

MINUTES OF THE BOARD OF SELECTMEN MEETING

November 24, 2014
Meeting held at Town Hall

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

PUBLIC ATTENDEES: Lawrence White – Finance Committee; Brent Baeslack - Conservation Commission; Robert Barker - Police Chief; Daniel Lee - Police Department; Stephen May - Police Department; Jesse Mazzie - Police Department; Sherri David; David Sedwick- Police Department; David Lee - Police Department; Kathy Lee - Police Department; Dorothy Tobin - Police Department; Mark Smith - Police Department; Liz Dunn; Helen Farrar; Joseph J. Gamache; Mathew Ziev

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHAIRMAN'S COMMENTS

None.

MOMENT OF SILENCE

A moment of silence was observed for the passing of long-time resident Charles Hardy who grew up in Rowley, was involved in the Rowley Veterans Association and did a lot, especially for the Memorial Day Services.

GENERAL BUSINESS

1. Letter from George Pacenka on Eric Hoy Ninthala receiving Eagle Scout rank

Chairman Merry read the letter from George Pacenka regarding Ninthala (COPY ATTACHED).

Dave Petersen made a motion to issue Ninthala a proclamation, Bob Snow second, all in favor - aye (5-0).

7:05 – 7:15 p.m. CITIZEN QUERY

Citizen's Query opened.

GENERAL BUSINESS

2. Water Department Hydrant Flushing Schedule

Chairman Merry read the following:

Water Superintendent Marybeth Wiser has announced the flushing of the Town's hydrants. The Water Department was not able to flush the hydrants as planned last summer due to the mandatory water ban. With the ban now lifted, Superintendent Wiser has set up the schedule for hydrant flushing.

Chairman Merry will read the schedule aloud. However, residents seeking more information, should contact the Water Department at 1-800-553-5191 or at www.rowleywater.com.

Merry read the 2014 Flushing Schedule (COPY ATTACHED).

NEW BUSINESS

1. Rowley Veterans Association, Inc. Liquor License New Officer/Director application

Chairman Merry read the following:

This item was tabled last week because we had not received a complete application. We still have not received a complete application. The Rowley Veterans Association had originally filed a change of manager application. The Board of Selectmen approved that application on September 8, 2014 and the application was sent to the ABCC for approval.

The ABCC denied the change of manager application because it was signed by officers/directors that were not on file with the ABCC. The ABCC required that the Rowley Veterans Association file a New Officer/Director application.

Since we have not received a complete application from the Rowley Veterans Association, does the Board want to send a letter to them and the ABCC inquiring as to the status of the application?

Dave Petersen made a motion to send the Rowley Veterans Association and the ABCC a letter summoning the Rowley Veterans Association to attend the Selectmen's meeting on December 1, 2014 to discuss this situation, and to notify the RVA that if we do not

receive the completed application before the December 1, 2014 meeting, their license will be suspended, Bob Snow second, all in favor - aye (5-0).

7:15 p.m. Police Chief Robert Barker to present Stephen May for the position of lieutenant and Daniel Lee for position of full-time patrolman

Chairman Merry said, "Chief Barker is here tonight to present Stephen May as his recommendation to be appointed to the position of lieutenant in the Rowley Police Department. Chief Barker is also recommending that Reserve Police Officer Daniel Lee be appointed as a full-time patrolman."

Merry read the letter from Police Chief Barker regarding May's appointment to the position of lieutenant (COPY ATTACHED). Police Chief Barker said May did very well on the assessment which all candidates had to participate in to assess their abilities to do the job.

Joseph Perry made a motion to appoint Stephen May to the position of lieutenant, Bob Snow second, all in favor - aye (5-0).

Dave Petersen congratulated May on his promotion, said May has been around Town for many years, he deserves the promotion, and he looks forward to working with him. Bob Snow said he agrees with Petersen.

Merry read the letter from Police Chief Barker regarding Daniel Lee's appointment to the position of full time patrolman (COPY ATTACHED). Police Chief Barker said Lee is a legacy, his uncle is Gary Ward and his grandfather served on the police department for many years.

Jack Cook made a motion to appoint Daniel Lee to the position of full time patrolman from December 26, 2014 - June 30, 2017, Bob Snow second, all in favor - aye (5-0).

The Board congratulated Lee on his promotion. Petersen welcomed Lee and said he hopes Lee has a great career.

OLD BUSINESS

1. Update on Girl Scout land purchase

Deborah Eagan said she met Barbara Fortier and gave her the signed Purchase & Sales Agreement. She said the 40 J disclosure has been signed and DeRosa has been hired to do the 21E and we should have those results at the end of next week. She said she anticipates a closing date around December 15, 2014.

Dave Petersen left the room at 7:21 p.m. and returned at 7:22 p.m.

2. Sign contract with AJ Wood Construction, Inc. for Town Hall Window project

Chairman Merry said, "The Board of Selectmen needs to vote to sign the contract with AJ Wood Construction Inc. in the amount of \$55,000 for the Town Hall Window Project. There are two originals."

Joseph Perry made a motion to sign the two original contracts with AJ Wood Construction Inc., Jack Cook second, all in favor - aye (5-0).

The Selectmen signed the two contracts (COPY ATTACHED).

7:05 – 7:15 p.m. CITIZEN QUERY

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

7:30 p.m. Conservation Agent Brent Baeslack to discuss the following:

- Update on the status of the Town's Open Space Plan
- Request for consideration to utilize MVPC local technical assistance to revising the Hunsley Hills Trail Map

Baeslack said he has provided a copy of the October 6, 2014 letter from the State Division of Conservation Services regarding the provisional approval of the Town's Open Space and Recreational Plan (COPY ATTACHED). He said there are ten points outlined in the letter, some of which are comprehensive, that need to be addressed. Merry asked if these can be handled in-house. Baeslack said no. He said he utilized the guidance available on the state's website which indicated that only certain sections needed to be updated. He said they used CPC funding to hire a consultant who was helpful in updating what we thought needed to be updated. He said the list in the letter is comprehensive and he wishes to seek authorization from the Board of Selectmen to apply for additional CPC funds. He said we have provisional approval and we want to finalize this so that the Town can participate in state grant opportunities. Merry asked when this needs to be done. Baeslack said there is no rush or stated completion deadline. Merry said the letter said the Town's plan is conditionally approved through October 2019. Merry said he would like to proceed by working with the same consultant already used. He said he would like to seek funding at the next annual town meeting and would like a target completion date of June 30, 2015. Eagan said June 30, 2015 may not give us enough time to complete this. She said there is a new Governor and the names of state agencies will change which will need to be updated in the document. She said Baeslack has put in a lot of time on this project at the Board's and her request. She said getting provisional approval is great since we don't have an open space committee to work on this. She said we need to ask the consultant to provide a proposal for the remaining work. Baeslack said he copied the consultant on the letter and she agreed to provide a quote. Perry said the consultant has the expertise needed. Baeslack said the consultant has drafted open space plans for many towns. Petersen said if a grant is awarded to the Town based on the provisionally approved plan, the funding may not be released until the plan is final. He said we don't want this project to

languish given the work that has already been put into it. Eagan said we need to get the quote and maybe this can be paid from the CPC Administration funds or we can go to Town Meeting for funding. Merry said we should also find out from the consultant how long it will take to do the work.

Dave Petersen made a motion to ask Baeslack to pursue this further and come back to a future meeting to discuss this further, Bob Snow second, all in favor - aye (5-0).

Chairman Merry read the letter from Brent Baeslack to the Board regarding request to update Hunsley Hills Trail Map by MVPC (COPY ATTACHED). Baeslack said he was taken aback and surprised that MVPC informed him that they have revised their criteria for using MVPC LTA hours. He said MVPC may not agree to do projects that are small. He said there are these three options: see if local technical assistance hours can be used; if not, ask for a quote from MVPC to do the work; or seek an independent consultant with the software and skills needed to do this work. Snow said he attended last Thursday's MVPC meeting and he doesn't recall discussion regarding a change in criteria. He said he would reach out to his MVPC contacts for more information. Baeslack said he hasn't yet gotten an estimate for the number of hours from MVPC, but has given them a copy of the current map (COPY ATTACHED). He reviewed the map with the Board and said this is a pet project of his, and in order to be fully utilized and enjoyed, there needs to be a trail map. He said there is a Hunsley Hills account with some money that may be able to be used for this project. He said the area is 104 acres with the conserved open space being slightly less due to an easement in place for a future water tank. Merry said when the Town lost Well #2 and put a tank on Prospect Hill, the plan was to also put a tank on Hunsley Hill, but Town Meeting only approved one tank. Eagan said she doesn't believe we have used LTA hours this fiscal year. Snow said some were used in June during last fiscal year. Eagan said it doesn't seem like there would be a lot of work since we already have the map and asked the Board if they wished to vote to request the use of LTA hours for this project. Baeslack said his phone has the ability to pull GPS coordinates which he offered to record and provide to MVPC. Merry said that may not be feasible if there is a lot of snowfall. Baeslack said he has snowshoes and the markers are 6.5 feet high. Snow said he will check with Gerard from MVPC and let Baeslack know. Petersen said we should send MVPC a letter asking what their new policy is, but should update the map either way.

Dave Petersen made a motion to send MVPC a letter after Snow calls if needed, Joseph Perry second, all in favor - aye (5-0).

NEW BUSINESS

2. Discuss FY 15 State Budget cuts

Chairman Merry read the following:

We are astonished that our governor is proposing to cut education and municipal accounts by \$40 million and unrestricted local aid by \$25.5 million to close a deficit in the state budget. Reports are that the state is facing a \$329 million shortfall.

Why is there such a huge deficit in the state budget? The economy is improving. The state has a rainy day fund to tap into. Why is he targeting municipal accounts to close this gap?

According to the MMA, the Governor is planning to cut regional and vocational school transportation, special education reimbursements, Chapter 70 "pothole" aid account, public school military mitigation grants, charter school reimbursements, kindergarten expansion grants, and library aid. Above that, he also wants to go to the Legislature and cut another \$25.5 million from unrestricted aid to cities and towns.

This is appalling. If the state budget has a deficit the governor should be looking at making cuts in his budget. Why is the state filling positions when there is a deficit? We need to send a letter to Senator Tarr and Representative Hill expressing our outrage that the mistakes made at the state level are being made on the backs of cities and towns and ultimately our taxpayers. We need to ask our legislative delegation for the specific reasons as to why there is a deficit in the budget. There is a lot in the media about what he plans to cut, yet there is not enough discussion on what led to this huge deficit, when we are not even half-way through the fiscal year.

Bob Snow made a motion to send these letters to Senator Tarr and Representative Hill, Joseph Perry second, all in favor - aye (5-0).

Perry said it is his opinion that the Governor is not a friend to education since he has made many cuts to education funding. Snow said the Governor is no friend to small cities and towns either since funding goes to larger cities. He said this is appalling and we need to send strongly worded letters to our representatives. He said the Governor is leaving office and there is a huge mess, he said this is unbelievable. Merry said he did not let any of this out until after the election and he is disgusted by this. Petersen we have never recovered from state cuts made in previous years and cities and towns have had to make up the difference. He said this is concerning when we are seeing an improving economy. He said it is important to make these points known and let the taxpayers know that we are concerned. He said if the state cuts go through as they announced, the Town will have to cut services and the schools will see cuts as well. Merry said it is all about transparency, and regional transportation is supposed to be funded at 100%, but has never been fully funded. Petersen said it is the same with special education, which is supposed to be fully funded, but the state makes promises and then walks away. Snow said these actions pit the Town against the schools, it is not right, it is appalling and we need to send strongly worded letters. Petersen said these cuts are twice as hard since the fiscal year is halfway over. Snow said state

officials would be fired if they worked in the private sector. Perry said we should include the Speaker of the House and the President of the Senate on these letters.

MINUTES

- September 8, 2014

Dave Petersen made a motion approve the minutes of September 8, 2014, Joseph Perry second, all in favor - aye (3-0). Bob Snow – ABSTAINED. Jack Cook - ABSTAINED

- September 22, 2014

Jack Cook made a motion approve the minutes of September 22, 2014, Dave Petersen second, all in favor - aye (5-0).

ANNOUNCEMENTS

- Rowley Community Blood Drive – Tuesday, November 25 from 2:00 – 7:00 p.m. – Rowley Veterans Association
- Marine Corp Reserves Toys for Tots drop off box located at Town Hall
- Flu shots are available to Rowley residents on Mondays and Wednesdays from 2:00 – 4:00 p.m. at the Annex. Contact the Council on Aging or the Health Department for more information.
- Library Events: Landscapes – Oil Painter Priscilla Serafin's work is on display during the months of Oct. & Nov.
- 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** - three 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 go into Executive Session for the purpose of discussing the purchase and value of real property because an open meeting may have a detrimental effect on the negotiating position of the Town, and to not return to open session. Bob Snow so moved, Joseph Perry second, all in favor – roll call vote: David Petersen – aye, Joseph Perry – aye, Robert Snow – aye, Jack Cook – aye; Robert Merry – aye.

Open meeting adjourned at 8:10 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Letter from George Pacenka on Eric Hoy Ninthala receiving Eagle Scout rank
2. Town of Rowley Water Department 2014 Flushing Schedule
3. Letter from Police Chief Barker regarding May's appointment to the position of lieutenant
4. Letter from Police Chief Barker regarding Daniel Lee's appointment to the position of full time patrolman
5. Contract with AJ Wood Construction, Inc. for Town Hall Window project
6. October 6, 2014 letter from the State Division of Conservation Services regarding the provisional approval of the Town's Open Space and Recreational Plan
7. Letter from Brent Baeslack to the Board regarding request to update Hunsley Hills Trail Map by MVPC, including map