

MINUTES OF THE BOARD OF SELECTMEN

January 9, 2023

Town Hall, 139 Main Street, Rowley, MA

6:00 p.m.

MEMBERS PRESENT: Chairman Robert Snow; Vice Chairman Joseph Perry; Clerk Deana M.P. Ziev; Cliff Pierce; Christine Kneeland (Town Administrator Deborah Eagan; Assistant Town Administrator Amy Lydon)

CALL MEETING TO ORDER

Chairman Snow called the meeting to order at 6:00 p.m. He said the meeting is being audio and video recorded by Rowley Community Media.

PLEDGE OF ALLEGIANCE

Christine Kneeland led the Pledge of Allegiance.

6:00 p.m. TO 6:05 p.m. PUBLIC COMMENT

There were no public comments.

GENERAL BUSINESS

1. Approve Library donations

Chairman Snow read the following:

Library Director Pamela Jacobson has provided the Board with the attached email detailing monetary donations to the Library. In accordance with State law, G.L. c.44 §53A, the Board needs to vote to approve these donations.

Snow read the list of donations.

Christine Kneeland made a motion to accept the Library donations, Deana Ziev second, all in favor - aye (5-0).

2. Revised request from Police Chief Scott Dumas to appoint Edward Wilson to the position of Full-time 911 Telecommunicator Dispatcher

Chairman Snow read the following:

Chief Dumas has submitted a "revised" request to appoint Edward Wilson to the position of Full-time 9-1-1 Telecommunicator Dispatcher. At the December 19th meeting, the Board appointed Mr. Wilson to the position effective January 1, 2023, however, after that meeting Chief Dumas had realized that the request to have him appointed should have stated December 30, 2022.

We need the Board to vote as follows:

- 1) *to rescind the December 19, 2022 vote to appoint Edward Wilson to the position of Full-time 9-1-1 Telecommunicator Dispatcher effective January 1, 2023 through June 30, 2023; and*
- 2) *to appoint Edward Wilson to the position of Full-time 9-1-1 Telecommunicator Dispatcher retroactively to December 30, 2022 through June 30, 2023*

Joe Perry made a motion to rescind the December 19, 2022 vote to appoint Edward Wilson to the position of Full-time 9-1-1 Telecommunicator Dispatcher effective January 1, 2023 through June 30, 2023, Christine Kneeland second, all in favor - aye (4-0).
Deana Ziev – ABSTAINED

Joe Perry made a motion to appoint Edward Wilson to the position of Full-time 9-1-1 Telecommunicator Dispatcher retroactively to December 30, 2022 through June 30, 2023, Cliff Pierce second, all in favor - aye (4-0). Deana Ziev - ABSTAINED

3. Authorize Fire Chief Mark Emery to be the contractor authorized signatory of the Executive Office of Public Safety and Security and the Department of Fire Services Fiscal Year 2023 Firefighter Safety Equipment Grant Program

Chairman Snow read the following:

The Fire Department has received a FY 23 \$15,261.77 Firefighter Safety Equipment Grant award. The Board needs to vote to designate Fire Chief Mark Emery as the Contractor Authorized Signatory for the Firefighter Safety Equipment Grant recipient documents and to authorize Chairman Snow to sign the Contractor Authorized Signatory Form on behalf of the Board.

Christine Kneeland made a motion to designate Fire Chief Mark Emery as the Contractor Authorized Signatory for the Firefighter Safety Equipment Grant recipient documents and to authorize Chairman Snow to sign the Contractor Authorized Signatory Form on behalf of the Board, Cliff Pierce second, all in favor - aye (5-0).

4. Authorize Fire Chief Mark Emery to be the contractor authorized signatory of the Executive Office of Public Safety and Security and the Department of Fire Services Fiscal Year 2023 Student Awareness of Fire Education Grant and the FY 23 Senior SAFE Grant

Chairman Snow read the following:

The Fire Department has received two grant awards:

- 1) *Fiscal Year 2023 Student Awareness of Fire Education Grant in the amount of \$3,781; and*
- 2) *Fiscal Year 2023 Senior SAFE Grant in the amount of \$2,077*

The Board needs to vote to designate Fire Chief Mark Emery as the Contractor Authorized Signatory for both of these grants and to authorize Chairman Snow to sign the Contractor Authorized Signatory Form on behalf of the Board.

Joe Perry made a motion to designate Fire Chief Mark Emery as the Contractor Authorized Signatory for both of these grants and to authorize Chairman Snow to sign the Contractor Authorized Signatory Form on behalf of the Board, Cliff Pierce second, all in favor - aye (5-0).

5. Ratify Internal Revenue Service 2023 mileage reimbursement rate

Chairman Snow read the following:

Internal Revenue Service has set the 2023 mileage reimbursement rate as \$.655, up from the \$.625 midyear increase in 2022. The Board needs to vote to accept the 2023 rate.

Christine Kneeland made a motion to accept the 2023 mileage reimbursement rate of \$.655, Cliff Pierce second, all in favor - aye (5-0).

NEW BUSINESS

1. Ratify Memorandum of Agreement on shift swaps with Massachusetts Coalition of Police Local 360

Chairman Snow read the following:

The Board needs to vote to ratify the Memorandum of Agreement on shift swaps with the Massachusetts Coalition of Police Local 360.

Joe Perry made a motion to ratify the Memorandum of Agreement on shift swaps with the Massachusetts Coalition of Police Local 360, Christine Kneeland second, all in favor - aye (4-0). Deana Ziev - ABSTAINED

2. Discuss Muddy Creek Invoice

Chairman Snow recused himself from this discussion as he does business with Muddy Creek and has brought his dogs there for the past 20 years. Snow left the Selectmen's table and sat in the audience. Deana Ziev said she is also recusing herself as she has been a long-time and current client of Muddy Creek. Ziev left the Selectmen's table and sat in the audience. Snow and Ziev left the Selectmen's table at 6:08 p.m.

Vice Chairman Perry read the following:

We have received an outstanding invoice from Muddy Creek Animal Care Center in the amount of \$1,028.80.

Natalie and Debbie both called Muddy Creek in connection with this invoice and were told they accepted these dogs from the Town's Animal Control Officer who had to move them out of their existing kennel. Muddy Creek told Debbie and Natalie that the Town's ACO said the Town would pay for the boarding costs for the dogs. Debbie and Natalie asked why the owners of the boarded dogs were not being charged for these costs, and were told again that the ACO said the Town would pay for these costs.

Debbie reached out to ACO Carol Larocque concerning this invoice. Carol told her that she was ordered by law enforcement to move the dogs that people were boarding at the Hydrant Regency out of the facility because it was being shut down. She said that dogs were being transported out of the Hydrant Regency to various locations, including Muddy Creek. She said she transported three dogs to Muddy Creek from Hydrant Regency. She told Debbie that she did not tell Muddy Creek that the Town would pay for the dogs and she said no one at Muddy Creek asked her who was going to pay for the boarding of these dogs.

There is no authorization to pay this bill. Furthermore, the FY 23 ACO budget of \$2,122 has a balance of \$1,928. Debbie reached out to Town Counsel Tom Mullen for guidance on this matter. He provided a written response, in which he says that the Town is not liable for the invoiced amount. (See attached.)

How does the Board wish to respond? Some options:

- 1) Ask Town Counsel Tom Mullen to send a letter to Muddy Creek explaining the Town's position with respect to this invoice; or*
- 2) The Board of Selectmen send a letter to Muddy Creek explaining the Town's position that it cannot pay the bill and recommend they bill the dog owners for the respective charges; or*
- 3) Vote to pay the bill, but this expense (\$1,028) is not factored into the budget and it will leave a significant shortfall in this line.*

One important note, Muddy Creek is charging the Town for four dogs and Carol states she transported three dogs.

Kneeland and Pierce said the Town shouldn't pay this invoice. Pierce said Town Counsel says that the Town has no legal liability and that should be the end of it. He asked where are these dog owners, and shouldn't they have had to pay to get their dogs out of there? Eagan said she thinks Carol presumed that was the case, and that the owners would pay the new place instead of the Hydrant Regency at pick-up. Pierce said Carol did the owners a favor by bringing the dogs to a safe location, and it is the owner's responsibility to pay. Eagan said Carol was ordered to move the dogs.

Cliff Pierce made a motion to not pay this invoice and have Tom Mullen send an explanation letter to Muddy Creek, Christine Kneeland second, all in favor - aye (3-0).
Bob Snow – ABSENT; Deana Ziev – ABSENT

Bob Snow and Deana Ziev returned to the Selectmen's table at 6:13 p.m.

3. Authorize Merrimack Valley Planning Commission MBTA Communities 3A Technical Assistance Scope of Work

Chairman Snow read the following:

The Town has received the MBTA Communities 3A Technical Assistance grant, which will be administered through the MVPC.

This grant will provide assistance to Town Planner Kirk Baker in the form of data analysis, mapping, and assistance in writing the actual zoning bylaw (once the model bylaw is issued by the state).

Debbie is seeking authorization from the Board to sign the MVPC MBTA 3A Technical Assistance Scope of Work for the Town of Rowley. Could the Board please vote to authorize her to sign the document?

Christine Kneeland made a motion to authorize Debbie to sign the document, Cliff Pierce second, all in favor - aye (5-0).

4. Review State Ethics Commission Disclosure by Non-Elected Public Employee Of Travel Expenses Serving A Legitimate Public Purpose as Required by 930 CMR 5.08(2)(d)1 filed by Police Chief Scott Dumas

Chairman Snow read the following:

Police Chief Scott Dumas has filed a State Ethics Commission Disclosure by Non-Elected Public Employee Of Travel Expenses Serving A Legitimate Public Purpose as Required by 930 CMR 5.08(2)(d)1. The Board needs to review Chief Dumas' attached memo and disclosure form. After reviewing the disclosure, the Board, as the appointing authority, must make a determination that acceptance of the reimbursement, waiver or payment of travel expenses will serve a legitimate public purpose, and such public purpose outweighs any special non-work related benefit to the employee or the person providing the reimbursement, waiver or payment.

Debbie recommends that the Board approve the disclosure for the following reasons:

The program brings together members of law enforcement, local community members, and the Holocaust Museum's "Bringing the Lessons Home Ambassadors" to examine the role of the police in Nazi Germany to understand better the relationship between law enforcement and the

communities they serve today. With the rise in antisemitism today, having Chief Scott Dumas attend the program will benefit the Town.

If the Board is in agreement, the Board must vote on the approval, including the reasons as recommended above, and to authorize Chairman Snow to sign the Disclosure Form on behalf of the Board.

Kneeland said it is great that Chief Dumas is attending this, and this is a valuable experience. Snow said this is very important. Pierce and Perry agreed.

Joe Perry made a motion to approve the disclosure filed by Chief Dumas including the reasons as recommended above, and to authorize Chairman Snow to sign the Disclosure Form on behalf of the Board, Cliff Pierce second, all in favor - aye (4-0).
Deana Ziev - ABSTAINED

5. Discuss Morando Brands LLC of 319 Newburyport Turnpike Community Impact Statement

Chairman Snow read the following:

Morando Brands LLC sent the Town a notice (attached) stating that they are coming up on the first year of their cannabis license and they are required to contact the Town for any impacts from its operation.

Town Counsel Tom Mullen previously recommended to Debbie that she query Town departments to see if anyone has had any financial impact. If no departments have had any financial impacts, Tom recommends that we inform the marijuana business that the "Town has not yet suffered any quantified impacts." (This is what we have done in the past.)

The departments have indicated that they have not had any financial impacts incurred from this business. Also, the Selectmen's Office has not incurred any financial impacts from this business. Therefore, the Board needs to vote to authorize Debbie to provide Morando Brands with a response in accordance with Tom Mullen's recommendation. This response will be sent by Morando Brands to the Cannabis Control Commission.

Cliff Pierce made a motion to authorize Debbie to provide Morando Brands with a response in accordance with Tom Mullen's recommendation, Deana Ziev second, all in favor - aye (5-0).

6. Request from Rowley Veterans Association Inc. of 19 Bradford Street for a One-Day Entertainment License for a two-person acoustic (guitar and singer) on the first floor of the building on February 11, 2023 and for a One-Day Entertainment License for a

two-person acoustic (guitar and singer) on the first floor of the building on March 17, 2023

Chairman Snow read the following:

The two attached 1-day Entertainment Licenses submitted by the RVA have been circulated to relevant Town Departments for review. The Police Chief, Fire Chief, Building Inspector and Health Director did not have any comments. The comments from the Town Planner with his recommended conditions are attached and detailed below:

I have reviewed the application materials you sent me pertaining to the 1-day entertainment licenses for Rowley Veterans Association's for both February 11, 2023 and for March 17, 2023. They proposing for 2-person live performances with acoustic guitars and a PA system to be located in the first floor lounge space and both occurring from 7:00 pm to 10 pm on the respective dates, the February date being a Saturday evening and the March date being a Friday evening.

As with the previous applications it should be conditioned on:

- *The presence of a crowd manager.*
- *Prohibiting of people congregating outside should be prohibited,*
- *In the case where the event turnout necessitates, to have personnel ready to assist with vehicle ingress and egress and to point drivers to the parking behind the building.*
- *Parking on the street should be prohibited and the event manager should be prepared to watch for instances of street parking and to ask vehicle-owners to immediately move any street parked vehicles to the parking facilities behind the building.*

There are about 70 marked parking spaces on this site so there appears to be sufficient parking for the scale of these events.

Thank you for the opportunity to review the application. If you have any questions or concerns feel free to email me at kirk.baker@townofrowley.org or call me at 978-948-5549.

Does the Board wish to approve this 1-Day Entertainment license with the following conditions:

1. *Crowd manager must be present at all times during the event*
2. *People congregating outside is prohibited*
3. *In the case where the event turnout necessitates, must have personnel ready to assist with vehicle ingress and egress and to point drivers to the parking behind the building.*
4. *Parking on the street is prohibited and the event manager must watch for instances of street parking and to ask vehicle-owners to immediately move any street parked vehicles to the parking facilities behind the building.*

Deana Ziev made a motion to approve the 1-day Entertainment licenses with the conditions as presented, Christine Kneeland second, all in favor - aye (5-0).

7. Request from Anonymous Brewing of 60 Main Street for a One-Day Entertainment License for a comedy night on January 26, 2023

Chairman Snow read the following:

The attached 1-day Entertainment License submitted by Anonymous Brewing has been circulated to relevant Town Departments for review.

- *The Police Chief, Building Inspector and Health Director did not have any comments.*
- *The Fire Chief and Fire Lieutenant requested a copy of the proof of certification from the on-site crowd manager, which the applicant has provided.*
- *The comments from the Town Planner with his recommended conditions are attached and detailed below:*

I have reviewed the application materials you sent me pertaining to the 1-day entertainment licenses for 60 Main Street for January 26, 2023 from 7:30 pm to 9 pm. They proposing a comedy show using a personal speaker amp on a Thursday evening but which is after normal work hours for the other commercial uses on the site. They proposed to sell 30 tickets which I assume that corresponds to thirty individuals meaning that attendance may involve groups of individuals. The application points out that there is sufficient parking. There are 32 parking spaces on this site and the applicant should confirm that they have an agreement with the property owner that this temporary use will have rights to use most of (if not all) of the 32 parking spaces during the timeframe of this event.

As with the previous applications of this type approval should be conditioned on:

- *The presence of a crowd manager.*
- *Prohibiting of people congregating outside should be prohibited,*
- *In the case where the event turnout necessitates, to have personnel ready to assist with vehicle ingress and egress and to point drivers to the parking behind the building.*
- *Parking on the street should be prohibited and the event manager should be prepared to watch for instances of street parking and to ask vehicle-owners to immediately move any street parked vehicles to the parking facilities behind the building.*

Thank you for the opportunity to review the application. If you have any questions or concerns feel free to email me at kirk.baker@townofrowley.org or call me at 978-948-5549.

The parking for the event needs to conform with the parking spaces allocated to this business as detailed on the Planning Board site plan. Per Kirk Baker's recommendation, the applicant should have an agreement with the property owner to utilize additional parking spaces not designated for his business if needed for this event.

Does the Board wish to approve this 1-Day Entertainment license with the following conditions:

- 1. The parking for the event needs to conform with the parking spaces allocated to this business as detailed on the Planning Board approved site plan. The applicant should have an agreement with the property owner to utilize additional parking spaces not designated for his business if needed for this event.*
- 2. Crowd manager must be present at all times during the event*
- 3. People congregating outside is prohibited*
- 4. In the case where the event turnout necessitates, must have personnel ready to assist with vehicle ingress and egress and to point drivers to the parking behind the building.*
- 5. Parking on the street is prohibited and the event manager must watch for instances of street parking and to ask vehicle-owners to immediately move any street parked vehicles to the parking facilities behind the building.*

Deana Ziev made a motion to approve the 1-day Entertainment licenses with the conditions as presented, Christine Kneeland second, all in favor - aye (5-0).

8. Discuss Council on Aging Board requests concerning the Town Hall Annex back lawn: move the garden beds to sunniest spaces; construct pathways to increase accessibility to the lawn area; and to install a Bocce ball court

Chairman Snow read the following:

The COA has sent in the attached request concerning the Annex lawn. Please review the letter and sketch. These changes require Board of Selectmen approval.

Snow read the letter from COA Director Ellie Davis.

Joe Perry made a motion to approve this, the vote was not finalized. Snow asked Perry, as a visitor to the COA, to give some background information. Perry said he has been to parties held on the lawn and it is somewhat difficult for people using walkers to get around. He said the pathways would make it easier for people to get around. Snow asked if \$25,000 will be enough money to do all of this. Perry said he thinks so. Pierce asked who will be doing the work as the bocce court is a fairly significant undertaking. Eagan said the Board of Selectmen will be involved in this project as the owners of the property. She said the septic field is in the back. She said looking at Ellie's sketch, which Ellie did the best she could so we would have something to show the Board, the bocce court is aligned along the edge of the lawn. She said there will need to be excavation work, and the court needs to be level. She said the lawn area does have a slope to it, and the work will need to be done around the septic. Snow said the bocce court needs to be done correctly and he is concerned about having enough money to

complete the project. Eagan said the project would need to be approved by the Board of Selectmen. Kneeland asked if we can get a ballpark figure. Eagan said once the Board approves of the concept, we can ask Ellie to get a contractor to look at it. She said the project would need to come back before the Board once the location of the court is known for final approval. Snow asked how much it cost to design the basketball court near Pine Grove School. Lydon said she believes it was \$15,000. Eagan said this is a busy area and thinks that safety measures, such as bollards are needed to protect the pedestrians. She said the safety measures would be separate from this project. Eagan said there should be plenty of money to move the beds and install the walkways, and have design specifications written for the bocce court, which we could seek an appropriation to construct at Town Meeting.

Joe Perry made a motion to move forward and do the needed research for this project, Christine Kneeland second, all in favor - aye (5-0).

9. Discuss paving the gravel walkway in front of the Town Hall Annex entryway

Chairman Snow read the following:

The Council on Aging Board is asking the Selectmen to pave the gravel walkway path from the front door of the Town Hall Annex (the doorway facing Central Street) to the Annex roadway exiting out Central Street. The COA would like this walkway to be paved because many visitors park in the back parking lot and use the front doorway of the Annex to access the Senior Center.

Debbie contacted Highway Surveyor Patrick Snow for assistance. He says that he could do the paving portion of the work under the paving contract, but that his crew will have to do the prep work.

Good Morning Debbie,

I don't object to a walkway going in that area, however there is a sidewalk on the other side of the fence that will likely be 10 to 15 feet away from the proposed walkway. For a scope of work we would take out three to four inches of top soil, approximately four feet wide by whatever the distance is from the rear parking area to the front. Place and compact two to three inches of dense grade material. The pave over that and we would likely want it to be two to three inches of hot top. Our paving contract expires 12/31 of this year. We do have an item in our bid specifications that should cover the paving, but we would likely have to do the prep work. We usually put road construction out to bid the end of January / beginning of February. Please shoot me a message if you have any questions.

Thanks

Patrick Snow

Highway Surveyor/Tree Warden

Rowley Highway Department

Does the Board grant approval for this work? It is important to note, that this work would not be done until at least the spring, and the paving of the pathway would have to be worked into the road paving schedule in the forthcoming paving contract. The Highway Department won't be releasing the Invitation for Bid paving contract until late January/early February.

Perry said this is the area in the front of the building on the Central Street side that runs along the fence.

Cliff Pierce made a motion to approve this work, Joe Perry second, all in favor - aye (5-0).

OLD BUSINESS

1. Discuss bid results and contract award of the Renovation and New Construction of Eiras Park – Kid's Kingdom Playground project and proposal from Places Associates, Inc. for bid, construction support, and closeout services

Chairman Snow read the following:

1. Playground Construction Contract

We received four bids for the Kid's Kingdom Playground project. T. Ford of Georgetown was the low bidder:

T. Ford - \$339,400 Base; \$19,000 alternate

Places Associates has conducted reference checks and is recommending the Board award the contract to T. Ford.

The contract is to be awarded in accordance with M.G.L. Chapter 30 §39M by the Board of Selectmen to the lowest responsible and eligible bidder.

Debbie is requesting the Board to vote to award the contract to T. Ford, in accordance with the requirements of G.L. c.30 §39M in amount of \$339,400 Base and \$19,000 alternate, which covers the cost for an additional playground structure.

2. Places Associates – Phase II Services

Debbie is seeking the Board's approval for continued assistance from Places Associates for the Phase II – Bid, Construction Support and Close-out Services (See attached proposal). The cost of these services is \$19,500, with an additional \$1,000 to be budgeted for miscellaneous expenses. Debbie is asking the Board to vote to authorize her to sign the agreement.

Christine Kneeland made a motion to authorize Debbie to sign the proposal with Places Associates for Phase II Services, Cliff Pierce second, all in favor - aye (5-0).

Cliff Pierce made a motion to award the playground construction project to T. Ford in accordance with the requirements of G.L. c.30 §39M in amount of \$339,400 Base and \$19,000 alternate, which covers the cost for an additional playground structure, Christine Kneeland second, all in favor - aye (5-0).

2. Review modification to the application filed by Back Nine Tavern, LLC d/b/a Rowley Country Club for the transfer of the on-premises seasonal wine and malt beverages liquor license currently issued to Rowley Golf Course LLC, d/b/a/ Rowley Country Club located at 237 Dodge Road

Chairman Snow read the following:

At the December 19, 2022 Selectmen's meeting, the Board held a Public Hearing and approved this liquor license transfer application, which listed two managers: Theodore Speros as the Manager of Record, and Darin Chin-Aleong as the Liquor License Manager. Amy forwarded the application to the ABCC for further review.

Yesterday, the ABCC called the office four times and "RETURNED WITH NO ACTION" (rejected) this application to transfer the liquor license. Please see the attached notice. During the phone calls yesterday, the ABCC:

- said that only partnerships can have two managers*
- said that they called the applicant and confirmed the correct manager, and that the ABCC could modify the application, but they cannot modify the Board of Selectmen's approval – the Licensing Authority Certification form (LAC).*
- requested that the office staff modify the Board of Selectmen's approval (LAC) to reflect only one manager, but were told that the office staff cannot modify an approval made by vote of the Board of Selectmen.*
- requested that the office staff contact the Board members to get approval to do this, but were told that would be a violation of the Open Meeting Law. We were shocked that a State agency would recommend that a local board do this.*
- said that without a modified Licensing Authority Certification, they would have to "RETURN WITH NO ACTION" (reject) the application. We asked the ABCC to send a letter to the Board of Selectmen outlining their request to modify the LAC, so that the Board could discuss how they wished to proceed at their next meeting. The ABCC refused to send the letter requested, and rejected the application.*

The applicant was notified regarding the ABCC rejection, and asked ABCC Deputy Director Ryan Melville how to proceed. Deputy Director Ryan Melville advised them to, "Please submit the corrected documentation to the local board. The local board can then forward the packet back to the ABCC for reconsideration."

The applicant's attorney has submitted a revised page one of the transfer application which has the following changes from the original page one:

- *In question 3: Manager or Record is changed to Darin Chin-Aleong*
- *In question 3: Updated phone number*
- *In question 3: Updated email address*

Could the Board please vote to approve these three modifications in question 3 and to sign an updated Licensing Authority Certification reflecting these modifications to be sent to the ABCC for reconsideration?

Eagan said Mr. Speros was listed on the application along with Mr. Chin-Aleong, who were both present at the public hearing and both discussed the application. She said Speros is TIPS certified. She said Amy reviewed a draft application and flagged that it had two managers listed to the applicant and asked them to check this with the ABCC, and the applicant submitted it and said it was all set. She said it sounded good to have two managers. She said the ABCC bounced this back after asking the office to make a change, and were told "no", that this was voted on at a public hearing. She said unfortunately there is this paperwork and discussion needed, but the Board needs to vote tonight to take Speros off of the Form 43 to the ABCC.

Cliff Pierce made a motion to approve the three modifications, Christine Kneeland second, all in favor - aye (5-0).

MINUTES

- December 19, 2022

Joe Perry made a motion to approve the December 19, 2022 minutes, Deana Ziev second, all in favor - aye (5-0).

- December 19, 2022 – Executive Session

Joe Perry made a motion to approve the December 19, 2022 minutes, Christine Kneeland second, all in favor - aye (4-0). Deana Ziev - ABSTAINED

ANNOUNCEMENTS

1. Residents can drop off Christmas Trees in the Eiras Park parking lot off Haverhill Street in the designated drop-off area through January 31, 2023. Please remove all decorations, lights, tinsel, etc. Tree stands, bags, wreaths, kissing balls, or trash will not be accepted.
2. The Town continues to be in a drought status. Please check the Town's website for the latest information or call the Rowley Water Department at 978-948-2640 for more information.

3. The Board of Selectmen announces that a textile recycling bin has been placed in the rear parking lot of the Town Hall Annex at 39 Central Street. Residents can drop off clothing, shoes, linens, sheets, pillows, blankets, hats, duffle bags, belts, gloves, towels, draperies, handbags, tablecloths, bathrobes, and stuffed animals. All items must be dry, bagged, and placed into the bin. Please do not leave items on the ground.
4. The Town has the following board vacancies:
 - **Council on Aging**
 - **Conservation Commission**
 - **Open Space Committee**
 - **Rowley Cultural Council**
 - **Zoning Board of Appeals – Alternate member**Interested residents should send a letter of interest to the Board of Selectmen. Positions are open until filled.

ADJOURN

Cliff Pierce made a motion to adjourn, Deana Ziev second, all in favor - aye (5-0).

Meeting adjourned at 6:55 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding General Business #1: Approve Library donations
2. Email from Library Director Pamela Jacobson regarding Donations to Library
3. Meeting memo regarding General Business #2: Revised request from Police Chief Scott Dumas to appoint Edward Wilson to the position of Full-time 911 Telecommunicator Dispatcher
4. Revised request from Police Chief Scott Dumas to appoint Edward Wilson to the position of Full-time 911 Telecommunicator Dispatcher
5. Meeting memo regarding General Business #3: Authorize Fire Chief Mark Emery to be the contractor authorized signatory of the Executive Office of Public Safety and Security and the Department of Fire Services Fiscal Year 2023 Firefighter Safety Equipment Grant Program
6. Grant paperwork for the Department of Fire Services Fiscal Year 2023 Firefighter Safety Equipment Grant Program
7. Meeting memo regarding General Business #4: Authorize Fire Chief Mark Emery to be the contractor authorized signatory of the Executive Office of Public Safety and Security and the Department of Fire Services Fiscal Year 2023 Student Awareness of Fire Education Grant and the FY 23 Senior SAFE Grant

8. Grant paperwork for the Executive Office of Public Safety and Security and the Department of Fire Services Fiscal Year 2023 Student Awareness of Fire Education Grant and the FY 23 Senior SAFE Grant
9. Meeting memo regarding General Business #5: Ratify Internal Revenue Service 2023 mileage reimbursement rate
10. Press release from IRS regarding 2023 mileage reimbursement rate
11. Meeting memo regarding New Business #1: Ratify Memorandum of Agreement on shift swaps with Massachusetts Coalition of Police Local 360
12. Memorandum of Agreement on shift swaps with Massachusetts Coalition of Police Local 360
13. Meeting memo regarding New Business #2: Discuss Muddy Creek Invoice
14. Email from Town Counsel Thomas Mullen regarding Muddy Creek Invoice
15. Email from ACO Carol Larocque regarding Muddy Creek Invoice
16. Statement from Muddy Creek dated 12/1/22
17. Meeting memo regarding New Business #3: Authorize Merrimack Valley Planning Commission MBTA Communities 3A Technical Assistance Scope of Work
18. MBTA Communities 3A Technical Assistance Scope of Work from Merrimack Valley Planning Commission
19. Meeting memo regarding New Business #4: Review State Ethics Commission Disclosure by Non-Elected Public Employee Of Travel Expenses Serving A Legitimate Public Purpose as Required by 930 CMR 5.08(2)(d)1 filed by Police Chief Scott Dumas
20. Letter from Police Chief Scott Dumas regarding State Ethics Disclosure Form, including attached form
21. Letter from Danvers Police Department regarding opportunity to participate in a Law Enforcement Outreach program at the US Holocaust Museum
22. Meeting memo regarding New Business #5: Discuss Morando Brands LLC of 319 Newburyport Turnpike Community Impact Statement
23. Request from Morando Brands LLC for Community Impact Statement
24. Meeting memo regarding New Business #6: Request from Rowley Veterans Association Inc. of 19 Bradford Street for a One-Day Entertainment License for a two-person acoustic (guitar and singer) on the first floor of the building on February 11, 2023 and for a One-Day Entertainment License for a two-person acoustic (guitar and singer) on the first floor of the building on March 17, 2023
25. One-Day Entertainment License application submitted by Rowley Veterans Association, Inc. for event on February 11, 2023
26. One-Day Entertainment License application submitted by Rowley Veterans Association, Inc. for event on March 17, 2023
27. Police Chief comments on Rowley Veterans Association, Inc. two One-Day Entertainment License applications

28. Fire Chief comments on Rowley Veterans Association, Inc. two One-Day Entertainment License applications
29. Building Inspector comments on Rowley Veterans Association, Inc. two One-Day Entertainment License applications
30. Health Director comments on Rowley Veterans Association, Inc. two One-Day Entertainment License applications
31. Town Planner comments on Rowley Veterans Association, Inc. two One-Day Entertainment License applications
32. Meeting memo regarding New Business #7: Request from Anonymous Brewing of 60 Main Street for a One-Day Entertainment License for a comedy night on January 26, 2023
33. Application from Anonymous Brewing of 60 Main Street for a One-Day Entertainment License for a comedy night on January 26, 2023
34. Police Chief comments on Anonymous Brewing One-Day Entertainment License application
35. Building Inspector comments on Anonymous Brewing One-Day Entertainment License application
36. Health Director comments on Anonymous Brewing One-Day Entertainment License application
37. Fire Chief comments on Anonymous Brewing One-Day Entertainment License application
38. Fire Lieutenant comments on Anonymous Brewing One-Day Entertainment License application
39. Crowd Manager Training Program Certificate of Completion from Kevin Moriarty
40. Town Planner comments on Anonymous Brewing One-Day Entertainment License application
41. Meeting memo regarding New Business #8: Discuss Council on Aging Board requests concerning the Town Hall Annex back lawn: move the garden beds to sunniest spaces; construct pathways to increase accessibility to the lawn area; and to install a Bocce ball court
42. Letter from COA Director Ellie Davis regarding Town Hall Annex back lawn
43. Sketch from COA Director Ellie Davis regarding Town Hall Annex back lawn
44. Meeting memo regarding New Business #9: Discuss paving the gravel walkway in front of the Town Hall Annex entryway
45. Email from Highway Surveyor Patrick Snow regarding paving question
46. Meeting memo regarding Old Business #1: Discuss bid results and contract award of the Renovation and New Construction of Eiras Park – Kid's Kingdom Playground project and proposal from Places Associates, Inc. for bid, construction support, and closeout services
47. Bid results for Eiras Park – Kid's Kingdom Playground project
48. Letter from Places Associates, Inc. regarding reference checks for T. Ford Company, Inc., including attached reference forms

49. Blank Agreement between the Town of Rowley and Contractor for the Eiras Park – Kid’s Kingdom Playground project
50. Proposal from Places Associates, Inc. for bid, construction support, and closeout services for the Eiras Park – Kid’s Kingdom Playground project
51. Signed Proposal with Places Associates for Eiras Park – Kid’s Kingdom Playground project master plan and renovation documents
52. Meeting memo regarding Old Business #2: Review modification to the application filed by Back Nine Tavern, LLC d/b/a Rowley Country Club for the transfer of the on-premises seasonal wine and malt beverages liquor license currently issued to Rowley Golf Course LLC, d/b/a/ Rowley Country Club located at 237 Dodge Road
53. Recommendation from the Investigator from the ABCC to Return No Action – rejection of application to transfer of license to Back Nine Tavern, LLC
54. Email to Ted Speros and Joe Noone regarding ABCC to Return No Action – rejection of application to transfer of license to Back Nine Tavern, LLC
55. Email from Ryan Melville of the ABCC to Joe Noone regarding guidance on how to proceed after issuance of ABCC to Return No Action
56. Revised page 1 of Application for a transfer of license submitted by Joe Noone
57. Original page 1 of Application for a transfer of license submitted by Joe Noone
58. Draft minutes of December 19, 2022