

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

May 18, 2015,

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

**MEMBERS PRESENT:** Chairman Robert Merry, Vice Chairman Joseph Perry, Clerk Robert Snow, David Petersen, Cliff Pierce (Town Administrator Deborah Eagan, Assistant Town Administrator Doreen Glowik)

**PUBLIC ATTENDEES:** Doug Aylward , Jerry Ford, Lawrence White, Timothy Young, Susan Hazen, Charlie Aylward, Jerome Ford, Linda Ford, Michelle Ford, Steve Fletcher

### **CALL MEETING TO ORDER**

Chairman Robert Merry called the meeting to order at 7:00 p.m. He said sitting with the Board tonight is Doug Aylward, a third grader at Pine Grove School, who is the winner of the Pine Grove School auction item for Junior Chairman of the Board of Selectmen.

### **PLEDGE OF ALLEGIANCE**

Doug Aylward led the Pledge of Allegiance.

### **APPOINTMENTS**

7:00 p.m. Douglas Aylward as winner of Pine Grove School auction to serve as a "Junior Chairman of the Rowley Board of Selectmen"

Chairman Merry read the proclamation for Douglas Aylward.

Joseph Perry made a motion to sign the proclamation for Douglas Aylward, Bob Snow second, all in favor - aye (5-0).

The Selectmen signed the proclamation. Petersen congratulated Aylward and said he is a fine candidate and a future politician. Perry and Snow congratulated Aylward.

### **CITIZEN QUERY, 7:05-7:10 p.m.**

Chairman Merry said the meeting is being recorded audio and visually digitally. There were no Citizen Queries.

### **GENERAL BUSINESS**

2. Road Opening Permit request from National Grid to open 377 Main Street for new gas service.

Dave Petersen made a motion to approve the road opening request from National Grid to open 377 Main Street for new gas service, Bob Snow second, all in favor - aye (5-0).

Bob Merry presented a birthday cake to Doug Aylward, and Happy Birthday was sung. Aylward shook hands with the Board members and left the meeting.

## **APPOINTMENT**

7:15 p.m. Tim Young of the Friends of the Rowley Public Library to discuss request to use Town Common for Annual Chili Cookoff

Chairman Merry read the following:

*Debbie has asked that the Police, Fire, Highway and Health Departments review this request in advance of tonight's meeting. In addition to the representatives of the Friends of the Rowley Public Library, present tonight are: Fire Chief James Broderick, Police Lieutenant Steve May, Coordinator of Health Services & Regulatory Compliance Frank Marchegiani, and Highway Surveyor Patrick Snow.*

*After the Board reviews this request with all interested parties, Debbie wishes to point out that the Board of Selectmen will have to issue a special one-day liquor license and also request the Friends of the Rowley Public Library to submit a certificate of insurance naming the Town as an additional insured. Debbie will contact the Town's insurance carrier, MIIA, and ask for the recommended coverages.*

Tim Young thanked the Board for inviting him to discuss the proposal for the 12<sup>th</sup> Annual Chili Cook-Off. He said he has brought supplemental details in concert with other department heads. He said after the winter we endured, and all the work done on the Town Common, it would be great to hold the event outdoors on the Town Common. He said the event has been held at the Rowley VFW, the Rowley Country Club and St. Mary's Church, and they have realized that these locations do not have enough space. He said more people can be accommodated on the Town Common, and they would like the Town's input on this. He said the event would be held on September 26, 2015, and they anticipate 300 to 400 guests plus volunteers, workers, judges and a band. He said he has met with the Police, Fire, and Board of Health to review the details of the event. He outlined the details of the event as follows:

- Event to be held on a Saturday afternoon from 2:00 p.m. until dusk
- Workers will start at 10:00 a.m.
- Cooks will arrive between 12:30 and 1:00 p.m.
- They will set up tents on Friday and remove them on Sunday
- The rain date is Sunday the 27<sup>th</sup>
- He said they will use roughly half of the Town Common and the area will be cordoned off

- He said there will be a fairly large tent 60x120
- The cooking area will be 20-25 feet off to the side on the Summer Street side with entrance control points
- An area will be barricaded off behind the cook's station
- He said there will be a band on the band stand with live music
- They have discussed having a segregated beer garden where beer and wine will be served between the Band Stand and the Cook's area
- He said there will be an area for kids games
- Sanitation facilities will be placed behind the backstop
- A sani station with hot water will be located near the Cook's station
- He said the Light Department is amendable to providing panels off of a pole for power. He said Light Commissioner Leveque has no issue with the plan
- He said Building Inspector Ken Ward said he has no opinion regarding occupancy and the same approach will be taken as used for the 375<sup>th</sup> Anniversary
- He said they have gotten extensive input from the Police and Fire which they have responded to.

He said a change from the original request is the circulation of beer and wine. He said initially the thought was to have the Beer Garden and all beer and wine would remain in there, but then cooks and judges would not be able to enjoy a beer. He asked the Board for input for having a beer truck serving guests, servers would be TIPS certified, checking IDs, and wrist bands would be issued. He said regarding parking, the Police and Fire Chiefs have advised him to request that Burke Avenue be closed to parking for Fire Truck access. He said there will be cones on one side of Summer Street. He said they would like approval to reach out to Pine Grove School, St. Mary's, the Town Hall Annex and would use private lots with permission. He said hopefully this plan will alleviate any parking issues. He said they need to have a Police detail and EMT's at the location, especially with bees at that time of year. He said regarding food monitoring, they will make it clear that the Board of Health has not checked all grills, etc. He said they are getting quotes for liability insurance of \$1,000,000 to cover the Town. He said host liquor liability insurance is another issue and they will work with vendors who provide that insurance coverage.

Petersen asked if the tent will be walled in. Young said there will be rolled up sides, and clearly marked entrances and exits. Petersen said this is an impressive presentation and they have covered it all. Perry said in full disclosure, he is a member of the Friends of the Rowley Public Library and he works at the cook-off event.

Fire Chief Broderick said they have worked out the issues, and they have coverage for Fire and EMT purposes. Young introduced the co-Chair of this event from Ipswich Bank. He said the event is usually held the first weekend in November. He said the last one was held at Governor's Academy in the spring. He said since they are planning this year's event to be outdoors, it will be better to have it in September. Lieutenant Steve

May said this is a great use of the Town Common, it is a well thought out plan and it sounds like a lot of fun. Young asked if there is an issue if alcohol is circulated. Merry said it isn't an issue as long as people don't leave the Town Common. May said this is a family event and he doesn't foresee a problem, and they should make it clear that people can take the drinks to the tent. Young said there will be a fenced in area with check points. Petersen said they always run a good operation, the bases have been covered and alcohol circulation within the fenced in area is fine.

Young asked if there are any further questions. He said they will work on the permits and liability coverage. Petersen said he should reserve the date with the staff in the Selectmen's office. Young said Eagan asked him to make sure that Roberts isn't planning a funeral or a wake, which they will pay attention to. Young said there will be one handicapped port-o-potty. Eagan said she will submit the plan to the Town's insurance carrier, and she will work with Young directly on the insurance liabilities. She said for the one day liquor license, the Police Chief reviews this, and there may be some special conditions under that approval.

May thanked the Selectmen and the Town Departments for working with him on this event.

7:30 p.m. Tim Southall to discuss Turf Maintenance Contract for Parks and Rec and Independence Day Celebration event on the Town Common

Tim Southall said the contract covers the fertilization turf fields at upper and lower Eiras Park, Pine Grove Field and Veterans Field. He said the quote was sent to ten local businesses, and at the pre-quote meeting, and Szczechowicz was the low bidder. He said Szczechowicz has had the contract for the past three years, he has been doing a great job, and it is nice to keep the business in Town. He said the P& R Committee voted to recommend this contractor to the Board of Selectmen. He said it increased 20% since the contract from three years ago, which is a one year contract with an option to renew for two additional years. He said they have enough money in the budget to cover this expense. Pierce asked why national organic fertilizer is being used on one field. Southall said they have to use the organic material on the field near the water well, and the cheaper standard fertilizer will be used on the other areas.

Joseph Perry made a motion to award the Turf Maintenance Contract to Szczechowicz, Bob Snow second, all in favor - aye (5-0).

Southall said the Independence Day Celebration on the Town Common will be held on June 27, 2015, before people go away for the holiday. He said he wants to get the word out to Pine Grove School. He said the parade will begin at 8:30 at the VFW, there will be a Police escort. Snow said there will be Richie's slush and hot dogs. Petersen thanked Southall for all he does for the Town. Southall said this will be the 52nd year that a Southall has been coaching in Rowley, he likes to do it and it creates memories.

Dave Petersen made a motion to set June 27, 2015 as the date of the Independence Day Celebration event on the Town Common, Bob Snow second, all in favor - aye (5-0).

Snow said this should be put on the website and Rowley Community Media.

## **GENERAL BUSINESS**

1. Letter from David Schwarz, DVM, SMART, re: Legislation on ensuring the safety of people with pets in disasters

Merry said they are trying to get legislation passed to help people with pets during disasters, and they are trying to educate people. Petersen said the Fire Chief as our Emergency Director should be aware of this to have a plan. Merry said we need to have a plan once this legislation is passed. Eagan said she thinks this has been signed into law and suggested that we ask the Emergency Director to review this and confirm that he is including this in the emergency plan, working with the Animal Control Officer.

Joseph Perry made a motion to direct this to the REMA Director, Bob Snow second, all in favor - aye (5-0).

## **OLD BUSINESS**

1. Discuss 390 Wethersfield Street camp area lease and YMCA open house

Chairman Merry read the following:

*The lease with the YMCA is ready to be signed. The Board of Selectmen needs to vote to sign the lease. There are two originals that need to be signed. Also, the YMCA is planning to hold an open house on June 20.*

Merry said the lease has been reviewed by Town Counsel.

Dave Petersen made a motion to sign the lease with the YMCA. Snow disclosed that he is a member of the YMCA. Joseph Perry second, the motion was not completed.

Pierce asked how the lease will affect the public's access to this conservation land. Merry said the frontage on Wethersfield Street is conservation land, the parking lot is part of the lease. Eagan said the Conservation Agent asked her to set up a meeting with the YMCA to discuss issues such as parking, where areas will be cordoned off and signage added. Pierce asked if the existing parking lot be used by the YMCA exclusively. Merry said he thinks so, and this will be discussed when Baeslack meets with them.

Eagan said the lease is based on the terms and conditions of the proposal with some modifications made in the best interest of the Town and is ready to be voted on and signed.

Snow said he is a member of the YMCA and has a form on file with the Town Clerk. Eagan said she has a disclosure on file with the Board of Selectmen as she is a member of the YMCA.

Dave Petersen made a motion to sign the lease with the YMCA, Joseph Perry second, all in favor - aye (5-0).

The Board signed the lease.

2. Sign contract with Glenn Battistelli LLC for Town Wharf Repair Project

Chairman Merry read the following:

*During last week's Board of Selectmen's meeting, the Board voted to award the Town Wharf Repair Project contract to Glenn Battistelli LLC.*

*The contract has been signed by the vendor and now the Board of Selectmen needs to vote to sign it. There are two originals. Once the Board of Selectmen signs it, Debbie can issue a Notice to Proceed to the contractor.*

Dave Petersen made a motion to sign the contract with Glenn Battistelli LLC, Bob Snow second, all in favor - aye (5-0).

The Board signed the contract.

**NEW BUSINESS**

1. Discuss water issues in the Cemetery

Chairman Merry read the following:

*The Selectmen's Office has been receiving questions as to why the water has not been turned on in the Rowley Cemetery. The Town Hall outside water spigot is being used by the public as a water source for the Cemetery.*

*There is no water service in the Cemetery because the galvanized water pipes are corroded and the Water Department can't connect to the degraded pipe. Memo and picture is attached.*

Chairman Merry read the memo from Water Superintendent MaryBeth Wisser. Petersen said he has already gotten a couple of calls on this and asked what the extent of the pipe replacement is. Eagan said she provided a photo and believes there is an upcoming joint meeting between the Water Board and Cemetery Commissioners. Merry said we should find out if they can isolate that pipe, and then have various access points in the Cemetery with water. Petersen asked if they can put in a temporary line from the Town Hall and put up signs. Merry said we will have to pay for the water. Petersen said this is an emergency and we definitely need to have water access. Pierce asked if this is just for flowers or the grass too. Merry said just the flowers. Snow said there should be good sized signs on both entrances telling people where the water is. Eagan said we got the sense that a temporary line or isolating that pipe was not possible, the Water and Cemetery Boards are meeting tomorrow night to discuss these issues. Petersen said this can't wait until tomorrow night, and we should have a temporary line and signs posted tomorrow. Eagan said the Cemetery Board needs to have a meeting to discuss this. She said a concerned person came in today, and called, and there is another person who was also concerned, and they have tried to reach Peter Dalzell. She said she presumes the purpose of their meeting is to work out these issues. Larry White said the Agricultural Committee has a similar issue with water and Pennichuck had to come out to attach to the hydrant. Eagan said the Superintendent will need to get direction from her Board before she does this type of work in the cemetery. Eagan said the suggestions of the Board can be relayed to Wisser and Peter Dalzell and the Cemetery and Water Boards can work together on this. Snow said we can suggest they do something temporary. Petersen said there can be one spigot that people can walk over to use.

### **REORGANIZATION OF THE BOARD**

Chairman Merry said, "Nominations will be accepted for the position of Chairman, which has been held by G. Robert Merry over the past year."

Bob Snow made a motion to nominate G. Robert Merry to continue as the Chairman, Joseph Perry second, the vote was not completed.

Merry said he can work his way through for another year and accepted the nomination. Petersen said Merry has done a good job with serious issues including the Cemetery, Water Department, Girl Scout camp, and the Board has chipped in and worked hard to support. Merry said he appreciates all their help, this is a great Board that works together. He said he enjoys working with the office staff and thanked Doreen and said she will be missed.

Bob Snow made a motion to nominate G. Robert Merry to continue as the Chairman, Joseph Perry second, all in favor - aye (4-0). Bob Merry - RECUSED.

Chairman Merry said, "Nominations will be accepted for the position of Vice Chairman, which has been held by Joseph Perry over the past year."

Dave Petersen made a motion to nominate Joseph Perry to continue as the Vice Chairman, Bob Merry second, all in favor - aye (4-0). Joseph Perry - RECUSED.

Snow said Perry has done an outstanding job as the Vice Chairman with his involvement with the Schools and the budget. Perry thanked Snow and accepted the nomination.

Chairman Merry said, "Nominations will be accepted for the position of Clerk, which has been held by Bob Snow over the past year."

Dave Petersen made a motion to nominate Robert Snow to continue as the Clerk, Joseph Perry second, all in favor - aye (4-0). Bob Snow - ABSTAINED.

Bob Snow accepted the nomination. Merry said Snow does a great job. Snow said he is proud to serve with these gentlemen. Merry thanked Pierce for serving. Pierce said this is a great Board and he is looking forward to working with it.

## **ANNOUNCEMENTS**

- Mandatory Water Ban has been put into effect due to a drop in the Parker River basin. No nonessential outdoor water use is allowed during the hours of 9:00 a.m. to 5:00 p.m.
- Library news
  1. Horses on display at Rowley Public Library -- Photos and models of horses by Sadie Woodward are 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 Commission** - 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.



Eagan read an announcement about the upcoming Memorial Day Ceremonies.

Chairman Merry called for a motion to go into Executive Session for the following purposes: to discuss strategies with respect to litigation because an open meeting may have a detrimental effect on the litigating position of the Town; and to not return to open session. Bob Snow so moved, Joseph Perry second, all in favor – roll call vote: Robert Snow – aye, Robert Merry – aye, Joseph Perry – aye, David Petersen – aye, Cliff Pierce - aye.

Open meeting closed 8:17 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Meeting memo regarding 7:00 p.m. Appointment Douglas Aylward as winner of Pine Grove School auction to serve as a "Junior Chairman of the Rowley Board of Selectmen
2. Email correspondence between Amy Lydon and Nerissa Wallen re: Pine Grove PTA Social - Request for Board of Selectmen
3. Email correspondence between Amy Lydon and Michelle Ford re: Junior Selectman Auction Item
4. Road Opening Permit request from National Grid to open 377 Main Street for new gas service
5. Meeting memo regarding 7:15 p.m. Appointment – Tim Young of the Friends of the Rowley Public Library to discuss request to use Town Common for Annual Chili Cookoff
6. Email correspondence from Tim Young re: Rowley Chili Cook off program - review of public safety and health issues
7. Letter from Tim Young dated April 21, 2015 regarding Rowley Chili Cookoff
8. "Rowley's Some Like it Hot!" Chili Cookoff Supplemental Information
9. Meeting memo regarding 7:30 p.m. Appointment - Tim Southall to discuss Turf Maintenance Contract for Parks and Rec and Independence Day Celebration event on the Town Common
10. Quote Form and Specifications for Turf Maintenance
11. Report of who Turf Maintenance Quote was mailed to
12. Letter from David Schwarz, DVM, SMART, re: legislation on ensuring the safety of people with pets in disasters
13. Meeting memo regarding Old Business #1: Discuss 390 Wethersfield Street camp area lease and YMCA open house
14. Lease Agreement with the YMCA

15. Meeting memo regarding Old Business #2: Sign contract with Glenn Battistelli LLC for Town Wharf Repair Project
16. Letter from Deborah Eagan to Glenn Battistelli regarding Town of Rowley Wharf Repair Project
17. Signed contract with Glenn Battistelli LLC for Town Wharf Repair Project
18. Meeting memo regarding New Business #1: Discuss water issues in the Cemetery
19. Memo from MaryBeth Wisner regarding leaking service at the Cemetery, including photo attached
20. Meeting memo regarding Reorganization of the Board
21. Rowley Water Department Water Conservation and Drought Management Plan
22. Announcements from Library
23. Press Release/Rowley Memorial Day Ceremonies and Parade
24. Motion to go into Executive Session