

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

September 18, 2017

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

6:30 p.m.

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

**PUBLIC ATTENDEES:** Mark Emery – Water Commissioner; Bernard Cullen – Water Commissioner; Joseph Fair – Labor Counsel; John Manning – Water Commissioner

### **CALL MEETING TO ORDER**

Vice Chairman Snow called the meeting to order at 6:31 p.m. He said the meeting is being audio and video recorded digitally.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

Chairman Mark Emery called the Board of Water Commissioners meeting to order at 6:32 p.m.

### **CALL JOINT MEETING WITH THE BOARD OF WATER COMMISSIONERS TO ORDER**

Vice Chairman Snow called the Joint Meeting with the Board of Water Commissioners to order by a roll call vote of the Board of Selectmen. Dave Petersen so moved, Bob Merry second, all in favor – roll call vote: Bob Merry – aye; Dave Petersen – aye; Bob Snow – aye. Joe Perry – ABSENT Cliff Pierce – ABSENT

Chairman Emery called the Joint Meeting with the Board of Selectmen to order by a roll call vote of the Board of Water Commissioners. Bernie Cullen so moved, John Manning second, all in favor – roll call vote: Mark Emery – aye, Bernie Cullen – aye, John Manning – aye.

Joint Meeting opened at 6:34 p.m.

### **EXECUTIVE SESSION**

- To discuss strategy with respect to negotiations with non-union personnel (Water Department Superintendent) pursuant to State Open Meeting Law G.L. c. 30A, Section 21(a)(2)

Vice Chairman Snow called for a motion to go into Executive Session for the following purposes:

- To discuss strategy with respect to negotiations with non-union personnel (Water Department Superintendent) pursuant to State Open Meeting Law G.L. c. 30A, Section 21(a)(2) because an open meeting will have a detrimental effect on the negotiating position of the Board of Selectmen and to return to open session.

Bob Merry made the following motion:

I, Robert Merry, move, pursuant to go into executive session to discuss strategy with respect to negotiations with non-union personnel (Water Department Superintendent) pursuant to the State Open Meeting Law G.L. c. 30A, Section 21(a)(2) because an open meeting will have a detrimental effect on the negotiating position of the Board of Selectmen; and to return to open session, Dave Petersen second, all in favor – roll call vote: Bob Merry – aye; Dave Petersen – aye; Bob Snow – aye. Joe Perry – ABSENT  
Cliff Pierce – ABSENT

Chairman Emery called for a motion to go into Executive Session for the following purposes:

- To discuss strategy with respect to negotiations with non-union personnel (Water Department Superintendent) pursuant to State Open Meeting Law G.L. c. 30A, Section 21(a)(2) because an open meeting will have a detrimental effect on the negotiating position of the Board of Water Commissioners and to not return to open session.

Commissioner Manning made the following motion:

I, John Manning, move to go into executive session to discuss strategy with respect to negotiations with non-union personnel (Water Department Superintendent) pursuant to the State Open Meeting Law G.L. c. 30A, Section 21(a)(2), because an open meeting will have a detrimental effect on the negotiating position of the Selectmen and Water Commissioners and to not return to open session, Bernie Cullen second, all in favor – roll call vote: Mark Emery – aye, Bernie Cullen – aye, John Manning – aye.

Executive Session opened at 6:36 p.m.

Executive Session closed and open session resumed at 7:15 p.m.

**7:15 p.m. APPOINTMENT\*** Sara Bourque to discuss the following items relating to the Friends of the Rowley Public Library Chili Cookoff event scheduled for September 30, 2017:

- Special One Day Liquor License application
- Request to place lawn signs publicizing event on Town property
- Invitation from the Friends of the Rowley Public Library to have two Selectmen serve as judges

Sara Bourque said the application for the liquor license should be complete. She said they have met with the Police Chief, Fire Chief, Health Agent and Highway Surveyor. She said the diagram clearly shows where the beer garden will be and the two id check locations. Bourque showed the Board what the wrist bands will look like. She said adult volunteers are helping with the id checks and that she will be in charge of the alcohol area the whole day. She said the four exit points of the tent will be manned by four adult library volunteers. She said the alcohol vendor has provided evidence that the servers are TIPS certified. She said alcohol sales will stop at 5:30 p.m.

Dave Petersen made a motion to approve the Special One Day Liquor License for the Friends of the Rowley Public Library Chili Cookoff event scheduled for September 30, 2017, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Bourque said they sent a letter requesting the placement of signs in the same locations used for the signs promoting the book sale.

Dave Petersen made a motion to approve the request for the placement of the signs, making sure that sight lines are not blocked at intersections, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Snow said the signs should not be placed on telephone poles.

Snow said he will serve as a judge for the Chili Cookoff.

### **GENERAL BUSINESS**

1. Accept resignation from Amanda Levy from Library Technician position

Vice Chairman Snow read the resignation letter.

Dave Petersen made a motion to accept this resignation and to send Levy a thank-you letter, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

### **7:10 – 7:15 p.m. CITIZEN QUERY**

Bob King, President of Yankee Pine, said he is trying to donate money to the Town and the Building Inspector suggested the handicap access ramps. Petersen said he took a

look at the Town Hall ramp, and it needs to be replaced. He said we are looking to get a design done and we will absolutely let him know once we have that. Petersen thanked King very much for his donations to the Town in the past.

### **GENERAL BUSINESS**

2. Request from Library Director Pam Jacobson to lift the hiring freeze for the position of Library Technician

Vice Chairman Snow read the request from Jacobson.

Dave Petersen made a motion to lift the hiring freeze for the position of Library Technician, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

3. Approve Halloween Trick or Treat Hours of 5:00 p.m. to 7:00 p.m. on Tuesday, October 31, 2017

Vice Chairman Snow read the following:

*Police Chief Dumas has set the hours for Halloween Trick or Treating on Tuesday, October 31, 2017 from 5:00 p.m. to 7:00 p.m. Please vote to approve these hours.*

Dave Petersen made a motion to approve the hours for Trick or Treating as set by Chief Dumas, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

4. Request from the Pine Grove School PTA to hang a banner on the Town Common back-stop publicizing the Pine Grove School Annual Craft Fair

Vice Chairman Snow said the PTA holds this event once per year.

Dave Petersen made a motion to approve the request from the Pine Grove School PTA to hang a banner on the Town Common back-stop publicizing the Pine Grove School Annual Craft Fair, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

### **7:30 p.m. APPOINTMENT** Treasurer/Collector Karen Summit to sign bonds

Summit said last week they sold \$9,700,000 worth of bonds for the Public Safety Building and Pine Grove School Renovation projects. She said they are 25 year bonds at an average rate of 2.731%, which is a very good rate for 25 years.

Bob Merry made a motion to authorize Dave Petersen to serve as the Clerk for the signing of the bond documents , Bob Snow second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Dave Petersen read and signed the Vote of the Board of Selectmen ( COPY ATTACHED).

Bob Merry made a motion to sign the bonds, Dave Petersen second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Summit said there is one bond per year over a 25 year period. Summit and the Selectmen signed each bond and Susan Hazen sealed them.

Summit said there are four copies of the Statement of No Litigation and the Official Statement that need to be signed by the Selectmen and the Town Clerk. The documents were signed.

Summit said the Tax Certificate needs to be signed and it says that the Town will comply with IRS laws and make sure the bonds maintain their tax-exempt status. The documents were signed.

Summit said the Continuing Disclosure Statement says that the Town will continue to disclose all financial audits and to keep bondholders and rating agencies informed. She said S&P rated the Town AA+, which helps keep costs down and our bonds desirable. She said six different companies bid on these bonds.

## **GENERAL BUSINESS**

5. Vote to issue a Proclamation for Reverend Robert Hagopian for his many years of service to the Town

Vice Chairman Snow read the following:

*COA Director Brienne Walsh and COA Chairwoman Mary Bright have invited the Board of Selectmen to a get together they are having jointly with the Friends of the COA on Wednesday October 11, 2017 from 6:00 p.m. to 8:00 p.m. in honor of Reverend Bob Hagopian. If you wish to attend please let the Selectmen's Office staff know, or you can RSVP directly to Brienne at 978-948-7637.*

*Does the Board wish to issue a letter of thanks to Reverend Hagopian for his service as a COA Board member from 2004 – 2013? Does a Board member wish to present this letter of thanks at the October 11<sup>th</sup> celebration?*

*We have reached out to Reverend Bob to see if he is available to attend an upcoming Selectmen's meeting to be honored with a Proclamation for his many years of service to the Town.*

Petersen said we should definitely send a letter of thanks. He said Hagopian has been a member of the Fire Department and Chaplain for a number of years and this should be considered in the Proclamation. Eagan said the Proclamation can be presented to him at a Selectmen's meeting, with the Chiefs and his family invited to attend. She said in addition to being the Chaplain, he was very involved in the September 11<sup>th</sup> memorial events including obtaining the piece of steel from the World Trade Center, and he does the invocation at Town Meeting. Petersen said this meeting should be held upstairs since Hagopian has many friends from all around who may attend, and we will miss his service. Snow said Hagopian is the master of ceremonies at the Veterans dinners at the COA and he always has the right words at the right time. Snow said Hagopian is a wonderful man who will be missed. Petersen said Hagopian is also very active in hospice care and he had a great, friendly personality.

Dave Petersen made a motion to issue a letter of thanks to Reverend Hagopian for his service as a COA Board member from 2004 – 2013, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Dave Petersen made a motion to issue a Proclamation to Reverend Hagopian and to invite him into a Selectmen's meeting for the presentation of the Proclamation, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

## **OLD BUSINESS**

### 1. Update on Pine Grove School Project

Vice Chairman Snow read the following:

*The School Building Committee met last week. The architect gave a presentation to the Committee on the building and site plans. The OPM has distributed a timeline (see attached).*

Eagan said the recording of this meeting is running on Rowley Community Media. She said the meeting was a recap of the working groups progress. She said the specifications are at 60% and they are working on filing for permitting. She said the Notice of Intent was filed with the Conservation Commission today. Petersen said if all goes as planned, construction will start on June 22, 2018, and be substantially complete by August 30, 2019. He said the Committee has done a great job with moving this project forward. Snow said Perry has done a great job leading this project.

## 2. Update on the Fire Station and Police Station Addition project

Vice Chairman Snow read the following:

*The architect is finishing the design plans and the engineer is filing the permit applications.*

*The following permit applications have been filed:*

- *Stormwater – Conservation Commission*
- *Site Plan – Planning Board*
- *Special Permit – Zoning Board of Appeals*

*The ConCom hearing is set for October 3, 2017.*

*The Planning Board informal discussion on the Site Plan Application is scheduled for September 27. The hearing is scheduled for October 11.*

*The ZBA hearing on the Special Permit is scheduled for October 19, 2017.*

Petersen said they have been meeting on Mondays every other week, they are all working hard, and the project is coming along. He said once they have the permits, they will go out to bid and the work will start in late fall or the early winter. He said the project appears to be within the \$11,700,000 budget. He said the construction should take about one and a half years. He said Chief Dumas has agreed to remove the temporary buildings and to store the furniture at the Annex until construction is complete. He thanked the Chief and the Police Department for working out of a smaller space for eighteen months to save costs.

## 3. Update on the purchase of the rear of 221 Main Street

Vice Chairman Snow read the following:

*The final details have been worked out on the Purchase & Sales Agreement for 221 Main Street. The Board of Selectmen needs to vote to sign the P & S Agreement. The next step will be for Debbie to go to the Planning Board for the ANR Plan sign-off.*

Eagan said Merry showed the plan last week. Petersen thanked and commended Merry for meeting with the Gwinn family and working out this agreement. He said he and Parks & Recreation Committee Chairman Tim Southall have been working together and are looking forward to building the fields. Merry thanked Petersen and said the Gwinn family are very nice people. Petersen thanked the Gwinn family for selling this land which abuts the current playing fields. He said the new land is mostly flat.

Petersen thanked Eagan and her staff for all of the work that has been put in on these projects. Merry agreed and said the most valuable asset of the Town is the employees.

Dave Petersen made a motion to sign the Purchase & Sales Agreement, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

The Selectmen signed two copies of the P&S Agreement.

## **NEW BUSINESS**

1. Request from Mary Bright to be appointed to the Rowley Cultural Council

Vice Chairman Snow read the request from Mary Bright.

Dave Petersen made a motion to appoint Mary Bright to the Cultural Council, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

2. Request from Council on Aging Chairwoman Mary Bright to designate the Council on Aging Board as Special Municipal Employees under the State Ethics Law, G.L. c.268A

Vice Chairman Snow read the following:

*Mary Bright wishes to participate in the Senior Tax Credit program by volunteering at the Library. As a former Library employee, there is no conflict for Mary's volunteer work at the Library to be used for participation in the Senior Tax program. The conflict for Mary is that she serves on the COA Board, and the COA administers the Senior tax program.*

*In order for Mary Bright to participate in the Senior Tax Credit program, the Selectmen first have to appoint the COA Board members as Special Municipal employees. We have confirmed that the COA Board is one of the few remaining Town Boards that has not yet received the Special Municipal Employee designation. Mary will then need to file a disclosure under section 20(d), which the Selectmen would need to approve at a future open session.*

Dave Petersen made a motion to appoint the COA Board members as Special Municipal employees, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

## **ANNOUNCEMENTS**

- The Friends of the Rowley Public Library is holding the Rowley Chili Cookoff on the Town Common on Saturday, September 30, 2017 from 2:00 p.m. to 6:00



p.m. In addition to the chili contest, the event will feature the following: music from the Orville Giddings Band, music from the youth performers from the Be Imagine music studio; children's activities; 50-50 raffle, hot dogs, cornbread, popcorn, vegetables and desserts; and a German style beer garden featuring ales from Mercury Brewing

- Attention all Korean War Veterans who served in Korea. The Eastern Essex Veterans Services District is issuing the Korean Ambassador for Peace Medal. Please contact the Veterans Office at 978-356-3915
- Information on the Pine Grove School project is available on the Town's website at [www.townofrowley.net](http://www.townofrowley.net).
- The Town has the following vacancies:
  - a. **Council on Aging** – one seat
  - b. **Cultural Council**- two seats
  - c. **Open Space Committee** – one seat
  - d. **Fence Viewer** – three positions;
  - e. **Wood, Lumber & Bark Inspector**;
  - f. **Zoning Board of Appeals Associate** – three seats
  - g. **Parks and Recreation Committee** – one seat;
  - h. **Deputy Shellfish Constables** – two positionsFor more information on these positions, please contact the Selectmen's Office at 948-2372.
- 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**

There being no further business before the Board, Vice Chairman Snow called for a motion to adjourn. Dave Petersen so moved, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Open meeting adjourned at 8:05 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS:**

1. Board of Selectmen and Water Board written motions for September 18, 2017 Joint Meeting
2. Meeting memo regarding 7:15 p.m. Appointment: Sara Bourque to discuss the following items relating to the Friends of the Rowley Public Library Chili Cookoff event scheduled for September 30, 2017:
  - Special One Day Liquor License application

- Request to place lawn signs publicizing event on Town property
  - Invitation from the Friends of the Rowley Public Library to have two Selectmen serve as judges
3. Draft Special One Day Liquor License for the Friends of the Rowley Public Library Chili Cookoff event
  4. Special One Day Liquor License application
  5. Request from the Friends of the Rowley Public Library to place lawn signs publicizing event on Town property
  6. Email invitation from the Friends of the Rowley Public Library to have two Selectmen serve as judges
  7. Resignation from Amanda Levy from Library Technician position
  8. Request from Library Director Pam Jacobson to lift the hiring freeze for the position of Library Technician
  9. Meeting memo regarding General Business #3: Approve Halloween Trick or Treat Hours of 5:00 p.m. to 7:00 p.m. on Tuesday, October 31, 2017
  10. Request from the Pine Grove School PTA to hang a banner on the Town Common back-stop publicizing the Pine Grove School Annual Craft Fair
  11. Meeting memo regarding 7:30 p.m. Appointment – Treasurer/Collector Karen Summit to sign bonds
  12. Letter from Claudia Matzko from Locke Lord regarding \$9,710,000 General Obligation Municipal Purpose Loan of 2017 Bonds (the “Bonds”) Dated and Closing: September 28, 2017
  13. Document related to 7:30 Appointment: Bond signed by Treasurer and Board of Selectmen, sealed with the Town seal
  14. Document related to 7:30 Appointment: Legal Opinion
  15. Document related to 7:30 Appointment: Signature, No Litigation and Official Statement Certificate, including Appendix A
  16. Document related to 7:30 Appointment: Tax Certificate, including Appendix A and Exhibit A through D
  17. Document related to 7:30 Appointment: Continuing Disclosure Certificate including Exhibit A and B
  18. Document related to 7:30 Appointment: Vote of the Board of Selectmen
  19. Meeting memo regarding General Business #5: Vote to issue a Proclamation for Reverend Robert Hagopian for his many years of service to the Town
  20. Meeting memo regarding Old Business #1: Update on Pine Grove School Project
  21. Timeline from the OPM on the Pine Grove School Project
  22. Meeting memo regarding Old Business #2: Update on the Fire Station and Police Station Addition project
  23. Meeting memo regarding Old Business #3: Update on the purchase of the rear of 221 Main Street
  24. Signed Purchase and Sales Agreement for 221 Main Street
  25. Request from Mary Bright to be appointed to the Rowley Cultural Council
  26. Recommendation from Rowley Cultural Council to appoint Mary Bright as a member

27. Meeting memo regarding New Business #2: Request from Council on Aging Chairwoman Mary Bright to designate the Council on Aging Board as Special Municipal Employees under the State Ethics Law, G.L. c.268A
28. Request from Council on Aging Chairwoman Mary Bright to designate the Council on Aging Board as Special Municipal Employees under the State Ethics Law, G.L. c.268A
29. Press Release from Northeast Massachusetts Mosquito Control
30. Email and attached flyer regarding Police versus Fire softball game
31. Flyer regarding ceremony being held for presentation of Korean Ambassador for Peace Medal