo regarding New Business # 6: Class II Dealers License Renewals
31. Meeting memo regarding New Business # 7: Class III Dealers License Renewals
32. Meeting memo regarding New Business # 8: Auto Auction Renewals
33. Meeting memo regarding New Business # 9: Stable License Renewals
34. Meeting memo regarding New Business # 10: Flea Market License Renewals
35. Meeting memo regarding Old Business # 1: Update from Vice Chairman Joseph Perry on Triton District Communications Committee Meeting on the proposed Triton Stadium project
36. District Communications Meeting agenda for December 3, 2014
37. District Communications Meeting notes for September 17, 2014
38. Packet on Triton Stadium Renovation project revised as of December 1, 2014