

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

May 8, 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, David Petersen, Robert Merry (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

**PUBLIC ATTENDEES:** Henry Rolfe; Bernard Cullen

### **CALL MEETING TO ORDER**

Chairman Perry called meeting to order at 7:00 p.m. Joseph Perry led the Pledge of Allegiance.

### **GENERAL BUSINESS**

1. Letter of resignation from Peter F. Carpentier from the Zoning Board of Appeals

Chairman Perry read the Letter of resignation from Peter F. Carpentier from the Zoning Board of Appeals.

Dave Petersen made a motion to accept this resignation with regrets and to send a letter of thanks, Bob Snow second, all in favor - aye (5-0).

2. Letter of resignation from David DelMonico from the Conservation Commission

Chairman Perry read the Letter of resignation from David DelMonico from the Conservation Commission.

Dave Petersen made a motion to accept this resignation with regrets and to send a letter of thanks, Bob Snow second, all in favor - aye (5-0).

3. Invitation from Fire Chief James Broderick to attend the Essex County Fire Chiefs Association Legislative Breakfast

Chairman Perry read the invitation. Bob Snow and Joseph Perry agreed to go to this breakfast.

4. Discuss Memorial Day Ceremony and special honor by the Eastern Essex Veterans District to honor Korean War Veterans

Chairman Perry read the following:

*The Rowley Veterans Association has sent a letter about the Annual Memorial Day Parade and Ceremony to be held on Monday, May 29 at 1:30 p.m. The Board needs to vote to authorize the parade.*

*Additionally, Eastern Essex Veterans Services Director Karen Tyler has informed Debbie of two items:*

- 1) *Korean War veterans will be honored this year, and*
- 2) *Governor Baker has partnered with Project 351 so that each city and town in the state will have an 8<sup>th</sup> grade "ambassador who will read a proclamation during the Memorial Day ceremony.*

*Vice Chairman Snow will update the Board on these items.*

Snow said he spoke to Karen Tyler this afternoon and told her Rowley's Ceremony begins at 1:00 p.m. He said Tyler has numerous events to attend that day, but will try to be here at 1:30 p.m. He said with Project 351, a student will be chosen to partake in the Ceremony at the Star Garden. He said in September/October, Korean War Veterans will be honored with a Korean Ambassador for Peace medal. He said to be eligible for this award, you must have served between June 25, 1950 and June 27, 1953, and your DD 214 Form is required. He said Form DD 214 gives information about what medals an individual has received and where they served. Eagan said the Governor's Office is spearheading Project 351.

Dave Petersen made a motion to authorize the Annual Memorial Day Parade and Ceremony to be held on Monday May 29, 2017 at 1:30 p.m. starting at the Rowley Veterans Association, Bob Snow second, all in favor - aye (5-0).

5. Letter from Essex National Heritage Commission regarding the Scenic Byway

Chairman Perry read this letter.

6. Letter from Georgetown Board of Selectmen regarding perambulation

Chairman Perry read this letter. Snow said he recalls doing the border perambulation six or seven years ago. Eagan said she participated in that perambulation and that we did Georgetown, but she is unsure if we did Newbury, Ipswich or Boxford. She said they put their devices on the boundaries and used GPS technology to document them.

Merry said he has a pretty good idea where the perambulation sites are, and he will go. Snow said he will also go.

## **NEW BUSINESS**

1. Discuss Bulfinch Group Financial Planning Services submitted by Police Chief Scott Dumas

Chairman Perry read the email from Police Chief Scott Dumas regarding Financial Planning. Perry said he is concerned about holding an event like this during work hours, and Rowley doesn't offer financial planning services to employees. Petersen said if we invite one group, we will have to acknowledge other groups, and this opens the door for others to come in to make presentations. Pierce said his concern is that employees would feel pressure to purchase these services, and although this is well intentioned by the Chief, he thinks we should avoid it. Petersen said it could be done in non-town buildings after hours, but there are a lot of potential problems, and this is not allowed on town time or property. Snow said the Town should refrain from giving financial advice to employees. Petersen said employees can participate in the Deferred Compensation plan through the State. He said allowing this would set a bad precedent.

2. Zoning Board of Appeals application submitted by Meridian Associates Inc. on behalf of 420 Newburyport Turnpike, LLC. to appeal the Building Inspector's decision on the building's height restriction pursuant to the Town's Protective Zoning Bylaws Section 6.5.1.4

Petersen said he has no problems with this and this is for an Ipswich Bay Glass building was in the back of their property. Pierce said this is regarding the interpretation of the height restriction bylaw, and the ZBA can decide this. Merry said this is not a big deal. Petersen said this is for the air conditioning unit.

3. Employment contract renewal with Town Accountant Susan Bailey

Chairman Perry read the following:

*Attached is the employment agreement with Town Accountant Susan Bailey. There were only two minor changes for the current agreement. She updated Section 8 Salary to reflect the FY 18 salary information and changed the last word in the last sentence under Section 11 subsection D to the word "estate."*

*If the Board is satisfied, then the Board needs to vote to sign the contract. There are two originals to be signed.*

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

The Selectmen signed two copies of the contract.

Bernie Cullen asked which Town employees have contracts. Petersen said the Police Chief, Fire Chief, Town Administrator, Principal Assessor and Library Director. Eagan said these are authorized under Chapter 41 Section 108N and there is no provision for the Water Superintendent under that statute.

4. Request from American Diabetes Association North Shore Tour de Cure to hold annual bike ride on May 21, 2017

Chairman Perry read the following:

*The American Diabetes Association has requested to hold their annual North Shore Tour de Cure bike race through Rowley via Route 1A on Sunday, May 21, 2017 from 8:45 a.m. through 12:15 p.m. We have requested a revised certificate of insurance naming the Town of Rowley as an additional insured.*

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

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

5. Public Hearing Notice from the Planning Board on Site Plan Application filed by Gerald Fandetti, Fire House Inn, LLC on May 11, 2017 at 8:25 p.m. at the Town Hall Annex

Chairman Perry read the Public Hearing Notice. Eagan said the Selectmen have been notified as parties in interest. Pierce said he will be at the hearing, and the Selectmen have their hearing on May 15, 2017. Merry said the Cemetery abuts this property, but there is a stone wall between the properties. Pierce said they are proposing landscaping on Cemetery property. Eagan said Nancy McCann has been trying to contact the Cemetery Commissioners to discuss this.

## **OLD BUSINESS**

1. Pine Grove School Project update – Schematic Design Report

Chairman Perry read the following:

*Dore & Whittier, the architects working on the Pine Grove School Feasibility Study have submitted the draft Schematic Design Report.*

*Chairman Perry will update the Board on this agenda item.*

Perry said the Schematic Design Report is a very thick binder, which he took home and read. He said it is interesting and there is an incredible amount of information included in it. He said hopefully the vote will turn out well tomorrow.

### **FY 18 BUDGET TRANSFERS**

1. MGL Ch. 44 § 33B(b) transfer request from Town Administrator Deborah Eagan from Town Counsel Litigation to Town Counsel Professional line

Eagan said the request is to move money (\$20,000) from the Town Counsel Litigation line to the Town Counsel Professional line. She said in FY17, professional legal work was needed for three sets of union negotiations, one of which is not yet settled, a lot of labor work, and legal work for the Pine Grove School project and the Police and Fire Station projects that were not paid from the project budgets. She said there are additional bills coming.

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

The Selectmen signed the transfer form.

### **FY 18 RE-APPOINTMENTS**

Bob Snow made a motion to approve the re-appointments listed below, Dave Petersen second, all in favor - aye (5-0).

| <b><u>Position or Board/Commission Member</u></b>            | <b><u>Appointee</u></b>      | <b><u>Expiration Date</u></b> |
|--|------------------------------|-------------------------------|
| <b>Animal Control Officer <i>one year term</i></b>           | Reed Wilson                  | 6/30/2018                     |
| <b>Alternate Animal Control Officer <i>one year term</i></b> | Carol Laroque Alt. Inspector | 6/30/2018                     |
| <b>CPA Administrator <i>one year appointment</i></b>         | Karen O'Donnell              | 6/30/2018                     |

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Bob Merry recused himself and sat in the audience at 7:38 p.m.

Dave Petersen made a motion to approve the Call Fire Fighter re-appointments listed below, Bob Snow second, all in favor - aye (4-0). Bob Merry - RECUSED

|  |                     |           |
|--|---------------------|-----------|
| <b>Call Fire Fighters</b> <i>one year term</i> | Joseph R. Merry     | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Robert Serino       | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | James Chadbourne    | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Donald Merry        | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Ron Agrella         | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Charles Hazen, Jr.  | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Darcie Condelli     | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Robert M J Hagopian | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Jesse T Warren      | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | John Condelli       | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Justin Graham       | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Andrew Nardone      | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Donald Duprey       | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Matthew Harney      | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Matthew Ross        | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Timothy Shirley     | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Patrick McManus     | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Vincent Gaudenzi    | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Mark Winfrey        | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Evan Fish           | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Christopher Cassidy | 6/30/2018 |
| <b>Call Fire Fighters</b> <i>one year term</i> | Joshua Simpson      | 6/30/2018 |

**Call Fire Fighters** *one year term* Brian Sculley 6/30/2018

Bob Merry returned to the Selectmen's table at 7:40 p.m.

Cliff Pierce made a motion to approve the Council on Aging re-appointments listed below, Dave Petersen second, all in favor - aye (4-0). Bob Merry - RECUSED

**Council on Aging** *three year term* Mary Bright 6/30/2020

**Council on Aging** *three year term* Joan Lyons 6/30/2020

Dave Petersen made a motion to approve the re-appointments listed below, Cliff Pierce second, all in favor - aye (4-0). Bob Merry - RECUSED

**Forest Fire Warden & Superintendent of the Fire Alarm** *one year term* James C. Broderick, Chief 6/30/2018

**Forest Fire Warden & Superintendent of the Fire Alarm** *one year term* Mark Emery, Assistant 6/30/2018

**Forest Fire Warden & Superintendent of the Fire Alarm** *one year term* James R. Merry, Assistant 6/30/2018

Dave Petersen made a motion to approve the REMA re-appointments listed below, Bob Snow second, all in favor - aye (5-0).

**Rowley Emergency Management Agency (REMA)** *one year term* James Broderick, Fire Chief/  
Emergency Management Director 6/30/2018

**Rowley Emergency Management Agency (REMA)** *one year term* Scott Dumas, Police Chief 6/30/2018

**Rowley Emergency Management Agency (REMA)** *one year term* Dan Folding, Light Plant Manager 6/30/2018

**Rowley Emergency Management Agency (REMA)** *one year term* Patrick Snow, Highway Surveyor 6/30/2018

**Rowley Emergency Management Agency (REMA)** *one year term* MaryBeth Wiser, Water  
Superintendent 6/30/2018

|   |   |           |
|---|---|-----------|
| <b>Rowley Emergency Management Agency (REMA) <i>one year term</i></b> | Frank Marchegiani, Health Agent                     | 6/30/2018 |
| <b>Rowley Emergency Management Agency (REMA) <i>one year term</i></b> | Deborah Eagan, Town Administrator                   | 6/30/2018 |
| <b>Rowley Emergency Management Agency (REMA) <i>one year term</i></b> | James DiMarino, R.A.C.E.S. (amateur radio operator) | 6/30/2018 |
| <b>Rowley Emergency Management Agency (REMA) <i>one year term</i></b> | Brienne Walsh, COA Director                         | 6/30/2018 |

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Dave Petersen made a motion to approve the re-appointments listed below, Cliff Pierce second, all in favor - aye (5-0).

|  |   |           |
|--|---|-----------|
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | James Broderick, Fire Chief/Emergency Management Director | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | Scott Dumas, Police Chief                                 | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | Frank Marchegiani, Health Agent                           | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | Brienne Walsh COA Director                                | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | Patrick Snow - Highway Surveyor                           | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | Deborah Eagan - Town Administrator                        | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee <i>one year term</i></b> | MaryBeth Wiser, Water Superintendent                      | 6/30/2018 |
| <b>Northern Essex Regional Emergency Planning Committee</b>                      | Bill DiMento, Harbormaster                                | 6/30/2018 |



*one year term*

**Northern Essex Regional**

**Emergency Planning Committee**

*one year term*

Dan Folding, Light Plant Manager

6/30/2018

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Bob Snow made a motion to approve the re-appointments listed below, Cliff Pierce second, all in favor - aye (5-0).

**Board of Appeals, Ch. 41 Sec 81**

*five year term*

Thomas W. Heidgerd

6/30/2022

**Zoning Board of Appeals (ZBA)**

*five year term*

Thomas W. Heidgerd

6/30/2022

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**MINUTES**

- April 3, 2017

Dave Petersen made a motion to approve April 3, 2017 minutes, Bob Snow second, all in favor - aye (5-0).

- May 1, 2017

Cliff Pierce made a motion to approve May 1, 2017 minutes, Bob Snow second, all in favor - aye (5-0).

**ADJOURN**

There being no further business before the Board, Chairman Perry called for a motion to adjourn. Bob Snow so moved, Cliff Pierce second, all in favor - aye (5-0).

Open meeting adjourned at 7:45 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

**ATTACHMENTS:**

1. Letter of resignation from Peter F. Carpentier from the Zoning Board of Appeals
2. Letter of resignation from David DelMonico from the Conservation Commission
3. Invitation from Fire Chief James Broderick to attend the Essex County Fire Chiefs Association Legislative Breakfast
4. Meeting memo regarding General Business #4: Discuss Memorial Day Ceremony and special honor by the Eastern Essex Veterans District to honor Korean War Veterans
5. Letter from Rowley Veterans Association regarding annual Memorial Day Parade and Ceremony
6. Flyer regarding Korean Ambassador for Peace Medal
7. Letter from Essex National Heritage Commission regarding the Scenic Byway
8. Letter from Georgetown Board of Selectmen regarding perambulation
9. Email from Police Chief Scott Dumas regarding Financial Planning
10. Document from Bulfinch Group Financial Planning Services titled Event Title: Financial Strategies for Significant Life Changes
11. Information packet from Bulfinch Group Financial Planning Services titled Wealth Steps
12. Zoning Board of Appeals application submitted by Meridian Associates Inc. on behalf of 420 Newburyport Turnpike, LLC. to appeal the Building Inspector's decision on the building's height restriction pursuant to the Town's Protective Zoning Bylaws Section 6.5.1.4
13. Meeting memo regarding New Business #3: Employment contract renewal with Town Accountant Susan Bailey
14. Signed contract for Town Accountant Susan Bailey
15. Meeting memo regarding New Business #4: Request from American Diabetes Association North Shore Tour de Cure to hold annual bike ride on May 21, 2017
16. Public Hearing Notice from the Planning Board on Site Plan Application filed by Gerald Fandetti, Fire House Inn, LLC on May 11, 2017 at 8:25 p.m. at the Town Hall Annex
17. Meeting memo regarding Old Business #1: Pine Grove School Project update – Schematic Design Report
18. Cover page for Pine Grove School Schematic Design Report dated May 18, 2016
19. MGL Ch. 44 § 33B(b) transfer request from Town Administrator Deborah Eagan from Town Counsel Litigation to Town Counsel Professional line
20. Meeting Memo regarding FY 18 Reappointments
21. Draft Minutes of April 3, 2017
22. Draft Minutes of May 1, 2017