

## **MINUTES OF THE BOARD OF SELECTMEN MEETING**

July 13, 2015

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

**MEMBERS PRESENT:** Chairman G. Robert Merry; Vice Chairman Joseph Perry; Clerk Robert Snow; Clifford Pierce; Deborah Eagan (Town Administrator); Amy Lydon (Assistant Town Administrator)  
David Petersen - ABSENT

**PUBLIC ATTENDEES:** James Kay (Boy Scout); Robin Kay; Lawrence White, FINCOM

**CALL MEETING TO ORDER:** Chair Merry called meeting to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE:** Pledge of Allegiance led by Jim Kay

**APPOINTMENT 7:15 p.m.-** Maryann "Mo" Levasseur to discuss constable application – Cancelled\*

This appointment was tabled for the next meeting.

### **GENERAL BUSINESS**

1. Review and discuss packet from Planning Board on Site Plan application for 704 Haverhill Street

Chairman Merry said this project is quite a way off the road. Snow said it is a good 300 feet off the road. Perry said this is a good sized barn. Pierce said under the bylaws, a building larger than 1,500 square feet needs a special permit, and he doesn't see any issues with this application.

Cliff Pierce made a motion to send a notice that the Board of Selectmen has no comments on this application to the Planning Board, Bob Snow second, all in favor - aye (4-0). Dave Petersen - ABSENT

2. Letter from Howard R. Terrien regarding Open Space Committee

Chairman Merry read Terrien's letter. Perry said Terrien included a nice letter from Mayor Holaday from Newburyport. Merry said the Board should ask Terrien to come in to meet the Board. Eagan said we haven't been asking people interested in serving on this Committee to come in. She said this would be the third appointment to the Open Space Committee and the Conservation Commission has no objections to this.

Bob Snow made a motion to appoint Howard R. Terrien to the Open Space Committee, Cliff Pierce second, all in favor - aye (4-0). Dave Petersen - ABSENT

## **CITIZEN QUERY**

Citizen Query was open from 7:05 p.m. until 7:10 p.m. There were no Citizen Queries.

## **GENERAL BUSINESS**

### **3. Letter of resignation from Conservation Commission Chairman Doug Watson**

Chairman Merry read the email from Watson and said this is sad news, he was on top of everything and ran a great meeting.

Bob Snow made a motion to accept Watson's resignation with deep regrets and to send him a letter of appreciation, Joseph Perry second, all in favor - aye (4-0). Dave Petersen - ABSENT

### **4. Road Opening Permit request from National Grid to open 51-94 Wethersfield Street for gas main replacement**

Chairman Merry said this request is for the replacement of 900 feet of the gas main on Main Street due to ongoing leak issues.

Bob Snow made a motion to approve the Road Opening Permit request from National Grid to open 51-94 Wethersfield Street for gas main replacement, Cliff Pierce second, all in favor - aye (4-0). Dave Petersen - ABSENT

The Selectmen signed the permit.

### **5. Accept donation from Robert Snow for Independence Day Celebration race prize money**

Chairman Merry read the following:

*Robert Snow donated \$89.00 in coins for the race prizes for the Independence Day Celebration on the Town Common.*

*The Board of Selectmen needs to vote to accept this gift.*

*Robert Snow will recuse himself from the discussion of the agenda item and abstain from voting.*

Perry said it is very generous of Snow to do this each year, and it is appreciated.

Joseph Perry made a motion to accept the donation from Robert Snow for the Independence Day Celebration race prize money, Cliff Pierce second, all in favor - aye (3-0). Dave Petersen - ABSENT. Bob Snow - ABSTAINED.

**6. Letter from Pine Grove School PTA re: Annual Social and Auction fundraiser**

Chairman Merry read the thank-you letters from the PTA for the donated item.

**7. Sign MassDOT 2015 Winter Recovery Assistance Program Final Report\***

Chairman Merry read the following:

*We need the Board of Selectmen to sign the MassDOT 2015 Winter Recovery Assistance form. The Town received \$35,560 in state funds as part of this program, which provides funds to assist cities and towns in making repairs to roadways damaged over the winter season. Highway Surveyor Patrick Snow used these funds for road paving projects and guard railing repairs.*

*The Board needs to vote to sign each of the tagged forms.*

Bob Snow made a motion to sign the MassDOT 2015 Winter Recovery Assistance forms, Cliff Pierce second, all in favor - aye (4-0). Dave Petersen - ABSENT

**NEW BUSINESS**

**1. Memo from Water Superintendent Marybeth Wiser re: compensatory time**

Chairman Merry read the memo from Superintendent Wiser. Merry said it has been pretty hectic at the Water Department. Pierce asked if compensatory time is lost at the end of the fiscal year. Merry said yes, and Wiser didn't realize that she lost it. He said Wiser comes in at 5:00 a.m. in order to get the work done. Snow said the Water Department has been short-handed, and appreciates all that Wiser has been doing. Perry said Wiser did a marvelous job working on the budget, and she prepares for the meetings, and he thinks the Board should support her. Snow said last year Wiser saved \$500,000 in the budget, and the Town is lucky to have her. Eagan said the updated Personnel Plan is being finalized, and the compensatory time was a concern. She said other Department Heads have lost time if they worked at the end of the fiscal year and didn't have time to use it. She said the policy is being revised to allow carryover of compensatory time under certain circumstances. She said given that the Water Department is short staffed and the work load is heavy, the carryover is warranted.

Joseph Perry made a motion to sign authorize Water Superintendent MaryBeth Wiser to carry over 80 hours of compensatory time, Bob Snow second, all in favor - aye (4-0). Dave Petersen - ABSENT

2. Discuss appointment of new Veterans Services Director Karen Tyler and send thank you letter to Jennifer Breaker for her assistance in filling the position

Chairman Merry read the following:

*Karen Tyler has been appointed as the new Veterans Services Director effective today, July 13, 2015. According to information from an article in the Salem News, Karen lives in Wakefield, is an Army Veteran, and has previously worked as the Human Resources Director for the Town of Saugus. She has her master's degree in public administration and a graduate certificate in human resources management. She was a mental health specialist in the Army and has worked in assisted living facilities.*

*Jennifer Breaker, Special Assistant to the Board of Selectmen in Ipswich, provided a lot of assistance in filling this position. Please vote to sign and sign the attached thank-you letter for Ms. Breaker.*

Merry read the draft thank-you letter. Snow said we lost former Veterans Director Terry Hart one year ago, then Ryan Lennon became the Director and left for a position with the Environmental Police. He said Karen Tyler rose to the top out of four candidates, she has the tools needed, and thinks she will be a great asset. He said she worked for a psychiatrist in the Army and interviewed PST patients. He said this will be helpful since PST is so prevalent. Snow said Jen Breaker put all of the information for the interviews together and did a fantastic job. He said this was one of the best processes he has been involved with.

Bob Snow made a motion to sign the thank-you letter to Jennifer Breaker, Joseph Perry second, all in favor - aye (4-0). Dave Petersen - ABSENT

The Selectmen signed the letter.

3. Request from Ipswich-Rowley Rotary to maintain September 11, 2001 Memorial Park

Chairman Merry read the email from the Ipswich-Rowley Rotary. Snow recused himself since he is a current member and past President of the Ipswich-Rowley Rotary. Perry said the Ipswich-Rowley Rotary helped fix up the bandstand for the Town's 375th Anniversary Celebration, and he thinks the proposed idea is great and generous. Merry said they painted the bandstand and it still looks great. He said they cleaned up the Memorial this spring and there were no issues. He said they want to include Rowley in their community projects.

Joseph Perry made a motion to tell the Rotary that we are interested in this and ask Gravino to come to a meeting in August to discuss the project further, Cliff Pierce second, all in favor - aye (3-0). Dave Petersen - ABSENT Bob Snow - Recused

4. Letter from residents of Intervale Circle regarding street acceptance

Chairman Merry read the letter and said it is signed by ten residents. Eagan said the process for this would be the same as Christopher Road and would require an eminent domain. She said the process is difficult, and the trust may own to the middle of the road, and some owners/mortgage companies may own to the middle of the road. She said there is a notification process and a survey would need to be done. She said the Town Planner would be asked to help with this to look at each deed to see who the owner is. Pierce said this is an old subdivision, and the street is probably not in compliance with the regulations, but they are taxpayers and they deserve Town services.

**OLD BUSINESS**

1. Discuss insurance rider for YMCA lease

Chairman Merry read the following:

*We originally requested the YMCA of the North Shore to provide General Liability (GL) coverage of \$1 million per occurrence and \$3 million general aggregate.*

*The YMCA's GL policy has limits of \$1 million per occurrence and \$2 million general aggregate.*

*Debbie asked them to agree to a \$3 million umbrella along with the GL of \$1 million - \$2 million, based on the recommendation from MIIA. Therefore, we need to have the Board of Selectmen vote to attach the Rider to the Lease Agreement and to authorize Chairman Merry to sign it.*

*All other insurance coverages have been reviewed by Debbie and MIIA and meet the Town's requirements. The insurance coverages went into effect on June 2, 2015.*

Eagan said the umbrella covers the whole policy and the umbrella is in lieu of the general liability coverage. She said they added the Town of Rowley as an additional insured on the umbrella policy. She said if there is a claim, it will be paid under their policy with no deductible to pay.

Joseph Perry made a motion to attach the Rider to the Lease Agreement and to authorize Chairman Merry to sign it, Bob Snow second, all in favor - aye (4-0). Dave Petersen - ABSENT

2. Review and sign The Carrell Group contract for Public Safety Building Feasibility Study

Chairman Merry read the following:

*This contract is not ready for you to sign tonight. Debbie and Town Counsel Judy Pickett had requested a few revisions to the draft which Greg Carell agreed to.*

*Greg is planning to sign two originals and send them to the Board of Selectmen.*

*The Board of Selectmen can table this to the July 27<sup>th</sup> meeting.*

Bob Snow made a motion to table this item until July 27, 2015, Joseph Perry second, all in favor - aye (4-0). Dave Petersen - ABSENT

3. Review engineering proposal from Tata & Howard on Prospect Hill road reconstruction

Chairman Merry read the following:

*Attached is the Tata and Howard Agreement for engineering services for the Prospect Hill Access Road.*

*The Agreement appears to be in order. This work does not cover bidding and construction administration services. If the Board chooses to include that, we can issue an addendum to the contract. These services are estimated to be \$4,000.*

Eagan said we need the specifications to be written by a civil engineer.

Joseph Perry made a motion to approve the contract with Tata and Howard for the Prospect Hill Access Road, Bob Snow second, all in favor - aye (4-0). Dave Petersen - ABSENT

The Selectmen signed the agreement.

4. Memo from Cemetery Task Force re: legal opinion on Cemetery operations and compliance with laws

Chairman Merry read the memo from the Cemetery Task Force. Snow said the concern of the task force is if two Cemetery Commissioners are working together is this a violation. Merry said that constitutes a quorum. Snow said they want to get clarification on this, and this was last looked at twenty years ago. Merry said that question never really got answered and the Open Meeting Laws have changed since then. Perry said the Board of Selectmen has many concerns about the Cemetery, he is glad to see the memo and supports getting a legal opinion.

Joseph Perry made a motion to request Town Counsel to review the matters outlined in the memo from the Cemetery Task Force, Cliff Pierce second, all in favor - aye (4-0). Dave Petersen - ABSENT

## **FY 16 RE-APPOINTMENTS**

- Deputy Shellfish Constables

Joseph Perry made a motion to reappoint the following Deputy Shellfish Constables through June 30, 2016: Stuart Dalzell, Jr., William DiMento, Fred Hardy, David S. Kent, Daniel Perley, Bob Snow second, all in favor - aye (4-0). Dave Petersen - 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. **Shellfish Constable**
  - b. **Fence Viewer** – three positions;
  - c. **Wood, Lumber & Bark Inspector**; and
  - d. **Zoning Board of Appeals Associate** - two open seats
  - e. **Historical Commission-Historic District Commission** – two seats
  - f. **Parks and Recreation Committee** – two seats
  - g. **Open Space Committee** is seeking 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

## **ADJOURN**

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

Open meeting adjourned at 8:00 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS**

1. Memorandum from Kirk Baker, Town Planner, July 2, 2015 regarding 704 Haverhill Street, and attached site review plan

2. Letter from Howard R. Terrien, 25 Emily Lane, June 29, 2015, regarding position on the Open Space Committee, and attached resume and credentials
3. Email from Doug Watson, June 24, 2015, regarding resignation from Conservation Commission
4. Road Opening permit application from National Grid for 51-94 Wethersfield
5. Meeting Memo regarding General Business #5: Accept donation from Robert Snow for Independence Day Celebration race prize money
6. Thank-you letter from Pine Grove PTA for auction donation item
7. Meeting Memo regarding General Business #7: Sign MassDOT 2015 Winter Recovery Assistance Program Final Report
8. MASSDOT 2015 Winter Recovery Assistance forms
9. Letter from MaryBeth Wisner, Water Superintendent, July 8, 2015, regarding request to carry over FY15 comp time
10. Meeting Memo regarding New Business #2: Discuss appointment of new Veterans Services Director Karen Tyler and send thank you to Jennifer Breaker for her assistance in filling the position
11. Thank you letter to Jennifer Breaker for her assistance in filling the Veterans Services Director position
12. Email from Mary Foote-Hill, July 13, 2015, regarding 911 Service Project for Ipswich Rotary Club
13. Meeting Memo regarding New Business #4: Letter from residents of Intervale Circle regarding street acceptance
14. Letter from residents of Intervale Circle regarding street acceptance
15. Meeting Memo regarding Old Business #1: Discuss insurance rider for YMCA lease
16. Rider to Lease Agreement between the Town of Rowley and the YMCA of the North Shore
17. Evidence of Property Insurance, Certificate of Liability Insurance from the YMCA of the North Shore
18. Lease Agreement between the Town of Rowley and the YMCA of the North Shore
19. Meeting Memo regarding Old Business #2: Review and sign the Carell Group Contract for Public Safety Building Feasibility Study
20. Contract with The Carell Group for Public Safety Building Feasibility Study
21. Meeting Memo regarding Old Business #3: Review engineering proposal from Tata & Howard on Prospect Hill road construction
22. Agreement for engineering services from Tata & Howard on Prospect Hill road construction
23. Letter from Cemetery Task Force, July 7, 2015, regarding legal opinion
24. FY 16 Re-Appointments, July 13, 2015, Deputy Shellfish Commissions
25. Announcement from CONCOM regarding Water Chestnut pull, July 24, 2015, Lower Mill Pond



*Minutes of the Board of Selectmen Meeting*

*July 13, 2015*

*Approved December 14, 2015*