

MINUTES OF THE BOARD OF SELECTMEN MEETING

December 18, 2017

Meeting held at Town Hall, 139 Main Street, Rowley, MA
7:00 p.m.

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

PUBLIC ATTENDEES: Maureen Heffernan – Triton School Committee Newbury; Edward Dello Iacono – Atlantic Auto; Gino Tzortzis – Gino's Auto

CALL MEETING TO ORDER

Chairman Perry called the meeting to order at 7:00 p.m. Perry announced that the meeting is being video and audio recorded and televised live by Rowley Community Media.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

OLD BUSINESS

1. Update on the Pine Grove School project

Chairman Perry read the following:

The OPM provided the Building Committee with a list of the prequalified subcontractors. The list is attached. Bids for the windows are due this Thursday at 2:30 p.m.

Attached is the project schedule, which shows that the 90 percent documents will be submitted to MSBA within the next few days.

The OPM informed Debbie and Joe that the project architect, Dore & Whittier, sent them a request for approval for additional services for Furniture, Fixtures and Equipment and Technology. Debbie and Joe feel that this work is part of the contract. Town Counsel Tom Mullen agrees and has drafted the attached letter for the Board to review tonight. If the Board is in agreement, we will need to vote to authorize Tom Mullen to send his letter to Dore & Whittier.

Perry said the Committee prequalified subcontractors in fourteen different areas. He said there is a spreadsheet in the packet that breaks these down, and the red blocks

indicate that a subcontractor didn't qualify. He said there were eight disqualifications. He said 115 sub-contractors asked for the bid documents, 95 submitted bids, and after the eight disqualifications, 87 are qualified to bid. He said the documents will be out in February for an April 16, 2018 start date.

Bob Snow made a motion to approve the list of prequalified subcontractors, Cliff Pierce second, all in favor - aye (5-0).

Eagan said the bids for the windows will be opened in the Selectmen's Office on Thursday at 2:30 p.m. She said the Construction Manager at Risk method of procurement which has different standards than procurement under Chapter 149. Petersen asked if we are required to take the low bidder. Eagan said they have to meet the test of being the most responsive and responsible bidder. Perry said there will be five phases of work over one and one half years for this project.

Perry read Town Counsel Mullen's letter to John Richardson.

Cliff Pierce made a motion to approve the letter drafted by Tom Mullen, Bob Snow second, all in favor - aye (5-0).

7:05 – 7:10 p.m. PUBLIC COMMENT

There were no Public Comments.

7:15 p.m. APPOINTMENT Sylvia Wood to discuss Friends of the Rowley Council on Aging request to place a collection receptacle at the Town Hall Annex for two to four weeks as part of a fundraiser for the Friends of the Council on Aging

Chairman Perry read Wood's request letter. Wood said all the information is in the packet that she provided, along with a picture of the container. She said the container is 5' by 4.5 feet, and the vendor, Ecosmith, brings the container, maintains it, provides signage and takes the container away. She said Salisbury recently ran this fundraiser and they raised \$350 in a three to four week period of time. She said she thinks this is a worthwhile project, and the Friends of the Rowley Council on Aging support the COA in many ways, such as the Christmas party. She said COA Director Brienne Walsh suggested placing the bin facing Central Street on the further end of the parking lot near the Grange. She said in this location, it would be visible from the street, but out of the way. She said it would be there from the end of March and into April, and they would collect leather goods such as boots and sneakers. She said this is an economically beneficial fundraiser as the leather goods are either given to the needy or recycled.

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

OLD BUSINESS

2. Fire Station and Police Station Addition project
 - Discuss and approve Castagna Construction contract

Chairman Perry read the following:

The contract with Castagna Corporation is ready for the Board of Selectmen to sign. Castagna Corporation was the low bidder and submitted a bid in the amount of \$8,186,000. The Board needs to vote to sign the contract. The Board needs to sign four originals.

The Groundbreaking Ceremony is scheduled for tomorrow, December 19, 2017 at 11:00 a.m. at the construction site at 477 Haverhill Street. Full construction will get underway on January 2, 2018.

Bob Snow made a motion to approve and sign the contract with Castagna Construction, Cliff Pierce second, all in favor - aye (5-0).

Perry said Castagna Construction is based in Newburyport. The Board agreed to sign the contract after the meeting.

3. Update on Rowley Veterans Association liquor license application

Chairman Perry read the following:

We sent the updated Articles of Incorporation submitted by the Rowley Veterans Association to the ABCC on December 4, 2017. We have not yet heard back from the ABCC on this application for a Change of Manager and Change of Beneficial Ownership.

Eagan said this is an update and further along in the agenda there is the renewal for the Rowley Veterans Association. She said the renewal can be processed under Steven Morris, who is still an authorized individual for the RVA.

NEW BUSINESS

1. Set meeting schedule for January, February, March and April 2018

Chairman Perry read the following:

The proposed meeting schedule for the next four months is as follows:

January 1, 2018 – no meeting New Year's Day holiday

January 8, 2018

January 15, 2018 – no meeting Martin Luther King, Jr. Day holiday

January 22, 2018

January 29, 2018

February 5, 2018

February 12, 2018

February 19, 2018– no meeting President's Day holiday

February 26, 2018

March 5, 2018

March 12, 2018

March 19, 2018

March 26, 2018

April 2, 2018

April 9, 2018

April 16, 2018– no meeting Patriot's Day holiday

April 23, 2018

April 30, 2018 – Town Meeting

Dave Petersen made a motion to approve the proposed meeting schedule as printed, Bob Snow second, all in favor - aye (5-0).

2. Discuss the replacement of flags at the September 11, 2001 Memorial and Town Hall

Chairman Perry read the two memos from Amy Lydon about the flags at the September 11, 2001 Memorial and Town Hall. Petersen said we need to put flags up, so they need to be replaced. He said this can be paid for out of the Town Hall expense budget. Eagan said normally, flags are purchased using the Memorial/Veterans Day budget accounts. Petersen said we used to replace the flags annually. Snow said cotton flags take a beating in the weather, and the nylon flags are heavy and don't flutter properly. He said the flags take a beating in the winter, and the military uses storm flags in the winter. Eagan said there is a broad scope on the types and prices of flags, and asked the Board for guidance on the type of flag to purchase, and the price range. Snow said there should be a spotlight on the flag if it is flown at night. Petersen said he would like to donate a flag, and said they cost about \$100. Snow said the size of the flag at the 911 Memorial is either 3' by 5', or 4' by 6'. Merry said flags can be purchased in Ipswich. Snow said Lowe's carries them as well. Eagan said we use Ebinger for the

Cemetery flags. Petersen said three flags should be purchased annually on Memorial Day. He said we can measure the tattered ones that were taken down and purchase the same size. Snow said a solar light should be put on the flag flown above the 911 Memorial.

Bob Snow made a motion to accept the donation of a flag for the 911 Memorial from Dave Petersen, Cliff Pierce second, all in favor - aye (5-0).

Bob Snow made a motion to authorize Eagan to purchase a new smaller flag for Town Hall, Cliff Pierce second, all in favor - aye (5-0).

Eagan thanked Mrs. Merry for repairing the flag flown on the Town Common many times.

7:30 p.m. APPOINTMENT

1. Edward Della Iacono, Sr. of Atlantic Auto Solutions at 274 Newburyport Turnpike to discuss the following:
 - non-renewal of Class II Dealer's License at 274 Newburyport Turnpike
 - request for new 2018 Class II Dealer's License at 264 Newburyport Turnpike
2. Gino Tzortzis of Gino's Collision Center at 274 Newburyport Turnpike to discuss 2018 Class II Dealer's License Renewal and a request to increase the vehicle limit

Chairman Perry read the following:

The Board of Selectmen has issued Class II licenses that expire on January 1, 2018 as follows (copies of licenses attached):

- 274 Newburyport Turnpike – Edward Dello Iacono, Sr. d/b/a Atlantic Auto Solutions: 7 car limit, approved November 20, 2017
 - 274 Newburyport Turnpike – Gino Tzortzis d/b/a Gino's Collision Center., Inc.: 1 car limit – reduced from 8 car limit on November 20, 2017
 - 264 Newburyport Turnpike – Louis James Falzone Jr. d/b/a All State Auto Sales: 75 car limit – this business is no longer being operated, but the license holder has not returned the Class II license requested via a letter dated November 15, 2017
1. Edward Dello Iacono, Sr. d/b/a Atlantic Auto Solutions has applied for the license at 264 Newburyport Turnpike for a 60 car limit, down from the 75 car limit that All State Auto Sales currently has at this location. (Application attached). We have a letter from Gino Tzortzis, the owner of the property, confirming that Edward Dello

Iacono, Sr. is leasing 264 Newburyport Turnpike. Mr. Dello Iacono would not be renewing his license at 274 Newburyport Turnpike.

If approved, Mr. Dello Iacono will operate under his current license at 274 Newburyport Turnpike until January 1, 2018, when the new license at 264 Newburyport Turnpike can be issued to him. Mr. Dello Iacono will need to amend his \$25,000 used car dealer bond to reflect the new business location prior to the release of the new license.

- 2. Gino Tzortzis d/b/a Gino's Collision Center., Inc. would like the vehicle limit on his license at 274 Newburyport Turnpike to be increased back to the original 8 car limit for his license renewal. His license for a one car limit will remain in effect until January 1, 2018.*

Edward Dello Iacono said when he initially applied for the license at 274 Newburyport Turnpike he didn't make his intentions clear that he would be applying for the license at 264 Newburyport Turnpike. He said the Selectmen graciously issued him a license at 274 Newburyport Turnpike, splitting the existing license between him and Gino, and the Selectmen waived the fee. He said his original intent was to apply for the license at 264 Newburyport Turnpike, but this couldn't be done since there was a license already issued to Louis James Falzone at that location. He said now that the license issued to Falzone is expiring, he would like to apply for that license, and the reduced car limit of 60 is fine.

Dave Petersen made a motion to approve both Class II licenses, Bob Snow second, all in favor - aye (5-0).

Mr. Dello Iacono said Atlantic Auto Solutions would be happy to donate an American flag to the Town as long as they are in business. He said he is from a military family, and listened to the Selectmen's discussion earlier about there not being a question that there need to be flags flown. Petersen said we will work out the details of this donation.

LICENSE RENEWALS

Liquor License

- Rowley Veterans Association, Inc. 19 Bradford Street

Chairman Perry read the following:

The renewal for the Rowley Veterans Association has been submitted, and is ready to be approved tonight. The RVA application for a Change in Manager and a Change in Beneficial Ownership is still pending at the ABCC. Ryan Melville, Licensing Supervisor at the ABCC, confirmed that this license can still be renewed while the application is

pending at the ABCC, as long as the renewal is signed by Steven Morris, the sole approved officer/director. Steven Morris, as well as the acting manager, Michelle Moon, have both signed the renewal forms.

All taxes, light and water bills have been paid. If approved, please sign the attached license.

Dave Petersen made a motion to approve the renewal of the liquor license for Rowley Veterans Association, Inc., Bob Snow second, all in favor - aye (5-0).

The Selectmen signed the license.

MINUTES

- December 4, 2017

Dave Petersen made a motion to approve the minutes of December 4, 2017, Cliff Pierce second, all in favor - aye (5-0).

- December 4, 2017 Executive Session

Bob Snow made a motion to approve the minutes of December 4, 2017 Executive Session, Dave Petersen second, all in favor - aye (5-0).

ANNOUNCEMENTS

- Town Offices will be closed on Christmas day, Monday, December 25, 2017 and on New Year's Day, Monday, January 1, 2018
- Information on the Pine Grove School project is available on the Town's website at www.townofrowley.net.
- The Town has the following vacancies:
 - a. **Open Space Committee** – one seat;
 - b. **Fence Viewer** – three positions;
 - c. **Wood, Lumber & Bark Inspector**;
 - d. **Zoning Board of Appeals Associate** – three seats;
 - e. **Parks and Recreation Committee** – one seat; and
 - f. **Deputy Shellfish Constables** – two positions.

For 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, Chairman Perry called for a motion to adjourn. Dave Petersen so moved, Cliff Pierce second, all in favor - (5-0).

Open meeting adjourned at 7:49 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Public Comment Policy
2. Meeting memo regarding Old Business #1: Update on the Pine Grove School project
3. Pine Grove School Pre-Qualification Master Scoring Sheet
4. Pine Grove School project timeline
5. Letter from Thomas Mullen to Jon Richardson of Dore & Whittier Architects, Inc.
6. Memo from Deborah Eagan to Board of Selectmen regarding PGS Architect seeking approval for additional services
7. Email from Deborah Eagan to Tom Mullen regarding PGS Project Issue, including attachments
8. Letter from Sylvia Wood regarding Friends of the Rowley Council on Aging request to place a collection receptacle at the Town Hall Annex for two to four weeks as part of a fundraiser for the Friends of the Council on Aging
9. Information packet provided by Sylvia Wood regarding Recycling Fundraiser through Ecosmith
10. Meeting memo regarding Old Business #2: Fire Station and Police Station Addition project: Discuss and approve Castagna Construction contract
11. Castagna Construction bid paperwork
12. Meeting memo regarding Old Business #3: Update on Rowley Veterans Association liquor license application
13. Meeting memo regarding New Business #1: Set meeting schedule for January, February, March and April 2018
14. Memo from Amy Lydon to Board of Selectmen dated December 7, 2017 regarding Flag at Town's September 11, 2001 Memorial
15. Memo from Amy Lydon to Board of Selectmen dated November 29, 2017 regarding Flag at Town Hall
16. Meeting memo regarding 7:30 p.m. Appointment:
 - a. Edward Della Iacono, Sr. of Atlantic Auto Solutions at 274 Newburyport Turnpike to discuss the following:
 - non-renewal of Class II Dealer's License at 274 Newburyport Turnpike
 - request for new 2018 Class II Dealer's License at 264 Newburyport Turnpike

- b. Gino Tzortzis of Gino's Collision Center at 274 Newburyport Turnpike to discuss 2018 Class II Dealer's License Renewal and a request to increase the vehicle limit
- 17. Class II Dealer's license issued to Edward Della Iacono, Sr. of Atlantic Auto Solutions at 274 Newburyport Turnpike
- 18. Class II Dealer's license issued to Louis James Falzone of All State Auto Sales at 264 Newburyport Turnpike
- 19. Letter from Edward Dello Iacono regarding 2018 Class II Dealer's license
- 20. Letter from Gino Tzortzis regarding lease of 264 Newburyport Turnpike to Edward Dello Iacono
- 21. Application from Edward Dello Iacono for Class II Dealer's license at 264 Newburyport Turnpike
- 22. Letter from Gino Tzortzis regarding increasing his car limit back to 8 cars at 264 Newburyport Turnpike
- 23. Meeting memo regarding Liquor License renewals
- 24. 2018 Liquor License approved for Rowley Veterans Association
- 25. Draft minutes of December 4, 2017
- 26. Meeting memo regarding December 4, 2017 Executive Session minutes