

MINUTES OF THE BOARD OF SELECTMEN

July 10, 2023

Town Hall, 139 Main Street, Rowley, MA

6:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Christine Kneeland; Clerk Deana Ziev; Robert Snow; Sheri David (Town Administrator Deborah Eagan; Assistant Town Administrator Amy Lydon)

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Sharon Emery led the Pledge of Allegiance.

6:05 p.m. APPOINTMENT Police Chief Scott Dumas to present the following individuals for appointment:

- Timothy Barry – Reserve Police Officer
- Mark Maregni– Reserve Police Officer
- Reini Perez – Full-time Police Officer

Chairman Pierce read the following:

The Board will need to vote to appoint these individuals to their positions. They will be sworn in by Town Clerk Catie McClenaghan at a later time.

Timothy Barry has withdrawn his application for appointment.

Chief Dumas introduced Mark Maregni and Reini Perez to the Board and said they will be a welcome addition to the Police Department as there have been a lot of order ins needed to fill the shifts.

Christine Kneeland made a motion to appoint Mark Maregni as a Reserve Police Officer and Reini Perez as a Full-time Police Officer, Bob Snow second, all in favor – aye (3-0). Deana Ziev – ABSTAINED; Sheri David - ABSTAINED

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

There were no Public Comments.

GENERAL BUSINESS

1. Letter of resignation Election Worker Nancy Glynn

Chairman Pierce read the following:

The Board needs to vote to accept Nancy Glynn's resignation.

Bob Snow made a motion to accept this resignation with regrets, Deana Ziev second, all in favor – aye (5-0).

2. Request from Town Administrator Deborah Eagan to be the contractor authorized signatory on the State Earmark Playground Accessibility Grant

Chairman Pierce read the following:

The State Department of Conservation and Recreation just sent Debbie the State Contract forms for the \$75,000 Reimbursement Earmark Grant for the Kid's Kingdom Playground project.

Debbie is asking the Board to vote to authorize her to be the Contractor Authorized Signatory for the paperwork so she can process the grant funds as soon as possible because the construction at the site is underway.

FYI - Because Debbie filed the Earmark Contact Collection form in April, when Bob Snow was the Chairman, Bob was originally listed as the Contractor Authorized Signatory pending the Contractor Authorized Signatory approval by the Board when the Standard Contract forms were sent to the Town.

Christine Kneeland made a motion authorize Debbie to be the Contractor Authorized Signatory for the grant paperwork, Bob Snow second, all in favor – aye (5-0).

3. Request from Town Administrator Deborah Eagan to lift the hiring freeze for the position of Assistant Town Accountant

Chairman Pierce read the following:

The position of Assistant Town Accountant is presently vacant. This is a crucial position in the processing of the Town's bills payable warrants and payroll warrants. Debbie feels that it is important to get this job posted and filled as soon as possible.

If the Board is in agreement, Debbie respectfully requests the Board to vote to lift the hiring freeze so she can post the position of Assistant Town Accountant.

Bob Snow made a motion to lift the hiring freeze for the position of Assistant Town Accountant, Deana Ziev second, all in favor – aye (5-0).

NEW BUSINESS

1. Request from The Bluebird Performance Venue for three One-Day Entertainment Licenses for live music and poetry offered in a coffee house format at the First Congregational Church at 175 Main Street

- a) July 22, 2023 from 6:30 p.m. – 9:00 p.m. – Parish Hall
- b) August 26, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary
- c) September 30, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary

Chairman Pierce read the following:

The three attached 1-day Entertainment License applications submitted by The Bluebird Performance Venue have been circulated to relevant Town Departments for review. These are the comments submitted by the Department Heads:

Health Director, ZBA, Building Inspector, Fire Chief – No comments or concerns.

Town Planner:

I looked at the applications for 1-day events at the First Congregational Church on 3 separate Saturday evenings (6:30 to 9pm) throughout the summer (7/22, 8/26, and 9/30). The applications specify the events will consist of coffeehouse style music performance with PA and acoustic guitar/piano/or cello and also some poetry reading.

There are a couple of residences across Main Street from the Church and also a couple along Hammond Street for which Saturday night Church activities might pose a nuisance. However, the Church facility is already designed to accommodate larger scale speaking/music events on a weekly basis, so I don't see any issue with permitting them to hold these events for just the three separate dates which are dispersed throughout the summer.

Email from Debbie Eagan:

Should the Selectmen have a condition for a crowd manager to make sure either space (Parish Hall or Church Sanctuary) does not exceed occupancy limits?

Also, with the Church frontage on Route 1A should there be a condition that there be no parking on Main Street (Route 1A)? I think the Church parking lot is quite large.

Response to Debbie's email from Police Chief:

Perhaps the parking was an assumption on my part the church would be the venue for parking, but I concur that notice should at least be given to the applicant.

Response to Debbie's email from Town Planner:

I think that would be a good idea even. Even if it's the Church facility it looks like it's a third party doing the event and so we shouldn't assume that it would be overseen in the way a church function would be. So asking the vendor to have a crowd manager to oversee the event especially regarding the occupancy limits.

I also agree with the standard condition to prohibit parking on Main Street in case they exceed the parking in the lot.

Does the Board wish to approve these 1-Day Entertainment licenses with the following recommended conditions:

- 1. No Parking on Main Street*
- 2. Crowd manager must be present at all times during the event and should enforce the occupancy limits*
- 3. Amplified sound equipment to be used mindfully since there are residences in the area.*

Christine Kneeland made a motion to approve the three One-Day Entertainment Licenses with the three recommended conditions, Deana Ziev second, all in favor – aye (5-0).

OLD BUSINESS

1. Application from PieMar, Inc. d/b/a as Off the Vine of 150 Newburyport Turnpike for Temporary Outdoor Seating and Liquor License Expansion as part of the State COVID Emergency Legislation

Chairman Pierce read the following:

Off the Vine owner Greg sent the following email:

Hi Amy,

I think we're going to have to push back the meeting once again, as I haven't been able to connect with my landlord yet regarding the barriers. If the Board of selectmen does want permanent barriers up, I'm doubtful that it will happen this summer. I'll first have to get a quote to see how much the barriers will cost to be installed, and also when the landlord will be able to find a crew to do the work. I don't own the property so it's really all up to him. If I get any feedback from my landlord I will reach back out to you.

Greg

Could the Board please vote to table this item indefinitely until Mr. Wick works out these details with his landlord?

Deana Ziev made a motion to table this item indefinitely, Bob Snow second, all in favor – aye (5-0).

2. Update on Fiber Grant Project

Chairman Pierce read the following:

Debbie and IT Coordinator Karen Summit have been working on the implementation of a new fiber optic network between the Town Hall, Town Hall Annex, Library, and the Highway Department facility. The Town received a \$80,426 Community Compact IT Grant for this project.

During the May 22, 2023 meeting, the Board voted to authorize Debbie to authorize the purchase order with OCKERS and to approve the RMLP Pole Agreement. However, Debbie has been informed by RMLP Manager Matt Brown that the poles are co-owned by RMLP and Verizon. Debbie and Town Counsel Tom Mullen have been working on the aerial and conduit agreements with Verizon. Debbie is asking that she be authorized by the Board to sign these agreements as well, with Tom Mullen's approval. The project needs to be completed by September 30, 2023.

Bob Snow made a motion to authorize Debbie to sign needed agreements with Verizon, with Tom Mullen's approval, Christine Kneeland second, all in favor – aye (5-0).

FY 23 BUDGET TRANSFERS – GL c. 44 Section 33B

- Town Clerk Expenses to Election Department Expenses
- Firefighter Wages to Fire Department Expenses

Deana Ziev made a motion to approve the transfer of \$110 from Town Clerk Expenses to Election Department Expenses, Bob Snow second, all in favor – aye (5-0).

Christine Kneeland made a motion to approve the transfer of \$34,000 from Firefighter Wages to Fire Department Expenses, Bob Snow second, all in favor – aye (5-0).

Eagan said there is a correction on the first transfer and it should be from Election Expenses to Town Clerk Expenses.

Christine Kneeland made a motion to approve the transfer of \$110 from Election Department Expenses to Town Clerk Expenses, Deana Ziev second, all in favor – aye (5-0).

ANNOUNCEMENTS

1. The YMCA Rowley Pool at Camp Cedar Mill, 390 Wethersfield Street is open to residents for the summer. The pool hours are as follows:

- Tuesday, Wednesday, & Thursday – 3:30 p.m. – 6:00 p.m.
- Saturdays & Sundays – 10:00 a.m. – 4:00 p.m.
- Swim lessons – Thursdays 4:30 p.m. – 6:00 p.m.
- Sundays – 10:00 a.m. – 12:00 p.m.

Rowley resident also have the following benefits:

- Free Aqua Exercise Class
- Discounted swim lesson pricing
- Discounted Cedar Mill Camp pricing

2. The Town has the following board vacancies:

- **Conservation Commission**
- **Council on Aging**
- **Open Space Committee** as of July 1, 2023
- **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.

EXECUTIVE SESSION

To discuss strategy with respect to collective bargaining concerning Teamsters Local 170 Fire Union pursuant to State Open Meeting Law, G.L. c.30A section 21(a) (3) as having the discussion in open meeting may have a detrimental effect on the bargaining position of the Town

Deana Ziev left the meeting room at 6:16 p.m.

Chairman Pierce called for a motion to go into Executive Session to discuss strategy with respect to collective bargaining concerning Teamster Local 170 – Fire Union pursuant to State Open Meeting Law, G.L. c.30A section 21(a) (3) as having the discussion in open meeting may have a detrimental effect on the bargaining position of the Town and to not return to open session. Christine Kneeland so moved, Bob Snow second, all in favor – roll call vote: Cliff Pierce – aye; Christine Kneeland – aye; Bob Snow – aye; Sheri David – aye. Deana Ziev – ABSENT.

Open session adjourned at 6:17 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Updated meeting memo for 6:05 p.m. Appointment: Police Chief Scott Dumas to present the following individuals for appointment: Mark Maregni– Reserve Police Officer; Reini Perez – Full-time Police Officer
2. Email from Chief Dumas regarding Appointments tonight
3. Original meeting memo for 6:05 p.m. Appointment: Police Chief Scott Dumas to present the following individuals for appointment: Timothy Barry – Reserve Police Officer; Mark Maregni– Reserve Police Officer; Reini Perez – Full-time Police Officer
4. Letter from Chief Dumas regarding Police Department appointments dated July 5, 2023
5. Meeting memo regarding General Business #1: Letter of resignation Election Worker Nancy Glynn

6. Letter of resignation from Election Worker Nancy Glynn
7. Meeting memo regarding General Business #2: Request from Town Administrator Deborah Eagan to be the contractor authorized signatory on the State Earmark Playground Accessibility Grant
8. State Earmark Playground Accessibility Grant paperwork
9. Meeting memo regarding General Business #3: Request from Town Administrator Deborah Eagan to lift the hiring freeze for the position of Assistant Town Accountant
10. Meeting memo regarding New Business #1: Request from The Bluebird Performance Venue for three One-Day Entertainment Licenses for live music and poetry offered in a coffee house format at the First Congregational Church at 175 Main Street: July 22, 2023 from 6:30 p.m. – 9:00 p.m. – Parish Hall; August 26, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary; September 30, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary
11. Three applications for One-Day Entertainment Licenses for live music and poetry offered in a coffee house format at the First Congregational Church at 175 Main Street on: July 22, 2023 from 6:30 p.m. – 9:00 p.m. – Parish Hall; August 26, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary; September 30, 2023 from 6:30 p.m. – 9:00 p.m. – Church Sanctuary
12. Meeting memo regarding Old Business #1: Application from PieMar, Inc. d/b/a as Off the Vine of 150 Newburyport Turnpike for Temporary Outdoor Seating and Liquor License Expansion as part of the State COVID Emergency Legislation
13. Meeting memo regarding Old Business #2: Update on Fiber Grant Project
14. Letter from Governor's Office regarding Municipal Fiber Grant
15. Meeting memo regarding FY23 Budget Transfers: Election Expenses to Town Clerk Expenses; Firefighter Wages to Fire Department Expenses
16. FY23 Budget Transfer form for Election Expenses to Town Clerk Expenses
17. Accounting report for Town Clerk expenses
18. FY23 Budget Transfer form for Firefighter Wages to Fire Department Expenses
19. Written Executive Session motion