

MINUTES OF THE BOARD OF SELECTMEN MEETING

October 29, 2018

Meeting held at Town Hall, 139 Main Street, Rowley, MA

7:00 p.m.

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

PUBLIC ATTENDEES: Richard Dodson – RVA; Steve Morris – RVA; Fred Hardy – RVA; Colby Heywood – RVA; Henry Rolfe; David Zizza; Scot Morrison – RVA; Peter Lomas; Bill Cuddy; Dan LaRochelle – RVA; Larry White – FINCOM; Rick MacDonald – RVA; Bernard Cullen – 283 Wethersfield Street; Kate Turner; Monique Jeffrey; Briar Forsythe; Neal Melanson

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 7:00 p.m. He said the meeting is being audio and video recorded and broadcast live via Rowley Community Media.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

GENERAL BUSINESS

1. Invitation to attend the Rural Policy Advisory Commission Essex County Listening Session on November 14, 2018 from 6:00 p.m. to 8:00 p.m. at the Newbury Town Offices

No Board members requested to attend this session.

2. Request from Rowley Girl Scouts Brownie Troop #62660 to hold Annual Caroling on the Town Common and Tree Lighting event on December 2, 2018 from 4:00 p.m. to 6:00 p.m.

Chairman Pierce read the following:

Jennifer Johnson and Deana Ziev from Rowley Girl Scouts Brownie Troop #62660 has requested permission to use the Town Common for their annual Caroling on the Common on Sunday, December 2, 2018 at 4:00 p.m. – 6:30 p.m.

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

Joe Perry made a motion to approve the Annual Caroling on the Town Common and Tree Lighting event on December 2, 2018 from 4:00 p.m. to 6:00 p.m., Bob Snow second, all in favor - aye (5-0).

3. Request from the Pine Grove School PTA to hang Pine Grove School Annual Craft Fair banner on the Town Common backstop

Dave Petersen made a motion to approve the request to hang the banner on the Town Common backstop, starting two weeks before the event, Bob Snow second, all in favor - aye (5-0).

NEW BUSINESS

1. Retiree health insurance renewal

Chairman Pierce read the memo from Deborah Eagan.

Bob Snow made a motion to renew the retiree health insurance, Joe Perry second, all in favor - aye (5-0).

Bernie Cullen asked how much this costs. Eagan said there is no increase and full rate is \$398.43 per month. Petersen said the Town pays for 52% of this amount.

NEW BUSINESS

2. Letter from Kevin Reilley expressing interest in serving as an alternate on the Zoning Board of Appeals

Chairman Pierce read the letter from Kevin Reilley and the memo from ZBA Chairman Don Thurston.

Dave Petersen made a motion to appoint Kevin Reilley to the ZBA as an alternate member, Bob Snow second, all in favor - aye (5-0).

OLD BUSINESS

1. Pine Grove School Project Update

Joe Perry said the new music and art rooms are being used, and the kids are thrilled. He said the steel supports have been removed from the All Purpose Room. He said the project is moving along well.

2. Fire Station and Police Station Addition Project Update

Petersen said they are in the process of moving in little by little. He said on November 1st the State will be there to move the 911 dispatch system, then the old building will be vacated in order for the renovations to be done.

3. Review Triton Landlord/Tenant Agreement document for the Pine Grove School

Chairman Pierce said this document was referred to Town Counsel Tom Mullen, Mullen suggested a number of changes which he thinks are appropriate. Petersen said he agrees with Mullen's changes and thinks it is well drafted. Eagan asked if the Board had any comments on Mullen's revisions and there were no comments.

Dave Petersen made a motion to approve the Landlord/Tenant Agreement as revised, Bob Snow second, all in favor - aye (5-0).

Pierce said this should be sent to Brian Forget and Nerissa Wallen.

4. Discuss Town Hall Annex Accessibility Improvements Project

Chairman Pierce read the following:

The Board previously rejected the one bid for the Annex Accessibility Improvement project because it came in over budget.

The most urgent component of this project is the replacement of the Annex handicap ramp and handicap door. Debbie is asking for approval to have CBI modify the construction documents and specifications for the Annex Ramp and door and assist with the re-bidding process.

Pierce said CBI's bid for the scope of work is \$6,800. Petersen said this needs to be done so that we can re-bid the ramp, which is in desperate need of replacement.

Joe Perry made a motion to authorize CBI to modify the construction documents and specifications and assist with the re-bidding process, Bob Snow second, all in favor - aye (5-0).

MINUTES

- October 15, 2018

Bob Snow made a motion to approve the October 15, 2018 minutes, Joe Perry second, all in favor - aye (5-0).

- October 22, 2018

Joe Perry made a motion to approve the October 22, 2018 minutes, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSTAINED.

7:10 to 7:15 p.m. PUBLIC COMMENT

Peter Lomas asked if the Board would be voting on the Briar Barn Inn liquor license tonight. Pierce said yes, and the abutters are entitled to comment.

7:15 p.m. PUBLIC HEARING Application filed by the Briar Barn Inn, LLC for an All Alcohol Annual Hotel Liquor License at 101 Main Street, Rowley

Chairman Pierce read the Public Hearing Notice.

Bob Snow made a motion to open the Public Hearing, Joe Perry second, all in favor - aye (5-0).

Public hearing opened at 7:16 p.m.

Briar Forsythe-Fandetti introduced herself as the owner of the Briar Barn Inn, and Monique Jeffrey introduced herself as the Director of Events for the Briar Barn Inn.

Pierce said the questions and comments brought up by the Building Inspector, Town Planner, Police Chief and Fire Chief have been responded to by the applicant. He said the Health Department has continuing comments because it has identified discrepancies between the liquor license plan and the permitted septic system, which was approved for a maximum seating capacity of 100. Pierce read the following comments from the Health Agent:

Hi Debbie,

No, the Health Department needs clarification from the design engineer on how the Bramble House impacts the septic system. At this time, it is unclear if the plans provided for the liquor application are in compliance with the permitted septic system. When the design engineer provides the clarification, the Health Department concerns will be addressed.

The Board of Selectmen may choose to close or continue the hearing; it does not affect the Health Department's request for clarification which would be needed for the food license.

I hope this helps. If there is still confusion, please let us know.

Thank you, Frank

Pierce read the letter received from Rowley resident Cate Turner. Cate Turner of 100 Main Street said she is 100% supportive of the project. She said Rowley is a family friendly town, as the recent Fall Festival on the Town Common shows. She said alcohol can lead to disruption and noise issues, and she asked for consideration to be given to her points. She said possibly there could be a setback from the road for the families walking by on the sidewalk.

Peter Lomas of 103 Main Street said he also approves of this project and asked how late alcohol will be served, and how many attendees would trigger the need for a police officer to control the situation. He said liquor being open to the full property is too much. He said liquor is okay in the restaurant and the rooms, unless it continues after hours if there is a wedding, which continues into the hotel. He asked who neighbors should call if this happens – the police or the manager.

Monique said they have 100% respect about the family friendly aspect of the Town. She said their intent is to serve alcohol in the restaurant, and in the terrace abutting the restaurant, which is weather dependent. She said these areas are set back from the road, and the front building will not be used for alcohol service. She said if the al fresco seating is used on the terrace, those seats won't be used inside the building as they are allowed to have 100 seats total. She said there will be a quiet hour starting at 10:00 p.m. for the outside seating, including the fire pit area.

Briar said they don't want guests of the inn to be disturbed by people on the property outside. She said they will put signs out when areas are closed, and the front office staff will tell people when areas are closed. Bob Snow said the outside areas are set back from the front. Briar said yes, but they are close to the Inn. Cate Turner pointed out where her house is on the map, directly across from the main building. She asked if the courtyard in the front was part of the application. Monique said the courtyard area is the area within the inn buildings, and not the courtyard area near the entrance. Turner asked if the yellow areas on map included with the application are the areas where they intend to serve, and if they intend to stop service outside at 10:00 p.m. Briar and Monique replied yes. Pierce said the application includes the spa, but not the pool. Monique said yes, and they intend to apply for an extension of the liquor license to cover the pool at the beginning of 2019. She said the spa would only be used for events, such as a bride and bridesmaids. She said the spa has a 10 person maximum inside. She said the fire pit area would be used for people to take their glass of wine from dinner to finish. Briar said the said people will not be allowed to sit there and order alcohol. Briar said it is a propane fire pit, which they plan to start using next spring. She said they don't want people hanging out in the Courtyard area – she said there will just be walkways and no benches or other seating. She said people will sit on the porch area of the inn.

Monique said the Board of Health asked for clarification about the use of the Bramble House. She said this is not part of the restaurant seating, and is an event space only. She said for example if there is a 75 person wedding, they could start with a cocktail hour in the Bramble House, and then move to the restaurant area. She said the Bramble House will not be used while the restaurant is open. She said indoor service will end at 11:30 p.m. or earlier, depending on the need.

Petersen asked for clarification about the bar locations. Monique said there will be one bar in the main restaurant; and a side bar in the burrow, which is part of the restaurant, and open to the public even when there is an event in the restaurant. Petersen asked why they are including the inn space in the application. Briar said they would have mini bars in the rooms, with beer, wine and nips inside. She said they would also like to allow the purchase of alcohol through room service. She said when a hotel has a liquor license, guests cannot bring their own alcohol. Petersen asked if the outdoor area are contiguous and visible by the bartender. He asked how the room service will be handled. He said he is getting a picture that there is not much control, and control needs to be maintained, especially since this is in a residential area. Briar said a guest will have to call and order alcohol for room service, and the alcohol will be poured by the bartender. She said they will know if one room continues to call for more alcohol, the bartenders are TIPS certified and will follow a similar policy for room service, and be cut off if necessary. She said they will monitor the hallways, the lobby and the outside. She said they will put strict policies in place for the general manager to follow as they don't want this behavior. She said they will have turn down service, so housekeeping will be in the hallways in the evenings, and the front desk will be open 24 hours per day. She said they want to serve alcohol via room service from a hospitality perspective. She said there will be no orders of alcohol from the fire pit in order to manage that area. She said they don't want a situation where things get out of control. She said the wedding party having an after-hours party won't be given an option for this.

Snow asked if they will have closed circuit visual monitoring. Briar said yes, so that the front desk can monitor. She said the locks will be operational by a guest key only, and locked at a certain time. She said the policies will be very clear and in writing, and they will confiscate alcohol if they see it. Petersen asked if the alcohol served in the spa will come from the restaurant. Monique said yes and they don't want people wandering around with alcohol, or the excessive use of alcohol. Petersen asked how they handle this at their Cambridge location. Briar said the Kendall Hotel has 87 rooms and a small restaurant. She said they don't offer room service, but allow guests to order alcohol and bring it back to their room. She said at their bed and breakfast location, they don't have a liquor license, so guests can bring their own alcohol. She said once the restaurant is closed, there will be no more room service. She said they are trying to design things in such a way that when the restaurant is closed, it is time to go to your room. She said

the general manager will monitor the premises, there will be cameras, and the staff will be trained to follow the policies. She said they are branding this location as an upscale luxury place and their alcohol menu reflects that. She said there will be a limited alcohol menu for room service.

Petersen said the latest that alcohol can be served is 11:30 p.m., seven days a week inside, and 10:00 p.m. outside. Cate Turner asked if these hours can be codified in the license. Petersen said the hours will be on the license. Turner said the outside quiet time is 10:00 p.m., and asked what the quiet time will be inside in the common spaces. Monique said the lobby is small, there is no bar in the lobby. Briar said some rooms are close to the lobby, and the staff will make sure people are not being too loud.

Pierce asked how the fire pit will be supervised and monitored. Briar said the fire pit is close to the terrace, and can be seen from the burrow bar. She said they plan to have an outside station for hostesses to seat people on the terrace.

Petersen asked about the plan for planting 18 trees along the Cemetery line. Briar said she will look into this and let the office know. Bernie Cullen asked how long the license lasts. Petersen said one year and then it will need to be renewed. Pierce said the issue with the Board of Health needs to be resolved. Monique said she did correspond with the Board of Health and asked if this is the most up to date correspondence. Eagan said this was received at 4:30 today. She said the Board of Health raised issues related to the food service permit and the septic permit. She said apparently there are no issues with the food service permit, but the Health Agent said that the information provided under the liquor license application is not consistent with the information provided under the septic permit application. She said she thinks the issue relates to the 100 person capacity under the Title V septic permit, and there should be some follow up with the Health Department about this. Monique said they will abide by what the Health Department says for occupancy. Perry said Monique explained earlier that if there were 20 seats outside, they would limit the indoor seats to 80. Briar said they were approved for septic permit for a 100 seat restaurant and a 30 room inn, so the guests of the inn are included whether they eat in the restaurant or not.

Petersen said he suggests continuing the hearing for a couple of weeks until we get the response from the Health Department. He said he anticipates approving this, but the restrictions need to be decided carefully. He said we should check with the Town's attorney so we are clear on all of the restrictions. Pierce asked when they plan to open. Briar said the first week in December. Pierce said continuing the hearing for one week should be sufficient. Petersen said he might not be here on November 5th. Peter Lomas said there is no gas available to the restaurant, so there is no kitchen and the Board shouldn't rush to approve the liquor license. Briar said the inn will open in

December and the restaurant will open in January. She said they want to be able to offer wine in the rooms, and they don't want to allow guests to bring their own until they get the liquor license, and then have to change the policy on this. She said the terrace is not opening until January, so there is time to finalize the language there.

Joe Perry made a motion to continue the public hearing until November 5, 2018 at 7:15 p.m., Bob Snow second, all in favor - aye (5-0).

7:30 p.m. PUBLIC HEARING - Public hearing on Possible Suspension or Revocation Liquor License of Rowley Veterans Association, 19 Bradford Street, Rowley

Chairman Pierce read the letter to the RVA dated October 16, 2018.

Town Administrator Deborah Eagan read the following:

The Rowley Veterans Association has a "Club License" issued through the Town of Rowley and the Alcohol Beverages Control Commission.

The ABCC-Licensed Manager of Record is Michelle Moon. Ms. Moon informed us on July 26, 2018 that she had resigned her position at the RVA. The Board of Selectmen was informed during a meeting on August 13 that there was a new member to the RVA Board of Directors, Dan LaRochelle. Both of these changes require a filing of a "Multiple Amendments Application" with the Board of Selectmen as soon as possible. The Board has repeatedly requested the RVA to file this application. Copies of the letters sent to the RVA between July 30, 2018 to September 27, 2018 are attached as Exhibit B. The RVA filed a Multiple Amendments Application today, but we haven't had a chance to review it.

Issues for the Board of Selectmen to continue that Debbie will address during the hearing:

1) **CHANGE OF MANAGER**

*The Board of Selectmen's Office was informed by Michelle Moon on July 28, 2018 that she was no longer working at the RVA. The RVA did not inform the Town that she was no longer working at the RVA. We had to send a letter to RVA President Steven Morris on August 9, 2018 requesting him to attend the August 13 Selectmen's meeting for an update on the status of the manager's position. The ABCC requirements are clear that the: **"The licensee is required to petition the LLA and the ABCC for a change of manager immediately."** An application for a Change of Manager was filed today through the Multiple Amendments Application. We have to review the application and schedule the public hearing for November 19, 2018. (See attached letters) These are very serious operational issues involving the Liquor License and the RVA President should have been more pro-active in informing the Board of Selectmen of these changes.*

2) **CHANGE OF BOARD OF DIRECTORS**

The Board of Selectmen found out by chance during the August 13 meeting that there was a change in the Board of Directors. The RVA should have immediately filed an application for a Change in the Board of Directors immediately after making the change to the Board. An application should have been filed immediately after the Board membership changed.

3) **OCCUPANCY OF SECOND FLOOR OF BUILDING**

Building Inspector Ken Ward and Fire Chief James Broderick informed the RVA that the second floor of the building cannot be used because a stairway was removed. The demolition of the stairs occurred without obtaining a permit from the Building Inspector. The RVA then started to build a new set of stairs without filing for a building permit. The RVA continued to hold events in the second floor hall, despite the order from the Building Inspector. (See memo from Ken Ward and advertised event for Community Potluck for Saturday, October 13 – Exhibit C.) The current license provides for alcohol to be served in the: lounge, service bar downstairs and in the assembly hall service bar upstairs. (See copy of License – Exhibit D) (Building Inspector Ken Ward and Fire Chief James Broderick will discuss this.)

4) **OUTSIDE PATIO AND SERVING ALCOHOL OUTSIDE THE BUILDING**

The RVA was serving alcohol outside of the building under the current license. An unpermitted outside seating area was constructed by the RVA and was only recently dismantled. The RVA filed for an outside patio liquor license application last spring. The application had a defective abutters' notice and the RVA withdrew their application. The RVA was told by the Board of Selectmen to meet with the Planning Board on a Site Plan Application to build an outside seating area. The RVA was told that after receiving Site Plan Approval from the Planning Board, the RVA had to file for an Outside Patio Liquor License application with the Board of Selectmen. The RVA had events outside, including live music. (See attached pictures of outside patio – Exhibit E.) As a side note, they would need to obtain an Entertainment License for the music. (Building Inspector Ken Ward and Police Chief Dumas will speak on this.)

5) **Miscellaneous Issues – Club License and Entertainment**

The RVA needs to have an Entertainment License if it intends to hold musical concerts. (See poster on Led Zeppelin Experience Concert – Exhibit F.) This is a requirement under G.L. c 140 §183A. Also, the RVA holds a "Club" license, which means that it may serve alcoholic beverages only to members of the club, however, a guest of member may be served an alcoholic beverage after he/she has been introduced by the member as a guest. If the member leaves the

premises, then the bartender can no longer serve the guest and the guest must vacate the premises.

Building Inspector Ken Ward presented the following to the Board of Selectmen:

- Last fall he did the annual inspection as required for the liquor license
- Every five years, because there is an assembly room with outside stairs, the stairs need to be inspected. The five year anniversary for this inspection was last year.
- He knew there were issues with this staircase and asked RVA Manager Michelle Moon to have a structural engineer look at the stairs. At some point the RVA did have a structural engineer inspect the stairs and the south side staircase was condemned. The structural engineer said the second staircase egress that goes through the back storage area needed to be looked at immediately as well.
- He told the RVA to do the required work as soon as possible. That was a year ago.
- At the beginning of the summer of 2018, he saw that the south side staircase had been removed without getting a building permit. Nobody ever came in for the permit.
- He and the Fire Chief had a conversation about the fact that they may be using the upstairs and were concerned about this because of the egress issues, and he sent a letter to Steve Morris of the RVA dated August 20, 2018, saying that they cannot use the upstairs.
- There was no manager of record to send the letter to and he never heard from Steve Morris.
- They heard about a planned function upstairs at the RVA scheduled for Friday, October 12th, and he and the Fire Chief went there, and there was a gentleman working on the staircase.
- He told the gentleman to stop working since they had no building permit.
- He waited for acting manager Cormac O'Neil to arrive, and while waiting saw that they had an outside area with picnic tables, umbrellas and chairs against the back wall, which was fenced in. He told Cormac they are not allowed to have outdoor seating.
- Cormac said the area is used for smoking only. Ken told him no outdoor seating is allowed without getting approval from the Planning Board first.
- The worker asked if he could come get a building permit, and Ken told him why would he give them a building permit now when the RVA hasn't done anything right. He said he wanted to wait until the hearing with the Board of Selectmen.
- He said the outdoor seating area was still up as of Friday, but has since been taken down.
- The worker brought the permit paperwork today and told him Steve Morris would be there today, but Morris did not show up. He said the worker told him that they cannot file the permit because they owe money to the Light Department.
- He told them to get the sign-off and then come back, and that is where we stand.

Petersen said Ward spoke to someone named Cormac, but he is not on the listing of the Board of Directors and we have no idea who is operating the business over there since Michelle Moon left in July.

Fire Chief Broderick said he agrees with Ken Ward's statement. He said the RVA regularly has fire safety issues during the inspection, such as emergency lights not working and trash accumulation. He said the RVA is supposed to have certified crowd managers through the Department of Fire Services for when they have functions. He said they used to have three, two no longer work there. He said the crowd managers manage the occupancy of the building during events, and the staff is included in the occupancy load. He said they also need to keep records. He said this is a result of the 2004 legislation requiring sprinklers in clubs and bars.

The Police Chief did not have anything to add.

Petersen asked who is representing the RVA tonight. Eagan said under the statute, in the absence of the manager, the President of the Board of Directors is the point of contact and is responsible for compliance with the liquor license laws and occupancy issues. Steve Morris said he is the RVA President, and Rich Dodson is their new manager. He said other Board Members Fred Hardy, Colby and Dan LaRochelle are present. He said five years ago he was told to repair the stairs, a loan was taken out and the repairs were never done. He said Moon took over, was told to repair the stairs and she put up caution tape and nailed the doors shut. He said she was told she can have functions outside, and he continued with that. He said he doesn't know the building codes, doesn't own a home and hasn't done construction work, this is his fault and he thought they had approval to do the work. He said they are in the process of getting the building permit. He said they found out their manager Cormac couldn't be the manager since he is not a US citizen. He said now Richard Dodson will be the Manager and Cormac will be the Assistant Manager. He said Moon showed him a paper saying they can have alcohol outside, they built the seating area, were told they couldn't serve alcohol outside, and kept the area up for a smoking area. He said they tore it down right away when they were told again it wasn't allowed. He said they understand they cannot have functions upstairs, and have cancelled those scheduled. He said they have a couple acoustic bands scheduled to play downstairs and they will apply for Entertainment licenses going forward. He said he wanted to get the application in for the new manager and Board of Directors in on Friday, but they brought it in today, and it needs to be reviewed. He said he needs the Board to look at it and approve it so that the Building Inspector can issue the permit, they can do the work upstairs and start using the assembly room again. He said the RVA will not survive

without the use of the function hall. He said he is asking for an amendment to allow alcohol downstairs since the upstairs is closed.

Petersen said Morris has been invited in one two occasions and hasn't been able to make it, but others have come, and we have no idea what is going on there. He said he is getting the impression that the people running the RVA, who he doesn't know who they are at this point, have no experience running a restaurant or business or with a liquor license. He said the State oversees the liquor licenses. He said for the past four years, every year or two there is a shake-up at the RVA and the Selectmen's Office staff has to go through a multi-month application process with the RVA. He asked who is present from the RVA who knows how to run a business.

Richard Dodson said he was a bartender/bar manager for a large establishment in Florida five times the size of the RVA. He said he has experience running a business. He said the Board of Directors has elected him to sit down with Eagan to review all the paperwork required to bring them into compliance with the Board of Selectmen and the ABCC. He said they are trying to move forward with the stair repairs and he knows they can only use the downstairs. He said he is in charge and there will be no functions upstairs until Ken Ward, the Police Chief and the Fire Chief sign off.

Petersen said the current liquor license says liquor is allowed on the second floor and downstairs, and nothing is allowed outside. He said there are photos of corn hole tournaments being held outside and people are holding red solo cups and causing disruption to the neighbors. He said the Board of Selectmen has bent over backwards for the RVA and they cannot let this continue. He said if there is a fire or an explosion at the RVA with no means of egress there will be major lawsuits against the RVA and the town. He said there have been issues with the RVA for the past five years, he advised the RVA to get a lawyer in the past for the paperwork. He said it is obvious the management of the RVA has no idea what they are doing, and ignorance of the law is no excuse. He said we can't let this continue.

Snow asked when Morris took over. Morris said one year ago in September. Dodson said he has taken over as manager as of 10/18/18, and Comack is the Assistant Manager as of this date. Snow asked what has been discussed with Cormack. Dodson said he has discussed how they need to work together to come into compliance. He said he understands that the RVA has had issues for the past five years and they can't continue, because they want to continue to support veterans. He said the Patriot Riders are based out of the RVA and they do a lot for charity rides for veterans. Snow said Cormack came to the Selectmen's meeting in August, and nothing has been filed since then and we have been waiting. Eagan said they did file the multiple amendment application today, and we will need to hold a hearing on that application on November

19th. She said at that point in time, questions can be addressed about the background of the manager and the staffing situation. Snow said he is pointing out the time lapse, we should have had the paperwork before now, and this is putting the Board of Selectmen and the RVA in jeopardy. Perry said we just received the paperwork today, and promises haven't been kept. Pierce said events have been held upstairs after the Building Inspector told them to stop and this is very concerning. Morris said the last function was one month ago. Dobson said the upstairs is now completely closed, and they have cancelled and refunded future events. He said there are signs on the double doors. He said he will be here if requested and any requested paperwork will be done as soon as possible. He said their next board meeting is the third week of next month.

Petersen asked Dobson what his occupation is, and if he plans to be at the RVA on a regular basis. He asked if they have someone to give them legal or business advice. Dobson said he installs access control equipment. He said if they need legal counsel, they will seek it and they do have a lawyer. Petersen said they should be consulting with a lawyer and said this is a disaster. He said the lawyer should review the paperwork so it doesn't go back and forth three times. He said the board needs to at least give the RVA a slap on the wrist. Ward said until the Town approves all the paperwork and the RVA pays the light bill, no building permit will be issued. He said this is their problem and they created it.

Bill Cuddy of 320 Central Street said he has lived here since 1969 and the RVA needs a break. He said 90% of the community members go there, it is a safe and comfortable place, and he invites the Board of Selectmen to attend a corn hole tournament. He said it is hard to get people to volunteer, and the Board is willing to comply.

Petersen said we are dealing with State laws, and an ABCC inspector will close the RVA down. He said we have received little to no cooperation from the RVA. Snow said we have been asking the RVA over and over for this application. Steve Morris said once they switched to Richard Dodson, the paperwork was submitted within 10 days.

Scot Morrison said he is from Ipswich, and he started the corn hole tournaments at the RVA. He said they had 48 players and they raised \$15,000, which has done a lot of good for the community.

Colby Heyward from the RVA Board of Directors said Ken Ward won't issue the building permit and asked if it was possible to give them a firm deadline, or a continuance to give the RVA another opportunity. Henry Rolfe asked what form of organization the RVA is. Pierce said they are incorporated. Fred Hardy said it used to be a VFW and you had to be a veteran to go in. He said they changed it to a RVA to bring in B members, which is the general public, to stay alive. He said the RVA is the home of the Patriot Riders,

which helps hundreds of veterans and their children every day. He said the RVA is the Memorial Day meeting spot as well.

Dan LaRochelle said they have been taken advantage by the managers in the past, and they are learning as they go. He said the RVA gave out \$3,000 in scholarships to people in this area last year.

Bob Snow made a motion to close the public hearing, Dave Petersen second, all in favor - aye (5-0).

Pierce said it would be remiss of the Board to not take any action, and at least he thinks they should modify the license to exclude the upstairs for the reasons provided by the Building Inspector. Perry said this is reasonable. Petersen said we have been kicking the can on this for a long time, and things are probably worse than they sound, and we heard allegations about theft. He said he understands that the RVA does good work, and there have been no real problems lately reported to the Rowley Police Department. He said they can't serve alcohol upstairs or outside, and they need to pay their outstanding bills before the hearing.

Pierce said if the Board limits the license to exclude the upstairs, before the RVA can resume serving alcohol upstairs, they will need to apply for an amendment of their license.

Bob Snow made a motion to modify the RVA liquor license to limit the serving of alcohol to downstairs only, Joe Perry second, all in favor - aye (4-0). Dave Petersen – ABSTAINED.

ANNOUNCEMENTS

- Halloween Trick or Treating will be held on Wednesday, October 31, 2018 from 5:30 p.m. to 7:30 p.m.
- Polls for the November 6, 2018 State Election will be open from 7:00 a.m. to 8:00 p.m. at St. Mary's Church Hall.
- Early voting hours will be held on the following dates and times at Rowley Town Hall. Voters need to check in with the Town Clerk. These dates and times are posted on the Town Website.
 - Monday, October 29, 2018 from 9:00 a.m. to 8:00 p.m.
 - Tuesday, October 30, 2018 from 8:00 a.m. to noon
 - Wednesday, October 31, 2018 from 8:00 a.m. to 4:30 p.m.
 - Thursday, November 1, 2018 from 8:00 a.m. to 6:00 p.m.
 - Friday, November 2, 2018 from 8:00 a.m. to noon
- Fall Trail Work Day sponsored by the Open Space Committee – Bradstreet Farm Conservation Area, 239 Main Street from 1:00 p.m. to 4:00 p.m. The Open Space Committee is looking for volunteers to help with the creation of a new trail and assistance in clearing the existing trails. Please bring tools such as shovels,

loppers, pruning shears, bow saws and work gloves. For more information, please contact the Conservation Office at 978-948-2330 or conservation@townofrowley.org.**

- The Town has the following vacancies:
 - a. Agricultural Commission Associate
 - b. Cultural Council
 - c. Fence Viewer – three positions;
 - d. Wood, Lumber & Bark Inspector;
 - e. Zoning Board of Appeals Associate – three seats; and
 - f. Deputy Shellfish Constables – two positions.For more information on these positions, please contact the Selectmen's Office at 948-2372.
- Toys for Tots Drop Off – Town Hall
- The Rowley Food Pantry is in need of donations. Donations can be left at the Rowley Public Library. The Food Pantry is open on Tuesdays from 10:00 a.m. to 12:00 p.m. and on Thursdays from 5:30 p.m. to 7:00 p.m.

ADJOURN

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Joe Perry second, all in favor - aye (5-0).

Open meeting adjourned at 9:06 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS

1. Invitation to attend the Rural Policy Advisory Commission Essex County Listening Session on November 14, 2018 from 6:00 p.m. to 8:00 p.m. at the Newbury Town Offices
2. Email request from Rowley Girl Scouts Brownie Troop #62660 to hold Annual Caroling on the Town Common and Tree Lighting event on December 2, 2018 from 4:00 p.m. to 6:00 p.m.
3. Email request from the Pine Grove School PTA to hang Pine Grove School Annual Craft Fair banner on the Town Common backstop
4. Memo from Deborah Eagan regarding retiree health insurance renewal, including attachments
5. Board of Selectmen Public Comment Policy
6. Letter from Kevin Reilley expressing interest in serving as an alternate on the Zoning Board of Appeals and his resume

7. Letter from Don Thurston supporting Kevin Reilley's appointment as an alternate on the Zoning Board of Appeals
8. Meeting memo regarding Old Business #1: Pine Grove School Project Update
9. Meeting memo regarding Old Business #2: Fire Station and Police Station Addition Project Update
10. Email from Town Counsel Thomas Mullen regarding Revisions to Triton Lease, including attached draft Triton Landlord/Tenant Agreement document for the Pine Grove School
11. Meeting memo regarding Old Business #4: Discuss Town Hall Annex Accessibility Improvements Project
12. Contract Amendment with CBI for Annex Ramp
13. Draft minutes of October 15, 2018
14. Draft minutes of October 22, 2018
15. Meeting memo regarding 7:15 p.m. Public Hearing: Application filed by the Briar Barn Inn, LLC for an All Alcohol Annual Hotel Liquor License at 101 Main Street, Rowley
16. Public Hearing Notice for Briar Barn Inn Liquor License
17. Letter submitted by Joel Barrett & Kate Turner regarding Briar Barn Inn Liquor License
18. Exterior layout for Briar Barn Inn Liquor License
19. Alcohol Policy for Briar Barn Inn Liquor License
20. Memo from Amy Lydon to Board of Selectmen dated October 9, 2018 regarding Briar Barn Inn, LLC Liquor License, including attachments
21. Meeting memo regarding 7:30 p.m. Public Hearing: Public hearing on Possible Suspension or Revocation Liquor License of Rowley Veterans Association, 19 Bradford Street, Rowley
22. Letter sent to RVA dated October 16, 2018
23. Letter sent to RVA dated August 9, 2018
24. Letter sent to RVA dated August 21, 2018
25. Letter sent to RVA dated September 27, 2018
26. Memo from Ken Ward dated 10/15/18 regarding Rowley Veterans Association Building
27. Email from Joan Petersen regarding Community Potluck dinner being held at RVA on November 13, 2018
28. Copy of RVA current liquor license
29. Photos of outdoor seating area at RVA, outdoor band playing, and outdoor events
30. Photo of poster for October 26th Led Zeppelin show scheduled at the RVA