

MINUTES OF THE BOARD OF SELECTMEN MEETING

July 2, 2018

Meeting held at Town Hall, 139 Main Street, Rowley, MA

6:30 p.m.

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

PUBLIC ATTENDEES: Lawrence White – FINCOM; Ed Morando – Morando Brands; Alyssa Cayer – Color Run; Amardeep Patel; Bernard Cullen – 283 Wethersfield Street; Michele Moon – RVA; Bonnie Berkowitz; Barbara Berkowitz; Kirk Baker – Planning Board

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 6:30 p.m. He said the meeting is being audio and video recorded and broadcast live via Rowley Community Media.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CANCELLED - 6:30 p.m. JOINT MEETING BOARD OF WATER COMMISSIONERS

CANCELLED- EXECUTIVE SESSION

To discuss the discipline or dismissal of an employee pursuant to G.L. c. 30A, §21(a)(1)

Chairman Pierce said the Joint Meeting and Executive Session for tonight has been cancelled.

FY 19 RE-APPOINTMENTS

Position or Board/Commission Member	Appointee Name	Expiration
Historic District Commission/Historical Commission	Frank Todd	6/30/2020
Historic District Commission/Historical Commission	Sara Bourque	6/30/2021
Historic District Commission/Historical Commission	John Cardillo	6/30/2019
Historic District Commission/Historical Commission	Barbara Breaker	6/30/2019
Historic District Commission/Historical Commission	Len Charney	6/30/2019
Historic District Commission	Michael Sabatini	Undetermined

Bob Snow made a motion to re-appoint the following individuals to the Historic District Commission/Historical Commission: Frank Todd, Sara Bourque, John Cardillo, Barbara Breaker and Len Charney for the terms specified in the chart above, Bob Merry second, all in favor - aye (5-0).

Chairman Pierce read the following:

Michael Sabatini has served on the Historic District Commission (HDC) since his appointment on December 15, 2014. Because Mr. Sabatini owns property that is covered under a Historic Preservation Restriction that is held by the Town's Historical Commission (HC), there is a conflict of interest issue with him serving on the HC, and he has served only on the HDC. The HDC asked Mr. Sabatini to resign in July of 2017 (please see the attached letter). Mr. Sabatini has indicated that he wishes to be re-appointed. Would the Board like to invite Mr. Sabatini into the meeting on July 16th to discuss this?

Pierce read the letter from the HDC requesting Mr. Sabatini's resignation. Petersen said he suggests that Sabatini come to the next Selectmen's meeting to discuss this. He said there have been articles in the newspapers about Mr. Sabatini's business and the Town has been blamed, but Mr. Sabatini failed to get building permits before he did work to his historic barn, which is under a Historic Preservation Restriction. He said he got the permits after the fact, and he should come in to explain what he did and why he did it, and then the Board can make a decision on this appointment.

Pierce said another option is to post the vacancy for the Historic District Commission and Historical Commission, see who applies for it, and then have everyone come in on the same night. He said Sabatini is only on the HDC, and it would probably be better for the Town to have one person serve on both the HDC and the HC.

Joe Perry made a motion to post the vacancy, and to bring in the applicants for the vacancy on July 16th to meet with the Board of Selectmen, Bob Merry second, all in favor - aye (5-0).

GENERAL BUSINESS

1. Invitation from the Peabody Essex Museum to attend a preview of the museum collection on July 10, 2018

Chairman Pierce read the following:

The Board has been invited to preview of the Peabody Essex Museum's new Collection Center at 306 Newburyport Turnpike. The event will be held on Tuesday, July 10 and starts at 2:30 p.m. and runs to 4:30 p.m. Dan Monroe, the PEM director, is inviting

Chairman Pierce to provide some remarks. Debbie needs to know which Selectmen plan to attend and if Chairman Pierce will attend and provide some remarks.

Pierce said he cannot attend. Snow said he will attend and provide some remarks. Perry said he will try to attend.

2. Letter from the Great Marsh Garden Club of Rowley to the Board of Cemetery Commissioners regarding donation of funds

Chairman Pierce read the letter. Snow said we should send them a letter of regret for their many years of devotion in caring for the star garden. He said this is a real loss. Pierce said they did the gazebo garden as well, and they provided a great service to the Town. Petersen said the Cemetery Commissioners will take this up at their next meeting, which is next month. He said it may be best to use some money to bid some of the work out. Pierce said he thinks volunteers will continue to do the plantings. Petersen recommended that the Selectmen put this aside until the Cemetery Commissioners meet and decide what to do.

Bob Snow made a motion to send the Great Marsh Garden Club a letter of thanks, Joe Perry second, all in favor - aye (5-0).

NEW BUSINESS

1. Award Town computer consultant services contract

Chairman Pierce read the following:

The IT Coordinators, Sue Bailey and Karen Summit, issued a solicitation for computer consultant services. They received one response to the solicitation, from PRS Group. The proposed hourly rate is \$95, which is the same as in their last contract. The IT Coordinators are recommending that the Board of Selectmen award the computer consultant services contract to PRS Group.

The Board should vote to award the contract to PRS Group and to authorize Chairman Pierce to sign the contract.

Joe Perry made a motion to award the contract to PRS Group and to authorize Chairman Pierce to sign the contract, Bob Snow second, all in favor - aye (5-0).

Pierce signed the contract.

OLD BUSINESS

1. Update on Fire Station and Police Station Addition project

Chairman Pierce read the following:

This project is moving along at a great pace. The framing is just about complete in the fire station. The siding on the Police Station is expected to start this week. Windows are being installed in the Police Station.

2. Update on the Pine Grove School project

Chairman Pierce read the following:

The school session ended last Tuesday, June 26. At the end of the school day, the contractor took over the entire site. There are multiple work shifts running around the clock. Joe Perry will provide further information.

Perry said he and Larry Berger walked around the site on Friday. He said a major concern are the arches in the All Purpose Room which had termite damage. He said they are getting bids to replace the first 4 feet. He said the Principal is working out of the Triton Middle School. Pierce said Berger said they still don't have a good idea about what the cost for the termite damage will be.

3. Discuss Triton Regional School District Agreement

Chairman Pierce read the following:

Chairman Pierce will discuss this agenda item. Attached are copies of the current Triton Agreement and a copy of 2016 redlined version with proposed changes.

Pierce said the School Committee is in the process of revising some provisions of the agreement that seem to benefit the district and not the Towns, other than the assessment formula. He said this is an opportunity to add some provisions for the Towns to play a greater role in the budget process. He said right now, the Towns play no role in the budget process for Triton. He said the Pentucket agreement has a provision for a Regional Financial Advisory Committee, which is comprised of representatives from the Board of Selectmen and Finance Committee. He said this group reviews and makes recommendations of the Pentucket regional school district budget. He said we are looking at changing the Triton Agreement anyways, so why not

try to explore this type of provision. He said he would like to meet with the Chairs from Newbury and Salisbury to discuss this.

Perry said he has sat on committees for the landlord/tenant agreement and the assessment formula. He said this is a great idea to make it more formal with the other two towns. Bernie Cullen from 283 Wethersfield Street said this is a great idea, and the budget cycle should also be started earlier. Petersen asked if the Board can get copies of the agreements from Petucket, Masconomet and Hamilton/Wenham to review. Eagan said she will get these to the Selectmen.

Bob Snow made a motion to authorize Chairman Pierce to represent the Board and meet with the Chairs of the other two towns to discuss this, Joe Perry second, all in favor - aye (5-0).

7:00 p.m. APPOINTMENT Alyssa Cayer to discuss 5K Color Run/Walk for Suicide Awareness and Veterans on September 16, 2018

Chairman Pierce read the memo from Amy Lydon. Cayer said this is a 5K run/walk where powdered color is thrown at people. She said the powder rinses off, and she will make sure the traffic signs are cleaned off. She said she met with the Police Chief and will have two police details and EMS available. She said there will also be water stations.

Joe Perry made a motion to approve this request, Bob Snow second, all in favor - aye (5-0).

OLD BUSINESS

4. Update on Town Aquaculture License renewal process

Chairman Pierce read the following:

Bob Snow has been in discussions with the Division of Marine Fisheries and Shellfish Commissioner Ron Kneeland on the aquaculture license renewal process. He will update the Board.

Snow said he has learned a lot about the aquaculture process from his discussions with Chris Schillaci of the Division of Marine Fisheries. He said we have a three year window before the State would need to come in and walk the clam flats. He said Schillaci is available to come to a Selectmen's meeting so the paperwork can be ironed out. Eagan asked if the Shellfish Commissioners will come to that meeting. Snow said yes, with Schillaci in two or four weeks. Snow asked that this be put on the agenda for July 16th, and to have a joint meeting with the Shellfish Commissioners on July 30th.

7:10 – 7:15 p.m. PUBLIC COMMENT

There were no Public Comments.

OLD BUSINESS

6. Update on Didax building, 395 Main Street

Chairman Pierce read the following:

The attorney for Didax met with the Zoning Review Committee last week. The attached timeline was prepared by Didax.

Pierce said he thinks the meeting went well and all the ZRC members are on board with the proposal. He said they decided to create an overlay district in this area. He said the Planning Board will have a Public Hearing on the draft bylaw the first or second week in September. He said the Attorney for Didax said they are expecting Town money to be used to improve the roadway to the building. He said Kirk Baker is researching a grant to do this roadway, and will send a memo to the Selectmen with his findings. Perry suggested that Baker contract Representative Hill for information on the grant.

Eagan said representatives of Andy Sunny are here tonight. She said they have an application pending with the ABCC, and we asked them if they would have the ABCC requested paperwork in time for tonight's meeting. She said we didn't hear back from them, so they are not on tonight's agenda.

7:15 p.m. APPOINTMENT Merrimack Valley Planning Commission Director Karen Conard and Town Planner Kirk Baker to present Housing Production Plan

Karen Conard said she has a great relationship with Town Planner Kirk Baker, and they were received well by the Planning Board. She reviewed the slides prepared for the overview of the Housing Production Plan. She said Rowley's affordable housing is 4.22%, which is below the 10% State goal. She said this plan is a blueprint, and is not being enforced. Petersen said we need to discuss age in place options, and allow for smaller building lots. Conard said the Planning Board has reviewed this plan and is asking for the Board of Selectmen to approve it.

Dave Petersen made a motion to approve the Housing Production Plan, Joe Perry second, all in favor - aye (5-0).

Conard said this plan can serve as the chapter about housing in the Town's Master Plan, and this data gives the Town a leg up for grant applications.

OLD BUSINESS

5. Discuss Verizon Cable License Agreement

Chairman Pierce read the following:

Town Counsel Tom Mullen has sent the Board Verizon's which is attached. RCM Director Janet Morrissey has reviewed it and is satisfied. Is the Board in agreement? Debbie needs to get back to Tom Mullen with the Board's response.

Bob Merry made a motion to approve the Verizon Cable License Agreement, Dave Petersen second, all in favor - aye (5-0).

7. Discuss June 30, 2018 Independence Day Celebration

Snow said the power issues at the gazebo need to be addressed. Pierce asked if the Light Department could look at this, and if next year we can have a generator back-up. Snow said we need to discuss how this event is run and said the Recreation Committee should take it over. Petersen said this time the Recreation Committee members helped, but they need to spearhead the event.

Dave Petersen made a motion to send a letter to the Light Commissioners requesting that the Light Department look at the power at the gazebo, Joe Perry second, all in favor - aye (3-0). Bob Merry – ABSTAINED Bob Snow - ABSTAINED

Dave Petersen made a motion to send thank-you letters to the volunteers who helped run this event, and to authorize Chairman Pierce to sign these letters, Bob Snow second, all in favor - aye (5-0).

7:45 p.m. APPOINTMENT Edward Morando of Morando Brands, LLC to discuss proposal to operate a marijuana product manufacturer business

Chairman Pierce read the following:

Enclosed in the packet:

- *Letter of Interest to Operate an Adult Use Product Manufacturer Facility at 319 Newburyport Turnpike*
- *Draft Host Community Agreement (This has not been reviewed by Town Counsel)*
- *Security Plan (The plan was sent to the Police Chief this morning; we have not received any comments from Chief Dumas)*

Mr. Morando has met with Town Planner Kirk Baker and the type of business Mr. Morando is seeking to open is considered "business/light industry." The location is zoned for business/light industry.

Mr. Morando is seeking a Letter of Non-Opposition from the Board of Selectmen for his proposed business and then to enter into a Host Agreement.

Morando showed the Board his product, which is a pharmaceutical grade delivery system with an exact dosage in a sealed package. He said each package includes five cups with the exact dosage and will be sold to dispensaries with adult use licensing. He said they will not be selling directly to the public. Pierce said this business would pay Rowley the 3% local impact fee. Morando said he projects selling each of the 200 dispensaries in the State two cases per month, and they will have 6 employees. Morando said the still need to have a community meeting, and get approval from the Planning Board. He said there is a patent on this product.

Dave Petersen made a motion to issue a letter of support for this business, Joe Perry second, all in favor - aye (5-0).

Eagan said she will get the Host Agreement to Town Counsel and work on the letter of support. She said Police Chief Scott Dumas approved their security plan.

MINUTES

- March 26, 2018

Bob Snow made a motion to approve the minutes of March 26, 2018, Joe Perry second, all in favor - aye (5-0).

- April 12, 2018

Joe Perry made a motion to approve the minutes of April 12, 2018, Bob Snow second, all in favor - aye (5-0).

- April 23, 2018

Bob Snow made a motion to approve the minutes of April 23, 2018, Joe Perry second, all in favor - aye (5-0).

- June 28, 2018

Bob Snow made a motion to approve the minutes of June 28, 2018, Joe Perry second, all in favor - aye (5-0).

ANNOUNCEMENTS

- The pool at the YMCA Camp Cedar Mill on Wethersfield Street in Rowley is open for the summer season. The pool is free for Rowley residents. The hours are Monday through Friday from 3:00 p.m. to 6:00 p.m. and on weekends from 10:00 a.m. to 6:00 p.m. It will be closed on July 4 for the Independence Day Holiday.
- The band 3 Blocks East will be giving a free concert on the Town Common on Saturday, August 25, 2018 at 6:00 p.m.
- Information on the Pine Grove School project is available on the Town's website at www.townofrowley.net.
- The Town has the following vacancies:
 - a. **Agricultural Commission Associate**
 - b. **Fence Viewer** – three positions;
 - c. **Wood, Lumber & Bark Inspector**;
 - d. **Zoning Board of Appeals Associate** – three seats;
 - e. **Parks and Recreation Committee** – one seat; and
 - f. **Deputy Shellfish Constables** – two positions.For 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. The Food Pantry is open on Tuesdays from 10:00 a.m. to 12:00 p.m. and on Thursdays from 5:30 p.m. to 7:00 p.m.

ADJOURN

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Joe Perry second, all in favor - (5-0).

Open meeting adjourned at 8:05 p.m.

Respectfully submitted,

Amy Lydon

Assistant Town Administrator

ATTACHMENTS

1. Listing of FY 19 Re-appointments
2. Letter from Rowley Historic District Commission to Michael Sabatini dated July 27, 2017
3. Email from Michael Sabatini dated May 28, 2018 regarding RHDC April Notes
4. Meeting memo regarding General Business #1: Invitation from the Peabody Essex Museum to attend a preview of the museum collection on July 10, 2018
5. Invitation from the Peabody Essex Museum to attend a preview of the museum collection on July 10, 2018

6. Article from thelocalne.ws titled PEM Rowley opening: One mile of stuff at new museum
7. Letter from the Great Marsh Garden Club of Rowley to the Board of Cemetery Commissioners regarding donation of funds
8. Meeting memo regarding New Business #1: Award Town computer consultant services contract
9. Email from Sue Bailey regarding IT Contract
10. Request for Price Quotation completed by PRS Group, Inc.
11. Meeting memo regarding Old Business #1: Update on Fire Station and Police Station Addition project
12. Meeting memo regarding Old Business #2: Update on the Pine Grove School project
13. Meeting memo regarding Old Business #3: Discuss Triton Regional School District Agreement
14. Amended Agreement for the Triton Regional School District received by Joe Perry at School Committee Meeting held on September 14, 2016
15. Amended Agreement for the Triton Regional School dated September 2006
16. Memo from Amy Lydon regarding Request for Color Run – Agenda item July 2, 2108, including attachments
17. Meeting memo regarding Old Business #4: Update on Town Aquaculture License renewal process
18. Board of Selectmen Public Comment Policy
19. Meeting memo regarding Old Business #6: Update on Didax building, 395 Main Street
20. Memo from John Smolak regarding Didax Property – 395 Main Street, Rowley
21. Meeting memo regarding 7:15 p.m. Appointment: Merrimack Valley Planning Commission Director Karen Conard and Town Planner Kirk Baker to present Housing Production Plan
22. Town of Rowley Draft Housing Production Plan
23. Presentation from Karen Conard of Merrimack Valley Planning Commission on Rowley Housing Production Plan
24. Meeting memo regarding Old Business #5: Discuss Verizon Cable License Agreement
25. Email from Tom Mullen regarding Rowley Verizon Renewal Financial Terms
26. Meeting memo regarding Old Business #7: Discuss June 30, 2018 Independence Day Celebration
27. Photo copy of quarters donated by Sue Herrick for Independence Day Celebration
28. Meeting memo regarding 7:45 p.m. Appointment: Edward Morando of Morando Brands, LLC to discuss proposal to operate a marijuana product manufacturer business, including referenced enclosures
29. Draft minutes of March 26, 2018
30. Draft minutes of April 2, 2018
31. Draft minutes of April 23, 2018
32. Draft minutes of June 28, 2018

Minutes of the Board of Selectmen Meeting

July 2, 2018

Approved August 13, 2018