

MINUTES OF THE BOARD OF SELECTMEN

December 7, 2020

Recorded from Town Hall, 139 Main Street, Rowley, MA

1:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Joseph Perry; Clerk Deana M.P. Ziev; David Petersen; Robert Snow (Town Administrator Deborah Eagan, Assistant Town Administrator Natalie Lovett)

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 1:01 p.m. He read the following:

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the open session portion of the meeting in real time. Persons who wish to do so are invited to watch the open session portion of the meeting on Rowley Community Media TV / listen live on the RCM page on the Town's website at www.townofrowley.net or join the meeting from your computer, tablet or smartphone by using the link: <https://global.gotomeeting.com/join/330447405> or also dial in using your phone by calling +1 (224) 501-3412 and using access code 330-447-405. In the event that live transmission proves infeasible, an audio or video recording, transcript or other comprehensive record of the open session portion of the meeting will be made available on the Town's website as soon as possible.

1:00 p.m. APPOINTMENT Treasurer/Collector Karen Summit to discuss Bond Anticipation Note (BAN) documents

Chairman Pierce read the following:

As we have discussed at prior meetings, we must do a new borrowing because the Pine Grove School project closeout extended longer than originally planned.

There are six items that need to be voted on, as shown on the attachment. I recommend that Selectman Deana Ziev, who serves as the Clerk of the Board, make the motion and read the attached document in its entirety, another Selectman seconds it, and a roll call vote is taken.

All the documents in the borrowing package will be available for all the Board members to sign in the office after the meeting. The certification of vote document, which is attached, needs Selectman Ziev's signature only.

Karen Summit said on December 1, 2020, the Town sold a \$5,295,000 BAN that matures on May 6, 2021 with interest of \$25,371.88. She said the principal is broken down with \$5,000,000 for the Pine Grove School and \$295,000 for the rescue pumper

truck. Ziev asked why the number in the written motion does not match the \$25,371.88 that Summit stated. Summit said the number in the written motion is the premium, which is the money that goes back to the Town to pay the costs of the issuance. She said the interest costs are the only costs that will need to be paid, and we received approval to pay for this using COVID Cares grant money. Pierce said the documents are correct, they just don't include the interest.

Deana Ziev read the written Motion of the Board of Selectmen. Bob Snow made the motion, Joe Perry seconded – the vote was not completed. Ziev said that she made the motion already, Bob Snow seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Eagan said there will be documents in the office this afternoon that the full Board will need to sign.

GENERAL BUSINESS

1. Letter from Massachusetts Department of Transportation regarding surface paving project on a section of Interstate 95

Chairman Pierce read the following:

Mass. DOT is notifying the Town that they will be conducting roadway paving and bridge reconstruction project. This work will include a section of Route 95 that is within the Town of Rowley.

Please see attached letter, which has been sent to the Rowley Fire Chief/Emergency Management Director, Police Chief and Highway Department.

2. Massachusetts Interlocal Insurance Association Notice of Grant award for Police Department

Chairman Pierce read the following:

Through the Massachusetts Interlocal Insurance Association (MIIA) FY21 Risk Management Grant, we applied for \$10,000 for body, dash & CCTV cameras for the Police Department. We were awarded \$8,000 of the requested funds.

The Police Department applied for and received a \$40,000 grant from the Edward J. Byrne Memorial Assistance Grant (JAG) program for this equipment. Combined with the \$40,000 grant, this \$8,000 almost completely covers the estimated cost of \$48,925 for this equipment for the Police Department.

Petersen commended the Police Department and everyone else involved for going for these grants. He said this equipment is necessary given the current environment with law enforcement.

3. Request from Board of Health Chairman Charles Costello to appoint Deborah Holland to the position of Health Secretary

Bob Snow made a motion to appoint Deborah Holland to the position of Health Secretary, Deana Ziev second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Letter of resignation from Parks and Recreation Committee member Larry Kendall

Bob Snow made a motion to accept this resignation with thanks, Deana Ziev second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

NEW BUSINESS

1. Discuss Parks and Recreation Committee request to authorize the payment for infield work at the lower Eiras ballfield

Chairman Pierce read the following:

The Parks and Recreation Committee is requesting the Board of Selectmen to approve the payment for work done by E L M Services, Inc. to the infield of at the lower Eiras Park ballfield. The invoices are attached. This work is being paid for out of the Revolving Account. This work did not fall within the scope of the Town's current contract with E L M, and therefore requires an approval by both the Board of Selectmen and Parks and Recreation Committee.

The Parks and Recreation Committee voted on November 24, 2020 to retroactively approve the work.

If the Board of Selectmen votes to approve the payment of this work, the vote must be done by roll call.

Pierce said this work has already been done. Petersen said in the future the Parks & Recreation Committee should check with the Town Administrator before doing work. Parks & Recreation Committee Vice Chairman Tim Southall apologized and said he plans to sit down with Eagan as soon as possible to go over guidelines so there are no issues in the future.

Bob Snow made a motion to approve the payment for this work, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

2. Update on Annex public accessibility plans

Chairman Pierce read the following:

Debbie spoke with the department heads at the Annex last week regarding expanding public accessibility in the building. Due to the current COVID restrictions, the departments in this building are open to the public by appointment only. The Health, Conservation, Planning, ZBA, and Inspection Departments meet with members of the public in the meeting room. The COA staff meet with members of the public in the Senior Center.

The reason why the Annex is not open to the public, unlike the Town Hall, is due to the size of the technical department office suite. There are three departments located in three cubicles in one room. Under the Governor's COVID Office Occupancy orders, we are limited to no more than four persons in the room, which is 50% of the occupancy, taking into consideration office furniture, file cabinets and the partitions.

Debbie is proposing to open the Inspection Department to the public by appointment only. Most visits to the Inspection Department are for "quick" matters, such as building permits, electrical permits, plumbing permits, and gas permits. These types of permit applications are filed more frequently than the types of permits issued by the other departments located at the Annex. Under this plan, a member of the public must call the Inspection Department Office to make an appointment with one of the Inspectors or the Administrative Assistant. A member of the Inspection Department staff will meet the member of the public at a specified doorway at the Annex and bring the person to the Inspection Department. After they have concluded their business, the person will be escorted out of the building by the staff member. Appointments will be limited to one at a time. If we open up the Inspection Department in this manner, it will free up the Meeting Room for the other departments who tend to have longer meetings with members of the public.

We will continue to keep the Annex Meeting Room open by appointment only to the following departments: Health, Conservation, Planning, and ZBA; and we will continue to keep the COA open by appointment only in the Senior Center.

The departments at the Annex have agreed that this is a good solution to give the public more access to the departments at the Annex. Health Director Frank Marchegiani supports this and Building Inspector Ken Ward.

If the Board is in agreement with this plan, Debbie is asking for the Board to vote by roll call to approve it.

Joe Perry made a motion to approve this plan, Dave Petersen second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

OLD BUSINESS

1. Discuss status of Pine Grove School closeout

Chairman Pierce read the following:

Attached is an email from Andraya Lombardi dated November 25, 2020. Since she wrote that email message, there have been some updates. She says that the Punchlist has been completed with the exception of the two adjoining classroom signs which are on order and the weather station control box.

Missing classroom signs

UPDATE – Selectman Ziev was informed this week by Larry Berger that the contractor expects to get the signs this week and will install them upon receipt. (see attached email)

Weather Station

UPDATE - Triton was unable to find the weather station box. Larry Berger has obtained a price to purchase a replacement. The cost is \$695.00. If the Board is in agreement to purchase this, they will need to vote by a ROLL CALL vote. Debbie will issue the purchase order to the vendor after the meeting is over. (see attached email and price quote)

Joe Perry made a motion to purchase the weather station box for \$695.00, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Pierce continued:

Classroom rocking chairs

Selectman Ziev met Brad Dore and his designer, Margaret, at the Pine Grove School last week to take the felt off the rocking chairs. (see attached email) They stripped the felt off 15 rocking chairs that are located in two classrooms. They want to see if the “unfelted” chairs had any issues with the floors, etc. However, the next day, the School Committee voted to go entirely remote, so we won’t be able to see how they work before the end of December. Selectman Ziev says that there were 372 rocking chairs and 178 standard chairs purchased as part of the PGS renovation project. She said all of the standard chairs are in use and that they seem to be the preferred style of chair for most students and teachers. The rocking chairs cost more than the standard chairs and are hard to place on top of the desks when the janitors need to clean the classroom floors. There has been no action taken on the pile of broken chairs. Selectman Ziev fixed a few of them, when she was at the school. If the Town were to replace the rocking chairs with standard chairs it would cost approximately \$27,000. What does the Board wish to do about the chairs?

Ziev said if the chairs without the felt is a better option, it will be a monumental task to strip the felt off of the remaining 360 chairs. She said it took the group about an hour to strip the 15 chairs, which included scraping the glue off and cleaning the chair bottoms. She said the manufacturer might be willing to take the rocking chairs back at a discount for the refund to be used towards the purchase of standard chairs. She said Brad Dore

said that the floor company said the metal on the chairs may react with the flooring. She said the \$27,000 cost is her estimate and is not a quote from the company.

Petersen said we would need to hire someone to remove all the felt and he thinks we should bite the bullet and replace the chairs if there is enough money in the budget to cover this. He said another option is to sell the rockers on Ebay if the manufacturer won't take them back. Perry said he agrees with Petersen, and it isn't worth the effort to remove the felt. He said we should get a quote for the cost to replace them. Berger said he will contact Brad Dore to get the pricing, and there are contingency funds available to cover this cost. Pierce said he has reservations about this plan since these were ordered because two teachers, the Principal and the custodian were in favor of them, but it is easier to buy new ones. Ziev said we can wait to see if the manufacturer will work with us first. She said the Acting Principal is not happy with the chairs, and it is heresay that the other teachers are not happy with them. Petersen said we can get pricing for the new chairs, see if we can get a credit for the rockers, the Principal can poll the teachers about the chairs, and the Board can make a decision next week. Ziev said this is a good idea. Berger said he will push to get the price. He said we want to close out the project and the end of the month. He said he will ask about the delivery time. Perry said the new Principal came on after the renovation was complete.

Closeout documents

Pierce said, *"We are waiting for the final invoices. The invoices need to be processed soon so that the closeout documents can be completed."*

Ziev asked if the chair purchase decision being postponed until Monday will impact the final closeout. Berger said he won't send the final invoice until he has the chair invoice to include, and he said we have no longer than one week to finalize this. Eagan asked Berger to send the package without the chairs, then include the chairs on the final package. Treasurer/Collector Karen Summit said it is preferable to get two invoices.

Deana Ziev made a motion to leave the chairs as is in the building and to not buy replacement chairs since it is wasteful to replace chairs chosen by a committee. This motion was not seconded, and this vote was not completed.

Petersen said they aren't happy with the rockers, and it is a waste of time and money to pay someone to remove the felt.

Dave Petersen made a motion to purchase replacement chairs at a cost not to exceed \$30,000, Joe Perry second. This vote was not completed.

Dave Petersen amended his motion to purchase replacement chairs at a cost not to exceed \$35,000 to cover the freight costs, Joe Perry second roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Cliff Pierce – aye. Deana Ziev – NO.

2. Ambulance Services Request for Proposals Update

Chairman Pierce read the following:

During the October 19, 2020 Board of Selectmen meeting, the Board authorized Debbie to work with Ipswich on a joint RFP for ambulance services.

Debbie, Selectman Snow, Chief Broderick and Chief Dumas have been meeting with their counterparts in Ipswich on the development of an RFP document.

Attached is the final draft. Both of the Boards of Selectmen in Ipswich and Rowley are reviewing the final draft today. If the Boards in both Town approve and authorize the release, we will fill in the dates and release it this week. The deadline for the proposals will be in mid-January.

If the Board is in agreement to authorize us to release the joint RFP with Ipswich, the Board needs to vote by roll call.

Fire Chief Broderick said they went through these documents. He said we aren't losing anything and hopefully Action will be the preferred vendor. He said this agreement will allow flexibility to be assigned the ambulance closest to the scene, rather than always using the ambulance from the Linebrook Road station. Chief Dumas said he is on the same page as Chief Broderick. Snow said the documents are well thought out, and we are not losing anything as Chief Broderick said.

Joe Perry made a motion to release the joint RFP with Ipswich, Dave Petersen second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

3. Review and authorize signing of letter to Essex County Community Foundation regarding the Remembrance of Climate Futures project

Chairman Pierce read the following:

The Board met with Professor Thomas Starr, Department of Art and Design, Northeastern University, on November 9 and discussed his Remembrance of Climate Futures Public Installation Project.

The Board voted on November 23 to participate in Professor Starr's project and support his application to the Essex County Community Foundation for funding by sending a letter to the Foundation.

Using a template provided by Professor Starr, Debbie prepared the attached letter for the Board to review. If the Board is satisfied with the letter, the Board needs to vote by roll call to approve the letter and to authorize Chairman Pierce to sign it.

Joe Perry made a motion to authorize Chairman Pierce to sign this letter, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Request from JWTC Wick LLC to sign Cannabis Control Commission Host Community Agreement Certification Form

Chairman Pierce read the following:

William Duggan of JWTC Wick LLC is requesting the Board of Selectmen to approve and sign the Cannabis Control Commission Host Community Agreement Certification Form. This is the next step for JWTC Wick LLC in their application process with the CCC to operate a retail marijuana business at 264 Newburyport Turnpike. On July 27, 2020, the Board approved the Conditional Assignment, Assumption, and Consent Agreement with “Wick LLC” and Nature’s Remedy of Massachusetts, Inc. The Host Community Agreement was signed with Nature’s Remedy on June 4, 2018.

Town Counsel Tom Mullen has reviewed this submittal, including the JWTC Wick LLC filing with Secretary of State (attached), and has informed Debbie that it is ok for the Board to vote to authorize Cliff Pierce to sign the certification form as the Town’s contracting authority.

The Board needs to vote to authorize Chairman Pierce to sign the JWTC Wick LLC Cannabis Control Commission Host Community Agreement Certification Form as the municipality’s contracting authority representative. The Board needs to vote by roll call.

Dave Petersen made a motion to authorize Chairman Pierce to sign this Host Community Certification Form, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

LIQUOR LICENSE RENEWALS

- Rowley Veterans Association, Inc. 19 Bradford Street
- 255 Newburyport Turnpike Rowley LLC (Blue Boat) 255 Newburyport Turnpike
- Nippon Tepatiganon, T.J. Thai, Inc., d/b/a Royal Orchid 303B Haverhill Street
- The Great American Barbecue d/b/a The American Barbecue 5 Railroad Avenue
- Piemar, Inc. d/b/a Off the Vine 150 Newburyport Turnpike
- Cabales, Inc. d/b/a El Tapatio 300 Newburyport Turnpike
- Brickle LLC, d/b/a Bradford Tavern 85 Haverhill Street
- Galbro, Inc. d/b/a Route 1 Liquors 174 Newburyport Turnpike
- Rowley Liquors Inc., d/b/a Rowley Liquors 144 Newburyport Turnpike
- Grape Island Inc., d/b/a Mill River Winery 498 Newburyport Turnpike
- Rowley Enterprises, Inc. d/b/a Skip’s Country Store 801 Haverhill Street
- Andy Sunny Inc. d/b/a Rowley Convenience Smoke Shop 21 Main Street
- Briar Barn Inn, LLC, d/b/a Briar Barn Inn 101 Main Street

Chairman Pierce read the following:

All existing license renewals have been submitted except for:

- *Rowley Golf Course LLC, d/b/a Rowley Country Club –which is seasonal license that runs from April to November. Since this is a seasonal license, it has a different renewal period, and will be renewed in April.*

Bob Snow made a motion to approve the following liquor licenses:

- Rowley Veterans Association, Inc. 19 Bradford Street
- 255 Newburyport Turnpike Rowley LLC (Blue Boat) 255 Newburyport Turnpike
- Nippon Tepatiganon, T.J. Thai, Inc., d/b/a Royal Orchid 303B Haverhill Street
- The Great American Barbecue d/b/a The American Barbecue 5 Railroad Avenue
- Piemar, Inc. d/b/a Off the Vine 150 Newburyport Turnpike
- Cabales, Inc. d/b/a El Tapatio 300 Newburyport Turnpike
- Galbro, Inc. d/b/a Route 1 Liquors 174 Newburyport Turnpike
- Rowley Liquors Inc., d/b/a Rowley Liquors 144 Newburyport Turnpike
- Grape Island Inc., d/b/a Mill River Winery 498 Newburyport Turnpike
- Andy Sunny Inc. d/b/a Rowley Convenience Smoke Shop 21 Main Street
- Briar Barn Inn, LLC, d/b/a Briar Barn Inn 101 Main Street

Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Pierce said for Skip's, "there is an outstanding electric bill for \$5,862.18. According to the Light Department, the verbal payment plan set up to address this was broken. Does the Board wish to renew this license and not release it until this is resolved?" Petersen said with a balance of \$5,000, they must not have paid a bill for close to a year. He said he realizes with COVID things have been tough. Eagan said the Board can hold off on this and see if there is progress. The Board tabled the renewal for Skip's and did not discuss the renewal for the Bradford Tavern.

MINUTES: November 16, 2020 and November 23, 2020

Bob Snow made a motion to approve the minutes from November 16, 2020, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye. Joe Perry – ABSTAINED

Bob Snow made a motion to approve the minutes from November 23, 2020, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

ANNOUNCEMENTS

- Toys for Tots Box located at Town Hall

- There is an opening on the Parks and Recreation Committee. For more information, please call the Selectmen's Office at 948-2372

ADJOURN

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Deana Ziev second, all in favor – aye- roll call vote – Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Meeting adjourned at 1:58 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding 1:00 p.m. Appointment: Treasurer/Collector Karen Summit to discuss Bond Anticipation Note (BAN) documents
2. Written Vote of the Board of Selectmen for BAN documents
3. Meeting memo regarding General Business #1: Letter from Massachusetts Department of Transportation regarding surface paving project on a section of Interstate 95
4. Letter from Massachusetts Department of Transportation regarding surface paving project on a section of Interstate 95
5. Meeting memo regarding General Business #2: Massachusetts Interlocal Insurance Association Notice of Grant award for Police Department
6. Massachusetts Interlocal Insurance Association Notice of Grant award for Police Department
7. Request from Board of Health Chairman Charles Costello to appoint Deborah Holland to the position of Health Secretary
8. Letter of resignation from Parks and Recreation Committee member Larry Kendall
9. Meeting memo regarding New Business #1: Discuss Parks and Recreation Committee request to authorize the payment for infield work at the lower Eiras ballfield
10. Email from Tim Southall regarding Parks and Rec – Eiras Re-sod Project and Invoice, including invoice
11. Meeting memo regarding New Business #2: Update on Annex public accessibility plans
12. Meeting memo regarding Old Business #1: Discuss status of Pine Grove School closeout
13. Email from Andraya Lombardi regarding PGS-MSBA Closeout Master Checklist 20_1125.xlsx, including attached closeout checklist
14. Email from Larry Berger regarding Classroom Signs
15. Email from Larry Berger regarding Weather Station, including attached quote
16. Email from Deana Ziev regarding chairs

17. Meeting memo regarding Old Business #2: Ambulance Services Request for Proposals Update
18. Ambulance Services Request for Proposals document
19. Meeting memo regarding Old Business #3: Review and authorize signing of letter to Essex County Community Foundation regarding the Remembrance of Climate Futures project
20. Draft letter to Essex County Community Foundation regarding the Remembrance of Climate Futures project
21. Meeting memo regarding Old Business #4: Request from JWTC Wick LLC to sign Cannabis Control Commission Host Community Agreement Certification Form
22. Cannabis Control Commission Host Community Agreement Certification Form
23. Meeting memo regarding liquor license renewals
24. Meeting memo regarding minutes
25. Meeting memo regarding announcements