

MINUTES OF THE BOARD OF SELECTMEN MEETING

December 23, 2013
Meeting held at Town Hall

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

PUBLIC ATTENDEES: Lawrence White – FINCOM; William J. Cuddy – ARS Auto; Jack Grundstrom - Shellfish

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Selectman Joseph Perry led the Pledge of Allegiance.

CHAIRMAN'S COMMENTS

Chairman Snow read the attached Chairman's Comments.

After he read his comments, Snow thanked Bob Merry for suggesting that the wreath be placed on Marr's grave. Merry said he believes strongly that we should honor these people and thanked Snow for researching this information.

7:05 – 7:15 p.m. CITIZEN QUERY

Citizen's Query opened. There were no Citizen's Queries.

GENERAL BUSINESS

1. Class II Dealers License renewals

Chairman Snow read the following:

The following owner has submitted a Class II Dealers license renewal for calendar year 2014.

The application is complete, and taxes, light and water bills are paid.

Phillip Mumley AutoPro Collision Center, LLC 266 Haverhill St.

Dave Petersen made a motion to approve the renewal of the Class II Dealers license for Philip Mumley, Jack Cook second, all in favor – aye (5-0).

Snow continued:

The application for Lockhart's at 43 Summer Street has been received, but \$1,466.07 is owed in taxes, 85.41 is owed to the Water Department, and \$331.48 is owed to the Light Department. The attached letter was sent to Mr. Lockhart on December 19, 2013.

Merry said this should be held and asked if he has to re-apply if the license is not renewed. Eagan said yes, he would have to return his license and we would send a letter to the Department of Motor Vehicles. She said in years past, the Board conditionally approved the license under this scenario.

Bob Merry made a motion to conditionally approve the renewal of the Class II Dealers license for Lockhart's pending payment of the outstanding monies due, Joseph Perry second, all in favor – aye (5-0).

Snow said, "Bill Cuddy of Hamilton Enterprises has requested that the name on his license be changed." Snow read Cuddy's letter (COPY ATTACHED).

Dave Petersen made a motion to approve the name change on Cuddy's Class II Dealers license to Hamilton Enterprises Used Cars LLC, Joseph Perry second, all in favor – aye (5-0).

2. Class III Dealer License renewals

Chairman Snow read the following:

The following owner has submitted a Class III Dealer's license renewals for calendar year 2014.

The application is complete and taxes, light and water bills are paid.

1. Rowley Auto Parts Michael Bontos 164 Boxford Road Rowley, MA

Dave Petersen made a motion to approve the renewal of the Class III Dealers license for Rowley Auto Parts, Michael Bontos, 164 Boxford Road, Jack Cook second, all in favor – aye (5-0).

3. Auto Auction Permit renewals

Chairman Snow read the following:

The following owner has submitted an Auto Auction Permit renewal for calendar year 2014.

The application is complete and taxes, light and water bills are paid.

2. Rowley Auto Parts Michael Bontos 164 Boxford Road Rowley, MA

Joseph Perry made a motion to approve the renewal of the Auto Auction Permit for Rowley Auto Parts, Michael Bontos, 164 Boxford Road, Jack Cook second, all in favor – aye (5-0).

7:15 p.m. Appointment – Karen Summit to discuss new online payment system for excise taxes – POSTPONED

7:15 p.m. EXECUTIVE SESSION – Litigation

Chairman called for a motion to go into Executive Session for the purpose of discussing strategy with respect to litigation because an open meeting may have a detrimental effect on the litigating position of the Town and to return to open session. Jack Cook so moved, Joseph Perry second, all in favor – roll call vote: Robert Merry – aye, David Petersen – aye, Robert Snow – aye, Jack Cook – aye Joseph Perry – aye.

Open meeting adjourned at 7:15 p.m.

Dave Petersen made a motion to reconvene open session, Jack Cook second, all in favor – roll call vote: Robert Merry – aye, David Petersen – aye, Robert Snow – aye, Jack Cook – aye Joseph Perry – aye.

Open meeting reconvened at 7:23 p.m.

GENERAL BUSINESS

4. Stable License renewals

Dave Petersen made a motion to approve the renewal of the Stable license for Rachel Murrin, Kittery Crossing Farm, LLC 59 Kittery Avenue, Joseph Perry second, all in favor – aye (5-0).

Chairman Snow said, “We have not received the paperwork to renew the license for Pam Latulippe, Nature Spirit Farm, so their Stable License will expire as of December 31, 2013. Animal Inspector Reed Wilson hand delivered the application forms to them on December 19, 2013, as a follow up to the letter sent to them on November 7, 2013.”

5. Flea Market Permit renewals

Chairman Snow read the following:

The following owners have submitted Flea Market license renewals for calendar year 2014. Applications are complete and taxes, light and water bills are paid.

<i>Lost Treasures</i>	<i>29-31 Main Street</i>	<i>Diane Hopkinson</i>
-----------------------	--------------------------	------------------------

Joseph Perry made a motion to approve the renewal of the Flea Market permit for Diane Hopkinson, Lost Treasures, 29-31 Main Street, Jack Cook second, all in favor – aye (5-0).

6. New Stable License applications

Chairman Snow read the following:

The following owner has submitted an application for a new Stable license for calendar year 2014. \$30.01 owed in taxes, \$95.73 water bill owed. Does the Board wish to conditionally approve this license?

<i>Dennis Pellecchia</i>	<i>179 Boxford Road</i>	<i>\$30.01 owed in taxes, \$95.73 water bill owed</i>
--------------------------	-------------------------	---

Dave Petersen made a motion to conditionally approve the stable license application for Dennis Pellecchia pending payment of monies owed, Jack Cook second, all in favor – aye (5-0).

Snow continued:

We have not received applications for new licenses from the following, who housed four or more horses as of November 2013. Animal Inspector Reed Wilson hand delivered the application forms to them on December 19, 2013, as a follow up to the letter sent to them on November 7, 2013.

<i>Joshua Noble</i>	<i>424 Main Street</i>
<i>Richard Bertelson</i>	<i>100 Wethersfield Street</i>

OLD BUSINESS

1. Sign deed accepting donation of 710 Haverhill Street

Chairman Snow said, "The deed is ready for the selectmen to sign for the donation of 710 Haverhill Street from John and Paula Breen to the care and custody of the Conservation Commission. The Board of Selectmen needs to vote and sign the approval for the acceptance of the land. The selectmen's signature requires a notary to be present. Sean McFadden will notarize the Board's signature."

Jack Cook made a motion to accept the donation of 710 Haverhill Street, Joseph Perry second, all in favor – aye (5-0).

The Selectmen signed the documents and Sean McFadden notarized them (COPIES ATTACHED).

2. Sign Mass. Fisheries & Wildlife documents for the sale of salt marsh land

Chairman Snow said, "The option to purchase is not ready for the selectmen to sign. There are several changes that the Town's attorney is requiring to be made before the selectmen can sign. This will have to go on the January 6th meeting agenda."

NEW BUSINESS

2. Set meeting schedule – January, February and March

Chairman Snow read the following:

These are the proposed meeting dates:

January 6

January 13

January 27

February 3

February 10

February 24

March 3

March 10

March 17

March 24

March 31

7:30 p.m. Appointment – Shellfish Commissioner Jack Grundstrom to discuss green crab issues

Shellfish Commissioner Jack Grundstrom handed the Board a copy of his report on the Green Crab Summit (COPY ATTACHED). Grundstrom reviewed his report with the Board.

Grundstrom said that trapping green crabs doesn't work, but netting does. He said the crabs can be three to four inches in size, but many are small like spiders. He said he doesn't know what we can do, but the problem is coming this way. Snow asked if he has spoken to the Ipswich Shellfish Commissioners about this. Grundstrom said yes, they are looking at the issue, and have done a trial on trapping but nothing more. Cook asked if the leased flats are using nets, Grundstrom said yes, they have to keep the clams covered by nets. Snow asked what the Town can do. Merry asked what other towns are doing and if a group can get together to collaborate. Grundstrom said the group at the summit he attended is the best group to look at this. Eagan asked if the Mass Division of Fisheries and Wildlife has done anything such as a study to present to local shellfish boards. Grundstrom said they haven't done anything yet. Snow asked if Congressman Tierney is aware of this issue, Grundstrom said yes. Snow asked if there are any predators of green crabs. Grundstrom said there aren't any predators. He said he is advising the Board of this issue and will look for the Board's support once a solution is found. Merry asked Grundstrom to keep the Board advised on this issue.

NEW BUSINESS

1. Review proposed changes to Triton Regional School District Agreement

Chairman Snow said, "Selectman Joseph Perry has submitted the following proposed changes to the Triton Agreement for the selectmen to review. He will discuss the reasons why these changes are being proposed." (COPY OF PROPOSED CHANGES ATTACHED).

Perry said at the December 11, 2013 School Committee meeting, the Finance Subcommittee discussed proposed changes to the regional school district agreement. He said the Finance Subcommittee had agreed to the proposed changes, but the full School Committee had not acted upon the proposed changes yet. Perry read Section D on page two of the document (COPY ATTACHED). He said currently we vote at Town Meeting to allow the Superintendent or his designee to answer questions about the school budget, but the proposed change would allow them to make a presentation. Petersen said they have an opportunity to speak at Town Meeting, but the budget has

already been approved by the School Committee and Finance Committee. Eagan said there is a vote taken that allows non-resident officials and others such as the Superintendent to speak at Town Meeting. Merry said this vote may not pass at Town Meeting.

Perry said the School Committee will vote on these proposed changes and if adopted, bring the changes to the member towns. Petersen said he was on the School Committee in the past and he thinks the agreement requires that when changes are requested, all the Towns have a representative involved before it is brought to the Towns. Perry said he will check on that. Eagan asked if Perry has a red-line version on the changes. Perry said the entire document shows the changes, he doesn't have a red-line version but will try to get one. Eagan said we need to look at the Town Meeting by-law.

Perry said the District Communications meeting have been very useful and are a channel for communication. He said they are now being scheduled for 1:00 p.m. and the meetings for October and November were cancelled. Perry read the last paragraph on page two of the proposed changes document. He said the meetings were monthly, and are being proposed in the document to be held quarterly. He said he doesn't understand why they are moving to quarterly since the monthly meetings were well attended by Rowley and the other Towns. Finance Committee Chairman Larry White said the proposal calls for a minimum of one meeting per quarter, and they aren't necessarily moving away from the monthly meeting.

Eagan said the changes regarding times of payment should be reviewed by legal counsel. Snow asked if the School Committee members should be invited in, and when the School Committee will act on this. Petersen said we should send a letter to the School Committee Chair and / or the Superintendent asking them to attend the January 13, 2014 Selectmen's meeting to discuss this topic and to go over the process of implementing the proposed changes. He said they should put the process on a timetable so there is time to review the proposed changes. Perry said the 13th may be a problem since the School Committee starts budget meetings that night. Petersen asked if we have heard anything on the budget. He said they should provide an update on the budget when they come in.

Dave Petersen made a motion to send a letter to the School Committee Chair and / or the Superintendent asking them to attend the January 13, 2014 Selectmen's meeting to discuss the proposed changes to the agreement and discuss the FY15 budget, Jack Cook second, all in favor – aye (5-0).

ANNOUNCEMENTS

- 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.
- The Town has the following vacant seats: Conservation Commission, Zoning Board of Appeals Associate two open seats, two fence viewer positions, and wood lumber bark inspector

- Battery recycling box located at the Town Hall and Library

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

Open meeting adjourned at 8:19 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Chairman's Comments
2. Letter to Richard Lockhart dated 12.19.13
3. Request for name change from Bill Cuddy
4. Documents related to donation of 710 Haverhill Street
5. Report on Green Crab Summit by Jack Grundstrom
6. Proposed changes to Triton Regional School District Agreement