

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

May 11, 2015,  
Meeting held at Town Hall, 7:00 p.m.

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

**PUBLIC ATTENDEES:** Patrick Snow, Bill DiMento, Robert Barker, James Broderick

### **CALL MEETING TO ORDER**

Chairman Robert Merry called the meeting to order at 7:03 p.m.

### **PLEDGE OF ALLEGIANCE**

Patrick Snow led the Pledge of Allegiance.

### **APPOINTMENT**

7:00 p.m. Patrick Snow to discuss Tree Warden position

Chairman Merry read the following:

*Last year, the position of Tree Warden was made into an appointed position. Patrick Snow has been serving as the Town's elected Tree Warden for the past year. Now that the Tree Warden position is appointed, the Board of Selectmen need to appoint a tree warden to a three-year term.*

*Patrick is here tonight to discuss the position and any issues he sees with public shade trees.*

Patrick Snow said the Tree Department has a limited budget and they try to do as much as they can. He said they primarily deal with diseased trees that could be a hazard. He said the Light Department helps them with taking trees down. He said they are looking into putting in new trees at the Commons on Wethersfield Street and Cross and Central Streets. Merry said the State may help with the funding for the new trees. Patrick Snow said he hasn't seen information about this, but will definitely look into it. He said it is costly to replace trees.

Bob Snow made a motion to appoint Patrick Snow as the Tree Warden for a three-year term, Joseph Perry second, all in favor - aye (3-0). Dave Petersen – ABSENT

### **NEW BUSINESS**

2. Award Town Wharf Repair Project Contract

Chairman Merry said, "We received one response to the IFB for the Town Wharf Repair Project. Harbormaster Bill DiMento has reviewed the bid and is recommending the contract be awarded to Glenn Battistelli LLC of Beverly, MA in the amount of \$15,500."

DiMento said Battistelli made a repair to the wharf one year ago, and did a fine job under tough weather conditions. He said he expects their quality of work to be even better under better weather conditions, and said he has an experienced crew.

Joseph Perry made a motion to award the contract to Glenn Battistelli for \$15,500, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

DiMento said the project should be completed by the end of June.

1. Antique/Junk license renewal - Bittersweet Collectibles

Chairman Merry read the following:

*Kathryn Hall has submitted a complete application for the antique/junk license at 164 Main Street. Light and water bills are current. There are \$25.99 in personal property taxes due.*

Bob Snow made a motion to approve the Antique/Junk license for Bittersweet Collectibles, Joseph Perry second, all in favor - aye (3-0). Dave Petersen – ABSENT

**GENERAL BUSINESS**

1. Ratify Municipal Police Training Committee Police Academy waiver

Chairman Merry read the following:

*The Board needs to ratify the authorization of Chairman Robert Merry to sign the Municipal Police Training Committee waiver for newly-appointed police officer Robert S. Adams.*

Joseph Perry made a motion to ratify the authorization of Chairman Robert Merry to sign the Municipal Police Training Committee waiver for Robert S. Adams, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

The Board members signed the waiver.

2. Letter of resignation from Assistant Town Administrator Doreen Glowik

Chairman Merry read the following:

*It is with deep sadness that we read this letter into the record.*

*Chairman Merry will call for a motion to accept the letter with deep regrets and to send Doreen a letter of thanks for her many years of service to the Town.*

*Tuesday, May 26 is Doreen's last day of work. Please stop by and wish Doreen well.*

Merry read Glowik's resignation letter. Snow said Glowik is a great attribute to the office. Merry said the employees, volunteers and committee members are the Town's greatest attributes. He said he has known Doreen for a long time and she is a leader of the employees. He said he has worked with her on many projects, her knowledge is unbelievable, and he has a heavy heart with her resignation. Snow said she will be sorely missed in the office, and she always passed along information to the Board.

Joseph Perry made a motion to accept Glowik's resignation with regrets and a heavy heart, and to send her a letter of thanks, Bob Snow second, all in favor - aye (3-0).  
Dave Petersen – ABSENT

## **APPOINTMENT**

7:15 p.m.     Treasurer/Collector Karen Summit to discuss:

- Signing of Bonds
- Tax title auction update
- Appointment of custodian of the tax title

Summit read her memo to the Board regarding Town of Rowley Bond Sale Highlights. She said the second page of the memo shows the spread between the Town's bonds and other AA bonds, and we are coming in at an overall lower cost.

Clerk Snow moved that he, the Clerk of the Board of Selectmen of the Town of Rowley, Massachusetts certifies that at a meeting of the board held May 11, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in his custody, Joseph Perry second, all in favor - aye (3-0).  
Dave Petersen – ABSENT

The Selectmen signed the bonds, and Town Clerk Susan Hazen notarized them.

Summit said the Board just voted on the Vote of the Board of Selectmen which awarded the bonds, and there are the bonds themselves, no litigation, tax certification and continuing disclosure certificate.

Merry read the Signature, No Litigation and Official Statement Certificate. Joseph Perry made a motion to sign this paperwork, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

Snow made a motion for the remainder of the attached Vote of the Board of Selectmen, Joseph Perry second, all in favor - aye (3-0). Dave Petersen – ABSENT

Merry read the Tax Certificate form. Bob Snow made a motion to sign the paperwork, Joseph Perry second, all in favor - aye (3-0). Dave Petersen – ABSENT

The Selectmen signed the documents.

Summit said there are eleven properties that she and Bob Merry drove around and looked at. She said the package shows where the properties are located and if there are wetlands, and these items will be put out by an auctioneer. She said the Board can appoint her as the custodian so that she can solicit bids from auctioneers and then put this out to bid.

Joseph Perry made a motion as provided under MGL Chapter 60, Section 77B to appoint Karen Summit, Town Treasurer, as Tax Possession Custodian who shall have the care, custody, management and control of all property acquired by foreclosure, deed in-lieu of foreclosure or by Treasurer's deed for unpaid taxes, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

Joseph Perry signed the vote.

7:30 p.m. John MacMillan, Reinhart Associates, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal

John MacMillan said Reinhart Associates is an architect and an engineering firm, and it is unusual to be both. He said they are able to provide more cooperation and responsive service to the client. He said in house they have over forty years of experience and the different disciplines rub off on each other, resulting in a practical and responsible approach. He said he brought examples of public safety projects, and said they have been involved in 26 projects in Massachusetts, and they have a traditional style. He said the Hamilton-Wenham public safety building is similar to Rowley's project in that they had four different approaches that were quoted and it was a tight building site, like Rowley's site. He said they most recently completed the Police Headquarters in Palmer, which was \$216 per square foot not including the cost of the land, and the project was completed on time. He discussed the Paxton Public Safety building and the Rockport Police Building that they completed. He said 80% to 90% of their work is in the public sector, they are familiar with the laws, construction and bidding criteria and Town Meeting processes. He said 88 out of 96 projects they have brought forward have received positive votes, and they design reasonable, cost effective projects.

MacMillan introduced Jim Carlo, the Landscape Architect, and Paul Babin, the Director of Engineering and a Principle of the firm. Bob Merry disclosed that his brother is a full time firefighter, and he has two brothers and a nephew who are call firefighters. He said as far as he knows, these relatives do not have anything to do with this project.

Merry asked, "Describe your firm's experience in conducting feasibility studies for police and fire station."

MacMillan said he has been with Reinhart for thirty years and for the past twenty-eight of those years they have been working with public safety buildings . He said they are familiar with this work, and have looked into conversions and modular options. He said our project would follow the basic steps of the process. He said they first do a space needs assessment, and have discussions with the Fire and Police Chiefs to review the current facilities and what is missing. He said they then go room by room and look at the function of each. He said they create bubble diagrams to look at the optimal situation for the individual departments, then bring those together to see what can be shared. He said they then put together a matrix to show the relative cost of the different options, and the costs include soft costs such as permits, furniture and telephones. He said they then do drawings to be presented at Town Meeting.

Snow said he served on the Fire Station Committee, and worked to find this land site. He said more than anything we want function. MacMillan said they have dealt with every type of situation and finding solutions. Perry asked, " What made you interested in our project?" MacMillan said our size Town is in their scope, they are familiar with the area and enjoy it, and travel is not an issue. MacMillian said the site on Massachusetts GIS is listed as perpetual open space. Merry said we will look into that. Babin said former contractors are on their staff and they work for a cost effective project that includes maintenance when possible.

Eagan said the original deadline was August 3, 2015, but this is being pushed out by four months. MacMillan said the last page is a brochure which outlines, the schedule, and they need three to four months.

The presentation concluded.

8:00 p.m. Greg Carrell, The Carrell Group, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal.

Chairman Merry read the following:

*The Town received nine proposals in response to our Request for Qualifications for a feasibility study for a public safety building. Of the nine respondents, The Carrell Group was selected as one of the top three finalists.*

Bob Merry disclosed that his brother is a full time firefighter, and he has two brothers and a nephew who are call firefighters. He said as far as he knows, these relatives do not have anything to do with this project.

Greg Carrell said he is the President of the business and Meg Carrell said she is the Vice President of the business. Greg Carrell said it is clear that the facilities are in need of something, and they want to make those improvements happen economically. He said the Firm has six employees, including two architects, three designers and an office manager. He said all of the engineering is done on a consulting basis and there is a group they have been working with for many years as a team. He said Ann Fogerty is the cost estimator, the projects they estimate are usually 5% to 10% below the estimated cost, and they have never blown a budget. He said they are a small firm, the principals do the work, and he and Meg would be the Town's contacts. He said their mission is to find the most economical solution to Rowley's needs.

Carrell reviewed the process. He said the first step is programming, when they identify and catalog the needs and standards to measure what we currently have. He said they next analyze the site and the existing buildings. He said they look at traffic access, parking, and facilities issues. He said the issues at the Police Station are: there are cardboard buildings that have inadequate space, poor sound insulation, no privacy, the roof leaks, the energy efficiency is terrible, but the prisoner transfer and lockup areas are okay. He said issues with the Fire Station are that it is inadequate, they need storage, EMS facilities, decontamination facilities, male/female facilities, hose tower and training facilities. He said the third step is strategies. He said at this stage they determine which facilities to reuse or build new. He said they design drawings and documents suitable for attaining estimates.

He said they completed the Duxbury Fire Station. Meg said this is a project similar to ours where they looked at options and decided to renovate the Fire Station and build a new Police Station. They reviewed the design and development drawings and said that project was completed in 2012. They reviewed the Sterling Police Headquarters done in 2004 / 2005, and said this is a modest building with the essentials.

Merry said, "Our schedule has been pushed out by almost four months. The Police and Fire Chiefs had a very busy and hectic winter season which resulted in the delay of their review of the proposals. The firm that receives this contract will need to complete this study by late November, rather than early August. Please explain how you plan to do this work during this revised timeframe." Greg Carrell said this is not an issue at all, and they were planning to deliver for the August deadline, so this is nice.

Snow asked, "What made you interested in our project?" Meg said Rowley is the type of Town they typically work with. Greg said this is the work they do and they love it. Perry said there are problems with the current buildings, but we need to evaluate the options. Snow said the community is looking for utility and not monuments. Greg said absolutely, the buildings have to work and be functional with no frills, but they don't have to look that way. Meg said the buildings have to fit in with the Town. Greg said the

Attleboro fire station has a brick facade that looks like it is 100 years old, it fits in flawlessly with the character of the Town, and it did not cost any more money.

The presentation concluded.

8:30 p.m. Michael McKeon, Kaestle Boos, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal.

Chairman Merry read the following:

*The Town received nine proposals in response to our Request for Qualifications for a feasibility study for a public safety building. Of the nine respondents, Kaestle Boos was selected as one of the top three finalists.*

Bob Merry disclosed that his brother is a full time firefighter, and he has two brothers and a nephew who are call firefighters. He said as far as he knows, these relatives do not have anything to do with this project.

Michael McKeon introduced himself as the Principle in charge, along with Architect Larry Trim, and Land Architect/Site Planner David McKinnley. He said the firm has been designing public safety buildings since 1964 and he has been involved in 35 Police Stations and 12 Fire Stations. He said they have worked with 150 Fire Stations as design consultants. They reviewed projects they have done in Sharon, Harwich, Holden and Watertown.

He said there are two options for our project, and they did create a solution for Rowley in 2003. He said they will create data sheets for each space in the building, and there were discussions about a decontamination room. He showed an example to the Board of a study they did in Sandwich and said all drafting is done in three dimension.

Merry said, "Our schedule has been pushed out by almost four months. The Police and Fire Chiefs had a very busy and hectic winter season which resulted in the delay of their review of the proposals. The firm that receives this contract will need to complete this study by late November, rather than early August. Please explain how you plan to do this work during this revised timeframe." McKeon said they would schedule this for the end of August so they could start the educational outreach. He said all of their work is Municipal work, and they help communities market the project starting six weeks before the Town Meeting. He said he thinks they can complete the project before the Fall Town Meeting if there is one.

Snow said he served on the Fire Station Committee to find the land for the station, and the Town wants functionality and utility from the buildings, and doesn't want monuments. McKeon said they are good problem solvers, all projects are different, and they are good at meeting budgets. He said they have a program for estimating and they have never gone back to ask for more money for a project. Snow said the building

needs to fit in with the community. Perry asked why they are interested in this project. McKeon said they did a study in 2003 and would like to see the project finished. He said this is their business and they have worked in both small and large communities.

The presentation concluded.

Eagan said a future meeting can be scheduled to discuss this further once the Board has time to digest this information.

### **GENERAL BUSINESS**

3. Memo from Highway Surveyor Patrick Snow re: Essex County Highway Association Annual Snow and Ice Rodeo

Chairman Merry read the memo from Patrick Snow. He said this is a job well done.

Joseph Perry made a motion as send them a letter of congratulations and to file it in their personnel files, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

4. Letter from the Independent Living Center of the North Shore re: Annual ADA Day, July 26, 2015.

Eagan said this is an annual request, and the office can prepare the proclamation. Perry said this is a terrific group of people and he hardly recommends that the Board support this request.

Joseph Perry made a motion to proclaim July 26, 2015 as "ADA Day" and issue a proclamation, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

### **OLD BUSINESS**

1. Discuss State Ethics Disclosure for Appearance of a Conflict of Interest Robert Snow.

Chairman Merry read the following:

*Town Counsel Judy Pickett contacted the State Ethics Commission to address the appearance of Conflict of Interest that Robert Snow may have in connection with the YMCA of the North Shore.*



*After discussing this with an attorney at the State Ethics Commission, she sent a letter outlining the procedures that Debbie, Amy and Robert Snow need to follow in order to work on the YMCA Camp lease.*

*Debbie and Amy filed Disclosures of Appearance of Conflict of Interest as Required by G.L. Chapter 2268A, §23(b)(3) with the Board of Selectmen.*

*Robert Snow has also completed the disclosure form and has filed it with the Town Clerk.*

Snow said he has been a member of the YMCA since he was seven years old.

2. Discuss 390 Wethersfield Street camp area lease

Chairman Merry said, "The YMCA has the lease. We are working to have this ready for next week's meeting."

3. Discuss Cemetery Issues

Chairman Merry read the following:

*Several complaints were fielded by various Selectmen concerning an unfilled grave and broken headstones in the Rowley Cemetery. We received emails from two individuals associated with the US Navy. Chairman Snow has responded to them. Also, Maryann McGeorge called the Selectmen's Office to report that her mother's gravestone was lying on the ground. Bob Snow looked into this matter and the gravestone has been set properly. See attached pictures.*

*Upon recommendation of the Finance Committee, on April 6, the Board of Selectmen voted to form a task force to look into the finances and operations of the Cemetery Department. Selectman Robert Snow was appointed as the Board of Selectmen's representative. The Board may wish to consider having Treasurer/Collector Karen Summit serve on the Task Force because of her knowledge of the bills payables, payroll and IT needs of the Cemetery Department. Does the Board wish to consider to appoint Karen? The Board can make a motion to appoint Karen Summit to the Task Force.*

Joseph Perry made a motion to appoint Karen Summit to the Cemetery Task Force, Bob Snow second, all in favor - aye (3-0). Dave Petersen – ABSENT

Perry said there has been damage in the Cemetery, including gravestones from the 1800s broken in half, and they are aware of the issues. Snow said this is an unmitigated public relations disaster. He said he doesn't blame the Cemetery Commissioners, one has resigned, another broke his leg and the third was away on vacation. He said he spent some time responding to these emails. He said he and his

wife went to the Cemetery and his wife raked the tracks out that were one Doak's grave. He said they saw the overturned tombstones, and he thought they had been hit by a vehicle. He said MaryAnn McGeorge's granddaughter called him and reported that nobody had called her back. Snow said he spoke to Cemetery Commissioner Peter Dalzell and Dalzell said the gravestone was laid down to protect it and it was not hit. He said Fox 25 heard about this on Facebook, and nobody knew that anything was happening in the Cemetery. Snow read his email correspondence with Captain Bosch. He said he sent the same email to White. He said he wants to send the message that this is sacred ground. He said the Task Force needs to address this, but he doesn't blame the Commissioners who were short handed. Perry said the response was appropriate and quick, and it is necessary to review the Cemetery. Snow said he contacted McGeorge who was upset that nobody had contacted her. He said he sent her before and after photos, and he believes she came to see the grave today and was pleased they had set the stone.

4. Sign Wild Pastures development street acceptance plan

Chairman Merry read the following:

*Now that Town Meeting has accepted the Wild Pastures Development both the Board of Selectmen and Planning Board must sign the mylar plans which will be recorded at the Registry of Deeds later this week.*

*Chairman Merry will call for a motion to sign the plan. The Planning Board will sign them on Wednesday.*

Bob Snow made a motion to sign the plan, Joseph Perry second, all in favor - aye (3-0).  
Dave Petersen – ABSENT

The Selectmen signed the plan.

**ANNOUNCEMENTS**

- Annual Town Election is Tuesday, May 12, 2015 from noon to 8:00 p.m. at St. Mary's Hall
- Library News
  - 1) Horses on display at Rowley Public Library – Photos and models of horses by Sadie Woodward is on display
  - 2) Collectors and Enthusiasts are invited to display their collectibles on a monthly basis at the Rowley Public Library. For more information please call Amy Roderick at 948-2850
- The Town has the following vacancies:
  - a. **Fence Viewer** – three positions;
  - b. **Board of Cemetery Commissioner** – one seat open through May 12
  - 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 members

For 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.

There being no further business before the Board, Chairman Merry called for a motion to adjourn. Joseph Perry so moved, Bob Snow second, all in favor – aye (3-0). Dave Petersen – ABSENT

Open meeting adjourned at 9:53 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Meeting memo regarding 7:00 p.m. Appointment: Patrick Snow to discuss Tree Warden Position
2. Meeting memo regarding New Business #2: Award Town Wharf Repair Project Contract
3. Email correspondence from Bill DiMento regarding Battistelli bid
4. Meeting memo regarding New Business #1: Antique/Junk License renewal - Bittersweet Collectibles
5. Antique/Junk License renewal application package - Bittersweet Collectibles
6. Meeting memo regarding General Business #1: Municipal Police Training Committee Police Academy waiver
7. Signed Municipal Police Training Committee Police Academy waiver
8. Meeting memo regarding General Business #2: Letter of resignation from Assistant Town Administrator Doreen Glowik
9. Letter of resignation from Assistant Town Administrator Doreen Glowik
10. Letter from Karen Summit, Town of Rowley Bond Sale Highlights
11. Bond paperwork
12. Email from James E. Coppola, Jr., regarding vote to appoint Treasurer as Custodian
13. Preliminary Project Schedule for Public Safety Building
14. Meeting Memo regarding 7:30 p.m. Appointment: John MacMillan, Reinhardt Associates, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal
15. Presentation slides used by Reinhardt Associates
16. Meeting Memo regarding 8:00 p.m. Appointment: Greg Carrell, The Carrell Group, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal

17. Public Safety Feasibility Study and Design Study presentation slides from the Carell Group
18. Meeting Memo regarding 8:30 p.m. Appointment: Michael McKeon, Kaestle Boos, to discuss Public Safety Building Feasibility Study and Preliminary Design Plan proposal
19. Proposal submitted by Kaestle Boos
20. Patrick Snow memorandum , ECHA Snow and Ice Rodeo
21. Letter from Independent Living Center, April 21, 2015 regarding 25th anniversary, Americans with Disabilities Act.
22. Proclamation: 25th anniversary, Americans with Disabilities Act.
23. Meeting memo regarding Old Business #1: Discuss State Ethics Disclosure for appearance of a conflict of interest Robert Snow
24. State Ethics Disclosure for appearance of a conflict of interest, Robert Snow.
25. Meeting memo regarding Old Business #2: Discuss 390 Wethersfield Street Camp Area Lease
26. Meeting memo regarding Old Business #3: Discuss Cemetery gravesite complaints and Cemetery Department Task Force
27. Email between Bob Snow and MaryAnn McGeorge containing six photos, including photos
28. Email between Bob Snow and Donald Brosch regarding Cpl. Roy M. Marr, including photos
29. Email from Donald Brosch regarding concerned about a fellow Navy veteran
30. Email correspondence between Bob Snow and Winky White regarding Gravesite Al Doak...U.S. NAVY
31. Email between Bob Snow and Donald Brosch regarding concerned about a fellow Navy veteran, including photos
32. Email from Amy Lydon to Peter Dalzell regarding voicemail from MaryAnn McGeorge
33. Meeting memo regarding Old Business #4: Sign Wild Pastures development street acceptance plan
34. Rowley Public Library memorandum: collection displays
35. Rowley Board of Health White Goods/Light Metal Household Recycling memorandum, May 16, 2015