

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

December 5, 2016

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

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

**PUBLIC ATTENDEES:** Lawrence White - FINCOM; Henry F. Rolfe; Dina Sullivan - TRSC; Nerissa Wallen - School Committee; Andraya Lombardi - Pinck & Co.; Margaret Wood - Pinck & Co.; Gerald Fandetti - Country Garden Inn; Kathleen Sullivan - Re/Max Advantage; Terrence Sullivan - Re/Max Advantage; Bernie Cullen; John Morin; Melissa Thunberg - Willowdale Estate; Nancy McCann - Attorney for Gerald Fendetti

### **CALL MEETING TO ORDER**

Chairman Perry called meeting to order at 7:00 p.m.

### **PLEDGE OF ALLEGIANCE**

Nerissa Wallen led the Pledge of Allegiance.

### **GENERAL BUSINESS**

1. Review list of Road Opening Permits for National Grid to open the following road:
  - 26 Main Street to repair a gas leak

Chairman Perry read the following:

*Road Open Permits were signed off by the staff. Copies of the permits are in the Chairman's folder.*

2. Letter from Richard Cullinan on Wreaths Across America Caravan

Chairman Perry read the letter from Richard Cullinan on Wreaths Across America Caravan. Merry said in past years, the wreath given to Rowley has been placed on the gravesites of Veterans. Petersen said this is a moving ceremony, and they bring the wreaths to Arlington National Cemetery. He said the public is welcome to go, and the organization has a website where you can go to make a donation. Snow said each year the ceremony is a little different, and it is very moving. Merry said they come from Maine and they bring the Governor of Maine with them. Petersen said the caravan includes about a dozen tractor trailers that are decorated. Snow, Petersen, Perry and Merry said they will attend this ceremony.

## **LIQUOR LICENSE RENEWALS**

- Rowley Veterans Association, Inc.
- Skin's Incorporated d/b/a Spud's Restaurant
- Rowley Liquors Inc., d/b/a Rowley Liquors
- Rowley Enterprises, Inc. d/b/a Skip's Country Store
- Galbro, Inc. d/b/a Route 1 Liquors
- Nippon Tepatiganon, T.J. Thai, Inc., d/b/a Royal Orchid
- The Great American Barbecue d/b/a The American Barbecue
- Piemar, Inc. d/b/a Off the Vine
- Brickle LLC, d/b/a Bradford Tavern
- Cabales, Inc. d/b/a El Tapatio
- Ezee LLC d/b/a Ezee Variety
- Grape Island Inc., d/b/a Mill River Winery

Chairman Perry read the following:

*All existing license renewals have been submitted except for Rowley Golf Course LLC, d/b/a Rowley Country Club, who has a seasonal license that runs from April to November. Since this is a seasonal license, it has a different renewal period, and will be renewed in April.*

*All renewal applications received 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.*
- *Skin's Incorporated d/b/a Spud's Restaurant*
- *Rowley Liquors Inc., d/b/a Rowley Liquors*
- *Rowley Enterprises, Inc. d/b/a Skip's Country Store*
- *Galbro, Inc. d/b/a Route 1 Liquors*
- *Nippon Tepatiganon, T.J. Thai, Inc., d/b/a Royal Orchid*
- *The Great American Barbecue d/b/a The American Barbecue*
- *Piemar, Inc. d/b/a Off the Vine*
- *Brickle LLC, d/b/a Bradford Tavern*
- *Cabales, Inc. d/b/a El Tapatio*
- *Ezee LLC d/b/a Ezee Variety*
- *Grape Island Inc., d/b/a Mill River Winery*

*The licenses will be available in the Selectmen's Office tomorrow. We would like to have them signed by next Monday if possible.*

Dave Petersen made a motion to approve and sign the liquor licenses detailed above, Cliff Pierce second, all in favor - aye (5-0).

### **7:10 – 7:15 P.M. CITIZEN QUERY**

Bernie Cullen said the parking lot at Town Hall is very icy. Petersen said the Highway Department has been advised, and they will sand it shortly.

### **NEW BUSINESS**

1. Review Zoning Board of Appeals special permit application submitted by Ed Juralewicz on behalf of Gateway II Trust of 1997, John E. Coughlin and Joseph Coughlin, Trustees, for two non-illuminated wall signs at 414 Haverhill Street

Petersen said this is for the new medical building under construction and he has no objections. Pierce said he doesn't have concerns either, and this is a matter for the ZBA to decide. The Board had no comments to send to the ZBA on this application.

2. Accept donation from Robert King, Yankee Pine Corporation

Chairman Perry read the following:

*Robert King has submitted a \$5,000 donation to the Town. He told Selectman Merry that he would like to make a donation to the Town for the Town's recreational fields. The Board needs to vote and accept the gift, which will be deposited into the Selectmen's Donation Account.*

Merry said Robert King owns Yankee Pine and spoke to a couple of Selectmen about making a donation to the Town. Merry said he spoke to King on the phone and King asked him what he can do. Merry said he suggested using the funds to find another property for fields since we will be losing the field at the corner of Haverhill Street and Route 133.

Bob Merry made a motion to accept the gift from Robert King, Cliff Pierce second, all in favor - aye (5-0).

Petersen said a couple of years ago, Mr. King donated money that was used to repair the limited use elevator at Town Hall. Merry said Mr. King's mother was physically disabled.

3. Request from William and Marsha Dean to have a conference call during the January 9, 2017 scheduled discussion of Massachusetts Department of Transportation proposed discontinuance of a section of State Highway, Old Main Street, adjacent to Route 1A

Chairman Perry read the email request from William and Marsha Dean. Perry said he thinks it would be difficult to have a conference call at a meeting since there is no phone accessible from the meeting table. Petersen said it would be opening a can of worms and said they can submit a letter before the meeting that can be included as correspondence for the meeting. Pierce agreed.

**7:15 P.M. APPOINTMENT**– Triton Regional School Committee Member Nerissa Wallen to discuss proposed changes to the Triton Regional School District Agreement

Chairman Perry read the following:

*A few months ago, the Board of Selectmen discussed the Triton School Committee's proposed changes to the Triton Regional Agreement.*

*Triton School Committee member Nerissa Wallen is here tonight to discuss those changes with the Board.*

Dina Sullivan said they welcome the opportunity to hear the Board's thoughts on the proposed changes. She said there is a District Communications Meeting (DCM) on December 15th, and this is the main topic for that meeting. Wallen said she can go through each proposal with the Board as they plan to at the DCM meeting. Petersen said the Board sent a letter to the School Committee requesting that a public meeting be held to include residents and representatives of the three towns. Wallen said that has been done at this point. She said two years ago, the DCM meetings started as a way for members of the Boards of Selectmen, Finance Committees, Town Administrators, School Committee Members and the School Administrators to get together and have round table discussions. She said the Triton Agreement has been a topic throughout the years, and it was suggested that the School Committee take a first look at potential changes to it. She said they have looked at the calculation issues, and have looked at other regional agreements to see how the calculation is done elsewhere. Perry said he has been going to the School Committee meetings for five years since he became a Selectman. He said over the years the School Committee has requested that the Town look at the agreement and there have been no proposals from the Board of Selectmen. He said a sub-committee of the School Committee was formed to look at proposed changes, and they have spent quite a bit of time reviewing this. He said they do have some concerns about the proposed changes.

Sullivan said this is two years in the making. She said two years ago the School Committee set a goal to review the agreement on their end, looking at items such as the deadline for the budget and the calculations being based on enrollment numbers, and to suggest some changes. She said these suggestions are not set in stone, they are just suggestions from the sub-committee of the School Committee. She said they asked the

three towns to choose Selectmen, Finance Committee and Town Administrators to be part of a committee to look at the Landlord/Tenant issues. Wallen said this is a starting point, not the ending point, and at next week's meeting, all three towns should bring their suggestions. Perry said we appreciate the communication, and he took this as a starting point for further conversation. He said the Board agrees and disagrees with some of the proposals. Pierce said there are some issues that the Board of Selectmen brought up, and asked if we should go through each proposal. Wallen said at the DCM, the town representatives bring those issues to be hashed out, and the School Committee doesn't intend to be the mediator.

Petersen said the School Committee meetings are not televised, and it is imperative for the public to be exposed to the discussion on the proposed changes, since any proposed changes need to be voted on by the citizens at Town Meeting. Dina said they have discussed with Forget that the School Committee meetings should be televised, but they are not at this point. She said we need to have a public hearing on this, but they want to have a draft of the proposed changes before they do this.

Wallen reviewed the proposed changes as follows:

- Section 1B Vacancies: Wallen said the proposed change is for one member of the other towns without the vacancy to sit in the interviews when filling the vacancy. Petersen asked if the other towns have a vote for filling the vacancy. Sullivan said that depends on what the entire group decides. Pierce said under the existing procedure, the town with the vacancy decides, which is sensible, and he doesn't see why the other towns would be given a voice in this process. Wallen said the idea is that they all work together as a committee, and all three towns vote on each town's member nominations in the elections.
- Section E Votes: Wallen said there is concerning wording that says if any programming is eliminated, all three members of the town need to vote for it, which could hold up the budget. Perry said School Committee Member Paul Lees said this hasn't been a problem in the past. Wallen said it could be a problem, so this document needs to be a governance document. She said there is also a clarification on how Administrative Staff is hired.
- Section 4: Wallen said this is for a five year capital plan development that is updated annually, so there are no surprises. Perry said this is similar to what the Fire Department does for their truck replacement. Petersen said his concern is that the Salisbury Elementary School is owned by Triton, and their changes would directly affect Rowley and Newbury. He said Town representatives should be present at these discussions. Larry White from Central Street and the Finance Committee asked if the capital plan would be tied into a certain date or the budget submission. Sullivan said she doesn't have an answer for that yet, Forget hasn't decided that, but there will be more details in the spring.
- Landlord/Tenant - Wallen said in other agreements, where each town owns its school, so that school's needs belong to the respective town. She said when

that isn't the case, there are separate landlord/tenant agreements outside the regional agreements. Petersen said this is a sore subject, and in the past we have been informed when there is an issue, and the Town takes care of it.

- Apportionment of capital and operating costs: Wallen said there is a stipulation in the State law that would allow us to move away from the State calculation and to form our own calculation. She said the drawback is that instead of needing two out of the three towns to approve the budget, all three towns would need to approve it. She said a number of districts have moved away from the State calculation and they seem successful and are able to have a more stable and predictable apportionment of costs. Petersen said this is a valuable discussion to have and we may be able to iron out the ups and downs in the assessments that have been killing Rowley. Sullivan said it is cyclical regarding which town is affected, and they are fortunate that all three towns support Triton. Wallen said when you move away from the State formula, the calculation can be done as we wish, factoring in items such as population of the towns. She said it will take hours to look into this. Snow asked how Chapter 70 funding will be factored in. Wallen said she assumes similar to how it is handled today.
- Section 6: Wallen said budget will be based on DESE expenditure categories.
- Section 6B, Final Capital and Operating Budget: Wallen said the deadline is proposed to change from March 15 to March 30. Petersen said Rowley's budget is 100% dependent on Triton's assessment, and he is opposed to changing the deadline.
- Section 14 Annual Report: Wallen said the suggested change will reflect what is being done in reality.
- Section 15 Communication Committee. Wallen said the town has the right to call a DCM. Perry said in his opinion the quarterly meetings are sometimes too far apart and he thinks they should be regularly scheduled.
- Section 21. Wallen said this proposal is for this agreement to be reviewed every five years. Petersen said this is a good idea. Wallen said it is a two and a half year process to make any changes, so we need to see any required changes early on. She said there is a lot of language in the agreement, and it is a significant time investment to review it. She asked the Board to bring up any additional issues at the upcoming meeting.

Perry said he received a letter from Sullivan about the upcoming budget meetings, and the Rowley Selectmen have an agenda set for January 9th with the State Highway regarding a road discontinuance. Sullivan said she won't have Pine Grove present that night so that the Rowley Selectmen can attend the meeting when they do present.

**7:45 APPOINTMENT**– Margaret Wood, Project Director, Pinck & Company and Andraya Lombardi, Project Director, Pinck & Company to discuss the following:

- Pine Grove School Preliminary Design Plan
- Draft Construction Manager Contract
- Feasibility Study Budget

Margaret Wood said a large book was dropped of on Friday and this is the first of three submittals to the MSBA. She said this needs the Selectmen's approval along with Brian Forget's signature and Dina Sullivan's signature. She said this submittal is the Preliminary Design Plan (PDP), which is similar to due diligence, where all documents are collected into one place. She said the core element of the submittal is a report on the building's condition. She said the next submittal is the Preferred Schematic, which is due January 4, 2017, which delved into the options and recommended preferences. She said the third submittal is the Schematic Design which is due in late April/early May, which will document in a high level of detail the option preferred by the Town.

Petersen said his concern is the meeting that was held showing what the options are without any associated costs. He said with the other recent overrides in town, there is a real concern about the price of this project. He said we need to look at the costs of the absolute necessities needed to get the building up to par, then look at the cost of the educational requirements of the MSBA, then look at the costs of all the extras. He said there are questions in the community and this process is very confusing. He said we need this project to pass and in order to pass, it cannot have any frills. Wood said buried in the PDP is the seed for those options, and the next phase will be to dig into this with specific numbers, but it will still be gray until the third phase when we have a construction manager. Perry said we all know that the school needs new electrical wiring, a roof, a hvac system and there are also ADA requirements that need to be addressed. Snow said this is similar to a home renovation, but we aren't seeing the basics.

Wood said there is a sample letter from the Board authorizing the submittal of the PDP. She said the MSBA is eager to know if the Board will authorize the PDP, and the vote of the Board will be recorded in the minutes. Petersen said the document is very comprehensive, including information on the school's deficiencies and preliminary ideas on how to fix it, and he supports it 100%.

Perry said the draft letter is to Diane Sullivan, Senior Capital Program Manager, and it certifies the following, "By signing this Local Action and Approval Certification, I hereby certify that, to the best of my knowledge and belief, the information supplied by the District in this Certification is true, complete and accurate."

Dave Petersen made a motion to sign the letter authorizing the submittal of the PDP to the MSBA, Cliff Pierce second, all in favor - aye (5-0).

Andraya Lombardi handed out an updated budget, and additional services request for surveying and wetlands flagging. She reviewed the updated budget. Pierce said the

total cost for the amendment is \$55,050. Petersen said that still leaves \$19,450 in the budget. Wood said they are comfortable with that number.

Dave Petersen made a motion to approve amendment number one for \$55,050 with Dore & Whittier, Cliff Pierce second, all in favor - aye (5-0).

Wood said Lombardi prepared a memo on December 2, 2016 regarding the CM contract. She said signing the agreement doesn't commit the Town to use this process for the construction phase, it just commits the Town to use this process during the pre-construction phase. She said Lombardi came to the Board in September and spoke about the application process with the Inspector General, which the Board of Selectmen authorized that they move forward with, and the IG approved this. She said they have begun the procurement process including the advertisement, and they have pre-qualified three firms. She said they have asked the three firms to respond to a technical proposal including costs for pre-construction and construction. She said they are getting the proposals back on Friday and will do the interviews on the 13th. She said they recommend to Towns that they provide the contract to the CM, and they provided the contract to Tom Mullen and incorporated his comments into it. She said Mullen recommended that they speak to the Board about liquidated damages, and said he thought it was up to the Board to decide whether or not to include them. She said these are cost per day damages payable to the Town for each day the project goes beyond the specified end date. She said if liquidated damages are included in the contract, the contractor will create a paper trail showing what the Town has done to cause the project to be held up, which can cause an exchange back and forth. Eagan said in large projects, the Town does include liquidated damages clauses. Lombardi said the Town could include them or not include them, but they recommend that they be capped at \$1,000 per day.

Wood said the summer of 2018 would be when the construction could potentially begin, and until the moment that the Town decides to do enabling packages which allows some work to be done early, we don't have to move forward with the CM process, and we can bid the whole project out under Chapter 149. She said we have agreed to the CM process for pre-construction services through May, and if they are doing a good job, we can continue the pre-construction under the current contract. She said there will be another moment to decide if we want to proceed further if enabling packages are offered. She said if we request liquidated damages, a risk is that the firm won't sharpen the pencil since this is a risk for the contractor. Pierce said the beauty of liquidated damages is that we don't have to prove them and it gives the contractor an incentive to complete the project on time. Snow asked if they foresee us being offered enabling packages. Lombardi said this came up in the walk-through in discussing the new boiler and HVAC. She said the roofing could be done during the summer. Wood said it

allows the contractor the opportunity to start before the school year ends, and August of 2019 would be the goal for the end date. Pierce said he thinks liquidated damages of \$1,000 per day sound reasonable. Wood said liquidated damages don't apply to pre-construction. Bernie Cullen said \$1,000 per day seems de minimis given the size of the project, so what would be the incentive for the contractor? Larry White said \$1,000 per day could be significant compared to the remaining amount of the project to be billed. Eagan said liquidated damages were included on the Town Hall Annex siding project, but this project has an OPM dedicated to keeping the project on track. Petersen said we have hired Pinck & Co. to keep the project on track. Wood said they are required to have a full time Clerk of the Works on site.

Dave Petersen made a motion to waive a liquidated damages clause in the contract, Bob Merry second, all in favor - aye (4-0). Cliff Pierce - NO.

Eagan said once the construction starts, the school will be taken off of the Town's insurance and will be covered by builder's risk insurance, which the Town can pay or the contractor can purchase. She said they are in the process of getting quotes.

White said the last fifty pages of the PDP discuss the cost of the project, which is up to \$29,000,000 from the initial estimate of \$22,000,000, which would be a \$15,000,000 cost to the Town. He said soft costs of 25% will also need to be added, bringing the estimated cost to \$35,400,000, which would be a cost of \$18,400,000 to Rowley. Petersen said going forward we need to clearly delineate the costs and let the taxpayers know what the costs are.

**8:30 p.m. APPOINTMENT**– Attorney Nancy McCann and Gerald Fandetti to discuss proposed redevelopment of 101 Main Street

Chairman Perry read the letter from Nancy McCann regarding 101 Main Street (Country Garden Inn) Redevelopment Proposal. Nancy McCann said Gerry Fandetti has a Purchase and Sales Agreement to purchase the property, and he operates the Willowdale Estates Facility in Topsfield. She said this is a wonderful companion property to complement the Willowdale Estate. She said they have not done any formal filings yet and are meeting informally with the Planning Board on Wednesday. She said they will go to the Planning Board for the site plan and they will go to the Selectmen for approval of the hotel and for a liquor license. She said currently the property has 23 units, and another 4 have been permitted but not constructed, and a three bedroom house for a total of 30 bedrooms. She said the proposal is for the same number of bedrooms, but will be a complete renovation and a new building. She said the proposal includes a 100 seat restaurant that will serve as a breakfast facility for the guests and will be open to the public. She said there will be an art gallery, retail space and a pool/spa area. She said the general theme will be a farming aesthetic.

John Morin, the project engineer, provided an overview of the plan. He said all the existing buildings will be taken down except for the existing front dwelling and the existing back dwelling. He said it will look identical to the existing property from the front, and one entrance will be eliminated. He said there are currently five or six septic systems that will all be abandoned and replaced with one system for the front dwelling, gallery and spa, one system for the new thirty room structure, and one system for the restaurant. He said there will be 81 parking spaces, 9 of which will be valet over a geo-grid surface, which looks like a grassy surface. He said they are discussing the turn-around area with the Fire Chief, and it will be a grassy surface that will look like a court yard. He said they are filling in the existing pool and installing a smaller pool. He said these are just design concepts that may change. He said they did soil testing and verified that it is well drained. He said there is a wetlands resources area at the rear of the property and they will file with the Conservation Commission on this.

Gerald Fandetti thanked the Board for its time. He said the concept is to use the farming concept of Rowley as the theme, with red buildings that will be barn themed with post and beam structures. He said the guest house will also have a farmhouse look with a yellow and white clapboard exterior. He said they will be open to the public for breakfast, lunch and dinner. Pierce said he thought they were pulling the driveway away from the north end of the site to reduce the impact on the abutter. Fandetti said they want the entrance to have a visual of the barn and be as direct of a route as possible. Pierce said he anticipates this issue being raised at the public hearing. Petersen said the hotel will not be too visible from the street. McCann said the house on the street will remain the same and it is in the Historic District. Fandetti said they would like to put some pathways around the pond if possible. Pierce said this will be an unusual permitting process due to the hotel. He said the Selectmen will issue the Special Permit and the Planning Board will do the Site Plan Review, but normally the Planning Board would do both. He asked McCann what the plan is for the sequencing of the permitting. McCann asked if the filings could be done simultaneously. Pierce said yes, along with the Conservation Commission filing. Petersen asked if the Selectmen approval is strictly for the thirty units, or if the Board has any input on how the property would look. Pierce said the Selectmen are the Special Permitting Authority, so they do have input on how it will look, and hopefully the two Boards will agree on how they would like it to look. Snow asked what the culinary theme of the restaurant will be. Melissa Thunberg, who runs the daily operations at Willowdale, said that is up in the air, but they would like to use local farms and local seafood, and it will be family friendly. Petersen asked if this business will be run in conjunction with the Willowdale Estates. Fandetti said they will be separate, but will mix. He said Willowdale is leased from the State and they are unable to build on the land, so they began looking for a property for guests of their events to stay in. Petersen said this will

be a great opportunity to show off Rowley and this will be a tourist attraction. He said the biggest obstacle will be the neighbors. Fandetti said they have experience running hotels with two properties in Cambridge, and they intend to incorporate antiques at the hotel. Pierce said it is great that they are not changing the streetscape. Fandetti said they have received awards at Willowdale and they are familiar with the historical aspect of the property. Perry said the town encourages tourism. Petersen asked if they have confirmed that liquor licenses are available. McCann said yes, it is available. Snow asked what the time frame of the project is. Fandetti said they would like to start in the Spring. Bernie Cullen asked if they will conduct events in the facility, and if so there will be periods of intense traffic in the area. Fandetti said yes and Morin said they will look at potential traffic issues early on with the Planning Board. Fandetti said the level of impact will not be as great as the Todd Farm is. He said there will be approximately 80 people at events, and they will leave intermittenly. McCann said traffic will be part of the Site Plan Review.

### **NEW BUSINESS**

4. Memo from Treasurer/Collector Karen Summit regarding the Senior Tax Credit and Valor Act Credit Participants

Chairman Perry read the memo from Karen Summit. Petersen said this is a continuation of a program already in place and well worth it.

Dave Petersen made a motion to approve paying both the town and participant sides of Medicare for the Senior Tax and Valor Act Credit participants, Cliff Pierce second, all in favor - aye (5-0).

### **OLD BUSINESS**

1. Discuss Construction Monitoring Services, Inc. (CMS) fee proposal for Owner's Project Management Services for the Design and Construction of a Fire Station and Police Station Addition

Chairman Perry read the following:

*CMS has submitted their fee proposal. The fee is broken down into the phases that were outlined in the Request for Qualifications. The total basic fee is \$364,000. This is higher than the amount Greg Carell estimated, which was \$300,000. Selectmen Petersen, who was on the Designer Selection Committee for Owner's Project Management Services for the Design and Construction of a Fire Station and Police Station, met with Neil Joyce, a principal at CMS, last week to discuss the fee proposal.*

*If the Board accepts the fee proposal, I will send the contract to CMS for approval. The contract was part of the RFQ and has been reviewed by Town Counsel Tom Mullen. I just need to insert the name of the firm, etc.*

Petersen said he met with CMS last week along with Eagan. He said the Carell Group estimated \$300,000 for this service, and the proposal was for \$364,000. He said a \$500,000 cushion was added to the estimate from the Carell Group for the project, and \$11,700,000 is all the money that we have for this project. He said CMS has a record of coming in under budget and one time, and he emphasized in the meeting with them that this is what needs to happen. He said he thinks it will happen and they are ready to get started, and he recommends that the Board of Selectmen agree to the contract for \$364,000. Snow said it is important for CMS to hold the contractor to the budget. Petersen said he is confident that CMS will do a great job.

Dave Petersen made a motion to approve the contract with CMS for \$364,000, Cliff Pierce second, all in favor - aye (5-0).

2. Update on Prospect Hill Road project

Chairman Perry read the following:

*The Tata & Howard engineers have revised the stormwater plans so that the road will pitch to the east with a new rip rap channel on the east. These changes will slow the stormwater as it flows down the hill during rain events. With this revision, we will not need to have the Verizon conduit moved, which would have resulted in a significant project delay and costs. Conservation Agent Brent Baeslack has reviewed the plans and is satisfied with the modifications. The contractor, T. Ford, is working out the cost for the modification. While we need to purchase rip rap for the east side of the road, we will save money by not having to construct the stormwater system on the west side of the channel.*

Snow said this is good news. Petersen asked if they will work on this through the winter. Eagan said yes, and we will be getting more information at the end of the week.

3. Update on Mehaffey Farm Land grant

Chairman Perry read the following:

*The Town did not receive the Local Acquisitions for Natural Diversity (LAND) grant for the Mehaffey Farm Conservation Restriction.*

*Chairman Perry will read a letter from the State Executive Office of Energy and Environmental Affairs into the record.*

Perry read the letter. Snow asked what implications this has on the project. Pierce said there was a blurb in the newspaper about the Greenbelt launching a fund raising campaign for \$350,000. Perry said the Town has committed \$100,000 to this project, and with the grant not being funded, Greenbelt will need to raise the difference.

## **MINUTES**

- November 21, 2016

Bob Snow made a motion to approve the minutes of November 21, 2016, Dave Petersen second, all in favor - aye (5-0).

- November 21, 2016 Executive Session

Cliff Pierce made a motion to approve the minutes of November 21, 2016 Executive Session, Dave Petersen second, all in favor - aye (5-0).

## **ANNOUNCEMENTS**

- Toys for Tots Box is located at Town Hall. Unwrapped gifts for children are greatly appreciated.
- Information on the Pine Grove School project is available on the Town's website at [www.townofrowley.net](http://www.townofrowley.net).
- Town offices will be closed December 26, 2016 and January 2, 2017
- The Rowley Water Department has set a mandatory water ban in place. Outdoor watering is not permitted.
- 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 in need of donations. Donations can be left at the Rowley Public Library.

## **ADJOURN**

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

Open meeting adjourned at 9:40 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Meeting memo regarding General Business #1: Review list of Road Opening Permits for National Grid to open the following road:
  - 26 Main Street to repair a gas leak
2. Road Opening Permits for National Grid to open 26 Main Street to repair a gas leak
3. Letter from Richard Cullinan on Wreaths Across America Caravan, including flyer
4. Meeting memo regarding Liquor License Renewals
5. Zoning Board of Appeals special permit application submitted by Ed Juralewicz on behalf of Gateway II Trust of 1997, John E. Coughlin and Joseph Coughlin, Trustees, for two non-illuminated wall signs at 414 Haverhill Street
5. Meeting memo regarding New Business #2: Accept donation from Robert King, Yankee Pine Corporation
6. Photo copy of check from Robert King
7. Email request from William and Marsha Dean to have a conference call during the January 9, 2017 scheduled discussion of Massachusetts Department of Transportation proposed discontinuance of a section of State Highway, Old Main Street, adjacent to Route 1A
8. Meeting memo regarding 7:15 P.M. Appointment: Triton Regional School Committee Member Nerissa Wallen to discuss proposed changes to the Triton Regional School District Agreement
9. Amended Agreement for the Triton Regional School District
10. Draft letter to Diane Sullivan, Senior Capital Program Manager
11. Meeting memo regarding 7:45 P.M. Appointment: Margaret Wood, Project Director, Pinck & Company and Andraya Lombardi, Project Director, Pinck & Company to discuss the following:
  - Pine Grove School Preliminary Design Plan
  - Draft Construction Manager Contract
  - Feasibility Study Budget
12. Construction Cost Summary PGS from Karen Summit dated 12/5/16
13. Pine Grove Elementary School Budget: Designer Contract Update
14. Balance of Pine Grove School Feasibility Study Budget prepared by D. Eagan 12/5/16
15. Pine Grove Elementary School Budget: Designer Contract Update dated December 5, 2016
16. Attachment F Contract for Designer Services Amendment No. 1 with Dore & Whittier Associates, Inc.
17. Memo from Andraya Lombardi regarding CM Contract
18. Letter from Attorney Nancy McCann regarding proposed redevelopment of 101 Main Street
19. Memo from Treasurer/Collector Karen Summit regarding the Senior Tax Credit and Valor Act Credit Participants

20. Meeting memo regarding Old Business #1: Discuss Construction Monitoring Services, Inc. (CMS) fee proposal for Owner's Project Management Services for the Design and Construction of a Fire Station and Police Station Addition
21. Letter from CMS regarding Project Management Services Rowley Public Safety
22. Meeting memo regarding Old Business #2: Update on Prospect Hill Road project
23. Work Change Directive No. 1 for Prospect Hill Access Road Stormwater Improvements project
24. Meeting memo regarding Old Business #3: Update on Mehaffey Farm Land grant
25. Letter from Emmanuel Owusu LAND Program Coordinator regarding Mehaffey Farm CR Project, LAND #7
26. Draft minutes of November 21, 2016