

## **MINUTES OF THE BOARD OF SELECTMEN MEETING**

December 15, 2014  
Meeting held at Town Hall

**MEMBERS PRESENT:** Chairman Robert Merry, Clerk Robert Snow, Jack Cook, David Petersen (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon) Vice Chairman Joseph Perry - ABSENT

**PUBLIC ATTENDEES:** Frank Todd – HDC; Stephen Comley Sr.; Nate Comley; Sara Bourque – HDC; Dennis Roy – Finance Committee; Karen Summit – Treasurer/Collector; Roy Ricker – Water Commissioner; Tim Toomey – Water Commissioner; MaryBeth Wiser – Water Superintendent

### **CALL MEETING TO ORDER**

Chairman Robert Merry called the meeting to order at 7:02 p.m. He said the meeting is being audio and video recorded digitally.

### **PLEDGE OF ALLEGIANCE**

Frank Todd led the Pledge of Allegiance.

### **CHAIRMAN'S COMMENTS**

None

### **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. Set meeting schedule: January, Feb, March

Chairman Merry read the following:

*We need to set the meeting schedule. The proposed meeting schedule is as follows:*

- *January 5*
- *January 12*
- *January 26*
- *February 2*
- *February 9*

- February 23
- March 2
- March 9
- March 16
- March 23
- March 30

Bob Snow made a motion to set the meeting schedule as proposed, Jack Cook second, all in favor - aye (4-0). Joseph Perry - ABSENT

## **NEW BUSINESS**

### 1. Flea Market License Application from Nate Comley for 286 Main Street

Chairman Merry read the following:

*The application for this license is complete and all taxes, water and light bills have been paid. The Fire Chief, Police Chief and Board of Health have signed off on it and any conditions they have are stated on the attached application.*

Merry said the application indicates that the business will operate 24 hours per day, seven days per week. Nate Comley said that is a mistake, he put that in since he didn't want to limit himself. He said he wants to keep the hours of operation broad in case people get there early. He said it will mostly be a weekend thing with the ability to hold a weekday event, and he is open to what the Board suggests. Merry said the Board might want to ask the Building Inspector/Zoning Enforcement Officer to review this application. He said 286 Main Street is in the outlying district, and there is a historic overlay. Eagan said we will send the application to the Building Inspector for review and have his comments ready for the next meeting.

Jack Cook made a motion to approve the application conditional upon the Building Inspector/Zoning Enforcement Officer's review of it. He said Nate Comley has explained the hours of operation, he has previously been selling there with no problems and said Mr. Todd is in the audience. Nate Comley said he has talked to Chief Barker about this and told him it would mainly be on Sundays and said he would notify the Police and Fire Departments if there was going to be a weekday event. Petersen said there are restrictions on Todd Farm. Frank Todd said there are certain days that the public can attend. Petersen said Todd Farm combined with this application is a sizeable event and there may be problems with parking. Petersen asked if anyone spoke to the neighbors. Nate Comley said there have been parking problems and he has had to tow cars off his land. He said he now charges for parking, and he wants to make it worth his while to be there on Sundays. He said there will be no changes to the current operations, and the horseshoe set up allows for a good traffic flow. Petersen asked if the neighbors are aware of these plans. Nate Comley said he has spoken to

Starr Todd, not Frank Todd and he told another neighbor. He said he doesn't know the number of vendors, there could be four, twenty-five or one hundred.

Jack Cook said he has made a motion to approve it, Bob Snow seconded it. Merry suggested the option to grant the license with conditions if we feel we need them. Petersen said he prefers that we wait a week. He said the license won't go into effect until January 1, 2015, and he would like to hear what the Building Inspector has to say, and give the neighbors a chance to speak up. Cook said Nate has been there, there are two vendors across the street, he has a nice parking area and there have been no problems with traffic. Snow said he sees no problem approving it now or waiting a week. Merry said he would prefer to wait until the Building Inspector reviews it. Cook said his motion is conditional upon the Building Inspector's review, so why prolong this for a week. Snow said he doesn't see a problem with waiting a week since it will be effective January 1, 2015. Snow rescinded his second to Cook's motion to approve the application.

Cook rescinded his motion. He said in his opinion this is not a new vendor, Nate Comley has been operating this without any problems and he knows the neighbors are for it. Petersen said it is fair to get the opinion from the Building Inspector. Cook said this is tabled for one week.

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

Chairman Merry read the following:

*Mr. Sabatini met with the Board last week to discuss his interest in serving on the Historical Commission and the Historic District Commission. Each of these two boards have separate and distinct responsibilities.*

*There is a conflict of interest issue with Mr. Sabatini's appointment to the Rowley Historical Commission. The Rowley Historical Commission is the Town's legal entity responsible for the administration, management and enforcement of the Historic Preservation Restriction on Mr. Sabatini's property at 239 Main Street. This property has architectural, historical and cultural significance to the Town and is listed on the Inventory of Historic and Archeological Assets of the Commonwealth.*

*As was discussed last week, Mr. Sabatini contacted the State Ethics Commission to go over the issues and the required filings.*

Merry said there is a second disclosure that Sabatini needs to complete. Sabatini said disclosure under 23 b needs to be completed after he is on the board. He said he sent the letter that he received from the State Ethics Commission to the Town Administrator

and said he is not sure if she forwarded that to the Board. Eagan said the letter is in the Selectmen's meeting packet. She said the Historical Preservation Restriction on Sabatini's property creates a conflict of interest with the Historical Commission, but not the Historic District Commission. Merry said he suggests running this by Town Counsel to make sure we haven't missed anything. Snow said that would be wise to do so. Sabatini said it would be nice if this could be done in a timely manner and not take months. Merry said that depends on Town Counsel's case load. Sabatini said he knows the Historical Commission/ Historic District Commission needs members. Sara Bourque said it would be nice to get some members, and Sabatini is enthusiastic. She said if Town Counsel's opinion is that it is not in the best interest of the Town to appoint him, could he still be appointed to the Historic District Commission only. Merry said he doesn't see why not, and we can check with Town Counsel. He said both Commissions meet the same night since it is efficient to do so, but have separate agendas. Bourque said she has photos of the site visits to Sabatini's property and thanked Malhoit for the photos. She said she went on the first site visit along with Cianfrocca and Malhoit in June 2014 and photos and field notes were taken.

Petersen said he has no problem appointing Sabatini to the Commission where there is no conflict and Town Counsel will point out potential conflicts so all parties have a clear understanding. Eagan said the conditions of the appointment from Town Counsel can be outlined in writing. Sabatini said the letter from the State Ethics Commission outlines the situations where he would need to leave the room or recuse himself. Snow said we should get a legal opinion to make sure.

Dave Petersen made a motion to appoint Michael Sabatini to the Historic District Commission for one year through June 30, 2015, Jack Cook second, all in favor - aye (4-0). Joseph Perry - ABSENT

Petersen said once we get the legal opinion about his appointment to the Historical Commission, we will let him know.

**7:25 p.m.** Michael Sabatini to discuss invasive species program at the Bradstreet property

Chairman Merry said, "Mr. Sabatini is here to continue the discussion on the invasive species program at the Bradstreet property."

Sabatini showed the Board a map. He said he worked with the Conservation Commission on this. He said there is no maintenance program in place for the area around the pond and as a compromise he is protecting and preserving trees on the edge of the farm, five of which are inside the Conservation Commission controlled property. He said there are nine trees in total, a couple on the Community garden parcel, and a couple on the Housing parcel that are covered in invasive species such as

buckhorn and poison ivy. He said these vines kill the trees, and the Conservation Commission asked him to come before the Board of Selectmen to get a general liability policy and permission to prune trees on Town land. He said he doesn't get poison ivy. He said the Conservation Commission said he had to inform the Board of Selectmen what he was doing and prepare a map.

Merry said we can grant Sabatini authority to do this work provided that the DeRosa report is part of the order of conditions and that we check with the ConCom to make sure that their conditions are incorporated. Petersen said this will settle the whole original problem with the pond. Sabatini said the diving board needs to be taken down. Petersen said Sabatini cleaned up one tree on his own property and it looks greatly improved.

Bob Snow made a motion to authorize Michael Sabatini to do invasive species work on trees located on Town property as outlined in the DeRosa report dated November 11, 2014 and the conditions outlined by the Conservation Commission, Jack Cook second, all in favor - aye (4-0). Joseph Perry - ABSENT

Petersen said if Sabatini falls out of a tree, who is liable. Eagan said Sabatini needs to fill out an indemnification form, she will email it to him.

### **7:30 p.m. Joint Meeting – Board of Water Commissioners to discuss:**

- Water Treatment Plant Construction
- Condition of Pingree Farm Road
- Revenue collections and budgetary matters
- DEP violations

Chairman Merry called for a motion to open the joint meeting of the Board of Selectmen and the Board of Water Commissioners. Dave Petersen so moved, Jack Cook second, all in favor – roll call vote: Robert Merry – aye, Jack Cook – aye, Dave Petersen – aye, Robert Snow – aye; Tim Toomey – aye; Roy Ricker – aye. Joseph Perry – ABSENT. Stuart L. Dalzell Sr. – ABSENT.

Joint meeting opened at 7:45 p.m.

Chairman Merry read the following:

- Water Treatment Plant Construction  
*Has a final occupancy permit been issued? What items are not completed?*

MaryBeth Wisner said there are administrative items that are not yet complete such as the owners manuals and as built plans. She said the Fire Chief and Building Inspector have asked her to keep the occupancy permit open since they are doing items that were

not originally part of the project, and the permit was extended rather than re-applying for a new one. Petersen asked if we are still paying Weston & Sampson. Wisser said yes, for construction oversight. She said they oversee the Pall Corporation performance bond on the filters and the installation of the transducers. She said we should be able to comply with the ACO and the goal is to finalize this before Christmas. Petersen asked when the DEP will do the final inspection. Wisser said they want to come one more time to check everything and she can let the Board know when they are coming. Toomey asked when the last time the DEP was there. Wisser said a couple of months ago.

Merry read the following:

- Condition of Pingree Farm Road

*Pingree Farm Road is in deplorable condition. Chairman Merry will pass out a letter from Fire Chief James Broderick who recently traveled down Pingree Farm.*

Merry said he spoke to the Fire Chief after the inspection and his major concern is the road and if it will last. Ricker said the Water Board hasn't met since the money for the road was approved and they have three bids and will hopefully vote tomorrow night to award the project. He said he knows this is critical and he said at the start of the project that this needed to be done. Cook said this should have been in the plan since day one and asked how soon this work could be started. Wisser said she would like them to start in the next week. She said they sent the bid out to six companies, one was not interested, one submitted a bid and the rest said they would get back to her. Eagan said the procurement policy requires sound business practices for projects under \$10,000 since the law is silent. Cook said they should document the six companies that they sent the bid to and if they only get one response, they can hire that company. Ricker said the Water Department has their own policy that requires them to get three bids for anything over \$5,000. He said he and Toomey got thrown under the bus during the garage investigation, so they have their own policy. Petersen asked what they will do if they don't get three bids. Toomey asked what the scope is. Petersen said it is to dig the road out, raise it up and smooth eight loads of crushed compact onto it. Ricker said the one bid received may not include prevailing wages. Petersen said he thinks it does. Cook asked if the scope fixes the problem. Wisser said yes. Cook said this should be awarded tomorrow night since this is an emergency. Ricker said Barbara Cook said this didn't need to be done. Toomey said this road has been being maintained all along. Petersen said there wasn't traffic on the road until now. Toomey said if they can't award the contract, our guys can get on it and remove the potholes. Cook said the Water Department doesn't have the help or the equipment to fix the road. Petersen said if the work is awarded, it will be complete within a week.

Merry read the following:

- Revenue collections and budgetary matters

*We see that the Water Department has collection issues reflecting a shortfall of tens of thousands of dollars. Does the Water Board have any idea where they stand with water billings for FY 15? Will the Water Board make its FY 15 revenue targets?*

Ricker said they decided the liens at their last meeting. Snow asked how many accounts have an outstanding balance. Wiser said originally 161 accounts, but some had very low amounts overdue and were taken off the list. She said they decided to look at all overdue accounts that were outstanding for over sixty days, and that is 109 accounts.. Snow asked what the 109 outstanding balances total. Wiser said +/- \$160,000 which includes everything, but the Water Board decided to lien all amounts over \$500. Snow asked why they chose an amount rather than using the date overdue. Ricker said some monthly bills are over \$300 per month, so they set the amount at \$500. Snow asked how many accounts were overdue in years past. Toomey said seven or eight liens were put on in the past. Summit said that sounds right. Snow asked what the criteria for liens was in the past. Ricker said it was \$500. Snow asked how there were nine last year and 161 now. Ricker said there are 38/39 liens this year. Snow asked how there were 9 last year and 38/39 this year. Toomey said each November and December there is a mad rush to get money, and they decide on liens. Snow said \$160,000 is a huge amount of money and this revenue is needed to operate. He said the rest of the Town has to subsidize the Water Department without this revenue. He said two weeks ago someone with a leak came before the Water Board, and he felt bad for them, but he had a leak at his own house that was caught when he got his bill that he was responsible for and he paid it. He said he spoke with Stuart L. Dalzell Sr. who had a similar problem. He said he doesn't expect the Town to subsidize his bill. Toomey said they didn't vote to forgive this bill. Ricker said if people try to fix the problem right away they try to work with them. Snow said the Water Board is voting to forgive bills and have the Town subsidize them. Ricker said it depends on the case, and sometimes the bills are cut in half. Cook said anything that goes through the meter needs to be paid for. Ricker said they are trying to work with the elderly. Snow asked if this has been the Board's past practice. Ricker said yes, they have given a lot of abatements. Toomey said the abatements are given when there is a leak or a problem with the meter. Petersen said he was told by a meter person that a meter will not run fast, they will only run slow or not at all, so a person will not be overcharged. He asked what the abatement policy is. Ricker said they look at each case individually. Petersen said the cases should follow the policy.

Snow said there is \$160,000 outstanding that we didn't have last year. He said this was picked up once the Town switched to using a third party collection company and his

antenna is up. He asked why there is \$160,000 outstanding now, and asked how much was outstanding last year. Ricker said he doesn't have figures and this has probably been happening all along. Toomey said people are having a harder time paying their bills this year.

Petersen said at the Water Board meeting two weeks ago, it was said that 109 letters were sent out to overdue accounts, 71 letters have not received a response and 39 either paid in whole or partially paid. He said that night the Water Board voted on to put liens on anything outstanding over 60 days and \$500. He said there are approximately thirty accounts with an over \$500 overdue balance totaling approximately \$54,000. He asked about the other \$100,000 in outstanding balances. He said in the past the Water Department handled only distribution, but now handles treatment as well, so every penny is needed. He said every meeting the Water Board says they don't want to raise rates, but if the money isn't collected they will have to. He said they need a policy that says if you use the water, you need to pay for it.

Toomey said part of the problem is that it costs \$125 to put a lien on, and if there is an account that is not too overdue and less than \$500, chances are it will be paid, so it doesn't make sense to put a lien on. Petersen said we get back the \$125 fee. Snow said \$160,000 has been picked up by Pennichuck, and nobody knows what the outstanding amount was last year. Ricker said they weren't notified that this was going to be discussed tonight, so they did not bring that information with them. Toomey said he is unsure if customers are getting bills since some accounts have paid some bills, but not others. Snow said the Water Commissioners have been on the Board as long as five years, and they should look back and report what the outstanding balances have been for the past three years. He said he is very concerned that \$160,000 has been picked up now that a third party billing company is being used. Toomey said he doesn't think there was \$160,000 outstanding last year and the bills are higher now. Cook said the Light Department will shut off unpaid accounts during certain times of the year, and customers are on installment plans. Merry said the Light Commissioners try to work with the customers. Cook said that is what the Water Board is trying to do; this issue has erupted because of the \$13 million dollar new treatment plant. Snow said there are nine customers in arrears totaling \$33,670 over 120 days. Cook said when he was on the Water Board they would allow customers to pay in installments, you couldn't touch them in the winter, but April 15th they would send out shut off letters.

Petersen said the bottom line is that we need to collect the \$160,000 or the rates will have to increase or the money will have to come out of the Town's taxes, which will require the Town to make cuts. Cook asked if residents are paying their taxes. Summit said there have been less than ten tax liens this year. Petersen said we need to go after the other \$100,000 outstanding. Snow said the liens should be based on the

number of days outstanding, and not a dollar amount. Summit said forty people received a letter saying they need to pay their outstanding bill, but there is no repercussion since there is no lien. Petersen said this is a Town issue, and not just a Water Department issue since the state won't set the Town's tax rate, and taxes may need to be used to fund the Water Department. He said if customers use the water, they need to pay for it or they will get no more water. Wisner said the DEP wants unaccounted water to be less than 10%. Cook asked if water needs to be tracked when hydrants are flushed. Wisner said yes. Petersen asked about the meters that are reading zero, who are either getting free water or are using wells. He said they may be mixing well water with Town water which is illegal and we need to look at the accounts with meters that are reading zero. Ricker said all new meters have been installed. Toomey said they have been installing the new meters over the past three years and is not sure if the project is complete.

Wisner said the backflow preventer is not acceptable to use for residents who switch between Town and well water. She said residents cannot switch on and off Town water but they can have a well for irrigation only to a dedicated outside faucet. She said there are several residents in Town who can switch back and forth that needs to be addressed, but several people will not allow the Water Department access, and water can be shut off for this denied access. She said regarding the zero use accounts, letters have been sent which have been ignored, so they are tagging doorknobs for this and other issues. She said Pennichuck documents customer communications and some residents are on record saying they are mixing Town and well water. She said she is working with the Board of Health and Plumbing Inspector on these issues since it is a huge concern since the public water supply can be contaminated as a result. She said under the no usage policy, the bill is estimated until resolved. She said they are working on an abatement policy, the current one is too liberal, and abatements should be granted only in catastrophic circumstances. She said rates will need to be increased for every dollar that is not collected or is given back to the customer. She said they are looking to do a full blown rate study to see where the rates are and what is needed. She said the tiered structure has huge ranges and more tiers and a monthly base fee may need to be added. She said the Water Board just voted a shut off policy that will be instituted once the lien process is over. She said letters will continue to go out and on April 15th doors will be tagged with a note to pay or the water will be shut off the next day. She said the policy is that used or wasted water is the customer's responsibility to pay and get fixed, and if this creates a hardship, they can contact the Water Department to set up a payment plan. She said some people are not sticking to the payment plans, they have been called but have not responded. Petersen said the policy can't be enforced because people know they can get away with it. He said moving forward, they should get rid of the \$500 threshold and lien all outstanding amounts above 90 days.

Toomey said the shut off policy will get people to pay, and that has been there all along, but he doesn't know what the policy says. Petersen said Toomey is a Commissioner and should know the policy. Toomey said if he was told the discussion would be about the shut off policy, he would have brought copies of it.

Snow said the liens need to be based on days outstanding and not an amount that is overdue. He said people can play games to keep their balance under \$500, but cannot play with time. He said the uncollected revenue will impact the whole town's budget. He said we now have a competent Water Superintendent, she has been working hard since she started, the Town is lucky to have her, and he thanked her for answering the questions of the Board tonight. Cook said the Water Department doesn't have the personnel to hunt down money and it is important that the Water Board address this tomorrow night. He said he doesn't want to see an increase in rates. Petersen said an outside audit should be done for the past three years, Summit said we are waiting for the tax rate to be approved and the Department of Revenue is looking for an explanation on the shortfall between projected revenue and collections before the water rates are set. She said last year, the Water Department didn't bill enough. Snow said we should find out the shortfall from last year, and we might need a forensic audit.

- DEP Violations

Chairman Merry read the following:

*The DEP has issued several violations over the past year. These violations go back to June. The selectmen are concerned about this. What measures are you taking to address these?*

Wiser said there have been several violations with the DEP this year, all for not sampling the water, and not for exceeding maximum contaminate levels. She said in August 2014, radon samples were not collected, in October 2014 maganese samples were not collected and lead and copper samples were not taken between June and October 2014. She said Rowley had lowered the monitoring frequency, but now the DEP is increasing the monitoring frequency required, which hasn't been budgeted for. She said all three violations are tier three violations which require public notice, which will be done as part of the CCR report. She said the Department does not have adequate staff and are operating the treatment plant, and she is working with the Primary Operator to create a schedule for sampling. Snow asked how the sampling stands today. Wiser said they are on target and have laid out the sampling schedule for 2015.

Petersen asked for the status of the hydrant flushing. Wisner said it is going very well, they have been doing it for three weeks and the pipes really need it. Snow showed a picture of dirty water coming out of a hydrant being flushed. Wisner said they have been monitoring the temperature and have been able to divert most of the water into the woods and tree lines. She said they are on schedule, have been flushing during the day and the water mains are really dirty. She said they have not received many dirty water complaints and they are pleased with the results. Toomey said Wisner needs to make sure the Water Commissioners are on emails with photos like Snow showed. Wisner said she emailed the photo to the Town Administrator who forwarded them to the Selectmen. Cook said the flushing should be complete by the weekend. Merry said they will have to check the hydrants to make sure they have been drained. Wisner said yes, some valves need repairs, and some hydrants need to be pumped and antifreeze put in. She said some hydrants need to be replaced, and the Fire Department has been notified and the hydrants are bagged and tagged out of service.

Chairman Merry called for a motion to adjourn the joint meeting of the Board of Selectmen and the Board of Water Commissioners. Dave Petersen so moved, Jack Cook second, all in favor – roll call vote: Robert Merry – aye, Jack Cook – aye, Dave Petersen – aye, Robert Snow – aye; Tim Toomey – aye; Roy Ricker – aye. Joseph Perry – ABSENT. Stuart L. Dalzell Sr. – ABSENT.

Joint meeting adjourned at 9:00 p.m.

## **NEW BUSINESS**

2. Request from Marjorie Locke Noonan to change name on Class II Dealer's License from ARS Motor Cars to Rowley Gas Exchange, Inc.

Chairman Merry read the following:

*Marjorie Locke Noonan has submitted a complete renewal and is current on all tax, water and light bills. In addition to the renewal, they would like to change their name to Rowley Gas Exchange, Inc. from ARS Motor Cars (see attached letter). Their name is 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 change the name on the license and renew the Class II license, Bob Snow second, all in favor - aye (4-0). Joseph Perry - ABSENT

3. Class II Dealer's License application from Nicholas DiNatale at 266 Haverhill Street

Chairman Merry read the following:

*Nicholas DiNatale has submitted a complete application and is current on all tax, water and light bills.*

*Please make a motion to approve the application.*

Dave Petersen made a motion to approve the Class II license for Nicholas DiNatale at 266 Haverhill Street, Bob Snow second, all in favor - aye (4-0). Joseph Perry - ABSENT

4. Letter from Joe Sergi regarding street lighting concerns on Harrison Circle

Chairman Merry read the following:

*Joseph Sergi of 56 Harrison Circle has sent a letter to the Board of Selectmen concerning safety issues on Harrison Circle.*

*Debbie has asked Rowley Municipal Lighting Plant Manager Dan Folding and Police Chief Robert Barker to review and make a recommendation to the Board of Selectmen.*

Merry read the letters from Police Chief Barker and Light Plant Manager Daniel Folding (COPIES ATTACHED).

Petersen asked if this location is part of the Light Department's plan to improve lighting. Merry said yes, but he should recuse himself from discussing this issue since he is a Light Commissioner. Petersen said this is just a complaint about darkness and not a safety issue, so the Light Department's planned schedule shouldn't be altered. Merry said we can request that one light be added next year, and this is a project that will take several years to complete.

**OLD BUSINESS**

1. 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.

- Rowley Veterans Association, Inc.
- Brickle LLC, d/b/a Bradford Tavern\*\*
- Rowley Golf Course LLC, d/b/a Rowley Country Club

NOTE : 2015 liquor license renewals are now complete

\*\*Due to a cross over in the payment date, an interest balance remains for water bills in the amount of \$27.57 on one account and \$3.89 on the second account for Bradford Tavern and property.

Dave Petersen made a motion to approve these liquor license renewals provided that Brickle pays the outstanding water bill, Bob Snow second, all in favor - aye (4-0).  
Joseph Perry - ABSENT

## 2. Class II Dealers 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.*

- *Josephine Bornstein, D&D Auto Sales*
- *Marjorie Noonan, Rowley Gas Exchange, Inc.*

2. *NOTE : There are two remaining renewals for 2015. We have not yet received the renewal application for one and money is owed to the Town. Regarding the second renewal, we are awaiting verification of a recent water payment.*

Bob Snow made a motion to approve these Class II Dealers license renewals, Dave Petersen second, all in favor - aye (4-0). Joseph Perry - ABSENT

## 3. Class III Dealers License Renewals

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

## 4. Auto Auction Renewals

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

#### 5. Stable License Renewals

Chairman Merry read the following:

- *We have not yet received renewal applications from:*
  - *Katherine St. Peter Blair - KSB Morgans – 39 Kittery Avenue*
  - *Richard Bertleson – 100 Wethersfield Street*

*We have reached out to these applicants and these will hopefully be submitted before the December 22, 2014 meeting which is the last Selectmen's meeting of the year.*

*Alexandra Arthurs, Clearview Farm, 331 Wethersfield Street has not yet submitted a workers' compensation affidavit. Multiple voicemails have been left for her to request this form. I have mailed her a new form today which hopefully will be completed and submitted before the December 22, 2014 meeting.*

Eagan said Bertleson's application came in this evening and we need to check to see if money is owed to the Town. She said Bertleson's renewal should be on the next meeting's agenda.

#### 6. Update on Girl Scouts Land

Chairman Merry read the following:

*The closing is on December 17<sup>th</sup>.*

*Debbie has been working with MIIA in setting up insurance coverage on the property.*

*Debbie and town counsel have been working on the Caretaker's Agreement. Debbie is asking for the Board to approve the draft, subject to any other revisions that town counsel may make, and to send it to the caretaker for review and signature. Once it is signed, Debbie will have the selectmen sign.*

Dave Petersen made a motion to approve the draft Caretaker's Agreement subject to minor revisions, Bob Snow second, all in favor - aye (4-0). Joseph Perry - ABSENT

### **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. Bob Snow so moved, Jack Cook second, all in favor – aye (4-0). Joseph Perry - ABSENT

Open meeting adjourned at 9:15 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Meeting memo regarding General Business #1: Set meeting schedule: January, Feb, March
2. Meeting memo regarding New Business #1: Flea Market License Application from Nate Comley for 286 Main Street
3. Excerpt General Bylaws Town of Rowley Section 3 A. Applicability
4. Flea Market Application completed by Nate Comley for 286 Main Street, including maps
5. Workers’ Compensation Insurance Affidavit for 286 Main Street
6. Meeting memo regarding 7:15 p.m. Appointment – Michael Sabatini to discuss Historical Commission/Historic District Commission opening
7. Email correspondence between Deborah Eagan and Mike Sabatini regarding “Your Request for Written Commission Advice”
8. Email correspondence between Deborah Eagan and Mike Sabatini regarding “December 15, 2014 Selectmen Agenda”
9. Email correspondence between Deborah Eagan and Sara Bourque regarding “239 Main St HPR site inspection reports”
10. Completed disclosure by special municipal employee of financial interest in a municipal contract as required by G.L.C. 268A, section 20(d) for Michael Sabatini, and instructions

11. Meeting memo from December 8, 2014 regarding 7:15 p.m. Appointment – Michael Sabatini to discuss Historical Commission/Historic District Commission opening
12. Email correspondence between Deborah Eagan and Mike Sabatini regarding “Your Request for Written Commission Advice”
13. Letter from David Wilson from the State Ethics Commission to Mike Sabatini
14. Excerpt from Mass General Laws Chapter 40 Section 8D
15. Historic District Bylaws from General Bylaws of the Town of Rowley
16. Blank disclosure of appearance of conflict of interest as required by G.L.C. 268A, section 23(b) (3) and instructions
17. Blank disclosure of appearance by special municipal employee as required by G.L.C. 268A, section 20(d) and instructions
18. Rowley Historic Commission notes from field visit to Bradstreet Farm Barn, 239 Main Street, June 28, 2014, including photos
19. Rowley Historic Commission notes from field visit to Bradstreet Farm Barn, 239 Main Street, April 28, 2013
20. Meeting memo regarding 7:25 p.m. Appointment – Michael Sabatini to discuss invasive species program at the Bradstreet property
21. Report prepared from DeRosa Environmental Consulting titled “Bradstreet Farm Revised Restoration Plan” dated November 11, 2014”
22. Meeting memo regarding 7:30 p.m. Joint meeting – Board of Water Commissioners
23. Photos of recent hydrant flushing
24. Letter from James Broderick to Board of Selectmen dated December 11, 2014 re: condition of Pingree Farm Road to Water Treatment Plant
25. Letter from James Broderick to John Sykora dated May 20, 2014 re: Rowley Water Treatment Plant – Access Road
26. 10 photos of Pingree Farm Road conditions
27. Meeting memo regarding New Business #2: Request from Marjorie Locke Noonan to change name on Class II Dealer’s License from ARS Motor Cars to Rowley Gas Exchange, Inc.
28. Request from Marjorie Locke Noonan to change name on Class II Dealer’s License from ARS Motor Cars to Rowley Gas Exchange, Inc.
29. Meeting memo regarding New Business #3: Class II Dealer’s License application from Nicholas DiNatale at 266 Haverhill Street
30. Class II Dealer’s License application and bond from Nicholas DiNatale at 266 Haverhill Street
31. Meeting memo regarding New Business #4: Letter from Joe Sergi regarding street lighting concerns on Harrison Circle
32. Letter from Joe Sergi regarding street lighting concerns on Harrison Circle
33. Email correspondence between Deborah Eagan and Dan Folding and Chief Barker regarding Sergi’s lighting concerns
34. Meeting memo regarding Old Business #1: Liquor license renewals
35. Meeting memo regarding Old Business #2: Class II Dealers license renewals
36. Meeting memo regarding Old Business #3: Class III Dealers license renewals
37. Meeting memo regarding Old Business #4: Auto Auction Renewals

- 38. Meeting memo regarding Old Business #5: Stable License Renewals
- 39. Meeting memo regarding Old Business #6: Update on Girl Scouts Land
- 40. Draft Caretaker Agreement