

MINUTES OF THE BOARD OF SELECTMEN

October 5, 2020

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

1:00 p.m.

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

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 1:04 p.m. He read the following:

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the open session portion of the meeting in real time. Persons who wish to do so are invited to watch the open session portion of the meeting on Rowley Community Media TV / listen live on the RCM page on the Town's website at www.townofrowley.net or join the meeting from your computer, tablet or smartphone by using the link: <https://global.gotomeeting.com/join/942531661> can also dial in using your phone by calling [+1 \(669\) 224-3412](tel:+16692243412) and using access code 942-531-661. In the event that live transmission proves infeasible, an audio or video recording, transcript or other comprehensive record of the open session portion of the meeting will be made available on the Town's website as soon as possible.

1:00 p.m. APPOINTMENT – Andraya Lombardi, Anser Advisory to discuss Pine Grove School Project Closeout concerns

Pierce said the Town needs to roll over the bonds for this project until February, which will cost \$25,000. He said he would like to clearly establish that we will make the February deadline, which has a due date for documents by December 31, 2020. Andraya Lombardi said we should be able to. She said she sent the punchlist to Eagan, and they met on Wednesday with Dore & Whittier and WT Rich. She said they walked a few items with the Principal. She said there are 33 items open with a value of \$17,000. She said some items are on order, and they anticipate the rest to be done in October. She said they were targeting February at the last Selectmen's meeting, but the MSBA changed the due dates, and the date is now April 14th. She said once the items on the checklist are submitted to the MSBA, the MSBA will review and then if everything is okay we will get invited to the meeting with the MSBA.

Petersen asked if the extra \$25,000 is coming out of the borrowing or from other funds. Treasurer/Collector Karen Summit said we need to raise the cost on the recap through

the override. She said she spoke with the Accountant and the Assessor and this shouldn't be an issue.

Lombardi said there is a checklist for the closeout from the MSBA. She asked Perry if he has Amendment #10. Perry said he doesn't have it. Lombardi said Berger told her that it has been issued to the Town for final signatures, but she will follow up on this in the next few days.

Lombardi said Summit should have gotten payment request #44 from WT Rich and their total packet for the month. Summit said yes and asked what percentage do the outstanding items encompass. She said this doesn't quite match the cash flow statement that Lombardi sent, and she is trying to figure out what is still outstanding after that. Lombardi said she will email that amount to Summit. Summit said she would like to have all costs submitted to the MSBA before submitting the final amounts for the reimbursement up to 95%.

Snow said today is the one year anniversary of the ribbon cutting ceremony for the school. He said things were hurried then to get ready for this ceremony, now the project closeout is being pushed out and will cost an additional \$25,000 plus interest. He said the Board of Selectmen has a fiduciary responsibility to the Town, there has been plenty of time to clear items up. He said he is speechless and appalled at how long this is taking. Lombardi said with all due respect, the pandemic shut the school down for three months. Snow said he understands there is a pandemic, which is ongoing, but there was nobody in the school for those three months and work could have been done. Lombardi said from March 13th through June 9th, the school wouldn't allow them in. Ziev asked who at the school wouldn't let them in. She said this is a Town project and it should have come before the Town. Lombardi said there was an email that the principal, Chris Walsh and the Town was copied on. Ziev said she didn't receive an email about this. Pierce said he doesn't remember an email, and they could have asked the Town for access. Lombardi said she will confirm who the email was sent to with Berger. Ziev asked if at the meeting last Friday there were representatives from the Town. Lombardi said the designer and the general contractor walked the rest of the punchlist. Ziev said the Town is the client, and we requested to be present at these meetings. Lombardi said the four items from the last Selectmen's meeting were discussed. Ziev said the Board has a responsibility to the taxpayers. She said the additional \$25,000 is outrageous, it's been one year since the ribbon cutting, and the project hasn't been completed on time. She said the Town didn't realize that the construction had stopped and would cause \$25,000 in additional expenses due to the delay. Lombardi said we met in mid to end June to discuss the punchlist completion. Snow asked if the delay is due to the time they weren't allowed into the school. Lombardi said there are 33 items remaining, which they anticipate being completed by October 31st. Snow said the Town is on the hook for \$25,000 and asked if the MSBA deadline can be extended out given the delay due to the school being closed. Pierce said we are locked into the MSBA schedule. Lombardi said the Town has to 100% pay all vendors and consultants before going to the MSBA. She said by the end of November, this should all be ready for final submission to the MSBA. Snow asked if the

Selectmen or the Town receives requests for references for the OPM. Petersen said he doesn't understand the question. Pierce said he doesn't know if the MSBA will ask us how our contractors performed. Snow said if we do get requests for references, they shouldn't be given until this is resolved. Pierce said he agrees.

Bob Snow moved that no references are given for this project until the project is done, Deana Ziev second, all in favor, roll call vote— Bob Snow – aye; Deana Ziev – aye; Cliff Pierce – aye. Joe Perry – ABSTAINED; Dave Petersen – ABSTAINED.

Perry asked if this means that no member of the Board of Selectmen may give a reference on any part of this project. Snow said that is correct.

Pierce asked if the outdoor landscaping will be done by the end of the month. Lombardi said they are targeting October 15th. Pierce said there will be another walk-through at the end of the month, and asked what the status of the camera is. Lombardi said they installed another camera in the area that was not being surveilled. She said there was a directive from Dore & Whitter to WT Rich to swap out the camera at no charge. Pierce said Pinck needs to alert the Town for any further walk-throughs.

1:30 p.m. DISCUSSION - by Board of Selectmen on Pine Grove School Project Closeout

Pierce said this has already been covered. Ziev asked if there is any way around the Town having to pay the additional \$25,000. Summit said no, we can't permanently borrow the funds until we get reimbursed by the MSBA. Ziev said it doesn't seem right that the taxpayers have to pay the \$25,000 because the project wasn't completed in a timely manner. Petersen said they were banned from the school because of COVID. He said he understands the kids and staff not being allowed to go into the school, but a few contractors could have been allowed to go in. He said it is too bad we didn't realize this at the time. Ziev said there was a walk-through in June, but she isn't sure how much has been accomplished. Petersen said it seems like this has been dragged out from June. Snow said the COVID argument accounts for three months, but it is twelve months since the ribbon cutting, so they still had nine months to get the work done. Ziev said there still is not a permanent occupancy certificate for the school. She said the Board made it clear that we wanted Town representation at walk-throughs, but they had one anyways on Friday without Town representatives. She said this is an outrageous level of service.

Eagan said she worked every day through COVID, and scrambled to setup virtual meetings. She said if she got a call that the contractors were ordered out of the building, she would have set up a Board of Selectmen meeting to allow the work to continue. She said the State issued guidelines for contractors to continue to work during the crisis. She said she doesn't see a direct communication to the Board of Selectmen about the construction being stopped. She said bills were being paid and she and others attended a seven hour walkthrough to view many issues identified by the custodian, who we are grateful to for pointing these issues out. She said we were

told these items would be addressed over the summer. Ziev said she is curious to see who sent the email. She said she wishes we had the opportunity to continue the work during that time, and this seems inexcusable. Eagan said there should have been a phone call to the client about the work stopping. Pierce said regardless, we are locked in, and we need to spend the \$25,000. He said we should keep in mind that this is a very small amount compared to the total cost of the project. Ziev said the Town could use that \$25,000 towards something else, even though it is such a small portion of the project. Snow said that money could be used to hire a person during the budgeting process, and it is a lot of money to the Town. Ziev said especially after we had to pay Pinck an extra \$44,000 due to the COVID extension. She said she wishes we weren't going this way a year after the ribbon cutting.

1:45 p.m. DISCUSSION - by Board of Selectmen on Triton Regional School District Committee's vote to remain in a remote learning model

Deana Ziev said that she requested this item to be on the agenda. She said she wants to raise awareness of the turmoil in the Town and school district from last week's School Committee Meeting, where they voted to remain in a remote learning mode. She said the Board of Selectmen doesn't oversee the School Committee, and this isn't something that the Board would normally talk about. She said Superintendent Brian Forget and Nerissa Wallen have done an amazing job leading the district through the pandemic, and she acknowledged that the School Committee has put a tremendous number of hours in. She said people in the community are stressed by this decision to stay in a remote learning environment, and the overwhelming majority, 70%, wanted to return to in school learning in some capacity, assuming the metrics were met. She said there was some confusion about the number of cases in Rowley last week, but Rowley Public Health Nurse Maryellen Mighill did an amazing job explaining the cases at the School Committee meeting. She said Mighill explained that the number for Rowley was high but that many cases were college students. She said all of the health officials agreed that it was safe to re-open the schools. She said she doesn't want the Board to discuss the School Committee's vote, but thinks that if the public health officials say the buildings can open, then the taxpayers should have the choice to send their kids to school. She said she wants the Board to be aware that people are mad, they are paying for the schools, and they are frustrated because the officials are saying the schools can open, but the schools aren't opening. She said there is additional frustration because the School Committee will not discuss this again for another month. She said if the district decides to move to hybrid down the line, parents will have a remote only option they can choose to do. She said she wanted to let the Board know what was going on and said that people should have the right to decide if they are comfortable with sending their kids to school if it is deemed safe for the buildings to be open. She said she would like the Board to entertain the idea to send a letter to the School Committee requesting that they consider re-voting this given the outcry in the community.

Petersen said she understands Ziev's position. He said Triton is a three town regional school and Rowley is upset, but we are not sure how the other two communities feel.

He said the only time we hear from the School Committee is when they send a bill for services, and the town is excluded from everything else. He said the Board is not in a position to send anything to the district. Ziev said to clarify, the proposed letter would not be to ask them to go hybrid, but to ask them to entertain the idea to discuss a re-vote. She said the vote taken by the School Committee was confusing. Perry said there was turmoil at the meeting and he heard it was a 5-4 vote. He said there is a lot of concern of all School Committee members, and he doesn't think a letter is appropriate. Ziev thanked the Board for considering this and for the opportunity to discuss this. Petersen thanked Ziev, and said he has read about this discussion that is raging in communities. Ziev said an issue that is fueling this, is that if the hybrid mode was started, people would still have the choice to remain remote, and people should have the choice to send kids to school if it is safe to do so. Snow said the three towns have duly elected the School Committee members, and people should go to the elected School Committee members to voice their concerns. Pierce said he was surprised that they didn't decide to go hybrid, he is unsure what the concerns are, and he doesn't think a letter would be productive. He said the School Committee has gotten the residents' concerns loud and clear, and they will ignore a letter from the Selectmen as they have ignored the Board's other letters in the past. Ziev said she respects the Board's decision and she has done her due diligence to explain what is going on. Perry said he agrees with Ziev that parents have the final vote to send their children or not, and some won't choose to send them. He said we need to let the School Committee make the choices and support them; they are trying to make it safe.

GENERAL BUSINESS

1. Request from Health Director Frank Marchegiani to lift the hiring freeze for the position of Health Department Secretary

Joe Perry moved to lift the hiring freeze for the position of Health Department Secretary, Bob Snow second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

2. Authorize Debbie Eagan to be the signatory on the Community Compact IT Grant Application

Chairman Pierce read the following:

The State has issued another round of Community Compact Grants. This round of grants is solely for Information Technology. The grants fund IT infrastructure upgrades. We are seeking funds from this program to create a municipal fiber optic network. If we can do this, we will be able connect municipal buildings (Town Hall, Annex, Library and Highway) over the network, rather than through the internet.

We have a very tight timeframe to get this application filed. The deadline is October 15. Debbie is asking permission from the Board to file and sign the application form. If the Board is in agreement, the Board needs to vote by roll call to authorize Debbie to do this.

Bob Snow moved authorize Debbie Eagan to file and sign the application form for this grant, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

NEW BUSINESS

1. Discuss Halloween Trick-or-Treating

Chairman Pierce read the following:

The State Department of Public Health has issued Halloween Safety Tips, which include the following:

- *wearing face masks/face coverings;*
- *observing good hand hygiene, including washing hands frequently and using alcohol-based sanitizers;*
- *refraining from touching face;*
- *staying at home if you feel unwell and refraining from Halloween activities, such as handing out Halloween treat.*
- *Maintaining social distancing of at least six feet of physical distance from all other Halloween trick or treating groups who are not members of the same household.*

Health Director Frank Marchegiani also recommends the following in addition to the State Guidance:

- *Trick or Treat in family or close contact groups and keep these groups as small as possible*
- *Have only one group at a time approach a house*
- *Consider creative ways to distribute the candy safely and avoid leaving a bowl of candy out for kids to reach into*
- *Find a creative way to wear a mask or face covering that goes with the costume to make it fun*

Police Chief Scott Dumas recommends that trick-or-treating be held between the hours of 5:30 – 7:30 p.m. on Halloween. He is providing the Board with the attached sample flyer on Halloween guidance that is being used in another community. Chief Dumas would support the Board issuing a similar flyer with the guidance, which is from the Centers for Disease Control.

Does the Board wish to hold trick-or-treating in Rowley, and if so, with the conditions listed by the State and by the Health Department, and recommendations from the Chief for the hours and the flyer? The vote needs to be a roll call vote.

Perry said he will vote to go along with the recommendation.

Deana Ziev moved to hold trick or treating on October 31, 2020 from 5:30 to 7:30 p.m. following these recommendations, Joe Perry second, all in favor, roll call vote– Bob

Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Ziev said not everyone will be comfortable with this, and asked that if a house has the lights off, don't send kids to the door.

2. Review Zoning Board of Appeals application from Jay Stanley appealing the Building Inspector's decision concerning parking at 600 Newburyport Turnpike

Chairman Pierce read the following:

The Zoning Board of Appeals has submitted the attached filing for the Board of Selectmen to review for comments.

The Board of Selectmen has received complaints concerning the number of vehicles parked at this site.

In the packet you will see that Building Inspector Ken Ward issued a cease and desist to the owners on August 13, 2020.

Does the Board have any comments that they would like to send to the ZBA for their hearing?

Pierce said this business is causing traffic to stop in both directions on Route 1 when they move their vehicles, and they park and wash their vehicles in the breakdown lane. He said it is clear that this business has outgrown this space, and they should downsize the business or find a new location, which is essentially what Ken Ward said on the cease and desist. He said the Selectmen should support the cease and desist.

Dave Petersen moved to send a letter to the ZBA that the Selectmen agree with the Building Inspector's decision, and are concerned about the number of vehicles in the area and it creates a health hazard, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Perry said there are frequently traffic jams in that area. Snow asked if the Selectmen has done this before. Pierce said the concern is about the number of vehicles on a small lot spilling onto Route 1. Eagan said in part, this originated from a complaint about this business to the Selectmen's office. Snow said he doesn't want to step on the toes of an independent Town board. Eagan said the ZBA asked the Board of Selectmen for comments. Pierce said the ZBA will make the decision.

3. Discuss Board of Health request for COVID-19 conditions to be added to Flea Market Licenses

Chairman Pierce read the following:

Due to the restrictions governing the operations of certain businesses, such as flea markets, during the COVID-19 Emergency, the Board of Health is asking the Board of Selectmen to amend the licenses for the current three flea market businesses to add the following condition to each license:

During the COVID-19 Emergency, the license holder shall abide by all Rowley Health Department / Board of Health COVID-19 requirements and all Federal and State COVID-19 Orders, Regulations, and Statutes

If the Board is in agreement, the Board needs to vote by ROLL CALL to re-issue flea market licenses to:

- *Sandy's Flea Market, 31 Main Street, Rowley*
- *Todd Farm LLC, 283 Main Street, Rowley*
- *Todd's River View Farm LLC, 275 Main Street, Rowley*

with the condition requested by the Board of Health as stated above.

The new licenses will be prepared by the staff and available tomorrow for signatures. After they are all signed, the new replacement licenses will be mailed to each respective business. We will also provide a copy of these licenses to the Health Department.

Bob Snow moved to re-issue flea market licenses with the condition as read, Deana Ziev second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Discuss appointment of new Council on Aging Director and hiring rate

Chairman Pierce read the following:

Council on Aging Board has appointed Eleanor Davis as the new Council on Aging Director. Ms. Davis is highly-qualified for this position. She holds a Bachelor's Degree and post-graduate education, and has extensive professional experience in the human services field. Her resume is attached for your review. The position requires, at a minimum, an Associate's Degree and three to five years of progressively responsible human services experience.

Council Aging Board Chairman George Gallant also recommends that Ms. Davis be placed at the top step of the position's current pay grade.

Debbie has sent the attached memo to the Personnel Advisory Committee (PAC) and to the Board of Selectmen. The PAC had a meeting this morning to discuss this and to make a recommendation to the Board of Selectmen. Debbie or Dave will report the PAC's recommendation to the Selectmen at today's meeting.

Eagan said there is a recommendation outlined in the meeting packet that effective immediately, the rate would be the top step of pay grade 9. She said we are finalizing

the Pay Equity Study and the draft report recommended that certain positions be reclassified. She said the COA Director position was recommended to move to Grade 12 from Grade 9. She said in this fiscal year, the recommendation is to place the rate at the top step of Grade 9, and then during the budget season for FY22, to reclassify the position to a pay grade 12 effective July 1, 2021. She said she is requesting guidance on this so that this information can be included in the job offer letter. Eagan said the motion to do this would be as follows:

I, (NAME OF SELECTMAN) move to set the hiring rate of Eleanor Davis, the newly-appointed Council on Aging Director, at Step 9 of Pay Grade 9 effective upon her start date, and to re-classify the position, in accordance with the recommendations of the Massachusetts Employment Pay Act Gender Comparison and Analysis – Town of Rowley report prepared by Human Resources Services, Inc., to a Pay Grade #12 and to set the pay rate of Ms. Davis at Step 5 of this grade, effective July 1, 2021, conditioned upon Town Meeting approval of the FY 22 budget, second (NAME OF SELECTMAN), all in favor, ROLL CALL vote.

Petersen said this person has the qualifications needed and experience with programming. He said this needs to be a professional position, and we need to be able to compete with other Towns. He said the Personnel Advisory Committee strongly recommends these changes.

Dave Petersen moved to set the hiring rate of Eleanor Davis, the newly-appointed Council on Aging Director, at Step 9 of Pay Grade 9 effective upon her start date, and to re-classify the position, in accordance with the recommendations of the Massachusetts Employment Pay Act Gender Comparison and Analysis – Town of Rowley report prepared by Human Resources Services, Inc., to a Pay Grade #12 and to set the pay rate of Ms. Davis at Step 5 of this grade, effective July 1, 2021, conditioned upon Town Meeting approval of the FY 22 budget, Joe Perry second, , roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

5. Discuss liquor license 2021 renewal fees

Chairman Pierce said this discussion is about whether or not there should be a decrease in the liquor license fees in light of the COVID emergency and the impact it has had on the businesses that serve liquor. He said Chelsea has reduced their fees by 50%. Petersen said there should be a reduction for the on-premises license holders, but he isn't sure it should be a 50% decrease. He said the fees for the off-premises license holders should not be decreased, because they have been able to remain open the same hours without restrictions. He said the on-premises fees should be reduced between 25% and 50%. Pierce agreed that the fee for on-premises license holders should be reduced. Perry agreed and recommended a 25% decrease in fees for on-premises license holders.

Joe Perry moved to reduce the on-premises liquor license renewal fees for 2021 by 25%, Deana Ziev second, , roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

6. Discuss tax classification hearing

Chairman Pierce read the following:

The Board of Assessors would like to hold the annual Tax Classification Hearing on Monday, October 26. This hearing is convened as a “joint meeting” between the Board of Assessors and Board of Selectmen.

Due to the COVID emergency, Debbie needs to know if the Board wishes to have this hearing held remotely or in-person. The Board of Assessors is willing to meet in person or remotely, and they are also available in the afternoon (such as 1:00 p.m.) or in the evening.

This is a decision for the Selectmen to make regarding the manner of the meeting (in-person or virtual) and the time of the meeting. Debbie needs this decision to be made today, because we have to advertise the hearing in the newspaper.

If the Board votes to set the date and form of the meeting (remote or in-person) the vote needs to be a roll call vote.

Pierce said this hearing should be done remotely given that the maximum capacity in the auditorium is 16. He said with the two Boards and the support staff, the attendees will already be near the 16 person limit, and then any residents who wish to attend will push the number beyond the limit. Snow and Perry agreed that the hearing should be held remotely.

Bob Snow moved to hold the tax classification hearing remotely, Joe Perry second, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

7. Discuss contract with the Merrimack Valley Planning Commission for Stormwater Collector Mobile Application for FY 21

Chairman Pierce read the following:

Conservation Agent Brent Baeslack is requesting the Board of Selectmen to vote to renew the contract with Merrimack Valley Planning Commission for the Stormwater Collector Mobile Application.

There are no increases to the cost for this service. The contract amount is \$1,500.00

The Board needs to vote to approve the contract and to authorize Chairman Pierce to sign it by roll call vote.

Dave Petersen moved to approve the contract with Merrimack Valley Planning Commission for Stormwater Collector Mobile Application for FY 21, and to authorize Chairman Pierce to sign it, Bob Snow second, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

8. Discuss speeding issues on Farnham Road

Chairman Pierce read the following:

We received a report from a resident of excessive speeding on Farnham Road. The resident, who lives on the road, said there are no speed limit signs on the road. Apparently, this road is being used a cut-through to get to Georgetown. There are many young children who live on the street.

The matter was referred to the Police and Highway Departments for review.

According to Police Chief Scott Dumas, in the absence of a posted speed limit sign, the speed limit is 30 MPH. Chief Dumas said there is a process to enable the Town to lower the speed limit by adopting a State statute, Section 193 of Chapter 218 of the Acts of 2016. Chief Dumas is looking into that process.

In the meantime, Chief Dumas has placed Farnham Road on the Patrol Advisory. The resident asked if the limit could be lowered to 25 MPH.

Does the Board have any thoughts on this matter? Debbie has asked Chief Dumas and Highway Surveyor Patrick Snow to call in to the meeting.

See attached email messages from Anna Ermanski.

Pierce said Chief Dumas and Patrick Snow are present at the meeting. Chief Dumas said in the past engineering and a study of crash data would be required to change the speed limit. He said under Section 193 of Chapter 218 of the Acts of 2016, the Board of Selectmen can opt into this Act and establish procedures to set the speed limits in thickly settled areas or individual streets. He said thickly settled is defined as houses or businesses within 200 feet together for a quarter of a mile. He said Farnham Road would qualify as thickly settled. He said the Town would then need to notify the State. He said the Board would need to decide whether or not to opt into this, and if so, would it be established Town wide or street by street. He said he has an email into the State to confirm his understanding of this, and he should have an answer for the next Selectmen's meeting. He said in the meantime, there will be a police advisory for Farnham Road. Eagan said there is a question about putting signs up for the 30 mile per hour speed limit. Petersen said let's wait for Chief Dumas to get back to us , and

then a sign can be put up for a 25 MPH speed limit. Perry and Ziev agreed with Petersen.

9. Discuss Eiras Park ballfield 1 homerun fencing project

Chairman Pierce read the following:

At the June 22, 2020 Special Town Meeting, \$7,760 was appropriated from CPC funds for the purchase and installation of home run fencing at Eiras Park Field 1. The Parks & Recreation Committee is ready to move forward with this project, and the vendor was asked to update their quote from October of 2019 with current prevailing wages. The updated quote increased significantly due to the prevailing wage rates and an increase in materials costs. The funding shortfall for this fencing is \$1,720.

During the FY21 budgeting process Parks & Recreation Committee members Tim Southall and Joe Haley felt that user fees would be low due to COVID restrictions on sports. However, they were able to secure more user fees than they expected to at that time, and they feel confident that the user fees will be sufficient to cover expected expenses, along with this \$1,720 shortfall.

Please vote to award the contract to Woodward Fence in the amount of \$9,480, and to authorize the use of \$1,720 from the Parks & Recreation Revolving Account to cover the budget shortfall for this project.

Bob Snow moved to award the contract to Woodward Fence in the amount of \$9,480, and to authorize the use of \$1,720 from the Parks & Recreation Revolving Account to cover the budget shortfall for this project, Dave Petersen second, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

OLD BUSINESS

1. Discuss Town Hall Exterior Trim Painting Contract Amendment

Chairman Pierce read the following:

The painting contractor has identified several trim pieces on the right hand side of Town Hall that are in need of replacement. The painting contract requires that the contractor perform minor repairs of trim boards only, and does not include the replacement of trim boards. We discussed this issue with Selectman Petersen and under the advice of Town Counsel we will include the trim replacement work that has been identified in the future Invitation for Bids to paint the trim on the remaining two sides of Town Hall. The painting contractor has been directed to just paint these areas under the current contract and to not replace any trim.

The contractor expressed a concern that if his painting work fails in these areas in need of replacement that he will be held responsible for this. We asked Tom Mullen to

prepare a contract amendment to exclude from the warranty only the specific areas identified in need of replacement. The proposed contract amendment is attached.

Please vote to authorize Debbie to sign this contract amendment.

Amy Lydon updated the Board as follows:

- The painting contractor worked over the weekend, and identified additional areas of rot on the right hand side of the building. The updated list is:

Portico: all trim pieces below columns
All floor boards on the stairs in portico entryway
Small moulding pieces underneath sills of windows on second floor
Window sill on second floor window above portico roof
Trim around basement windows

- The painter is working on the front of the building this week. So far only one area with rot has been identified, but other areas may be identified during this week.
- Please authorize Debbie to sign a second contract amendment that will detail all rot identified on the front of the building.

Petersen said we thought the wording in the bid documents was sufficient, but a contractor questioned the requirement to replace rotted trim, and the language was changed to include only minor repairs to the trim. He said in order to replace trim, we should get a bid per piece of trim to be replaced. He said the contractor is doing an excellent job, and this will be straightened out for the next bid, and a list of items discovered during this project will be added to the next bid. Pierce asked if we will need to ask for more money at the next Town Meeting. Petersen said we have \$25,000 from a previous Town Meeting and the bid had the work split into three sections. He said we were able to award the first section, but not the whole bid. He said we would like to finish the whole building and will request additional funds at the next Town Meeting if budgeting allows for it.

Bob Snow moved to authorize Deborah Eagan to sign contract amendments to exclude from the project warranty only the specific areas identified in need of replacement, Dave Petersen second, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

ADJOURN

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

Meeting adjourned at 2:32 p.m.

Respectfully submitted,

Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding 1:00 p.m. Appointment – Andraya Lombardi, Anser Advisory to discuss Pine Grove School Project Closeout concerns
2. Letter sent to Andraya Lombardi regarding Pine Grove School Closeout Status, including enclosure
3. Response letter from Andraya Lombardi regarding Pine Grove School Closeout Status, including attachments
4. Email from Andraya Lombardi regarding October 5 agenda, including attached documents
5. Meeting memo regarding 1:30 p.m. Discussion by Board of Selectmen on Pine Grove School Project Closeout
6. Email from Bob Snow regarding Project Closeout Status
7. Meeting memo regarding 1:45 p.m. Discussion by Board of Selectmen on Triton Regional School District Committee's vote to remain in a remote learning model
8. Request from Health Director Frank Marchegiani to lift the hiring freeze for the position of Health Department Secretary
9. Meeting memo regarding General Business #2: Authorize Debbie Eagan to be the signatory on the Community Compact IT Grant Application
10. Meeting memo regarding New Business #1: Discuss Halloween Trick-or-Treating
11. Sample Trick-or-Treat Guidelines from Newburyport
12. Guidance from the State regarding Halloween during COVID-19
13. Meeting memo regarding New Business #2: Review Zoning Board of Appeals application from Jay Stanley appealing the Building Inspector's decision concerning parking at 600 Newburyport Turnpike
14. Zoning Board of Appeals application from Jay Stanley appealing the Building Inspector's decision concerning parking at 600 Newburyport Turnpike
15. Meeting memo regarding New Business #3: Discuss Board of Health request for COVID-19 conditions to be added to Flea Market Licenses
16. Email from Rowley Board of Health regarding Flea Markets
17. Copies of three Flea Market licenses currently issued
18. Meeting memo regarding New Business #4: Discuss appointment of new Council on Aging Director and hiring rate
19. Memo from Deborah Eagan to Personnel Advisory Committee regarding New Hire Rate of the COA Director, including attachments
20. Memo from Amy Lydon to Board of Selectmen regarding 2021 Liquor License Renewal Fees
21. Town of Barnstable temporary policy change on alcohol fees and inactive licenses due to COVID-19

22. Email exchange amongst municipal employees who handle liquor license renewals
23. Meeting memo regarding New Business #6: Discuss tax classification hearing
24. Meeting memo regarding New Business #7: Discuss contract with the Merrimack Valley Planning Commission for Stormwater Collector Mobile Application for FY 21
25. Email from Brent Baeslack regarding Stormwater Inspector, including attachments
26. Meeting memo regarding New Business #8: Discuss speeding issues on Farnham Road
27. Two emails from Anna Ermanski regarding Farnham rd
28. Meeting memo regarding New Business #9: Discuss Eiras Park ballfield 1 homerun fencing project
29. Proposal from Woodward Fence & Supply Corporation for homerun fencing project
30. Meeting memo regarding Old Business #1: Discuss Town Hall Exterior Trim Painting Contract Amendment
31. Draft Town Hall Exterior Trim Painting Contract Amendment