

MINUTES OF THE BOARD OF SELECTMEN MEETING

February 26, 2018

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

7:00 p.m.

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

PUBLIC ATTENDEES: Lawrence White – Finance Committee; Frank Marchegiani – Health; Bernard Cullen – 283 Wethersfield Street; Bryan DiPersia – 500 Wethersfield Street; Karl Schmuch – 10 Pleasant Street; Karen Schmuch – 10 Pleasant Street; Nathaniel Schmuch – 10 Pleasant Street; George Pacenka – 1 Easy Street; Michael Sabatini – 239 Main Street; Mark & Sharon Fish – 129 Wethersfield Street; Robert Nixon – Bitterroot LLC; Jill Mann - Bitterroot

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.

7:00 p.m. APPOINTMENT Troop 15 Scoutmaster George Pacenka to present Nathaniel Richardson Schmuch as Eagle Scout

Chairman Perry read the letter from Troop 15 Scoutmaster George Pacenka, and the proclamation for Nathaniel Richardson Schmuch as Eagle Scout.

Dave Petersen made a motion to sign the proclamation, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

Pacenka introduced Schmuch to the Board and said Schmuch surveyed house numbers in Town to see if they were visible from the road in accordance with the Town's bylaw. He said Schmuch notified people if their house number was not visible, and about the bylaw. Perry said this is very important for emergency responders. Schmuch said there were about 190 homes without visible numbers, and he left them notification letters, but did not get responses. Schmuch and his family took photos with the Board of Selectmen.

7:05 – 7:10 p.m. PUBLIC COMMENT

Michael Sabatini said he is a resident of Rowley for thirty years and is the owner of the Bradstreet Farm. He said he wants to clear up some misconceptions being perpetuated through the Town Boards. He said the Town leadership and the Town Attorney have said that he doesn't have permits and has been operating without permits. He said that is not true. He said in his hand he has the signed building and Historical Commission permits, signed since last fall. He said on Friday, the Town's Attorney sent an email to him about another major problem that he had no building permits or Historical Commission approval, and that site visits by these departments are necessary. He said this is crazy and held up a document that he identified as the building permit issued by Ken Ward. He said he called Historical Commission to ask her to send the approvals issued to him, which she did, and also sent him a letter reminding him that he is in compliance with everything. He said he doesn't know where the attorney is getting his information from, and either he is grossly misinformed or deliberately misleading them. He said this is a waste of taxpayer money. He said he has had the building permits since 8/30/2017 and the Historical Commission permit since 11/3/2017, but the attorney is still confused saying there are no permits. He said last week, the Finance Committee spoke about the legal budget from \$35,000 into \$114,000. He said the man in the corner said it was because of Bradstreet Farm legal expenses. And a woman said they are operating without permits. He said he felt the obligation to come in and show the permits and say they aren't doing anything they shouldn't be doing. He thanked the Board for the time to speak.

7:15 p.m. APPOINTMENT Attorney Jill Mann and Robert Nixon for a continued discussion of Meadows Lane and Town-owned land off Meadows Lane

Chairman Perry read the following:

Attorney Jill Mann is here for an update on her request to discuss land off Meadows.

We have located the Planning Board's Subdivision approval, which is attached. The subdivision plans show that the land was designated as Conservation, but there it was never voted on as such.

Debbie also found minutes from 2005, which show that the land was appraised at \$130,000.

Conservation Agent Brent Baeslack has sent the Board of Selectmen the attached letter.

Perry read the letter from Conservation Agent Brent Baeslack. Jill Mann said she is here with Robert Nixon, and they still came since they received Baeslack's letter

requesting a continuance at 5:05 p.m. today. She said she would still like to provide the Board with updated information:

- The Order of Conditions issued by the Conservation Commission has nothing relative to a Conservation restriction or permanent restriction
- In the Notice of Intent application, it said they were gifting to the Town parcel X (5.7 acres) which could be part of a Conservation Plan in order to maintain open space, but it never indicated in the approval that these parcels should be Conservation areas, rather than open space
- In 2005, when Gurzak requested to purchase the land, the Conservation Commission said the land had no conservation value
- She researched all the records, including the Assessors records. The Assessors records indicate these parcels as Municipal Vacant, not Municipal Conservation, so they are not prohibited for development. Land owned by Greenbelt is indicated as CH for Charitable Institution then designates Conservation.

She said she would like the Board to consider conveyance of this land to generate income and to produce tax revenue, considering there is no value to those pieces of land. She said she welcomes a continuance and will be happy to come back.

Pierce said the approved plan shows that parcel Y shall be open space. Mann said that indication is for all of the parcels and all it means is that they will not be part of the roadway. Pierce said Mann should ask Town Planner Kirk Baker to look through the Planning Board files as he recalls an email he wrote in 2005 that the subdivision plan said this should be open space. Mann said it says open space, but doesn't reference a conservation restriction. Pierce asked if there is an amended decision from the Planning Board. Mann said no, there is no conservation value except limiting development. She said the Town has complete authority over what it chooses to do with this land, and if Town Meeting approves the sale, the sale will be subject to bidding. Petersen said at the time, it was probably the intent to make the land Conservation land, but it didn't get registered as such and it slipped through the cracks. Pierce said the property owners in the subdivision may have bought their homes under the assumption that the land would be Conservation land. Petersen said lets continue this discussion after the Conservation Commission provides a written decision.

7:25 p.m. APPOINTMENT Highway Surveyor Patrick Snow to discuss contract extensions for roadway materials and services project

Chairman Perry read the following:

Highway Surveyor Patrick Snow is here tonight to discuss extending the contracts for the Highway Department Road Materials and Services Contracts.

Contracts were issued to 6 contractors for 10 categories of work under the Invitation to Bid released this past summer. Each contract includes the provision that the Town can extend the contract for two additional one year terms if found to be in the best interest of the Town. Pat Snow is recommending that all 10 contracts be extended.

Patrick Snow said the prices are fair for the upcoming season. He said by signing the contracts now, we can get the work scheduled sooner rather than later. Petersen asked if Newbury Road is scheduled to have work done and asked if Snow is aware of the development being constructed by Sullivan and Hart. Snow said yes, and he is coordinating with the developers.

Dave Petersen made a motion to extend the contracts with six contractors in the ten categories, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

7:35 p.m. APPOINTMENT Principal Assessor Sean McFadden to discuss FY 19 Assessors Budget

Perry said the expenses are level funded and the increases in wages and salaries meet the guidelines. McFadden said there are no changes.

Cliff Pierce made a motion to approve the FY 19 Assessors budget, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

7:45 p.m. APPOINTMENT Coordinator of Health Services and Regulatory Compliance Frank Marchegiani to discuss FY 19 Health Department Budget

Chairman Perry began reading the memo submitted by Frank Marchegiani regarding his revolving funds. Eagan said this is supplemental information provided in case there were questions on off-budget items. Perry said expenses are level funded and the increases in wages and salaries meet the guidelines.

Cliff Pierce made a motion approve the FY 19 Health Department budget, Dave Petersen second. The vote was not completed.

Petersen asked Marchegiani to explain the septic loan program. Marchegiani said the program began in 2000 or 2001, and money is borrowed from the Massachusetts Department of Environmental Protection and lent out to residents to be used to fix failed septic systems. He said so far, \$1,250,000 has been borrowed, in increments throughout this time. He said there is no interest paid on the loan, and the principal only is paid back. He said it is a 2% loan for 20 years and goes onto tax bills. He said the money cannot be used for commercial enterprises or to expand a septic system.

Cliff Pierce made a motion to approve the FY 19 Health Department budget, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

GENERAL BUSINESS

1. Invitation from the Independent Living Center of the North Shore and Cape Ann and The Greater North Shore Link for 31st Legislative Breakfast on Friday, April 13, 2018

Chairman Perry read the following:

Please see the attached invitation. The office staff will RSVP on behalf of the Selectmen who wish to attend this event.

Perry said he has attended in the past, but unfortunately cannot attend this year since it is the day after he is having surgery. The remaining Board members indicated that they were unable to attend.

2. Discuss Notice of Town Meeting location change approved by Town Moderator Joan Petersen

Chairman Perry read the following:

The attached notice regarding the location change for Town Meeting has been approved by Moderator Joan Petersen. This is being published in the March and April COA newsletters. We think it would be helpful to also publish this notice as follows:

- *On the Town webpage*
- *On the Rowley Community Media Channels*
- *As an insert to the electric bills*

Are there any other places that the Board would like this notice published?

Please vote to authorize this notice to be published as suggested.

Perry suggested that the notice be posted at the Rowley Pharmacy. Petersen said he recommends adding the 7:00 p.m. to the notice for the start time of Town Meeting.

Cliff Pierce made a motion to publish the notice as suggested, with the amendment, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

NEW BUSINESS

1. Review Site Plan Application filed by Margaret Ruth Foundation, LLC. for North Shore Montessori School, 121 Wethersfield Street

Chairman Perry read the following:

The Board of Selectmen has received a copy of a Planning Board Site Plan Application for the North Shore Montessori School driveway and parking plan.

Police Chief Scott Dumas also included the Board of Selectmen on his response to this application.

Attached are the following:

- *Site Plan*
- *Copy of the Application*
- *Comments from Police Chief Scott Dumas*

Does the Board have any comments they wish to send to the Planning Board on this application?

Petersen asked if the Planning Board has made a final decision on this. Pierce said they have not been before the Planning Board recently other than to file the application. He said they did come in for an informal meeting years ago and were told to file an application, but they never did. He said somehow this was approved and built, and they are now before the ZBA. He said the ZBA review was continued to allow the Planning Board to do a "parking review." He said he is very concerned about this. He said the access driveway and parking is scary, and Chief Dumas opined on this as well. He said according to the application and the accompanying letter from their attorney, it seems that they think it is before the Planning Board for a parking review only, but the Planning Board does site plan reviews and parking is only one component of this. He said there shouldn't be any limitations on the scope of the Planning Board review.

Perry read the email from Chief Dumas. Dumas said the driveway is one narrow road, and only one vehicle can pass at a time. He said emergency response vehicles can be hampered given the site. Petersen said he is concerned about the driveway and the public safety personnel being able to access the area.

Bernie Cullen of 283 Wethersfield Street said Wethersfield Street is narrow in this location and on street parking is a problem. He said the traffic on this road is significant, and it is a winding country road. He said there are tricky sight lines and cars rarely travel under the speed limit. He said this will be a traffic nightmare.

Mark Fish said he is a direct abutter of this business and he lives at 129 Wethersfield Street. He said there are problems with the business, but regarding the site plan review, there are necessary changes needed to preserve their privacy and retain their quiet residential neighborhood. He said he has lived in his home for 65 years, and this is a disaster in regards to the privacy and quietness that he is now trying to enjoy in his retirement. He said the school property is elevated, and allows for adults and children to have sight lines into his property. He said he has received letters from the school asking him to clean up his property and letters from their attorneys telling him he can't do certain things, due to an invasion of their civil rights. He said there should be some

mitigation on the business to alleviate the problem of the invasion of his privacy. He said his property is used in the website advertisement for the business. He said meanwhile, he has gotten letters from their attorney forbidding him from taking pictures or measuring decibel levels, which he is doing to protect himself from an ever expanding business, that is unlicensed by the Town in a manner that he considers to be fraudulent. He said in reviewing the site plan, there should be a lot of changes that can be made to the property to alleviate the invasiveness to his property. He said he appreciates being heard and this is a very difficult situation. He said he has been accused of trespassing on their property, but he has photos of them trespassing on his property. He said he hopes the project can be reined in.

Pierce asked if the foundation has already been poured. Fish said some site work has been done. He said the business was originally licensed as a twenty student daycare, but as it evolved he started to look into it. He said Building Inspector Ken Ward told him he was not notified of the business when it first started because daycares are allowed anywhere in Town. He said the business immediately expanded, and added grades, and their plan is to expand to sixth grade with a septic design that can accommodate 100 people. He said Ward did a site visit, and found them in non-compliance with the Town license as a daycare and that they were operating a school. He said Ward stopped the latest expansion, but the business is now trying to work their way through Town Boards.

Petersen said the traffic is his concern. He said the entry is the width of one driveway, and the plan shows the addition of one lane. He said the driveway narrows where the building is, so there will be a bottleneck in the middle. He said he echoes Chief Dumas' comments. Pierce said this could be horrific if there is an emergency at the time of pick-ups or drop-offs. He said it seems they are doubling the size of the facility, which is a major expansion. Petersen said the description of the project doesn't match the plan. Petersen said there are twenty cars on the drawing and it's a poor setup with the existing type of neighborhood. He said the exit and entrance have public safety issues. Bernie Cullen said if there are 100 children attending the school, there will be 50 to 100 cars within a fifteen minute window.

Cliff Pierce made a motion to send a letter to the Planning Board about concerns with the access issues, as raised by Chief Dumas, and to request that the Planning Board look into all issues seriously, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

8:00 p.m. APPOINTMENT Police Chief Scott Dumas to discuss FY 19 Police Department Budget

Chief Dumas said the summary memo is for FY 19, not FY 18, and it shows the changes to the budget. He said it is level funded with a few exceptions, including the significant salary increases resulting from the settlement of the Mass Cops contract. He said the increase from the contract is \$131,480. He said this is partially offset by

\$24,000 in savings from the trailers that are no longer being leased. He read the Page 6 Expenses summary changes on his memo. He said on the Issues and Options Form, he is proposing the addition of a Sergeant, which is a new position, that he would look to promote someone to within the Department. He said the Police Department has three shifts, and with the two current Sergeants, the overnight shift lacks supervision. He said a third Sergeant would allow better coverage at a cost of \$23,000. He said surrounding Towns have more Sergeants than Rowley's 2 as follows: Newbury has 3; Georgetown has 4 and Ipswich has 5. He said police work is becoming more complicated, and Rowley's Department is younger due to recent retirements.

Petersen said there is an item for the Officer in Charge in the budget for \$9,640 and asked if this would change with a third Sergeant. Dumas said it would be significantly reduced. Petersen said he hates to see the budget increase, but this is for our own protection and we should see if we can absorb it for the benefit of the Town and the Department. Dumas said he knows it is not the best time of the year to request an increase with the Triton budget situation. Petersen said we can include it and cut it out if needed. Eagan said this can be tentatively approved until we know what we are facing with the Triton budget after the School Committee vote. Petersen said we will need an \$800,000 override, and if it passes we can include this, but if not we will need to make cuts. He said there are a lot of serious incidents in Town and one officer on duty cannot handle them alone. Dumas said the \$23,000 cost for the third Sergeant is not included in the budget.

Dave Petersen made a motion to approve the Police budget with revisions to add the Sergeant and reduce the Officer in Charge, Cliff Pierce second. The vote was not completed.

Eagan asked Chief Dumas to revise and resubmit the budget for the Finance Committee.

Bernie Cullen asked what percent the \$131,000 increase for salaries is. Dumas said 9.5%. Cullen asked what the costs will be for the next couple of years. Dumas said this funds the last year of a three year contract. Petersen said the increase has been roughly 3% per year plus benefits, not a 10% increase in one year.

Dave Petersen made a motion to approve the Police budget with revisions to add the Sergeant and reduce the Officer in Charge, Cliff Pierce second, all in favor - aye (4-0).
Bob Snow – ABSENT

8:15 p.m. APPOINTMENT Edward Dello Iacono, Sr. of Atlantic Auto Solutions and Frank Iovanella of James Price d/b/a Car Lines to discuss the following:

- Class II Dealer Licenses at 185 Newburyport Turnpike

- Location change of Atlantic Auto Solutions

Chairman Perry read the following:

The Board of Selectmen has issued Class II licenses that expire on January 1, 2019 as follows (copies of licenses attached):

- *264 Newburyport Turnpike – Edward Della Iacono, Sr. of Atlantic Auto Solutions – 60 car limit*
- *185 Newburyport Turnpike – Frank Iovanella of James Price Inc. d/b/a Car Lines 42 car limit*

Edward Dello Iacono, Sr. d/b/a Atlantic Auto Solutions has submitted the attached letter explaining why he wishes to move his business from 264 to 185 Newburyport Turnpike. He has applied to split the license at 185 Newburyport Turnpike for a 42 car limit as follows:

- *30 cars for Edward Dello Iacono, Sr. d/b/a Atlantic Auto Solutions*
- *12 cars for Frank Iovanella of James Price Inc. d/b/a Car Lines*

We do not have a written request from Mr. Iovanella regarding the split of the license, and the Board should confirm this with him. If approved the following steps will be taken:

- 1. Amy will prepare new licenses with the new limits for 185 Newburyport Turnpike, which will be ready for signature tomorrow afternoon*
- 2. 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*
- 3. Mr. Dello Iacono will need to turn in his license for 264 Newburyport Turnpike before the new license at 185 Newburyport Turnpike is released to him.*

Edward Dello Iacono, Sr. said he was told he cannot occupy the building for his business at 264 Newburyport Turnpike, and he knows it is not the best timing, but he has an opportunity to move to 185 Newburyport Turnpike with Frank Iovanella. He said he can make the move now or later, and he chose now. Petersen said this business location has been like musical chairs, and it started at Gino's Auto Body. Dello Iacono said he originally wanted to lease 264 Newburyport, but the license was issued to All State, so he went to Gino's Auto Body until the first of the year, and the license at 264 was transferred to him once it had expired for All State. He said the landowner at 264 told him that he had made a temporary commitment on the building at 264, but that he could move into the building in 90 days. He said the landowner has made additional commitments that will preclude him from moving into the building until the summer, leaving him with a license at 264, but an office at 274, which didn't seem right to him. He said 185 is at the corner of 133 and Route 1.

Frank Iovanello said this will work out well. He said he took the lot at 185 back from D&D in October, and he wants to keep the lot clean and organized. He said Dello Iacono sells lower priced cars, and he sells higher priced cars, so it will be a nice blend. Eagan said Dello Iacono has already paid \$200 for his license at 264.

Dave Petersen made a motion to approve the transfer of Dello Iacono's license from 264 to 185 Newburyport Turnpike for a 30 car limit, to waive the \$200 fee, provided that he amends his bond and turns in his license for 264 Newburyport Turnpike, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

Dave Petersen made a motion to amend the license issued to Car Lines to a 12 car limit, down from a 42 car limit, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

NEW BUSINESS

2. Discuss Town Administrator contract renewal

Chairman Perry read the following:

Debbie has updated her contract. Nothing has materially changed in the document. If the Board is in agreement, the Board can vote to approve and sign two originals in Chairman Perry's folder.

Petersen said he doesn't want to embarrass Eagan, but he is reluctant to vote for this because he seriously thinks she should get a raise, and it's tough to accept this contract as it is. He said she wrote all the specifications for the bridge project, is handling the school project, the Police and Fire project, the Annex Elevator project, and she has spearheaded all of this extra work. He said she does an unbelievable amount of work, and she works Saturdays and nights, and she is underpaid relative to other towns. He said at some point we need to give her a bonus or do something for her. He said she is into everything, she is very complete and she deserves accolades. He congratulated her on her work and leadership. He said this is not a normal workplace with the amount of work the office puts out. He said the office does the paperwork involved for projects and coordinates architects, contractors. He said all Town employees do a wonderful job with the amount of work they do. He said he is sorry there is not more money now, but he is behind Eagan and before he is off the Board will give her the raise she deserves. Perry said he totally agrees with Petersen. He said Eagan does an incredible job and they couldn't operate without her. Pierce said he agrees as well. Merry said the Town's most valuable asset is the employees. Bernie Cullen said he agrees with the Selectmen. He said he is a member of a Board under stress that has added an

enormous workload on Eagan. He said they couldn't have managed without her guidance and forbearance.

Cliff Pierce made a motion to approve Eagan's amended contract, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

Eagan thanked the Board for the nice comments. She said it is a team effort with Amy, Natalie and Elaine all working with her as a group. She said there is a great Board of Selectmen that get involved in projects. She said working with Bernie has been great, and the other Town boards are also great.

3. Open Special Town Meeting Warrant

Chairman Perry read the following:

The Board of Selectmen needs to vote to open the Special Town Meeting and to close it Wednesday, March 14, 2018 at 4:00 p.m.

Cliff Pierce made a motion to open the Special Town Meeting and to close it Wednesday, March 14, 2018 at 4:00 p.m., Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

4. Discuss setting up a meeting with the Board of Shellfish Commissioners to discuss the FY 19 Shellfish Commissioners Budget and Revolving Fund

Chairman Perry read the following:

A couple of years ago, the Board of Cemetery Commissioners, which is a three-member elected Board, transitioned from paying themselves hourly wages to work in the Cemetery Department to receiving an annual salary under G.L. c. 41 section 108. The Town's attorney pointed out in a letter to the Selectmen that because they are elected they are subject to G.L. c. 41 section 108, which states that the salary and compensation of elected officials of a town shall be fixed annually by vote of the Town at an annual town meeting.

The Shellfish Commissioners are similar in that they are an elected three-member Board and are appropriated wages in the omnibus budget. In FY 18 the wage budget was set at \$1,700. However, none of the Shellfish Commissioners paid themselves in FY 17, or year-to-date in FY 18.

Does the Board wish to invite the Shellfish Commissioners to an upcoming meeting to discuss their budget and the provisions of G.L. c.41 section 108?

Petersen said it might be worthwhile to have one Board member and the Chair of the Shellfish Commissioners meet to figure out what is going on and what we want to do first before they come to a Selectmen's meeting.

OLD BUSINESS

1. Update on the Pine Grove School Project:

- Review the draft Agreement with Dore & Whittier Concerning FF&E (furniture fixtures and equipment) and Technology Procurement
- Approve the following:
 - 1) authorization to purchase door hardware
 - 2) Amendment 5 to the W.T. Rich contract to cover the door hardware purchase

Chairman Perry read the following:

DRAFT AGREEMENT WITH DORE & WHITTIER CONCERNING FF&E

Town Counsel Tom Mullen has been working with Brad Dore on a resolution to the Furniture, Fixtures and Equipment Procurement provision of the Town's contract. Chairman Perry, Debbie, OPM Larry Berger, Tom Mullen and Brad Dore met to discuss this agreement. We worked out an agreement and Tom wrote this draft. If the Board is in agreement, he will send it to Brad to review and approve.

Pierce said he can't see the basis on how to get from Town Counsel Tom Mullen's letter from December 19th, to the compromise agreement. He said Mullen's letter makes a persuasive case that FF&E is included in the basic services that Dore & Whittier agreed to provide, which shouldn't be billed separately to the Town; versus the draft compromise agreement, in which the Town agrees to pay for all of the disputed amount at the end of the project through the contingency fund. Perry said in meetings with Mullen and Brad Dore they went back and forth trying to work out a compromise to keep the project moving and avoid further litigation. Pierce said normally settlement is made when a weakness is perceived, and he can't see where the weakness is in this case. He said this would be difficult for him to sign off on as a former attorney. Eagan asked if we should hold off on this and she can coordinate a call between Pierce and Mullen. Petersen said he understands Pierce's point. Bernie Cullen asked what the dollar amount is for this. Pierce said \$134,000.

Perry read the following:

AUTHORIZATIONS

We are in the middle of the sub-contracting bidding phase. We expect over the next few Selectmen's meeting to be presenting authorizations to approve sub-trade contracts and the purchase of materials. For tonight's meeting we need the Selectmen to approve the authorization to purchase door hardware and to amend W.T. Rich's contract for this

purchase and to authorize Chairman Perry to sign these documents. (Chairman Perry will sign these later.)

Eagan said the low bidder is Kapiloff's at \$68,137.50.

Dave Petersen made a motion to accept Kapiloff's bid for door hardware and authorize the Chairman to sign the contract amendment and letter or recommendation #5, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

2. Update on Fire Station and Police Station Addition Project and Eiras Park access during construction

Chairman Perry read the following:

The project continues to move forward. One of the most important priorities at this stage in the project is getting the gravel road built, so that it will provide access to the ballfields. The plan is to get the road built by early April.

The Selectmen also need to considering closing Kid's Kingdom Playground for at least the next six to eight weeks because there will be no access to it until the road is built. The contractor is concerned about people using the playground during construction. Please see attached plan. Dave Petersen will explain this in more detail. If we close the playground for the next six to eight weeks, Debbie suggests we place a sign at the entrance to Eiras Park.

Petersen said the fields need to be open April 1st, with a new gravel road, and they will move the construction fence to open access, and they can probably open the playground then. He said they are now digging a pit for stormwater management and the project is moving along. He said the contractor is concerned about people using the playground equipment during construction. He said next week the work on the foundations will begin.

3. Update on the Annex Elevator project and Annex handicap ramp

Chairman Perry read the following:

This is a follow-up discussion from the last meeting on this project. Debbie and Dave met with Architect Alex Matthews from CBI to discuss the project and our plan to do the first floor handicap updates as part of Phase 1. Because the project didn't include a replacement handicap ramp, we will need to include that as an additional service. CBI will provide us with a cost estimate to add on to the project.

We would like to request the funds from the Community Preservation Committee for the Special Town Meeting. The article would provide us with funds to pay for Option A - \$212,199.07, plus additional funds to pay CBI for the design of the Annex ramp, and the actual construction cost. We need to request the CPC hold a meeting in the next couple of weeks.

Petersen said because there are not sufficient funds and because we may not need the elevator if the Town acquires the Didax Building, the plan is to update the first floor handicap access. He said with the elevator, the handicap ramp would be removed, but without this project, the ramp needs to be replaced. He said they have asked the architect for cost estimates for this, and they will hopefully have this before the CPC meeting. He said office spaces may move to Didax, and the COA may take over the first floor of the Annex. Pierce said he is surprised by the cost and asked if anything is discretionary. Petersen said it needs to be done right to make the building usable for the Senior Center for the next 20 to 25 years. He said the largest costs are the ramps, bathrooms and doorways. He said if the State is not happy if we cut corners, they will shut the building down. He said the Annex is a valuable historic building in good shape.

Dave Petersen made a motion to request \$300,000 from the CPC for this work, and request that the CPC hold a meeting, Bob Merry second, all in favor - aye (4-0). Bob Snow – ABSENT

4. Discuss Capital projects:

- Completion of the Town Hall Window replacement project
- Selectmen's Office floors
- Town Hall Handicap ramp
- Fire Alarm and security systems for municipal buildings

Chairman Perry read the following:

This is a follow-up agenda item. We are planning to seek CPA funding for the:

- *Completion of the Town Hall Windows – five remaining windows in the Selectmen's Office*
- *Town Hall Handicap Ramp replacement*
 - 1) *Ask the CPC for funds out of their administrative line to pay for the architect's construction plans and specifications*
 - 2) *Request the CPC for the construction funds through an article on the Special Town Meeting*

We will look at re-purposing balances from other projects to offset the requested amount from the CPA account.

The Board of Selectmen needs to discuss and vote on these.

We will plan to seek funds at Town Meeting for the Selectmen's Office floors and the fire alarm and security system. We will look at re-purposing balances in other projects to offset using new monies. If the Board is in agreement that we should seek appropriations for these items, then they should vote to do so. We will continue to work on getting estimates.

Petersen said there are five more windows at Town Hall that need to be replaced, and we ran out of money from the previous project. He said the floors in the Selectmen's Office are way overdue, and we recommend replacing the flooring with carpet since the room is used for meetings, and Eagan can pick the color. He said the Town Hall handicap ramp is not as bad as the Annex ramp, but there are rusted nails and brackets, and the railing doesn't conform to regulations. He said CBI is giving us a price for this work, and we will ask the CPC for money to cover the design work. Pierce said there may be an issue with using CPC Administration funds to pay for architectural construction plans. He said this seems more like a construction expense. Petersen said if this isn't CPC eligible, we will need to use regular funds. Eagan said the price proposal from CBI will include a construction estimate, and there will be an article at Town Meeting for the whole amount. Petersen said a new fire alarm and security system will be installed at Town Hall and the Annex, and the fire alarm system will be replaced at several other municipal buildings. He said the fire wire system is being replaced, and an outside contractor will be used to monitor these alarms. Lydon said the cost is approximately \$15,000 for these systems. Petersen said this is a capital request.

Cliff Pierce made a motion to request CPC funding for the Town Hall windows and the Town Hall handicap ramp, Bob Merry second, all in favor - aye (4-0). Bob Snow – ABSENT

Dave Petersen made a motion to request adding to the capital budget funding for the Selectmen's Office floors, and the fire alarm and security systems for municipal buildings, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

FY 19 BUDGETS

- Town Hall

Dave Petersen made a motion to approve the Town Hall FY19 budget, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

- Annex

Cliff Pierce made a motion to approve the Annex FY19 budget, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

- Recycling

Cliff Pierce made a motion to approve the Recycling FY19 budget, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

- Inspection Department

Cliff Pierce made a motion to approve the Inspection Department FY19 budget, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT

MINUTES

- January 22, 2018

Dave Petersen made a motion to approve the January 22, 2018 minutes, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

- January 29, 2018

Dave Petersen made a motion to approve the January 29, 2018 minutes, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – ABSENT

ANNOUNCEMENTS

- The Friends of the Council on Aging is sponsoring a Shoe Drive during the month of April at the Town Hall Annex, 39 Central Street. Paired footwear, such as the following may be deposited in the container at the Annex Parking lot: shoes, boots, work boots, sandals, slippers, flip flops, heels, sneakers, pocket books, purses, backpacks and belts.
- Information on the Pine Grove School project is available on the Town's website at www.townofrowley.net.
- Town Meeting is scheduled for Monday, April 30, 2018 at 7:00 p.m. in the Pine Grove School Gymnasium.
- Treasurer/Collector announces that the motor vehicle excise tax bills were mailed on February 2, 2018.
- The Town has the following vacancies:
 - a. **Fence Viewer** – three positions;

- b. **Wood, Lumber & Bark Inspector;**
- c. **Zoning Board of Appeals Associate** – three seats;
- d. **Parks and Recreation Committee** – one seat; and
- e. **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 9:19 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS

1. Letter from Troop 15 Scoutmaster George Pacenka regarding Nathaniel Richardson Schmuck Eagle Scout achievement
2. Proclamation issued to Nathaniel Richardson Schmuck for Eagle Scout achievement
3. Public Comment Policy
4. Meeting memo regarding 7:15 p.m. Appointment: Attorney Jill Mann and Robert Nixon for a continued discussion of Meadows Lane and Town-owned land off Meadows Lane
5. Excerpts of October 3, 2005 Selectmen meeting minutes
6. Excerpt of Annual Town Meeting Warrant from May 1, 2006
7. Email from Jill Mann to Debbie Eagan regarding Inquiry regarding Meadows Land and Other Town Owned Land
8. Planning Board letter dated October 1, 1992 regarding Meadows Lane development
9. DEP Order of Conditions for Stoney Brook R.T. Joseph Cosentino recorded 4/10/1995
10. Excerpt Mass. General Laws Chapter 30B Section 16
11. Quitclaim Deed recorded April 23, 1996 fir Stoney Brook Meadows Trust
12. Map showing Meadows Lane parcels
13. Letter from Brent Baeslack regarding Nixon Request concerning Open Space Town Parcels "V, W, X, Y and Z" including attachments

14. Map of Parcels around Meadows Lane provided by Jill Mann at Meeting
15. Meeting memo regarding 7:25 p.m. Appointment: Highway Surveyor Patrick Snow to discuss contract extensions for roadway materials and services project
16. Assessors FY 19 Budget
17. Memo from Frank Marchegiani regarding Board of Health Revolving Funds
18. FY 19 Health Department Budget
19. Meeting Memo regarding General Business #1: Invitation from the Independent Living Center of the North Shore and Cape Ann and The Greater North Shore Link for 31st Legislative Breakfast on Friday, April 13, 2018
20. Invitation from the Independent Living Center of the North Shore and Cape Ann and The Greater North Shore Link for 31st Legislative Breakfast on Friday, April 13, 2018
21. Meeting Memo regarding General Business #2: Discuss Notice of Town Meeting location change approved by Town Moderator Joan Petersen
22. Notice of Town Meeting location change approved by Town Moderator Joan Petersen
23. Meeting Memo regarding New Business #1: Review Site Plan Application filed by Margaret Ruth Foundation, LLC. for North Shore Montessori School, 121 Wethersfield Street, including attached Site Plan, Copy of Application, Comments from Chief Dumas
24. FY 19 Police Department Budget
25. Meeting memo regarding 8:15 p.m. Appointment: Edward Dello Iacono, Sr. of Atlantic Auto Solutions and Frank Iovanella of James Price d/b/a Car Lines to discuss the following: Class II Dealer Licenses at 185 Newburyport Turnpike; Location change of Atlantic Auto Solutions
26. Current Class II Dealers License issued to Edward Dello Iacono, Sr.
27. Current Class II Dealers License issued to Frank Iovanella of James Price d/b/a Car Lines
28. Letter from Edward Dello Iacono, Sr. of Atlantic Auto Solutions regarding location change
29. Memo from Amy Lydon to Board of Selectmen regarding Atlantic Auto Solutions, including attached application for new location
30. Email from Frank Marchegiani regarding Class II Site Licenses
31. Meeting Memo regarding New Business #2: Discuss Town Administrator contract renewal
32. Redlined version Deborah Eagan employment contract
33. Deborah Eagan employment contract from March 25, 2013
34. Deborah Eagan employment contract signed February 26, 2018
35. Meeting Memo regarding New Business #3: Open Special Town Meeting Warrant
36. Meeting Memo regarding New Business #4: Discuss setting up a meeting with the Board of Shellfish Commissioners to discuss the FY 19 Shellfish Commissioners Budget and Revolving Fund
37. Excerpt from May 1, 2017 Annual Town Meeting warrant highlighting Board of Cemetery Commissioners Article 3 annual compensation

38. Excerpt from May 1, 2017 Annual Town Meeting warrant highlighting Shellfish Commissioner wages
39. Shellfish Commissioners Bylaw
40. Meeting Memo regarding Old Business #1: Update on the Pine Grove School Project:
41. Review the draft Agreement with Dore & Whittier Concerning FF&E (furniture fixtures and equipment) and Technology Procurement; Approve the following: 1) authorization to purchase door hardware; 2) Amendment 5 to the W.T. Rich contract to cover the door hardware purchase
42. Draft Agreement with Dore & Whittier Concerning FF&E
43. Letter from Tom Mullen dated December 19, 2017 regarding Additional Service Request to Town of Rowley
44. November 22, 2017 Dore & Whittier Additional Service Request #11 – FF&E and Technology Procurement, including attachments
45. Meeting Memo regarding Old Business #2: Update on Fire Station and Police Station Addition Project and Eiras Park access during construction
46. Map of the Police and Fire Station construction site, with fence drawn onto map
47. Meeting Memo regarding Old Business #3: Update on the Annex Elevator project and Annex handicap ramp
48. Quote from CBI for Annex Elevator project and Annex handicap ramp project
49. Meeting Memo regarding Old Business #4: Discuss Capital projects: Completion of the Town Hall Window replacement project; Selectmen's Office floors; Town Hall Handicap ramp; Fire Alarm and security systems for municipal buildings
50. Meeting memo from February 12, 2018 regarding Discuss Capital Projects
51. Town Hall FY 19 Budget
52. Annex FY 19 Budget
53. Recycling FY 19 Budget
54. Inspection Department FY 19 Budget
55. Draft minutes of January 22, 2018
56. Draft minutes of January 29, 2018