

MINUTES OF THE BOARD OF SELECTMEN MEETING

August 10, 2015

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

MEMBERS PRESENT: Vice Chairman Joseph Perry, Clerk Robert Snow, David Peterson, Clifford Pierce (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon), Robert Merry (ABSENT)

PUBLIC ATTENDEES: Dave LeBel, Rotary; George Grey, Ipswich Rotary; Raymond Katzen, Rotary; Keith Harris, Rotary; Bob Gravino, Ipswich Rotary Club; Lawrence White, FINCOM, Steve Comley, Sr., We the People; Henry Rolfe, IND. Press; Brent Baeslack, CONCOM; Travis Kneeland, Constable

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Bob Gravino led the Pledge of Allegiance.

GENERAL BUSINESS

1. Sign Mill River Winery Farmer Winery Pouring Permit

Vice Chairman Perry read the following:

The ABCC has approved the alteration of premises application from Mill River Winery to include a small grassy area directly abutting the tasting room, and a picnic area within the fenced in vineyard, as part of their licensed premises.

The Board approved this application with the following conditions: applicant to provide a sketch of and install a natural barrier around the patio outside the tasting room, and present this plan to the Building Inspector for approval.

Applicant Rick Rousseau reported that he provided a sketch to Ken Ward, but has not yet installed the natural barrier. He said he will install the barrier this week.

Does the Board wish to vote to sign the permit but not release it to the applicant until Ken Ward confirms in writing that the conditions have been met?

Bob Snow made a motion to sign the permit but not release it to the applicant until Ken Ward confirms in writing that the conditions have been met, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

The Selectmen signed the permit.

CITIZEN QUERY 7:05 p.m. – 7:10 p.m.

Vice Chairman Perry read the email from Chief Robert Barker dated August 7, 2015 regarding the sidewalk query from Henry Rolfe during Citizens Query on July 28, 2015.

Steven Comley, Sr. said he would like to be on the agenda next week to discuss unfinished business requested in his letters. He said he appreciates and is taking the advice of the Board to contact Congressman Seth Moulton and he has met with his staff and he thinks he is listening and thinks he will endorse what Tarr and Hill have. Perry said the Board is not meeting next week, they are meeting in two weeks, the agendas have been pretty full, but he will check with Chairman Merry to see if there is room on the agenda for August 24, 2015. Comley said he requested to speak with Selectman Pierce on this issue to show him the material presented to the Board before he was a Selectmen. He said the Town feels strongly on this issue and voted unanimously on his motion at Town Meeting. He said he is definitely going to get Obama here and 80% of the Town was ignored by President Reagan. He said Obama is going to come because he has to since Comley has the tapes that the government has been looking for for thirty years. He said the NRC reported this to the NRC's Inspector General on January 23, 2015 who never got in touch with him. He said he will offer the tapes to Obama or and if Obama doesn't accept the invitation, there is a good chance they will put him (Comley) in jail. He said the Town has an opportunity to be put on the map by asking the President to come and address the issues that Reagan refused to.

Petersen said the normal protocol is not to respond to a Citizen's Query, but he feels compelled to make a statement. He said the Board met with Comley prior to Town Meeting. He said at Town Meeting Comley put the motion for the hearing within thirty days forward under Article 2 which is non-binding, and this was voted for. He said the Fire Chief did an extensive report on this issue and a hearing was held. He said Comley was in the Office two to three times a week after Town Meeting asking about this. He said after the Town Meeting, the Board held the hearing and invited Senator Tarr, Representative Hill and three members of MEMA, and the Fire Chief to discuss this issue, and Comley did not show up or call to say he couldn't attend. Comley said he didn't attend the meeting because he had a personal situation. Petersen said at this point this issue has been discussed many times over the ten years he has been a Selectman and he recommends not to have this on the agenda. He said the Town of Rowley won't make any difference and we are just beating old ground, while there are

many other important issues that need to be discussed. Comley said he would like to respond. Vice Chairman Perry said, "no sir, time is up for Citizens Query."

GENERAL BUSINESS

2. Road Opening Permit application submitted by National Grid to open 121 Wethersfield Street for new gas service installation

Bob Snow made a motion to sign road opening permit for 121 Wethersfield Street, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

The Selectmen signed the permit.

APPOINTMENT 7:15 p.m.- Robert Gravino, Ipswich-Rowley Rotary to discuss September 11, 2001 Memorial

Bob Snow said he has been a member of the Ipswich Rotary for six years and has served on the Board and is a past President. Snow recused himself from this matter.

Gravino moved forward and introduced the other Rotary members present. He presented the Board and the Town with a Rotary banner. He said the Rotary is a service organization, not a social organization. He said he is requesting the Board's permission to discuss certain projects with the Town Administrator. He said they are impressed with Rowley's September 11th Memorial, and have trimmed the trees and planted flowers. He said they would like to discuss adopting and maintaining the Memorial year round and having an annual ceremony jointly with Reverend Hagopian. He said the Rotary also got the bandstand ready for the Town's 375th Anniversary Celebration. He said the name of their organization is the Rotary Club of Ipswich, but Rowley is part of their service area. He said they are looking for projects in Rowley and will start off slowly with the September 11th Memorial. Perry said as the Chair of the 375th Anniversary Committee, he appreciated the Rotary taking care of the bandstand. Petersen thanked the Rotary for what they have already done, this is a great idea, and it is hard to get Citizens involved.

Dave Petersen made a motion to accept the voluntary services of the Ipswich Rotary Club and authorize Gravino to work with the Town Administrator on the September 11th Memorial project and future projects, Cliff Pierce second, all in favor - aye (3-0). Bob Merry - ABSENT Bob Snow - ABSTAINED

GENERAL BUSINESS

3. Northeast Mass. Mosquito and Wetlands Management District news release on Aerial Application to control Mosquito Larvae on Coastal Salt Marshes

Vice Chairman Perry read the news release.

4. Rowley Water Department Leak Detection Program update

Snow read the letter. Perry said this is a very important survey since the Town has thousands of gallons of water leaking. He said we need to find out where the leaks are happening and do something about them.

APPOINTMENT 7:30 p.m.- Conservation Agent Brent Baeslack to discuss request to block the swing gate bypass at Smith Lane entrance at Eiras Park

Baeslack said he would like to block the swing gate bypass that has been established on this path and used by motorized vehicles. He said the path is used regularly and the landscape company maintaining fields. He said the trail leads to the Conservation land parcels and to the cell towers, and is not meant to be used for motorized access. He said motorists conflict with the planned passive recreational uses of the land, as well as create a liability since there are emergency access issues. He said the Board is the custodian of Eiras Park, and he is requesting to place boulders or some type of natural material to block this bypass. He said Tim Southall of the Parks and Recreation Committee has no objections to this. Perry asked if the bypass is only on one side. Baeslack said yes. Petersen said there will potentially be more trails established in the Girl Scout property and it is critical to deny motorized access to this area. Baeslack said Arthur Page has boulders and can coordinate installing them with the Highway Surveyor. Petersen said the Parks & Recreation Committee should send a letter to the landscaping company to tell them to use the gate. Baeslack said this is a precaution, and he is not aware that there have been motorized vehicles entering the area.

Dave Petersen made a motion to authorize Baeslack to block the bypass entrance, Bob Snow second, all in favor - aye (4-0). Bob Merry - ABSENT

APPOINTMENT 7:45 p.m. – Travis Kneeland to discuss Shellfish Constable position

Travis Kneeland moved forward.

Vice Chairman Perry read the following:

Travis Kneeland, the applicant for the position of Shellfish Constable, met with Chairman Bob Merry and Debbie on July 27. We discussed the requirements of the Shellfish Constable position and bylaw requirements. He is interested in this position. Travis is a student at Salem State University majoring in criminal justice. Travis has extensive clamming and boating experience and currently works for his family's shellfish business, which is based in Rowley. He has thorough knowledge of the Town's waterways and clam flats. The CORI background check has been completed.

Perry asked Kneeland, "Why are you interested in this position?" Kneeland said he has grown up with the business of shellfish and clamming. He said he is interested in Criminal Justice and thinks this is some form of it. He said the previous Constables are his family and they took pride in this role. He said he has dealt with the clammers from Ipswich and Newbury.

Snow asked Kneeland, "Please describe how your experience as a local clammer makes you qualified for this position." Kneeland said he knows the delineation lines between Ipswich, Rowley and Newbury. He said he is in his junior year studying Criminal Justice and is taking a few business classes. He said he is getting a broad view of the field by taking many introductory classes. Petersen thanked Kneeland for volunteering to take over and asked if he knows of other people who can get involved. Kneeland said his father knows of a few people. He said he has talked to other people and has been told that without a Constable, the clammers from other Towns will overrun the clamming, and the Constable is an important and responsible position.

Perry said the Shellfish Department has a Revolving Fund and asked Kneeland if he is familiar with Revolving Funds. Kneeland said no, but he likes to put money in the bank and he doesn't like spending it. Perry said Kneeland can work with Eagan on the budget preparation.

Pierce asked Kneeland, "The Shellfish Constable serves as an enforcement agent of state laws, regulations, bylaws, etc. Please describe how you will handle the enforcement aspect of this position." Kneeland said he has been reading up on these laws. Pierce asked if he will be able to enforce the laws fairly to his family members. Kneeland said yes.

Petersen said Kneeland can work with Harbormaster Bill DiMento if he needs help or resources. Eagan said Kneeland will have to complete the online state ethics test. She said there are guidelines for Kneeland to follow given his family's business, and he may be advised to have a Deputy Constable handle any enforcement or permitting for his family.

Bob Snow made a motion to appoint Travis Kneeland as the Shellfish Constable, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

The Board congratulated Kneeland on the appointment.

NEW BUSINESS

1. Letter from RMLP General Manager Daniel Folding re: lighting of Civil War Monument

Vice Chairman Perry read the letter.

Dave Petersen made a motion to approve the request submitted by Light Manager Dan Folding on behalf of the Board of Light Commissioners to illuminate the Civil War Monument on the Town Common at night, and to add the kilowatt usage to the Town's street lighting bill, provided that the lighting is appropriate and does not create a glare for motorists passing the Town Common, Cliff Pierce second, all in favor - aye (3-0). Bob Merry - ABSENT Bob Snow - RECUSED

2. Stable Permit application from Sandra Hamel for 27 Main Street

Vice Chairman Perry read the following:

Sandra Hamel has submitted an application for a stable license at 27 Main Street for 2-5 horses. Animal Inspector Reed Wilson has spoken to her and visited the site and has no issues or concerns. Wilson reported that the horses are not there yet, but are expected in a few weeks to a month, and there is a shelter set up and an area fenced in. All light, water and tax bills are up to date.

Bob Snow made a motion to approve the stable application from Sandra Hamel for 27 Main Street, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

3. Discuss Town Common tree maintenance

Vice Chairman Perry read the following:

Steve Harrison, a member of the Town Common Restoration Committee, reported last week to Amy that the trees planted on the Town Common need water. He said that the water gator bags will not work, and the trees need to be watered in a ten foot diameter at least one time per week.

Since the Town has an outside Watering Ban in place, Tree Warden Patrick Snow told Debbie that he has left a message with Water Superintendent MaryBeth Wiser asking if he can use the Tree Department's tank truck to water the trees on the Town Common. Patrick has asked Superintendent Wiser if it will be permissible to water the trees from the tank during the water ban. He is waiting for confirmation from Water Superintendent Marybeth Wiser on whether this will be permissible.

Petersen said a couple of trees look very dry and if they aren't watered, we may lose them. He said the Town invested a lot of money in the trees and they should be watered, especially the ones that have already lost many leaves. Snow said the water ban is between the hours of 9:00 a.m. and 5:00 p.m.

Dave Petersen made a motion to advise Highway Superintendent Patrick Snow to water the trees using his best judgment determining which need it the most, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

MINUTES

- July 27, 2015

Pierce said there is a typo on page 5.

Bob Snow made a motion to approve the minutes of July 27, 2015 with the correction of the typo, Dave Petersen second, all in favor - aye (4-0). Bob Merry - ABSENT

ANNOUNCEMENTS

- Rowley Concert on the Common – Sunday, August 23, 2015 from 4:00 p.m. to 6:00 p.m. featuring the Senior Tones
- The Town has the following vacancies:
 - a. **Conservation Commission** – one seat
 - b. **Shellfish Commissioners** – two seats
 - c. **Cable Advisory Committee** – seeking five members
 - d. **Fence Viewer** – three positions;
 - e. **Wood, Lumber & Bark Inspector**; and
 - f. **Zoning Board of Appeals Associate** - two seats
 - g. **Historical Commission-Historic District Commission** – two seats
 - h. **Parks and Recreation Committee** – two seats
 - i. **Open Space Committee** is seeking two membersFor 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.
- Rowley Public Library is offering discounts to Lowell Spinners baseball games. For more information contact the Rowley Public Library at 978-948-2850
- Rowley Community Blood Drive Monday, August 31, 2015 2:00 p.m. to 7:00 p.m. at Rowley Veterans Association, 19 Bradford Street
- Rowley Chili Cookoff will be held on Saturday, September 26, 2015 from 2:00 p.m. to dusk on the Town Common

AD JOURN

There being no further business before the Board, Vice Chairman Perry called for a motion to adjourn. Bob Snow so moved, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - ABSENT

Open meeting adjourned at 8:08 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS

1. Meeting Memo regarding General Business #1: Mill River Farmer Winery Pouring Permit
2. Mill River Farmer Winery Pouring Permit
3. Approved Form 43 for Mill River Farmer Winery Pouring Permit
4. Email from Chief Robert Barker dated August 7, 2015 regarding sidewalk query from Henry Rolfe during Citizens Query on July 28, 2015
5. Road Opening Permit, National Grid, 121 Wethersfield Street
6. Meeting Memo 7:15 p.m. Appointment: Robert Gravino, Ipswich-Rowley Rotary, to discuss September 11, 2011 Memorial
7. Letter from Bill Mehaffey, Northeast MA Mosquito Control and Wetlands Management District, July 7, 2015 regarding aerial application.
8. Announcement, Rowley Water Department, regarding detection survey of water mains in the distribution system, week of August 5, 2015
9. Letter from Brent Baeslack, CONCOM, July 22, 2015, request to block the swing gate bypass at Eiras Park to Smith Lane
10. Meeting Memo regarding 7:45 Appointment: Travis Kneeland to discuss Shellfish Constable position
11. Job vacancy notice for Shellfish Constable
12. Job description for Shellfish Constable
13. Shellfish By-law
14. Application for Employment completed by Travis Kneeland

15. Letter from Daniel Folding, Rowley Municipal Lighting Plant, August 6, 2015, regarding Lighting of the Civil War Monument
16. Meeting Memo regarding New Business # 2: Stable Permit application from Sandra Hamel, 27 Main Street, 7/05/15
17. Stable Permit application from Sandra Hamel, 27 Main Street
18. Meeting Memo regarding New Business #3: Discuss Town Common tree maintenance
19. July 27, 2015 Meeting Minutes