

MINUTES OF THE BOARD OF SELECTMEN MEETING

May 20, 2019

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; David Petersen, Deana M.P. Ziev (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

PUBLIC ATTENDEES: Frank Iovanello; Bernard Cullen – 283 Wethersfield Street; Maggie Lemelin – 22 Bennett Hill Road

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.

Chairman Pierce welcomed Deana Ziev to the Board. Ziev said thank-you.

RE-ORGANIZATION OF THE BOARD

- Chairman
- Vice Chairman
- Clerk

Bob Snow made a motion to appoint Cliff Pierce as the Chairman, Joe Perry second, all in favor - aye (5-0).

Dave Petersen made a motion to appoint Joe Perry as the Vice Chairman, Cliff Pierce second, all in favor - aye (5-0).

Joe Perry made a motion to appoint Bob Snow as the Clerk, Dave Petersen second, all in favor - aye (4-0). Bob Snow - ABSTAINED

GENERAL BUSINESS

1. Request from the Rowley Veterans Association to hold annual Memorial Day Parade and Memorial Services on Monday, May 27, 2019

Chairman Pierce read the following:

The parade will start from the RVA parking lot at 1:00 p.m. From there, they will follow the parade route to the cemetery where a Memorial Day ceremony will be held.

The Board needs to vote to authorize the parade.

Petersen said the parade starts at 1:30 p.m. but marchers should be at the RVA at 1:00 p.m.

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

Petersen said the Cemetery workers are working hard to cut the grass, and the Boy and Girl Scouts will be putting the flags on the graves. He said the work on the Star Garden should be mostly complete. He said the Great Marsh Garden Club donated the money to do this work, and he thanked them for this donation.

NEW BUSINESS

2. Review Historic District Commission notice on proposed fence installation between 111 and 107 Main Street

Chairman Pierce read the letter. There were no comments on this.

3. Discuss and approve Merrimack Valley Planning Commission contract for assistance in preparing the Town's updated Stormwater Management Program in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES)

Chairman Pierce read the following:

One of the Town's requirements under the National Pollution Discharge Elimination System is to prepare a Stormwater Management Program Plan. The Merrimack Valley Planning Commission can do this work for the Town. Please see attached letter from Brent and contract. The cost of the contract is \$15,000 and we have the funds set aside in the FY 19 Stormwater Budget to cover this expense. The work will need to be done now and completed and submitted to the EPA by June 30, 2019.

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

4. Discuss Annual Independence Day Celebration

Chairman Pierce read the following:

Is the Board interested in holding this event this year? The Saturday before the Fourth of July Holiday is June 29.

The event includes a parade leaving from the Veterans Association parking lot on Bradford Street to the Town Common, followed by races on the Town Common. We have served hot dogs and slush in the past. We were thinking that it may be easier to have bagels and/or donuts and possibly slush. There have been electrical issues with the preparation of the hot dogs. Having prepared food, such as donuts and bagels cuts down on these issues. We serve the food starting at 8:45 a.m.

Snow said they have a lot of hot dogs leftover, and the event is held early, so it is early for hot dogs. Petersen said the COA or Congregational Church might have a large coffee urn. Pierce said we should keep the slush. Snow said we had five barrels last year. Ziev said it was hot last year. Bernie Cullen asked if the electrical problems have been resolved. Petersen said he believes so. Eagan said we can also get a Box of Joe instead of coffee urns. Ziev said they will provide cups and cream as well. Frank Iovanella said they provide coffee in a plastic insulator with 30 to 40 cups if you call in advance. Petersen said 50 to 60 cups of coffee should be good. He said June 29th is the last Saturday in June, and we will need to check with Tim Southall to see if he can run the games. Snow said volunteers will need to come in for CORI checks.

Bob Snow made a motion to set June 29th as the date for the Annual Independence Day Celebration, Deana Ziev second, all in favor - aye (5-0).

7:05 to 7:10 p.m. PUBLIC COMMENT

Petersen said the Annex handicap ramp construction begins tomorrow morning. He said Annex offices have made arrangements for this, and the project should be completed in two weeks.

7:15 p.m. REVOCATION HEARING – Edward Dello Iacono d/b/a Atlantic Auto Solutions, 185 Newburyport Turnpike, Rowley Class II Auto Dealer's License

Chairman Pierce read the following:

The licensee has vacated the premises. Regulatory Compliance Agent Frank Marchegiani has visited the site and has confirmed that Edward Dello Iacono, d/b/a Atlantic Auto Solutions has vacated the premises.

Pierce said there were a couple of cars there today. Frank Iovanella of Car Lines said those are his cars. Pierce reviewed the two letters that were sent by Amy Lydon and Deborah Eagan to Edward Dello Iacono. Eagan said Frank Marchegiani did two site visits, and the Rowley Police were consulted. She said the property owner also notified

us that the premises were vacated. Pierce said we have gotten no response from Mr. Dello Iacono, so we can conclude they have vacated the premises.

Joe Perry made a motion to revoke the Class II Dealer's License issued to Edward Dello Iacono d/b/a Atlantic Auto Solutions, located at 185 Newburyport Turnpike, Bob Snow second, all in favor - aye (5-0).

NEW BUSINESS

1. Request to increase car limit on Class II Auto Dealer's License held by James S. Price, Inc. d/b/a Carlines for 185 Newburyport Turnpike

Frank Iovanella said he is sorry about the way things turned out and he is embarrassed. He said he has cleaned up the property and the landscaper was there last week. He said the parking plan shows how the cars will be parked. He said a father and son will be working the business, and his goal is not to be before the Board again. Perry said the request is to increase the car limit from 12 to 42. Iovanella said yes, he has 10 cars there now.

Bob Snow made a motion to increase the car limit on the Class II Auto Dealer's License held by James S. Price, Inc. d/b/a Car Lines for 185 Newburyport Turnpike to 42 cars, Deana Ziev second, all in favor - aye (5-0).

7:30 p.m. APPOINTMENT – YMCA Director Chris Bevilacqua to provide an update on the YMCA Rowley Campus programs

YMCA Director Chris Bevilacqua is not feeling well and is unable to present to the Board tonight. This will be rescheduled for a future meeting.

OLD BUSINESS

1. Discuss the May 14, 2019 Annual Town Election Ballot Results

Chairman Pierce read the following:

Question 1 asked the voters if the position of Treasurer/Collector should be appointed. There were 397 yes and 308 No. This question passed. Additionally, the Town Meeting voted to make this position appointed. The current elected Treasurer will serve out her term, which runs for another three years. During this time, the Personnel Department will work on a job description for this position. Near the end of the elected term, the position will be posted and the position will be subsequently appointed by the Board of Selectmen.

Petersen said this is critically important. He said as an elected position, the only requirement is to be a resident, but now we will be able to appoint qualified people to the position.

Pierce continued:

Question 2 asked the voters if the name of the Board of Selectmen should be changed to a gender neutral name. This question was non-binding. There were 289 Yes votes and 423 No votes.

Question 3 asked the voters if the Town should ban or limit single-use plastic check out bags by retail establishments. This question was non-binding. There were 355 Yes votes and 359 No votes.

Pierce said the plastic bag question was defeated by four votes and it is his view that this won't move forward. Perry said this is an important issue and hopefully the State will do something. Pierce read the following:

While this measure was defeated locally, there is a bill in the Legislature that would ban single use plastic bags statewide. The bill, An Act Reducing Plastic Bag Pollution, was the subject of a public hearing on April 2 of the Joint Committee on the Environment, Natural Resources and Agriculture. The bill numbers are H.771 (House of Representatives) and S. 462 (Senate). Residents interested in banning plastic bags should contact the Town's legislative representatives, Senator Bruce Tarr and Representative Brad Hill.

Snow said many people bring bags into Market Basket. He said it would be nice if the bags were bio-degradable. He said paper bags are expensive. Petersen said the surrounding towns have bans for different types of plastic, and it would be good to have a statewide ban. He said it would be nice to have the student who spearheaded this effort to come back in to explain the benefits of doing this.

Bernie Cullen said he is opposed to the ban, but is disappointed it didn't pass because this needs to be debated. He said paper bags take four times the energy to produce versus plastic bags. He said the bigger problem is the alcohol nips and drinking and driving. He said the Board should think about the bigger picture and involve students.

2. Update on the intersection of Route 1 and Central and Glen Streets

Bob Snow said he has a meeting this Wednesday, and will update the Board at the next meeting.

3. Update on Pine Grove School project

The Massachusetts Department of Transportation just sent us the permit for the work on Main Street in front of the Pine Grove School. Larry Berger is not able to attend tonight's meeting due to illness. He was planning to discuss a contract amendment with Dore & Whittier (Documents attached).

Perry said he received an email from MassDOT regarding the access area from Route 1A, and they are reviewing the Dore & Whittier plan.

4. Update on Fire Station and Police Station project

Petersen said they are in the final steps and going through a punchlist. He said we are waiting for two signs in front of the buildings. He said they have tentatively set a date of June 22nd from 10:00 a.m. – 2:00 p.m. for an open house for both buildings and a ribbon cutting. He commended Architect Greg Carrell, the OPM and Jason Sperry who has bent over backwards during the construction.

GENERAL BUSINESS

1. Request from the Rowley Veterans Association to hold annual Memorial Day Parade and Memorial Services on Monday, May 27, 2019 – CONTINUED

Eagan said Mr. Leavitt is here to discuss the Memorial Day Parade. Leavitt said they would like to bring Old Nancy out if possible, and said it won't be fired, but they would like it to be part of the parade. Petersen said next year we can make it a regular in the parade. He said we need to figure out a trailer to put it on, and who will pull it. Petersen said we can start the planning earlier next year and expand the event. Snow said Veteran Agent Karen Tyler will be attending.

OLD BUSINESS

4. Update on Fire Station and Police Station project – CONTINUED

Bernie Cullen said he took a tour and was impressed by the 40 person capacity training room. Petersen said the Police Station room has a capacity of 32, and the Fire Station room has a capacity of 40. He said the room is large enough for the staff including the call firefighters, and it will also be used for regional training. Cullen asked if the rooms can be used for public board meetings. Petersen said we are going to hold off on this for now. He said parking is an issue, and there isn't lighting or a walkway from the parking areas near the ball fields.

FY 20 RE-APPOINTMENTS

<u>Position or Board/Commission Member</u>	<u>Appointee</u>	<u>Expiration Date</u>
Limited Lighting Bylaw Enforcement Agent <i>one year term</i>	Kirk Baker	6/30/2020
Board of Health <i>three year term</i>	Charles Costello	6/30/2022
Forest Fire Warden & Superintendent of the Fire Alarm <i>one year term</i>	James C. Broderick, Chief	6/30/2020
Forest Fire Warden & Superintendent of the Fire Alarm <i>one year term</i>	Mark Emery, Assistant	6/30/2020
Forest Fire Warden & Superintendent of the Fire Alarm <i>one year term</i>	James R. Merry, Assistant	6/30/2020
Call Fire Fighters <i>one year term</i>	Joseph R. Merry	6/30/2020
Call Fire Fighters <i>one year term</i>	Robert Serino	6/30/2020
Call Fire Fighters <i>one year term</i>	James Chadbourne	6/30/2020
Call Fire Fighters <i>one year term</i>	Ron Agrella	6/30/2020
Call Fire Fighters <i>one year term</i>	Charles Hazen, Jr.	6/30/2020
Call Fire Fighters <i>one year term</i>	Darcie Condelli	6/30/2020
Call Fire Fighters <i>one year term</i>	Jesse T Warren	6/30/2020
Call Fire Fighters <i>one year term</i>	John Condelli	6/30/2020

Call Fire Fighters <i>one year term</i>	Justin Graham	6/30/2020
Call Fire Fighters <i>one year term</i>	Donald Duprey	6/30/2020
Call Fire Fighters <i>one year term</i>	Matthew Harney	6/30/2020
Call Fire Fighters <i>one year term</i>	Matthew Ross	6/30/2020
Call Fire Fighters <i>one year term</i>	Timothy Shirley	6/30/2020
Call Fire Fighters <i>one year term</i>	Patrick McManus	6/30/2020
Call Fire Fighters <i>one year term</i>	Vincent Gaudenzi	6/30/2020
Call Fire Fighters <i>one year term</i>	Mark Winfrey	6/30/2020
Call Fire Fighters <i>one year term</i>	Evan Fish	6/30/2020
Call Fire Fighters <i>one year term</i>	Christopher Cassidy	6/30/2020
Call Fire Fighters <i>one year term</i>	Joshua Simpson	6/30/2020
Call Fire Fighters <i>one year term</i>	Brian Sculley	6/30/2020
Call Fire Fighters <i>one year term</i>	Robert O'Leary	6/30/2020
Fire Chaplain	Robert M.J. Hagopian	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	James Broderick, Fire Chief/Emergency Management Director	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Scott Dumas, Police Chief	6/30/2020

Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Patrick Snow - Highway Surveyor	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Deborah Eagan - Town Administrator	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Brienne Walsh COA Director	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Chairman Board of Selectmen - To be determined once Board reorganizes	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Vice Chairman Board of Selectmen - To be determined once Board reorganizes	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Matthew Brown - Light Plant Manager	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Frank Marchegiani, Health Agent	6/30/2020
Northern Essex Regional Emergency Planning Committee <i>one year term</i>	Bill DiMento, Harbormaster	6/30/2020
Rowley Emergency Management Agency	James Broderick, Fire Chief/ Emergency Management Director	6/30/2020
Rowley Emergency Management Agency	Scott Dumas, Police Chief	6/30/2020

Rowley Emergency Management Agency	Chairman Board of Selectmen - To be determined once Board reorganizes	6/30/2020
Rowley Emergency Management Agency	Vice Chairman Board of Selectmen - To be determined once Board reorganizes	6/30/2020
Rowley Emergency Management Agency	Brienne Walsh COA Director	6/30/2020
Rowley Emergency Management Agency	Patrick Snow - Highway Surveyor	6/30/2020
Rowley Emergency Management Agency	Frank Marchegiani - Health Agent	6/30/2020
Rowley Emergency Management Agency	Deborah Eagan - Town Administrator	6/30/2020
Rowley Emergency Management Agency	Matt Brown - Light Plant Manager	6/30/2020

Bob Snow made a motion to re-appoint Kirk Baker as the Limited Lighting Bylaw Enforcement Agent through 6/30/2020, Joe Perry second, all in favor - aye (5-0).

Bob Snow made a motion to re-appoint Charles Costello to the Board of Health through 6/30/2022, Dave Petersen second, all in favor - aye (5-0).

Dave Petersen made a motion to re-appoint James C. Broderick, Chief; Mark Emery, Assistant; James R. Merry Assistant to the Forest Fire Warden & Superintendent of the Fire Alarm through 6/30/2020, Bob Snow second, all in favor - aye (5-0).

Joe Perry made a motion to re-appoint the following Call Firefighters through 6/30/2020:

Joseph R. Merry	John Condelli	Vincent Gaudenzi
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Robert Serino	Justin Graham	Mark Winfrey
James Chadbourne	Donald Duprey	Evan Fish
Ron Agrella	Matthew Harney	Christopher Cassidy
Charles Hazen, Jr.	Matthew Ross	Joshua Simpson
Darcie Condelli	Timothy Shirley	Brian Sculley
Jesse T Warren	Patrick McManus	Robert O'Leary

Dave Petersen second, all in favor - aye (5-0).

Bob Snow made a motion to re-appoint Robert M.J. Hagopain as the Fire Chaplain through 6/30/2020, Joe Perry second, all in favor - aye (5-0).

Dave Petersen made a motion to re-appoint the following members of the Northern Essex Regional Emergency Planning Committee through 6/30/2020:

James Broderick, Fire Chief/Emergency Management Director	Cliff Pierce, Chairman Board of Selectmen
Scott Dumas, Police Chief	Joe Perry Vice Chairman Board of Selectmen
Patrick Snow - Highway Surveyor	Matthew Brown - Light Plant Manager
Deborah Eagan - Town Administrator	Frank Marchegiani, Health Agent
Brienne Walsh COA Director	Bill DiMento, Harbormaster

Bob Snow second, all in favor - aye (4-0). Selectman Ziev did not vote on this re-appointment.

Dave Petersen made a motion to re-appoint the following members of the Rowley Emergency Management Agency through 6/30/2020:

James Broderick, Fire Chief/ Emergency Management Director	Patrick Snow - Highway Surveyor
Scott Dumas, Police Chief	Frank Marchegiani - Health Agent
Cliff Pierce, Chairman Board of Selectmen	Deborah Eagan - Town Administrator
Joe Perry Vice Chairman Board of Selectmen	Matt Brown - Light Plant Manager
Brienne Walsh COA Director	

Bob Snow second, all in favor - aye (4-0). Selectman Ziev did not vote on this re-appointment.

FY 19 MGL Ch. 44 § 33B(b) Budget Transfers

- 1) Request from Town Administrator to transfer funds from Litigation to Selectmen's Expense to pay for Merrimack Valley Planning Commission Pictometry program

Chairman Pierce read the budget transfer form. Eagan said this is the Town's balance for the second payment for the pictometry program which is due in FY 19. She said the pictometry is used by a number of town departments. Pierce said the total transfer amount is \$5,268.00.

Joe Perry made a motion to approve this budget transfer request, Deana Ziev second, all in favor - aye (5-0).

The Selectmen signed the form.

MINUTES

- May 13, 2019

Bob Snow made a motion to approve minutes of May 13, 2019, Dave Petersen second, all in favor - aye (5-0).

ANNOUNCEMENTS

- Vacancies:
 - 1) Two vacancies on the Conservation Commission;
 - 2) One vacancy on the Zoning Board of Appeals Associate seat;
 - 3) One vacancy on the Rowley Municipal Light Board; and
 - 4) Several vacancies on the Rowley Cultural Council

Interested residents should send a letter of interest to the Board of Selectmen or call the Selectmen's Office at 948-2372.

ADJOURN

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

Open meeting adjourned at 7:57 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding Re-Organization of the Board
2. Meeting memo regarding General Business #1: Request from the Rowley Veterans Association to hold annual Memorial Day Parade and Memorial Services on Monday, May 27, 2019
3. Historic District Commission notice on proposed fence installation between 111 and 107 Main Street
4. Meeting memo regarding New Business #3: Discuss and approve Merrimack Valley Planning Commission contract for assistance in preparing the Town's updated Stormwater management Program in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES)
5. Merrimack Valley Planning Commission contract for assistance in preparing the Town's updated Stormwater management Program in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES)
6. Email from Brent Baeslack regarding Request for Funding to engage MVPC in preparation of Stormwater Management Program Plan, including attachment
7. Meeting memo regarding New Business #4: Discuss Annual Independence Day Celebration
8. Board of Selectmen Public Comment Policy for Public Meetings
9. Meeting memo regarding 7:15 p.m. Revocation Hearing– Edward Dello Iacono, d/b/a Atlantic Auto Solutions, 185 Newburyport Turnpike, Rowley Class II Auto Dealer's License
10. Email from Frank Marchegiani regarding Car Lines 185 Newburyport Turnpike follow up visit
11. Letter from Deborah Eagan dated May 14, 2019 regarding Hearing on Possible Revocation of Class II License, including enclosure
12. Class II Dealer's License issued to Edward Dello Iacono
13. Meeting memo regarding New Business #1: Request to increase car limit on Class II Auto Dealer's License held by James S. Price, Inc. d/b/a Carlines for 185 Newburyport Turnpike
14. Application for an Auto License package submitted by Frank Iovanella
15. Parking plan submitted by Frank Iovanella
16. Meeting memo regarding 7:30 Appointment - YMCA Director Chris Bevilacqua to provide an update on the YMCA Rowley Campus programs
17. Meeting memo regarding Old Business #1: Discuss the May 14, 2019 Annual Town Election Ballot Results
18. May 14, 2019 Annual Town Election Ballot Results
19. Meeting memo regarding Old Business #2: Update on the intersection of Route 1 and Central and Glenn Streets
20. Meeting memo regarding Old Business #3, including attachment: Update on Pine Grove School project
21. Meeting memo regarding Old Business #4: Fire Station and Police Station Addition Project Update

- 22. FY20 Re-Appointments
- 23. Letter from Charles Costello regarding re-appointment to Board of Health
- 24. FY19 Budget Transfer request, including attached MVPC invoice
- 25. Draft minutes of May 13, 2019