

MINUTES OF THE BOARD OF SELECTMEN MEETING

October 3, 2016, 2016

Meeting held at Town Hall, 7:00 p.m.

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

PUBLIC ATTENDEES: Henry F. Rolfe – Independent Press; Lawrence White - FINCOM; Bernard Cullen; Joe Coughlin - Gateway

CALL MEETING TO ORDER

Chairman Perry called meeting to order at 7:00 p.m. He said the meeting is being audio and visually recorded digitally.

PLEDGE OF ALLEGIANCE

Bob Snow led the Pledge of Allegiance.

GENERAL BUSINESS

1. Request from the Pine Grove School PTA to request permission to hang a banner on the Town Common backstop promoting the Annual Craft Fair

Chairman Perry read the email request. Petersen said the gate was not operating the last time, and there is a garden in the back where they normally park the cars. He said we should touch base with Tim Southall.

Bob Snow made a motion to approve the request from the Pine Grove School PTA to request permission to hang a banner on the Town Common backstop promoting the Annual Craft Fair, Dave Petersen second, all in favor - aye (4-0). Bob Merry - ABSENT

2. Request from the Pine Grove School PTA to hold the Annual 5K Road Race and Kids Fun Run on April 8, 2017.

Chairman Perry read the following:

The PTA has requested approval for their annual 5k Road Race and Kids Fun Run. The event will be held on April 8, 2017 between 8:00 a.m. and 12:00 p.m. The race will start and finish at Pine Grove School and the following roads will be used: Route 1A,

Pleasant Street, Cross Street, Central Street, Bennett Hill Road, Wethersfield Street and Church Street. The map detailing the 1 mile, 2 mile and 3 mile routes along these roads is attached.

The request has been circulated to the following individuals: Police Chief, Fire Chief, Health Agent, Highway Surveyor. There were no comments or concerns about this event.

Background information is included on the attached.

Dave Petersen made a motion to approve the request from the from the Pine Grove School PTA to hold the Annual 5K Road Race and Kids Fun Run on April 8, 2017, Bob Snow second, all in favor - aye (4-0). Bob Merry - ABSENT

3. Request from Water Superintendent MaryBeth Wiser to appoint Michael LaFlower as Assistant Chief Operator

Chairman Perry read the memo from MaryBeth Wiser.

Dave Petersen made a motion to appoint Michael LaFlower as Assistant Chief Operator, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

4. Request from Water Superintendent MaryBeth Wiser to lift the hiring freeze for the Water Operator 2 position and Utility Maintenance Laborer 2

Chairman Perry read the following:

With the appointment of Michael LaFlower, the position of Water Operator 2 will be vacant. Also, the position of Utility Maintenance Laborer 2 needs to be posted. The Board needs to vote to lift the hiring freeze for these two positions.

Dave Petersen made a motion to lift the hiring freeze for the Water Operator 2 and the Utility Maintenance Laborer 2 positions, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

5. Sign letter of support for North Shore Alliance for Economic Development grant application

Chairman Perry read the following:

The North Shore Alliance for Economic Development is preparing for the FY2017 REDO Grant Application for filing next week. The Alliance is asking for Letters of Support from communities in the service area. The Board needs to vote and sign the letter to the Executive Office of Housing & Economic Development in support of the Alliance's grant application.

Bob Snow made a motion to vote and sign the letter to the Executive Office of Housing & Community Development in support of the Alliance's grant application, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

The Selectmen signed the letter.

NEW BUSINESS

1. Discuss proposed amendments to Triton Regional School District Agreement

Chairman Perry read the following:

Chairman Perry has asked Town Counsel Judy Pickett to review the attached "red-lined" version of the Triton Regional School District Agreement. The School Committee is proposing several changes to the current agreement. The language the School Committee is proposing to delete is in ~~strikethrough~~ and the language they are proposed to add is underlined. She has provided the attached memo.

Chairman Perry wishes to discuss this with the Board this evening because the Triton District Communications Committee is meeting this week and will be discussing these proposed changes.

Perry said the District Communications Meeting is the chance the Town has to speak with the School Committee. He invited the other Selectmen to accompany him and Finance Committee Chairman White to this meeting. He said the School Committee has suggested that members of the Board of Selectmen, Finance Committee and the Town Administrator attend the DCM meetings.

Perry read the memo from Judy Pickett.

Petersen said he thought they were looking for a more definitive agreement about responsibilities. Pierce said there will also be an addendum to this agreement, which was not provided. Pierce said Pickett as an attorney would only be looking at the agreement from a legal perspective, and wouldn't be looking at it for policy issues. Eagan said Pickett just reviews it for legal issues, and the Selectmen would come up with the policy changes, which Pickett could write up and / or review. Perry said this draft was proposed by a subcommittee of the School Committee. Petersen said he was involved in two previous revisions of the agreement, and there were numerous meetings. Pierce said this seems to be a wish-list of the School Committee.

Petersen said he has a problem with how they are proposing to fill School Committee vacancies. He said now the process is for the Board of Selectmen and the two remaining School Committee members to make the appointment to a vacancy, but they

are proposing that one member from each of the other two towns would be involved in the appointment. Petersen said we never see the Rowley School Committee members, and it seems they feel that they represent the School Committee and not the Town of Rowley. He said he doesn't see the need to involve the other two towns. Pierce said the current process seems sensible, and he doesn't know why they want to change it. Petersen said they are trying to distance the town more, but the town wants to be more involved.

Petersen said he thought they were changing how they calculate the assessments. Pierce said there are two formulas. He said the formula for capital items is based on a five year rolling average, and that may be good since it would reduce the impact of any one year change in enrollment. He said the formula for the operating account seems to be the same as it has been and is based on the preceding year enrollment to the current year enrollment. He said the School Committee needs to explain what they are doing and why they are doing it. He said we may want the rolling average method to apply to both costs. Perry said it was Brian Forget's proposal in the spring to change the formula and to vote to not follow through with the State's plan. He said it looked like for FY18 that Rowley and Salisbury would see hefty increases, and Newbury would see a decrease. Petersen said in the past the rolling average method was used, but it created a difference between the State's numbers and Triton's numbers. He said the School Committee should have a public meeting and explain the proposed changes to the Selectmen, parents and teachers, so that everyone has a clear understanding of the changes. Petersen said this is important since the School accounts for 60% of the town's budget, and Perry can let the School Committee know what the Board's thoughts are until they provide a better explanation. Pierce said the School Committee representatives and the Town should be meeting to discuss these proposals. Petersen said the School Committee, Finance Committee, Selectmen and Town Administrator all met the last time to draft the revisions.

Pierce said another proposal is for how to vote a district reduction or the elimination of an elementary school program. He said currently the town School Committee representatives have to agree unanimously, and they want to change this to a majority vote. He said in theory, a majority vote could close down a school. Petersen said they are pushing the Town aside in favor of regionalization, and he is opposed to these changes without further explanation.

Pierce said another proposal which is totally unnecessary is to give the Superintendent or their designee the right to address Town Meeting. He questioned why this is necessary, and said the Town wouldn't prevent them speaking at Town Meeting. Perry said there is a procedure in the Town Bylaws to allow non-residents to speak and answer questions. Petersen said Town Officials and the Schools are allowed to speak

and have never been denied the ability to speak at Town Meeting. Eagan said a motion is prepared and made at the start of Town Meeting to give non-resident department heads, including Triton, Whittier and State representatives permission to speak. Perry said he would like a motion to not put this in the agreement, and to request further clarification from the School Committee.

Petersen said the meeting requested should be at the School, and should include a presentation by the Superintendent and others to explain the changes and to open them to comment. He said we should also give them a copy of Pickett's memo.

Dave Petersen made a motion to request the School Committee to have a posted School Committee meeting where the proposed changes can be openly discussed with the member towns and parents, and have a presentation on the proposed changes, Cliff Pierce second. This vote was not completed.

Bernie Cullen said he sees that there are governance issues as well as issues with the time horizon for the budget process. He said the budget meetings are held too late in the year. He said the decisions made today impact the future. He said the enrollment numbers are decreasing each year and the budget needs to be under control. He said they know roughly the number of kids now who will be entering kindergarten in five years. He said we need to see more of an explanation of the implications of the five year plan going forward. Petersen said his motion was to just open the discussion. He said they are also proposing to change the deadline for the budget to two weeks later at the end of March. He said we can't do the rest of the Town's budget until we know the school budget, and the deadline should be kept at the 15th, with a vote by all three Towns to extend it.

Cullen said the process puts the Town between a rock and a hard place, and the budget process needs to start now instead of in January. He said the current process leaves no time to negotiate anything, and a draft budget should be ready with sufficient time for input, otherwise, it is already a done deal. Snow said they need to ask the towns for input. He said Rowley has other projects going, and so does Salisbury. He said two of the Towns could say no to the Triton budget at Town Meeting. Petersen said if that happened, Triton could re-vote the same budget, and then without another Town Meeting, that budget goes through.

Perry said in January, the three elementary schools, the Middle School and the High School present their wishes and budget requests to the School Committee over the course of three to four days. He said the Pine Grove School is always done on a Monday evening, when the Selectmen meet. He said he is happy to take a letter from the Board to the meeting on Thursday. Larry White said the letter from the Town to Triton should tell them what the town's portion of the budget can be, and have them work towards that number. Petersen said they control the process and decide the budget under State law. He said at the last Selectmen's meeting, the letter regarding the union upcoming bargaining was discussed. Perry said last fall before the final

budget was presented, he spoke at the School Committee and explained the override for the Police and Fire Stations and the Pine Grove School project. He said Rowley offered 50% of the Town's new growth, but they weren't listening. He said they took 125% or more of Rowley's new growth.

The previous vote was completed: Dave Petersen made a motion to request the School Committee to have a posted School Committee meeting where the proposed changes can be openly discussed with the member towns and parents, and have a presentation on the proposed changes, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

7:15 p.m. PUBLIC HEARING – Earth Removal Permit application filed by Gateway II Trust of 1997 for 414 Haverhill Street

Chairman Perry read the Public Hearing Notice. He read the following:

Chairman Perry will call for a motion to open the hearing. The project has received approval from for a Special Permit and Site Plan from the Planning Board. The applicant received required approvals from the Conservation Commission.

The application was sent to the Building Inspector, Conservation Agent, Coordinator of Health Services, Highway Surveyor, Light Department General Manager, Town Planner, Police Chief, Parks and Recreation, Water Superintendent, ZBA.

The Building Inspector and Fire Chief indicated that they had no concerns with this application.

Bob Snow made a motion to open the hearing, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

Public hearing opened at 8:00 p.m.

Perry said Town Planner Kirk Baker had questions, which were answered satisfactorily. Pierce said he has no comments or questions, this is straightforward. Bernie Cullen asked if the Water Department was contacted, since this is the area opposite Well #2. Petersen said this permit is strictly for the removal of excess soil from the site. The applicant Joe Coughlin said about half of the loom pile will be removed, and then the required drainage and filtration will be put in per Brent Baeslack's request.

Cliff Pierce made a motion to close the hearing, Bob Snow second, all in favor - aye (4-0). Bob Merry - ABSENT

Public hearing closed at 8:04 p.m.

Dave Petersen made a motion to approve the Earth Removal Permit with the statements provided by the Health Agent, Town Planner and Conservation Agent, Bob Snow second, all in favor - aye (4-0). Bob Merry - ABSENT

Eagan said we will prepare the permit and Perry will sign it. She said we will call Coughlin when it is ready, and file it with the Town Clerk. She said there is a twenty day appeal period, and if they start removing it before the appeal period, they do it at their own risk.

MINUTES – September 19, 2016 and September 26, 2016

- September 19, 2016

Bob Snow made a motion to approve the minutes from September 19, 2016, Dave Petersen second, all in favor - aye (4-0). Bob Merry - ABSENT

- September 26, 2016

Dave Petersen made a motion to approve the minutes from September 26, 2016, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

ANNOUNCEMENTS

- Information on the Pine Grove School project is available on the Town's website at www.townofrowley.net.
- Special Town Meeting is Monday, November 14, 2016 at 7:30 p.m. at the Pine Grove School
- Household Hazard Waste Collection Event for Rowley residents on November 19, 2016 at the Highway Department Garage
- The Town's website has tips from the Massachusetts Emergency Management Agency on how to protect your property from hurricane damage. Go to www.townofrowley.net for helpful tips for homeowners and boat owners
- The Rowley Water Department has set a mandatory water ban in place. Outdoor watering is not permitted.
- Water Department Customer Billing cycle will change effective November 1, 2016. Meters will be read on or about the first of every month. Details on the change are posted on the Town's website, www.townofrowley.net
- The Town has the following vacancies:
 1. **Fence Viewer** – three positions;
 2. **Wood, Lumber & Bark Inspector**;
 3. **Zoning Board of Appeals Associate** – two seats
 4. **Parks and Recreation Committee** – one seat;
 5. **Deputy Shellfish Constables** – two positionsFor more information on these positions, please contact the Selectmen's Office at 948-2372.
- The Rowley Food Pantry is closed for renovations and is scheduled to be re-opened on October 4. Food assistance is available by leaving a telephone message at the Food Pantry at 978-238-6264.

EXECUTIVE SESSION

- Collective bargaining strategy AFSCME Local 2905, Teamsters Local 170, Massachusetts Coalition of Police (MCOP) Local 360

Chairman Perry called for a motion to go into Executive Session for the following purpose: To discuss collective bargaining strategy - AFSCME Local 2905, Teamster Local 170 and Massachusetts Coalition of Police (MCOP) Local 360 because an open meeting may have a detrimental effect on the negotiating position of the Town; and to not return to open session. Dave Petersen so moved, Bob Snow second, all in favor - roll call vote: Joseph Perry - aye; Robert Snow - aye; Cliff Pierce - aye; David Petersen - aye. Bob Merry - ABSENT

Open meeting adjourned at 8:11 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Request from the Pine Grove School PTA to request permission to hang a banner on the Town Common backstop promoting the Annual Craft Fair
2. Meeting memo regarding General Business #2: Request from the Pine Grove School PTA to hold the Annual 5K Road Race and Kids Fun Run on April 8, 2017
3. Route map for PTA Rowley 5K
4. Email request from the Pine Grove School PTA to hold the Annual 5K Road Race and Kids Fun Run on April 8, 2017
5. Request from Water Superintendent MaryBeth Wiser to appoint Michael LaFlower as Assistant Chief Operator
6. Email from MaryBeth Wiser regarding staffing
7. Meeting memo regarding General Business #4: Request from Water Superintendent MaryBeth Wiser to lift the hiring freeze for the Water Operator 2 position and Utility Maintenance Laborer 2
8. Memo request from Water Superintendent MaryBeth Wiser to lift the hiring freeze for the Water Operator 2 position and Utility Maintenance Laborer 2
9. Meeting memo regarding General Business #5: Sign letter of support for North Shore Alliance for Economic Development grant application
10. Signed letter of support for North Shore Alliance for Economic Development grant application
11. Meeting memo regarding New Business #1: Discuss proposed amendments to Triton Regional School District Agreement
12. Memo from Judy Pickett regarding Triton School Amended Agreement
13. Amended Agreement for the Triton Regional School District - changes red-lined
14. Meeting memo regarding 7:15 p.m. Public Hearing – Earth Removal Permit application filed by Gateway II Trust of 1997 for 414 Haverhill Street

15. Legal Notice for Public Hearing
16. Memo from Frank Marchegiani regarding Earth Removal permit
17. Packet provided by Planning Department regarding Earth Removal permit
18. Memo from Brent Baeslack regarding Earth Removal permit
19. Rowley MIMAP dated March 22, 2016
20. Small Meridian Associates plan dated April 6, 2016
21. Earth Removal Permit application submitted by Gateway II Trust of 1997
22. Large Meridian Associates plan dated April 6, 2016
23. Draft minutes for September 19, 2016
24. Draft minutes for September 26, 2016
25. Written motion to go into Executive Session