

MINUTES OF THE BOARD OF SELECTMEN MEETING

September 26, 2016, 2016
Meeting held at Town Hall, 7:00 p.m.

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

PUBLIC ATTENDEES: Henry F. Rolfe – Independent Press; Lawrence White - FINCOM; Bernard Cullen; Kevin Moriarty – PTA; Arian Haley – PTA, Stephen Barry; Celeste Kiricoples - PTA

CALL MEETING TO ORDER

Chairman Perry called meeting to order at 7:02 p.m. He said the meeting is being audio and visually recorded digitally.

PLEDGE OF ALLEGIANCE

Larry White led the Pledge of Allegiance.

GENERAL BUSINESS

1. Request from Girl Scouts Troop 75124 to use the Town Common for Caroling on the Common on Sunday, December 4, 2016

Chairman Perry read the following:

Jane White from Girl Scout Troop 75124 (sixth grade Cadets) has requested permission to use the Town Common for their annual Caroling on the Common on Sunday, December 4, 2016 from approximately 4:30 p.m. to 5:30 p.m.

Event coordinator Jane White said that they will have trash receptacles for cocoa cups and other trash, they won't be using candles or other open flames, and she will coordinate with RMLP to arrange lighting for the event.

The Police Chief, Fire Chief, Highway Surveyor and Health Agent do not have any comments or concerns about this event.

Dave Petersen made a motion to approve this request, Bob Snow second, all in favor - aye (5-0).

2. Request from Pine Grove School PTA to hold Annual Fall Fest on the Town Common on October 30 with a rain date of November 6

Chairman Perry read the following:

The request from Fall Fest Coordinators Kevin and Ellen Moriarty and the completed application for the use of the Town Common are attached. Below is a synopsis of key details:

- *Date of event: Sunday October 30, 2016 from 4:30-6:30 p.m., rain date Sunday, November 6, 2016 from 4-6 p.m., with set up beginning at 1:00 p.m. and cleanup after the event*
- *Estimated 300+ attendees*
- *No cost for admission, those attending asked to bring non-perishable food item for Rowley Food Pantry*
- *A variety of food will be for sale from food trucks.*
- *Port-o-potty delivered on Friday 10/28 and removed Monday 10/31, placed against backstop*
- *trash and recycling barrels will be in designated spots*
- *Ponies provided by Hunters Haven Farm/J&J Ponies- individual rider waivers not necessary since ponies and handlers fully insured by vendor*
- *The PTA is working to secure an insurance certificate naming the Town of Rowley as an additional insured with limits of \$1,000,000 per occurrence and \$2,000,000 general aggregate*
- *The Police and Fire Chief have no concerns and have confirmed that they will be participating in this event in lieu of a hired police detail*
- *Highway Surveyor Patrick Snow asked that all trash generated be removed by the event organizers*
- *Health Services Coordinator Frank Marchegiani said concerns about the portable toilets have been addressed in the letter, trash will need to be removed at the end of the event, and they will need to issue one day licenses to the food vendors as in previous years.*

The Selectmen should discuss / clarify the following:

1. *It is unclear where the food trucks will be located - will they be on the street or on the lawn of the Town Common.*

Perry said he urges the parking of the food trucks to be on the street, due to the concern with the trees on the Common, since the Town has made a big investment in the trees. Kevin Moriarty said having the trucks park on the street is fine. Petersen said this event has gone well each year, and it is a nice feature to have on the Town Common. Arian Haley said this is the tenth year this event has been held.

Dave Petersen made a motion to approve this request, Bob Snow second, all in favor - aye (5-0).

3. Approve Halloween Trick or Treating Hours for Monday, October 31, 2016 from 5:00 p.m. to 7:00 p.m.

Chairman Perry read the following:

Police Chief Dumas has set the hours for Halloween Trick or Treating on Monday, October 31, 2016 from 5:00 p.m. to 7:00 p.m.

Please vote to approve these hours.

Bob Snow made a motion to approve the trick or treating hours, Cliff Pierce second, all in favor - aye (5-0).

7:10 – 7:15 P.M. CITIZEN QUERY

There were no Citizen Queries.

OLD BUSINESS

1. Update on Kid's Kingdom Playground Project

Chairman Perry read the following:

The Kid's Kingdom Playground is officially open. Recreation Committee Vice Chairman Tim Southall confirmed that the playground is finished and has been inspected by Dibble & Son, Inc. The volunteers held a ribbon-cutting ceremony yesterday. This project is now complete.

Perry apologized that he was unable to attend the ribbon-cutting, and said he heard it was a great ceremony. Petersen said the volunteers did a great job, and the equipment looks beautiful.

2. Pine Grove School Building Project Update
 - Discuss and vote on Designer Contract
 - Discuss bills payable process for the Pine Grove School project

Chairman Perry said he, along with Superintendent Forget and PGS Principal Kneeland went to the MSBA meeting to vote on the Designer, Dore & Whittier. He said tonight the Board needs to vote on the contract for the designer. He read the following:

The Designer Contract is ready for the Board of Selectmen to vote and sign. Chairman Perry will sign five (5) originals. Town Counsel Tom Mullen has reviewed the contract

language. The contract follows the MSBA template. While Attorney Mullen did initially request to delete Section 16.2, after speaking with the OPM today, he is okay with leaving that provision in the contract and told Debbie that he has no problems with that provision.

Petersen said on page two, there is a cost breakdown, and asked if additional funding for the architect will be needed. Perry said his understanding is that the funding detailed is for the feasibility study, which will be presented at Town Meeting, and then there will be additional funding requested.

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

Perry said he will sign the five copies of the contract after the meeting tonight.

Perry read the following:

Because of the large size of the PGS School Building Committee, Debbie has proposed authorizing the following members of the SBC to sign bills payable vouchers::

- *Chairman Joe Perry*
- *Vice Chairman Brian Forget*
- *Clerk Cliff Pierce*
- *Larry White (FinCom) rep.*
- *Debbie Eagan - **Alternate***

In the event that any of these members are not able to sign the voucher, Debbie will sign as an alternate.

Debbie has run this by Town Counsel Tom Mullen. He did try to get confirmation from MSBA and left messages with two people at the MSBA, he didn't get any response. Attorney Mullen told Debbie that at this point, he is comfortable with having the Selectmen delegate the individuals as proposed. If by the off chance that the MSBA objects, he will get in touch with Debbie.

Dave Petersen made a motion to authorize Joe Perry, Brian Forget, Cliff Pierce, Larry White and Debbie Eagan (Alternate) to sign the bills payable vouchers for the Pine Grove School Project, Cliff Pierce second, all in favor - aye (5-0).

Bernie Cullen asked if Cliff and Joe should vote on this since they are being authorized as signatories.

Bob Snow made a motion to rescind the previous vote, Dave Petersen second, all in favor - aye (5-0).

Bob Snow made a motion to authorize Joe Perry, Brian Forget, Cliff Pierce, Larry White and Debbie Eagan (Alternate) to sign the bills payable vouchers for the Pine Grove School Project, Dave Petersen second, all in favor - aye (3-0). Cliff Pierce – ABSTAINED. Joe Perry – ABSTAINED.

3. Discuss Designer Selection Committee for Owners Project Manager for Fire and Police Station Project

Chairman Perry read the following:

In accordance with the Designer Selection Procedures, the Board of Selectmen needs to designate the individuals to be on the Designer Selection Committee for the OPM. The DSE will evaluate and rank the firms responding to the RFQ for the OPM for the Fire Station and Police Station Project.

The OPM is not the “designer”; the OPM provides assistance with writing the bid documents, monitoring construction, interfacing with the designer, serving as the clerk of the works, and closing out the project. The Town is required to have an OPM due to the size of this project.

The evaluation process should be fairly quick as this is an OPM services contract. Debbie recommends that the DSE for the OPM consist of three members, one of which should be the Chairman of the Board of Selectmen. Debbie is also able to serve on the DSE.

Eagan said Perry should serve as the Chairman of the Board, and she is willing to serve as the Chief Procurement Officer. Petersen said he is willing to serve if nobody else wants to.

Bob Snow made a motion to appoint Joe Perry, Deb Eagan and Dave Petersen to the Designer Selection Committee for the OPM, Cliff Pierce second, all in favor - aye (3-0). Dave Petersen – ABSTAINED. Joe Perry – ABSTAINED.

4. Discuss Town Meeting article for expenses related to the DEP Sanitary Survey

Chairman Perry read the following:

The Board of Selectmen needed some time to review the Water Department’s response to the proposed Fall Special Town Meeting article seeking the transfer of \$225,000 from the Water Department Stabilization Account to cover the cost for complying with the deficiencies noted in the DEP Sanitary Survey. Is the Board satisfied and can the article be placed on the warrant?

Petersen said as long as the Water Department has the money in the excess / deficiency fund, he is happy to vote for this.

Dave Petersen made a motion to approve this article for the Fall Special Town Meeting Warrant, Cliff Pierce second, all in favor - aye (5-0).

5. Discuss location agreement with Bridgewater Picture Finance, LLC for the filming of the Chappaquiddick movie

Chairman Perry read the following:

The location agreement needs to be approved by the Board of Selectmen with an authorization for Chairman Perry to sign it. Town Counsel Judy Pickett has reviewed the agreement and is satisfied. Chairman Perry will sign two originals.

Dave Petersen made a motion to sign the agreement with Bridgewater Picture Finance, LLC for the filming of the movie Chappaquiddick, Cliff Pierce second, all in favor - aye (5-0).

Perry signed the agreement.

NEW BUSINESS

1. Letter from Triton Regional School Committee Chair Dina Sullivan regarding negotiations with Triton Teachers and Instruction Assistants' Associations

Chairman Perry read the letter from Dina Sullivan. Perry said he spoke to someone in Salisbury, and Neil Harrington is willing to serve again. Petersen said he has no objections to that. He said this is an important negotiation session, and in the past the representative for the Towns is not involved in the negotiations as a voting member. He said he requests that the Board send a letter to Harrington, the negotiation sub-committee of the School Committee, the whole School Committee and the other Triton towns to apprise everyone of Rowley's budget situation. He said there are a number of financial issues facing the Town, such as three Union contracts being negotiated. He said it is important for them to keep the negotiations within common sense bounds, and the 3% increase last year cost \$1,000,000, which ate up all of Rowley's new tax revenue. Perry said he spoke to the Chair of Salisbury, and she seems to be on the same page, but she isn't speaking for the whole Board in Salisbury. Bernie Cullen asked if there should be explicit parameters detailed in the letter. Petersen said they are a separate organization and they can negotiate how they want to, but the Towns have to pay the bill. He said the letter is the first step, then the meeting with the Chairs of the Boards should happen, and then attendance at a School Committee Meeting may be required. Perry said there is a chance to comment on this at upcoming District Communications Meeting one, which is scheduled for early October. He said the past Triton budgets have not been close to the requests that Rowley has made for a certain parameters. Merry said we have to follow the Triton agreement.

Dave Petersen made a motion to have the Town Administrator draft a letter to Harrington, the negotiation sub-committee of the School Committee, the whole School Committee and the other Triton towns to apprise everyone of Rowley's budget situation, Bob Snow second, all in favor - aye (5-0).

2. Presentation by Selectman Bob Snow of a tour of the MBTA Commuter Rail Maintenance facility in Somerville

Chairman Perry said, "Selectman Bob Snow will do a presentation of his recent tour of the MBTA Commuter Rail Maintenance facility located in Somerville."

Snow said he has served on the MBTA Advisory Board for the past five years. He said the MBTA covers 136 towns, and the Advisory Board meets quarterly. He said there are usually 50 attendees at the meetings, and the function of the Board is to communicate any issues that have come up for towns. He said he was invited to tour the maintenance facility in Somerville, and was surprised there were only seven attendees. He said this location services only the commuter rail, and the number of South Shore trains is 1/3 greater than the number of North Shore trains. He said they tensed up when he asked how morale was, and he thinks this goes back to the winter of 2014 / 2015. He said they have purchased new snow removal equipment. He showed some photos of the tour on the monitor. He said there are 420 coaches, with another 61 inactive coaches, and 125 locomotives. He said they are bringing in 40 new cars with GE engines. He said he was very impressed with the facility, and it takes a lot to get the trains up and running, that many take for granted. He said the MBTA is now being run by a European company, and each line has its own maintenance facility. Perry said he grew up in Cambridge using the MBTA, and they provide an amazing service.

3. Discuss expanding playing fields at Pine Grove School and purchasing adjacent land

Chairman Perry read the following:

If the Board of Selectmen is interested in pursuing the purchase of land contiguous to the playing fields at the Pine Grove School as part of a unique property acquisition, then this land will need to be appraised. Debbie has obtained a quote of \$3,400 from William LaChance to appraise the land. If the Board wishes to proceed, then they need to vote to send a letter to the Community Preservation Committee asking for this expense to be covered under the CPC Administrative Budget.

Pierce asked what a unique property acquisition is. Petersen said normally we would have to go out to bid to purchase land, but this would be for a specific piece of property.

Eagan said there is an exemption under 30 B section 16 for real estate procurements, and these are normally tied to Open Space or Recreation land parcels.

Petersen said Meridian Associates designed a ballfield at the Bradstreet property, but because of poor soil and a high water table at that location, the cost would be around \$500,000, which they decided would be too much to pay for a ballfield. He said behind the Pine Grove School, the Gwinn property is adjacent to the school property and has three to four acres of prime land that is flat without trees. He said the family may be willing to sell this land to the Town so that the playing fields can be expanded, hopefully at a cost of less than \$225,000, which is the original appropriation for this project. He said the DEP is forcing us out of Haley field, and if the baseball field is put behind PGS, the two soccer fields there will be lost. He said we need to look for land for fields, and encouraged the Board and the CPC to do fewer Open Space projects and more Recreation projects. He said we are asking the CPC for \$3,400 for an appraisal of the Gwinn property. Pierce asked if this would be needed before the Fall Town Meeting. Petersen said that would be great and he believes the CPC will need to meet again because it is his understanding that the Town needs to fund the entire \$450,000 for the Mehaffey project and then get the reimbursements, and not just the \$100,000 that the CPC voted at its last meeting. Eagan said Town Counsel is working on the draft article, and there will be communications about this. She said it is her understanding that the funding will be contingent upon receipt of the grant, and this language needs to be sorted out in the next couple of days. Petersen said if the Board wants to purchase the Gwinn land, then there will be a request for funds at the Spring Town Meeting, and the funds for the appraisal may be able to come from the CPC administration fund.

Eagan said she can work with the CPC Administrator regarding the question about the vote for the Mehaffey Farm funding.

Dave Petersen made a motion to request the CPC to meet as soon as possible to discuss funding the \$3,400 for the appraisal of the Gwinn property, Bob Snow second, all in favor - aye (5-0).

MINUTES - September 12, 2016

Dave Petersen made a motion to approve the minutes from September 12, 2016, Bob Snow second, all in favor - aye (4-0). Cliff Pierce – ABSTAINED.

ANNOUNCEMENTS

- Information on the Pine Grove School project is available on the Town's website at www.townofrowley.net.
- Special Town Meeting is Monday, November 14, 2016 at 7:30 p.m. at the Pine Grove School
- Household Hazard Waste Collection Event for Rowley residents on November 19, 2016 at the Highway Department Garage
- The Town's website has tips from the Massachusetts Emergency Management Agency on how to protect your property from hurricane damage. Go to www.townofrowley.net for helpful tips for homeowners and boat owners

- The Rowley Water Department has set a mandatory water ban in place. Outdoor watering is not permitted.
- Water Department Customer Billing cycle will change effective November 1, 2016. Meters will be read on or about the first of every month. Details on the change are posted on the Town's website, www.townofrowley.net
- The Town has the following vacancies:
 1. **Fence Viewer** – three positions;
 2. **Wood, Lumber & Bark Inspector**;
 3. **Zoning Board of Appeals Associate** – two seats
 4. **Parks and Recreation Committee** – one seat;
 5. **Deputy Shellfish Constables** – two positionsFor more information on these positions, please contact the Selectmen's Office at 948-2372.
- The Rowley Food Pantry is closed for renovations and is scheduled to be re-opened on October 4. Food assistance is available by leaving a telephone message at the Food Pantry at 978-238-6264.

ADJOURNMENT

There being no further business before the Board, Chairman Perry called for a motion to adjourn. Bob Snow so moved, Cliff Pierce second, all in favor - aye (5-0).

Open meeting adjourned at 8:07 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting Memo regarding General Business #1: Request from Girl Scouts Troop 75124 to use the Town Common for Caroling on the Common on Sunday, December 4, 2016
2. Meeting Memo regarding General Business #2: Request from Pine Grove School PTA to hold Annual Fall Fest on the Town Common on October 30 with a rain date of November 6
3. Request from Fall Fest Coordinators Kevin and Ellen Moriarty
4. Application for the use of the Town Common submitted by Fall Fest coordinators
5. Meeting Memo regarding General Business #3: Approve Halloween Trick or Treating Hours for Monday, October 31, 2016 from 5:00 p.m. to 7:00 p.m.
6. Meeting Memo regarding Old Business #1: Update on Kid's Kingdom Playground Project
7. Meeting Memo regarding Old Business #2: Pine Grove School Building Project Update
 - Discuss and vote on Designer Contract
 - Discuss bills payable process for the Pine Grove School project
8. Pine Grove Elementary School Budget: Designer Contract Update
9. Pages one and two of signed contract with Dore & Whittier Architects, Inc.

10. Meeting Memo regarding Old Business #3: Discuss Designer Selection Committee for Owners Project Manager for Fire and Police Station Project
11. Meeting Memo regarding Old Business #4: Discuss Town Meeting article for expenses related to the DEP Sanitary Survey
12. Request from MaryBeth Wiser for Special Town Meeting Articles
13. Estimate of probable construction cost for 401 Central Street
14. Letter from Tata & Howard regarding budgetary estimates Sanitary Survey Compliance Projects
15. Email correspondence from MaryBeth Wiser regarding Sanitary Survey
16. Letter from MaryBeth Wiser to Melissa Privitera regarding: PWS #3254000 2016 Sanitary Survey Response
17. Tata & Howard letter to MaryBeth Wiser regarding Well No. 2 Pumping Capacity
18. Tata & Howard letter to MaryBeth Wiser regarding Well No. 2 Pump House Fence
19. Tata & Howard letter to MaryBeth Wiser regarding Pingree Farm Road Improvements
20. Packing List from Grainger
21. Photo of mesh covering
22. Tata & Howard letter to MaryBeth Wiser regarding Well No. 2 4-log removal
23. Tata & Howard letter to MaryBeth Wiser regarding Prospect Hill Water Storage Tank Sample Tap
24. MassDEP Drinking Water Program Coliform Sampling Plan
25. Eclipse No. #88 Sampling Station plan
26. Sanitary Survey Compliance Plan – Section B – Deficiencies
27. Meeting Memo regarding Old Business #5: Discuss location agreement with Bridgewater Picture Finance, LLC for the filming of the Chappaquiddick movie
28. Signed location agreement with Bridgewater Picture Finance, LLC for the filming of the Chappaquiddick movie
29. Letter from Triton Regional School Committee Chair Dina Sullivan regarding negotiations with Triton Teachers and Instruction Assistants' Associations
30. Meeting Memo regarding New Business #2: Presentation by Selectman Bob Snow of a tour of the MBTA Commuter Rail Maintenance facility in Somerville
31. Photos presented by Bob Snow
32. Meeting Memo regarding New Business #3: Discuss expanding playing fields at Pine Grove School and purchasing adjacent land
33. Draft minutes for September 12, 2016

