

MINUTES OF THE BOARD OF SELECTMEN MEETING

January 5, 2015

Meeting held at Town Hall

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

PUBLIC ATTENDEES: Christopher Farmer – Triton; Lawrence White – FINCOM; Teresa Terry; Irene Fectean; Joshua Terry; William Terry; Eric Ninthala; George Pacenka; Anisong Ninthala; Christine Kneeland; Brian Forget - Triton

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

George Pacenka led the Pledge of Allegiance.

CHAIRMAN'S COMMENTS

None

7:00 p.m. Eagle Scout Proclamation presentations to Joshua Ian Terry and Eric Hoy Ninthala

George Pacenka said both Terry and Ninthala earned 26 merit badges then completed projects where they demonstrated leadership. He said Terry did a project with the Water Department where he surveyed all the fire hydrants and painted cleared and repaired the hydrants with the help of the Water Department. He said Ninthala mapped out the lot lines and coordinates of the land on Wethersfield Street that was donated to the Town and hand carved signs and installed them.

Chairman Merry read the proclamations for each of them. The Board congratulated Terry and Ninthala, and photos were taken.

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.

NEW BUSINESS

1. Letter from Larry White regarding Open Space Committee

Chairman Merry read the following:

Larry White has sent a letter to the selectmen expressing interest in serving on the Open Space Committee. At present, the Conservation Commission is serving as the Town's Open Space Committee. Due to members resigning because of personal commitments or moving out of Town, we have not been able to maintain an active full membership on this committee. Larry has met with Conservation Agent Brent Baeslack to learn about the Town's Open Space Plan.

Merry read the letter from Larry White.

White said he would like to become involved on this Committee to further his knowledge of the Town and to help him with his Finance Committee work. He said he read the comprehensive 96 page Open Space Plan and this will be a challenge. Merry said we need help and Conservation Agent Brent Baeslack stepped forward to help update the Open Space report. He said the report goes to the state and helps open funding possibilities. Eagan said there is no active Open Space Committee and the Conservation Commission was designated as the defacto committee. She said we do have to establish the committee, the draft is with the state, but there is more work to be done. She said White can work with Baeslack and we can see if we can establish another Committee. She said Baeslack does work on the weekends during his own time and is always looking for volunteers to help clear and walk the land. White said sure. Eagan said we can try to re-establish the Committee. Merry said we need at least three members on this Committee.

Petersen said let's hold this topic in abeyance until more interested people come forward so that the committee can be re-established.

7:15 p.m. Triton Superintendent Christopher Farmer and Triton Assistant Superintendent Brian Forget to discuss:

- State School Building Assistance program for Pine Grove School
- Discussion and possible vote of the Board of Selectmen regarding an emergency new boiler for Pine Grove School

Superintendent Farmer said Brian Forget is leading this project and will review it for the board. Farmer said the refurbishment of the Pine Grove School has been on the docket since he started in 2010 and is seen as the most important redevelopment of school properties on the list. He said families are now looking at alternate methods of education, and the district is now a significant net importer of students and they want to

maintain the facilities at Pine Grove School. He said facilities should also be equivalent across the district. He said the request for funding for the boiler is to prevent an emergency, and Principal Kneeland is present to discuss the service calls to the boiler. He said if the boiler doesn't work, they may be forced to close the school since there is no alternate location to have school, which would be disruptive to families.

Forget handed out information regarding the boiler. He said they have been calling for repairs four to five times per season and each time have been paying \$1,000 to \$2,000 for the repairs. He said Pine Grove School has two boilers and they have gotten a quote for \$150,000 to replace both, but they don't think it is wise to replace them given the upcoming renovations to the school and they don't yet know the final HVAC needs. He said they are proposing to replace the burner on boiler #1 which will cost \$16,500. He said that boiler is intact and each year the MIIA annual inspection says they need to address the boilers. He said on a 40 degree day, they can use just one boiler, but on colder days both are needed to keep the school warm and open. He said boiler #1 is from the 1970s, the burner has reached the end of its useful life, and the vendor said with a new burner, the boiler should last another few years. Petersen said he and Bob Merry met with school custodian Chris Walsh and the boiler makes strange noises when it turns on. He said to retrofit the burner to the boiler, hand-made parts are required due to the age of the boiler, so they need lead time. He said this is an emergency and we need to go to the Finance Committee for the \$16,500 to make this repair to avoid a future crisis. Forget said it will be two to three weeks before the repair can be done. Larry White asked how many days the repair will take to complete. Forget said it will take several days to craft the piece, and one day to install it.

Bob Snow made a motion to request \$16,500 from the Finance Committee to be used to replace the burner on boiler #1, Joseph Perry second, all in favor - aye (4-0). Jack Cook – ABSENT

Forget handed out two additional documents regarding the Pine Grove renovation project. He said the first document is multiple pages and is a snippet from the MSBA website and he can send the links to the website. Petersen said he, Merry, Chris Walsh, Forget and Farmer met to discuss the extensive renovations needed at Pine Grove School. He said nothing has been done to the school in 25 years, we have gotten our money's worth, and this has been discussed previously, so this is not coming from out of the blue. Forget said the school was built in 1954, the same year the Newbury Elementary School was built. He said Newbury Elementary received a complete renovation in 1994 versus the cosmetic renovation done at Pine Grove School, where many components date back to 1954. Forget said the first step of the process is to submit the statement of interest and this was submitted in to the MSBA in 2012. He said this requires a School Committee vote. He said at that time there was discussion but there was not a commitment from the Board of Selectmen. He said the

MSBA said off the record that this was a viable project but without the support of the Board of Selectmen they were not invited into the process. He said we have to follow the process. He said the MSPCA requires a town vote within 270 days of being invited into the process

He said the first step is for the School Committee to submit the statement of interest and that window opened this week. He said there are two types of projects: one for the building envelope or one for a core program. He said our project would fall under the core program, so the statement of interest window closes at the end of April and if the MSBA agrees this is a viable project, they will invite us into the process, which would happen around this time next year. He said once we are welcomed into the process, the Town has 270 days to vote to fund a feasibility study for the project. He said the estimate for the feasibility study would be \$500,000 to \$1,000,000, but could be higher depending on the scope of the project. He said they walk you through the process once welcomed in. He said the process is now under the State Treasurer opposed to the Department of Education, which has streamlined the process. He said if the Town votes to fund the study, it will take 18 – 24 months to do the study and then another vote will be needed for the town to fund the project.

Forget asked if the Town wishes to pursue the project. He said as a reference he has a feasibility study that was completed in 2002 that was not pursued, and the estimated cost under that study was \$20,000,000. He said the state rates all the buildings, and in 2002, the other schools in the district were rated 1, Pine Grove was rated 2. He said Pine Grove has slipped to a 3 on a scale of 1-4. He said due to preventative maintenance done on the building, it looks better than it is. He said electrical, plumbing and hvac are of major concern, there are no sprinklers, but the envelope such as doors and windows are in decent shape. He said the final question is if the project is for a renovation, and rebuild or a renovation with an addition.

He said moving forward from today, the first scenario is that we submit the statement of interest over the next few months and MSBA says no to the project, which they don't anticipate happening, but it does depend on the projects submitted each year. He said we would still be able to do a project, but we wouldn't have state funding for it. He reviewed the remaining two scenarios on the handout titled "Addressing Facilities Challenges Pine Grove School" and said the second scenario is the most likely. He said the benefit of the third scenario would be that we could have a better estimated amount for the feasibility study. He said he hopes the state would contribute 40 – 50% of the cost.

Petersen said we should submit the SOI now, have an override on the next Town Meeting for \$1,000,000 for the study, and if we don't need all of the \$1,000,000 we won't borrow it. He said the Town also needs a new Police & Fire Station, but that won't be ready for the upcoming Town Meeting, but they are looking to have it ready for the following Town Meeting. He said putting the override on the upcoming Town Meeting warrant will help generate community and parental interest, but it may be turned down at Town Meeting. He said he would like to see the Board take a vote on this tonight

since it is important to show that the Board of Selectmen is committed to this project. He said it will be three to five years before the project can start and the time to do this is now.

Dave Petersen made a motion to ask the School Committee to apply to the state for this project by the deadline and to commit to putting a question on the ballot for an override, Joseph Perry second, all in favor - aye (4-0). Jack Cook – ABSENT

Farmer said some spectacular projects in the area have gotten press coverage, but the state has guidelines on the needs and space needed. He said they want to provide a basic facility that meets the needs with no ornamentation. Snow said the Town has lots of irons in the fire with upcoming projects, this is an overload on the taxpayer, and we need to carefully look at this. Petersen said our school is behind the other two schools in the district, and this may not be voted for, but it needs to be put before the voters. Snow said interest rates are low, and it is unknown how they will be in the future, so it is a good time to do projects, but we need to walk the taxpayers through the process. Perry said support from the Pine Grove School parents will be needed.

Larry White asked when the boiler project will be done. Forget said within 1.5 and 2 weeks.

NEW BUSINESS

2. Letter from Eric Jacobson, Accounting Manager, Camping World Leasing Company, LLC re: 2015 Class II Dealer's license

Chairman Merry read the following:

Eric Jacobson of Camping World Leasing Company has notified us via email that Camping World Leasing has closed its business operations in Rowley at 274 Newburyport Turnpike.

They had filed for a 2015 Class II Dealer's License renewal, which was approved by the Board of Selectmen. (Copy is attached.) They did not stop by to pick up their 2015 license. (Amy has the original license.) They are asking for a refund of the \$200 2015 license renewal fee. Regulatory Compliance Officer Frank Marchegiani has confirmed that the site is vacant.

How does the Board wish to proceed with this request?

Perry said he has driven by and can confirm that the site is vacant. Petersen said he has no problem refunding the \$200.

Dave Petersen made a motion to refund the 2015 license fee of \$200 as requested, Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSENT

3. Request from Ezee, LLC for a 10:00 a.m. Sunday opening for the sale of beer and wine

Chairman Merry read the following:

Ezee, LLC has filed for a 10:00 a.m. Sunday morning opening for the sale of beer and wine, pursuant to the new ABCC regulations on 10:00 a.m. Sunday morning openings.

The Board needs to vote to sign Form 43.

Perry said the ABCC has changed the law to allow earlier Sunday openings, he thinks it is wrong, but they have to approve the request.

Dave Petersen made a motion to approve the request and sign form 43, Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSENT

The Selectmen signed form 43.

MINUTES

- October 6, 2014

Dave Petersen made a motion to approve the minutes from October 6, 2014, Joseph Perry second, all in favor - aye (3-0). Jack Cook - ABSENT Bob Merry - ABSTAINED

- October 6, 2014 Executive Session

Joseph Perry made a motion to approve the minutes from October 6, 2014 Executive Session, Bob Snow second, all in favor - aye (3-0). Jack Cook - ABSENT Bob Merry - ABSTAINED

- October 20, 2014

Dave Petersen made a motion to approve the minutes from October 20, 2014, Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSENT

- October 20, 2014 Executive Session

Joseph Perry made a motion to approve the minutes from October 20, 2014 Executive Session, Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSENT

- October 27, 2014

Joseph Perry made a motion to approve the minutes from October 27, 2014, Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSENT

- November 3, 2014

Joseph Perry made a motion to approve the minutes from November 3, 2014, Bob Snow second, all in favor - aye (3-0). Jack Cook - ABSENT Dave Petersen - ABSTAINED

ANNOUNCEMENTS

- Triton Budget Presentations January 12, 13, 14 and 15, 2015
- 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** - two 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, Dave Petersen second, all in favor – aye (4-0). Jack Cook - ABSENT

Open meeting adjourned at 8:02 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Proclamation for Joshua Ian Terry
2. Proclamation for Eric Hoy Ninthala
3. Meeting memo regarding New Business #1: Letter from Larry White regarding Open Space Committee
4. Letter from Larry White regarding Open Space Committee
5. Meeting memo regarding **7:15 p.m.** Triton Superintendent Christopher Farmer and Triton Assistant Superintendent Brian Forget to discuss: State School Building Assistance program for Pine Grove School and Discussion and possible vote of the Board of Selectmen regarding an emergency new boiler for Pine Grove School

6. Documentation handed out by Brian Forget regarding quotes received for boiler repair
7. Documentation handed out by Brian Forget titled "Addressing Facilities Challenges Pine Grove School"
8. Documentation handed out by Brian Forget titled "MSBA School Building Process"
9. Meeting memo regarding New Business #2: Letter from Eric Jacobson, Accounting Manager, Camping World Leasing Company, LLC re: 2015 Class II Dealer's license
10. Email correspondence between Doreen Glowik and Eric Jacobson regarding requested refund
11. Copy of Class II Dealer's license issued to Camping World Leasing Co. LLC
4. Meeting memo regarding New Business #3: Request from Ezee, LLC for a 10:00 a.m. Sunday opening for the sale of beer and wine
12. Form 43 for Ezee, LLCs change in hours
13. Action by Consent of Manager from Ezee, LLC to change the Sunday hours
14. ABCC Monetary Transmittal Form for Ezee, LLC
15. Change of hours checklist from Ezee, LLC
16. ABCC Advisory issued September 8, 2014 regarding Sunday opening time