

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

May 19, 2014

Meeting held at Town Hall

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

**PUBLIC ATTENDEES:** Lawrence White – Finance Committee; Jack Grundstrom – Shellfish; John H. Grundstrom – Shellfish; Patrick Snow - Highway Surveyor

### **CALL MEETING TO ORDER**

Chairman Robert Snow called the meeting to order at 7:03 p.m. He said the meeting is being audio and video recorded digitally.

### **PLEDGE OF ALLEGIANCE**

Bob Merry led the Pledge of Allegiance.

### **CHAIRMAN'S COMMENTS**

Chairman Snow said, "For the past 6 years it has been an honor and a privilege to represent the people of Rowley. I want to thank all of you for your support last week and for the many well wishers that called or came up to me and personally wished me well. This job pays me \$20 more a month than I made as a Lance Corporal in the Marine Corps. Both of these jobs have been difficult, rewarding and the most fun that I have had in life. Most of what I have applied as a Selectmen I learned in the Marine Corps. Well.... I didn't have to fix bayonets, but there were a few meetings where I thought about it!

Our town is in a better fiscal position going forward with the bump in new growth last year and town meeting has approved a great land purchase in the Girl Scout property or as Bob Merry has called it the "thumbs up" property. Also you have voted for a new ladder truck I have to commend you all for soundness of thought and foresight in this vote. One of the things I like about the people of this town is that they buy for need and utility... not because of surplus.

This year marks our 375th year since our town's founders first stepped upon the good soil of our town. I have thought long and hard about our 375th and I believe that there is only one person to lead us. That is Robert Merry and I would like to put his name in nomination as our Chairman of the Board."

## **REORGANIZATION OF THE BOARD**

Bob Snow made a motion to nominate Bob Merry to be the Chairman, Dave Petersen second, all in favor - aye (4-0). Bob Merry – ABSTAINED

Merry said there are several items on tonight's agenda prepared with Bob Snow as the Chairman.

Bob Snow made a motion for Bob Merry's Chairmanship to be effective at the close of tonight's meeting business, Dave Petersen second, all in favor - aye (5-0).

Dave Petersen made a motion to nominate Joseph Perry to be the Vice Chairman, Jack Cook second, all in favor - aye (4-0). Joseph Perry - ABSTAINED

Jack Cook made a motion to nominate Bob Snow to be the Clerk, Dave Petersen second, all in favor - aye (5-0).

## **7:05 – 7:15 p.m. CITIZEN QUERY**

Citizen's Query opened.

## **GENERAL BUSINESS**

1. Proclamation for John "Jack" DiMento for his many years of dedicated service to the Town

Chairman Snow said, "Jack DiMento served this Town with tireless dedication. He served on the Finance Committee and Personnel Board and enjoyed working with the staff on various special projects. The Board of Selectmen needs to vote and to issue this proclamation. Representatives of the Board of Selectmen can present it to Jack on Wednesday, May 28, along with Senator Tarr who will present Jack with a state proclamation."

Snow read the proclamation (COPY ATTACHED). Snow said DiMento is a former Marine and a great friend to all.

Joseph Perry made a motion to sign the proclamation, Jack Cook second, all in favor - aye (5-0).

The Selectmen signed the proclamation.

2. Letter of resignation from Patrick Snow from his position of Acting Highway Foreman and Highway Truck Driver

Chairman Snow read the resignation letter (COPY ATTACHED).

Joseph Perry made a motion to accept Patrick Snow's resignation, Jack Cook second, all in favor - aye (5-0).

3. Request from Highway Surveyor Patrick Snow to lift the freeze for the position of Highway Truck Driver

Chairman Snow read the email request from Patrick Snow (COPY ATTACHED).

Jack Cook made a motion to lift the hiring freeze, Bob Merry second, all in favor - aye (5-0).

Petersen thanked Patrick Snow for working with Ron Keefe and making the transition work. He congratulated him on the election and said he looks forward to working with him this year.

4. Letter from RMLP on FY 14 PILOT

Chairman Snow read the memo from RMLP (COPY ATTACHED).

Dave Petersen made a motion to accept the payment in lieu of taxes to the Town of Rowley, Jack Cook second, all in favor - aye (3-0). Bob Merry – ABSTAINED Bob Snow – ABSTAINED

Snow read the thank-you letter that had been prepared (COPY ATTACHED). Petersen, Perry and Cook signed the thank-you letter. Petersen said the Light Department helped with the lights on the Town Common, along with the Highway and Water Departments. He said it looks great, and will look nice for the Independence Day Celebration and the 375<sup>th</sup> Anniversary. He thanked the departments for their work on this project.

**7:05 – 7:15 p.m. CITIZEN QUERY**

Citizen's Query closed. There were no Citizen's queries.

**7:15 p.m.** Appointment – Jack Grundstrom to discuss aquaculture licenses

Chairman Snow said, "Last week the Board voted to transfer the aquaculture licenses for lots 2 and 6 from Richard Kent to Kelsi Grundstrom. The license for lot 6 had already expired. Jack Grundstrom will provide an explanation and see the attached letter from John H. Grundstrom. Please note these requests are for aquaculture licenses, not leases."

Snow read Grundstrom's letter (COPY ATTACHED). Jack Grundstrom said the expiration date slipped past them, and this license expired March 31, 2014. He said he

would like to get the license extended for another five years. He said Kent is no longer physically able to maintain his lots, and Kelsi Grundstrom has been doing it for the past two years.

Dave Petersen made a motion to extend the licenses for five years, Jack Cook second, all in favor - aye (5-0).

## **GENERAL BUSINESS**

5. Northeast Mass. Mosquito Control aerial application to control mosquito larvae on salt marsh

Chairman Snow read the areas and dates of spraying from the notice (COPY ATTACHED). He said residents do not have to take any special precautions.

## **NEW BUSINESS**

1. Water treatment plant construction update

Eagan read the memo regarding the project (COPY ATTACHED). She said the membrane is off-line and she is concerned about that. Snow thanked Eagan for all of her hard work and said she and Karen Summit are instrumental in keeping things going at the Water Department.

2. Request from SBA to install three additional antennas to existing pole located at 467 Haverhill Street

Chairman Snow said, "SBA is requesting to place three additional antennas on Smith Lane Cell Tower. The Planning Board has reviewed this request and has determined that there is no need to modify the existing site plan, therefore, the Board of Selectmen can vote to authorize Debbie to sign the Building Permit application when it is submitted to her." Snow disclosed that he worked for Verizon on the land line side of the business. Eagan said these new antennas are needed due to technological upgrades, and there is no additional fee since it is not a competitor.

Joseph Perry made a motion to authorize Eagan to sign the building permit application, Jack Cook second, all in favor - aye (5-0).

3. Request from SBA to refund balance of annual cell tower payment

Chairman Snow said, "Debbie has reviewed this with the Town Counsel. Under the terms of the lease, SBA is entitled to a refund of their rental payment, which is paid in a lump sum at the start of their upcoming lease year. SBA is requesting a refund of \$12,904.67, which reflects a refund for approximately five and a half months. The lease year runs from October 2014 to September 2014. The tower was decommissioned in April. Debbie is requesting the Board to issue the refund after she reviews the

breakdown of the amount requested. She has requested additional information from SBA.”

Eagan said an 80 foot pole was decommissioned from Prospect Hill in April, and the terms of the lease require a refund. She said the calculation is correct, but needs more information.

Dave Petersen made a motion to the refund to SBA as long as the amount does not increase from \$12,904.67, Jack Cook second, all in favor - aye (5-0).

### **OLD BUSINESS**

#### **7. Sign Division of Fisheries & Wildlife settlement document for salt marsh parcel**

Chairman Snow said, “The Board of Selectmen needs to vote and sign the Acceptance of Full Settlement for the Salt Marsh tax title parcel being sold to the Division of Fisheries and Wildlife. The Board’s signatures need to be notarized.”

Eagan said this will be followed up with a Town Meeting vote to sell the salt marsh land for \$24,000.

Dave Petersen made a motion to sign the acceptance and full settlement agreement, Jack Cook second, all in favor - aye (5-0).

The Selectmen signed the document (COPY ATTACHED). Karen O’Donnell notarized the signatures.

### **NEW BUSINESS**

#### **4. Update on Mass DOT Winter Rapid Recovery Road program**

Highway Surveyor Patrick Snow said they will be starting work on June 2, 2014, and will be cutting pothole areas, removing and re-laying fresh hot top over the areas. He said this will make the roads smoother for the short term, and the work should be completed within a couple of weeks. Merry said the deadline is September 20, 2014 to get the work completed. Patrick Snow said Ron Keefe did most of the work on this project. Merry said it a joint effort and we appreciate the cooperation between him and Keefe.

**7:30 p.m.** Appointment – Town Administrator Deborah Eagan for performance evaluation

Chairman Snow read the memo from Deborah Eagan (COPY ATTACHED). Eagan asked that the evaluation be completed in open session and not shielded from the

public records law. The Selectmen went through each section of the evaluation form and made the following comments:

**JOB KNOWLEDGE** Employee possesses clear understanding of the responsibilities and tasks he or she must perform

Comments: Petersen said people see Eagan daily to request information or clarification, and her knowledge is excellent. He said if she doesn't know something, she is diligent about finding it out. Perry said he fully supports Petersen's comments, and as the Chair of the 375<sup>th</sup> Committee he goes to her to get information / ask questions. Merry said he agrees and she has kept him out of trouble and he appreciates it. Cook said he totally agrees and she gets back to you in a hurry if she doesn't know the answer right away. Snow said the office is a well-oiled machine, everything is addressed/answered under her good management. Petersen said she took over as the temporary Water Superintendent and she has brought her expertise and order to the department. He said she is doing an outstanding job, on top of all her other responsibilities, pushing to get things done correctly. He said she is an asset to the Town and the community. The Board rated her excellent in this category.

**JOB PERFORMANCE** The neatness, thoroughness, accuracy, and overall quality of the employee's work.

Merry said this past Town Meeting was the smoothest one he's been to in a long time. Snow said there is a tremendous amount of prep work that goes into Town Meeting so that it runs smoothly. Eagan said there is a great group of people who sit down at the table, bring ideas together and get things done. She said the other employees are dedicated and go above and beyond what is required by their job. She said the Treasurer's Office has helped out a lot and they work well together and it shows. Perry said Eagan has a great team and she is a great leader. Petersen said she attends Finance Committee meetings and this is one of her invisible tasks along with others such as setting the agenda, going through the budgets, preparing packets for the meetings. The Board rated her excellent in this category.

**JOB PRODUCTIVITY** (QUANTITATIVE) The employee demonstrates a commitment toward achieving results.  
Tasks are completed efficiently and effectively.

Petersen said she gets her work done. Snow said he gets calls from the office on Saturdays and it is amazing how much work she does. The Board rated her excellent in this category.

**DEPENDABILITY** Employee can be relied upon to complete assigned tasks, and is conscientious about their attendance and timeliness.

Perry said she is absolutely dependable. The Board rated her excellent in this category.

**COOPERATION** Employee demonstrates a willingness to work with associates, subordinates, supervisors and others. Responds willingly to changes in procedure, process, responsibility and assignments.

Petersen said it is a team effort under her leadership and there is tremendous cooperation. The Board rated her excellent in this category.

**INITIATIVE** Demonstrates an ability to think and act independently. Originates innovative ideas and methods to improve job or complete tasks better.

Petersen said as one project completes there are three more waiting. Merry said he can't think of anything negative to say about Eagan. Perry said we might not like the answer she gives, but she gives the correct answer. The Board rated her excellent in this category.

**WORK ENVIRONMENT AND SAFETY** Maintains a safe and pleasant work environment, follows safety regulations, and actively contributes towards a safe workplace.

Snow said this is the best environment he has ever worked in. He says the hard work emanates from Eagan and he doesn't know what we would do without her. He thanked her for her work the past year, which was a difficult year, and she made his job much easier as Chairman of the Board. Perry said Eagan is a great leader and has a great team. The Board rated her excellent in this category.

Eagan said she has a great Board of Selectmen to work with and everyone works together.

**NEW BUSINESS**

5. FY 15 Re-Appointments

Snow read the following:

<b>Animal Control Officer <i>one year term</i></b>	
Reed Wilson	6/30/2015
Carol Laroque Alt. Inspector	6/30/2015
<b>CPA Administrator <i>one year appointment</i></b>	
Karen O'Donnell	6/30/2015

<b>Fence Viewers one year term</b>	
Richard Caram	6/30/2015

Jack Cook made a motion to make these appointments, Joseph Perry second, all in favor - aye (5-0).

Snow read the following:

<b>Cannoneer one year term</b>	
G. Robert Merry	6/30/2015

Joseph Perry made a motion to make this appointment, Jack Cook second, all in favor - aye (4-0). Bob Merry - ABSTAINED

Snow read the following:

<b>MBTA Advisory Board one year term</b>	
Robert Snow	6/30/2015

Jack Cook made a motion to make this appointment, Joseph Perry second, all in favor - aye (4-0). Bob Snow - ABSTAINED

Snow read the following:

<b>Merrimac Valley Planning Commission (MVPC) one year term</b>	
Robert Snow	6/30/2015
Joseph Perry - alternate	6/30/2015

Jack Cook made a motion to make these appointments, Dave Petersen second, all in favor - aye (3-0). Bob Snow - ABSTAINED Joseph Perry - ABSTAINED

Snow read the following:

<b>Town Counsel one year term</b>	
Gary Brackett, Brackett & Lucas	6/30/2015

Jack Cook made a motion to make this appointment, Joseph Perry second, all in favor - aye (5-0).



## **OLD BUSINESS**

### 1. Discuss 375th Anniversary Events and the use of the Town Common

Chairman Snow read the following:

*The Board of Selectmen is in receipt of an application from the 375<sup>th</sup> Anniversary Committee to use the Town Common for the following dates and times as part of the 375<sup>th</sup> Summer Concert Series.*

- *June 28 6 p.m. to 8 p.m.*
- *July 12 6 p.m. to 8 p.m.*
- *July 26 6 p.m. to 8 p.m.*
- *August 9 6 p.m. to 8 p.m.*
- *August 23 6 p.m. to 8 p.m.*
- *September 5 6 p.m. to 8 p.m.*
- *September 6 11 a.m. to 5 p.m.*
- *September 7 12 p.m. to 5 p.m.*

*The 375<sup>th</sup> Anniversary Committee would also like to place a portable restroom on the Town Common for these events. We can either have it on the Common for summer starting on June 27<sup>th</sup> through September 8<sup>th</sup> or pay to have it placed on an event-by-event basis.*

*The cost is \$60.00 for a 28 day period or \$60.00 per day.*

Perry said the concerts are rain or shine and run for five Saturdays every other week. He said the Committee is putting a lot of work into planning the events and they are hoping for a few more contributions for the parade. He said he suggests that the portable toilets are brought in for each event, and then brought back for the weekend of September 4 – September 7. He said a significant donation from the Institution for Savings will cover this expense. Petersen asked if this is the cost per restroom. Lydon said yes. Petersen said it is worth it to remove them each time.

Jack Cook made a motion to allow the use of the Town Common for these events and to approve the portable restrooms being brought in for each event, Dave Petersen second, all in favor - aye (4-0). Joseph Perry – ABSTAINED.

Merry said the portable restrooms should be placed away from Independent Street. Petersen said they should be placed against the backstop.

## 2. Sign MOA with MassCops

Snow asked the Board if everyone had read through the MOA. Merry said there is a typo on page two. Petersen asked if the wages are in line with the others. Eagan said yes, the Board last reviewed this document during negotiations.

Jack Cook made a motion to accept the MOA, Joseph Perry second, all in favor - aye (5-0).

The Selectmen signed the MOA.

## 3. Girl Scouts Land Update – Self-Help Grant application

Eagan read the following:

*We started the land surveying work immediately after town meeting. We are well underway with Donohoe Land Surveying.*

*On the Open Space Plan, Brent and Nellie Aikenhead have all the various sections assembled and the content has been edited and revised. Brent has tentatively set the date for the public hearing on the plan for May 27<sup>th</sup>.*

*I am now working on the Self-Help Grant Application. I have a proposal from Nellie Aikenhead to work on the application for a fee of \$3,500. Her work does not include making the maps, which the Greenbelt will do for the Town at no cost. I need the Board of Selectmen to authorize me to contract with Nellie.*

*Another important note, because we are using CPA funds to purchase the land, the Board of Selectmen/Conservation Commission must put a conservation restriction on the open space portion of the land. The Self-Help grant application requires the filing of a draft conservation restriction with the application. The logical entity is Greenbelt as they are the organization that facilitated the process and has assisted the Town in following many of the tasks we need to do to be eligible for the grant. I recommend that the Board of Selectmen authorize me to have Nellie work on this with David Santomena of Greenbelt, as they will hold the "CR" similar to the Bradstreet property which will soon have a CR with the Audubon. Brent also agrees with me. We will carve out the section with the camp and the house.*

*Also, the Self-Help grant also requires an independent review of the appraisal by another appraiser. I have Bill LaChance working on this. It will take approximately four weeks to have it completed and will cost \$3,400, so I issued the purchase order today.*

Dave Petersen made a motion to authorize Eagan to contract with Nellie Aikenhead to work on the Self-Help Grant Application and on the conservation restriction, and to have Greenbelt hold the conservation restriction, Jack Cook second, all in favor - aye (5-0).

Petersen said some land should be made available for recreation beyond the house and the camp. Eagan said this needs to be discussed with David Santomenna of Greenbelt and Conservation Agent Brent Baeslack. Merry said the existing ballfield can be kept, but the rest of the land is hilly. Snow said the trails can be used for recreation. Petersen said a piece of land can be attached to the camp to give them flexibility to use it. Eagan said we should have a meeting to discuss these details with David Santomenna, Baeslack, Petersen and Merry, and the conservation restriction allows permitted passive recreation uses. Then the ideas can be brought before the Board for review.

Dave Petersen made a motion to move ahead with the draft conservation restriction, Jack Cook second, all in favor - aye (5-0).

Dave Petersen made a motion to ratify the purchase order with Bill LaChance for an independent review of the appraisal, Jack Cook second, all in favor - aye (5-0).

#### 4. Discuss Memorial Day Ceremonies

Chairman Snow said, "We need to let the VFW know which selectmen plan to attend the Memorial Day ceremonies. Also, Bob Merry is finalizing the details of the Civil War Monument re-dedication. He needs to work this out with Ken Gawrys."

All the Selectmen said they will attend the ceremony. Eagan said Terry Hart passed away and he normally speaks at the ceremonies. Eagan asked the Chairman to make a brief statement at the ceremony. Snow said he will make a statement. He said Hart went out of his way for the Veterans in the surrounding towns and he was taken too soon. Petersen said he will be difficult to replace. Eagan said the Veterans Agent position involves a lot of paperwork, case management, social work, managing the operating budget, and calculating fuel and insurance costs. She said the case load has increased dramatically and his assistant Georgia is handling it now. She said she offered to help Georgia. Petersen said Hart will be laid to rest at the Arlington National Cemetery next to his wife at a later date.

#### 5. Vote to authorize the Treasurer to borrow funds for capital items pursuant to STM 5 4 14

Chairman Snow said, "The Board of Selectmen needs to vote to authorize the Treasurer to borrow the funds authorized under Article #9 of the May 5, 2014 Special Town Meeting and to sign the paperwork when it comes in later this week."

Dave Petersen made a motion to authorize the Treasurer to borrow the funds authorized under Article #9 of the May 5, 2014 Special Town Meeting and to sign the paperwork when it comes in later this week, Jack Cook second, all in favor - aye (5-0).

6. Lift hiring freeze to post part-time secondary water operator position

Chairman Snow said, "The FY 15 Water Department budget has funding for a part-time secondary water operator position. The Water Board would like this position posted now in anticipation of having it filled by July 1, 2014. Could the Board of Selectmen please vote to authorize Debbie to post this position?"

Jack Cook made a motion to authorize Eagan to post the part-time secondary water operator position, Joseph Perry second, all in favor - aye (5-0).

**ANNOUNCEMENTS**

- The Town has the following vacancies:
  - **Finance Committee** – one seat;
  - **Fence Viewer**– two positions;
  - **Wood, Lumber & Bark Inspector**; and
  - **Zoning Board of Appeals Associate** – two open seatsFor more information on these positions, please contact the Selectmen's Office at 948-2372
- 375<sup>th</sup> Anniversary information and events are posted on the Town's website, [www.townofrowley.net](http://www.townofrowley.net)
- Battery recycling box located at the Town Hall and Library
- One Book One Community Program hosted by Rowley Public Library
- 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.
- Water Customers need to call Pennichuck at 1-800-553-5191 now for billing, payment and customer service questions.
- Compact fluorescent light bulbs may be recycled at the Rowley Municipal Lighting Plant. Light bulbs can be brought down during normal business hours.
- Memorial Day Parade Ceremonies – Monday, May 26 starting at 1:30 p.m.

There being no further business before the Board, Chairman Snow called for a motion to adjourn. Dave Petersen so moved, Jack Cook second, all in favor – aye (5-0).

Open meeting adjourned at 8:34 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Proclamation for Jack DiMento

2. Resignation letter from Patrick Snow
3. Email request from Highway Surveyor Patrick Snow to lift the freeze for the position of Highway Truck Driver
4. Letter from RMLP on FY 14 PILOT
5. Thank-you letter to RMLP for PILOT
6. Letter from John H. Grundstrom regarding aquaculture licenses
7. Notice from Northeast Mass. Mosquito Control aerial application to control mosquito larvae on salt marsh
8. Memo from Deborah Eagan regarding Water treatment plant construction update
9. Email from Kirk Baker regarding SBA's request to install additional antennas
10. Plans from SBA
11. Email from SBA to Deborah Eagan regarding excess rent and copy of check paid to Town of Rowley for annual rent payment
12. Acceptance of Full Settlement for the Salt Marsh tax title parcel
13. MassDot Winter Rapid Recovery documentation
14. Memo from Deborah Eagan to Selectmen regarding Performance Appraisal
15. Performance Appraisal form for Deborah Eagan
16. Application for use of the Town Common by the 375<sup>th</sup> Anniversary Committee
17. MOA with MassCops
18. Proposal from Nellie Aikenhead for consulting services
19. Purchase order and email correspondence with William LaChance