

MINUTES OF THE BOARD OF SELECTMEN MEETING

October 16, 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: John Condelli – Rowley Fire Department; Mark Winfrey – Rowley Fire Department; Chris Cassidy – Rowley Fire Department; James Chadbourne – Rowley Fire Department; Brian Sculley – Rowley Fire Department; Vinny Gaudenzi – Rowley Fire Department; Matthew Ross – Rowley Fire Department; Lawrence White – FINCOM; Paul Jalbert – FINCOM; Donald D. Dupray – Rowley Fire Department; James C. Broderick – Rowley Fire Department; Mark Emery – Rowley Fire Department; Sharon Emery– Rowley Volunteer Fire Department; Doug Chadbourne – Rowley Fire Department; Roland Levasseur; Mo Levasseur; Tiffany Learned; Michelle Faulkner; Michael Sabatini; Jami Snow; Joan Petersen; Bernard Cullen – 283 Wethersfield Street; Anne Hagopian; J.P. Merry; Jesse T Warren; Susan Hazen; Chuck Hazen; Ariana Hazen; Sean McFadden; Karen M. O'Donnell; Karen Summit; Tim Toomey – 355 Central Street; Reverend Bob Hagopian; Representative Brad Hill

CALL MEETING TO ORDER

Chairman Perry called the meeting to order at 7:01 p.m. He said the meeting is being audio and video recorded digitally, but it not being shown live, and will be shown at a later date.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

7:00 p.m. APPOINTMENT Presentation of proclamation to Reverend Robert Hagopian in recognition of his many years of service to the Town

Chairman Perry said this is a very special appointment. He said three years ago, when the Committee started planning for the Town's 375th Anniversary, Reverend Bob said he was thinking of taking a sabbatical, but he said "I'll be at the Celebration." He said Reverend Bob and his wife were at the celebration, and they were dressed in period costumes.

Bob Snow made a motion to present this special Proclamation to Reverend Bob Hagopian, Cliff Pierce second, all in favor - aye (5-0).

Perry read the Proclamation. Representative Brad Hill said he would like to recognize Ann Hagopian since behind every good man there is a great woman. He presented a plant from Market Basket, the hub of Rowley, to Ann and thanked her for all she has done to support the Town of Rowley. He said hopefully the plant will remind her of us and her neighbors in Rowley. Hill thanked Reverend Bob for his hard, dedicated work and said he speaks for the entire room when he says Reverend Bob is an invaluable member of the community. He said he is a great leader, spiritually and otherwise, and he will be greatly missed. He said as the Reverend of the Congregational Church and as the Chaplain for the Rowley Police and Fire Departments, Reverend Bob has worked tirelessly and faithfully, whether in celebration or mourning, ready with open arms to comfort and guide us through life's issues. He said Reverend Bob and his equally wonderful wife Ann have been constant beacons of support; he thanked them both and he wished them well on their very well deserved retirement. Representative Hill read proclamations from the State House signed by Governor Charles Baker and Lieutenant Governor Karen Polito, and from the House of Representatives signed by the Speaker of the House Robert A. DeLeo. He said this is a bittersweet celebration, and congratulated Reverend Bob on a job well done.

Fire Captain Mark Emery presented Reverend Bob with a photo that has been in circulation, but has never been shown. Hagopian said that he had promised his mother-in-law that he would never go into a burning building, which was a white lie. He said the photo is after the Choate Bridge fire, where he stood with Mark Emery and others, and it shows him backing out of the window from the building that had been on fire. He said this is a great photo as it captures his duties as Chaplain and Firefighter. He said he will always cherish his Firefighter title, and he says a prayer for his fellow officers whenever he hears a siren or sees a fire truck.

Chairman Perry showed the piece of marble from the World Trade Center that the Town received as a result of Reverend Hagopian. Hagopian said he was a volunteer at St. Paul's Chapel in April and May of 2002, which is the chapel that survived at the site. He said this chapel became the haven for Police and Fire officers, as well as the construction workers, until the site was closed. He said the father of a man on one of the rescue units would come every day to see if his son's remains had been found. He said a retired New York City Firefighter took it upon himself to find pieces of marble from the lobbies, and he made crosses out of the marble. He said a cross was presented to the families of the Firefighters that were killed, and a cross was presented to the father who visited the chapel every day. He said the retired New York City Firefighter knew that Reverend Bob knew three people that were killed, and he gave him a cross to bring back to Town. He said each person in the congregation passed it around and then he and Roger Merry put the display together for Town Hall. He said the display honors the Rowley residents who were killed in the tragedy: Mary and Jim Trentini and Laurie

Olsen. He said he believes God brings light out of darkness, and that is exactly what he has seen happen since that day.

Bob Snow said the Ipswich Rotary made Reverend Bob the Man of the Year. He said the Rotary hasn't tracked him down yet to give him the plaque, Hagopian is a very humble man and we will miss him so much.

7:15 – 7:20 p.m. CITIZEN QUERY

Chairman Perry announced that Citizen Query will be held from 7:25 p.m. until 7:30 p.m.

Michael Sabatini said he lives at the Bradstreet Farm. He said the Town purchased this land ten years ago, and portions are used for passive recreation, and the Community Gardens are also located there. He said recently the Fire Chief told him that the access road, Elmwood Avenue, does not meet fire codes, is a safety hazard, and is a liability. He said the Fire Chief said the road is 12 feet wide, but needs to be 20 feet wide, and there are two culverts that need to have a barrier around them. He said the Building Inspector, Fire Chief and DPW have all been to the site. He said the Fire Chief said gravel could be installed on the sides of the road, and he would like to offer his assistance by cutting back the overgrowth and overhanging trees, spreading the gravel, and maintaining it going forward. He said the Town would provide the gravel. He said this is an urgent safety issue and liability and he would like to see it dealt with quickly.

Tim Toomey of 35 Central Street said he would like to ask a question. Chairman Perry said we won't take questions, but you can make a comment. Toomey said the Water Department Superintendent was put on administrative leave, and this has cost the Town \$30,000. He asked when he can bring this up and asked if an investigation has been conducted. Perry said we won't take questions. Toomey asked if Citizen's Query was meant for questions. Perry said no, you can make a statement like Mr. Sabatini did, but the Board will not respond to questions. Toomey said it is excessive that \$30,000 has been paid for this administrative leave, the public should know about this, and there should be an investigation produced by the Town to tell what happened. He said this person has been compensated and he wants to know when he can find out what type of agreement she has. He said the people of Rowley need to know this. He said the Water Department has been spending money foolishly, and we need to as a group come up with a solution. He said there has to be a more cost effective way to provide safe water. He said this is something everyone wants to know, \$30,000 has been paid to the Superintendent who has been home since June, which is more than most people's salaries. He said this is coming to a head now, and later there must be a settlement agreement. He said this should be transparent to the townspeople. He said the Town's water rates are the highest in the State.

Perry told Toomey his time is up.

GENERAL BUSINESS

1. Letter of resignation from Library Technician Joan Lyons

Chairman Perry read the letter of resignation.

Bob Snow made a motion to accept this resignation with regrets, Cliff Pierce second, all in favor - aye (5-0).

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

Chairman Perry read the request from Pam Jacobson.

Bob Snow made a motion to lift the hiring freeze for the position of Library Technician, Cliff Pierce second, all in favor - aye (5-0).

3. Invitation from the Eastern Essex Veterans District to attend the Korean Ambassador for Peace Ceremony on October 20, 2017 at Ipswich High School

Chairman Perry read the invitation. Dave Petersen said he will attend this ceremony.

4. Letter from Lisa Orgettas, Executive Director of the Independent Living Center of the North Shore regarding the October 18, 2017 Annual Meeting

Chairman Perry read the letter. Perry said this organization does a fine job for the disabled and we have been supporting them for years. He said he has attended the annual meetings in the past and they have done a fine job.

NEW BUSINESS

1. Request from Crown Castle to approve the modification of Verizon's equipment at the cell tower

Chairman Perry read the memo from Debbie Eagan.

Dave Petersen made a motion to approve the modifications to the Crown Castle Option and License Agreement to allow Verizon to replace six of the twelve antennae and to add six radios, Cliff Pierce second, all in favor - aye (5-0).

2. Discuss Verizon Cable License Renewal

Chairman Perry read the following:

Town Counsel Tom Mullen has been working on the Town's Verizon Cable License Renewal.

He's asked me to get the Board of Selectmen's feedback on how important it is for the Town to have a high definition "HD" PEG channel. PEG Access Director Janet Morrissey has informed Debbie that it would be great to have a local HD channel, but she doesn't want to lose the standard definition (SD) PEG Channel if we get the HD channel. Debbie has asked Tom Mullen if he can get an answer on this. Tom Mullen says that the Verizon attorney believes that the SD channel will remain, but he will confirm and get back to Tom.

Also, Janet wants to make sure that we have language in the license which will continue to require Verizon to maintain and repair their equipment and fiber for all the Town locations. Janet also wants to make sure that Verizon is required to wire a new cable studio, should we get one in the future.

Verizon has asked us to determine if any of the PEG Access equipment needs to be replaced. Tom Mullen is asking for us to do a needs assessment of the equipment. Debbie has asked Janet to do this.

Regarding the third channel, Janet feels we don't need the third Verizon channel. Channel 24 runs the Town bulletin board continuously and Channel 28 has the programming.

Does the Board have any comments or thoughts that Debbie can send to Tom?

Pierce said he agrees with Janet's comments. Snow said it about time we have HD channels for the local access. He said the clarity will be much better.

3. Request from Board of Water Commissioners to transfer funds from the Extraordinary & Unforeseen budget line to Unemployment budget line

Chairman Perry read the request from the Board of Water Commissioners. Petersen asked if there are still Water Department employees on unemployment. Bernie Cullen said there is one.

Dave Petersen made a motion to approve the request from Board of Water Commissioners to transfer \$15,000 from the Extraordinary & Unforeseen budget line to Unemployment budget line, Cliff Pierce second, all in favor - aye (5-0).

4. Request from the Conservation Commission to authorize the use of funds from the Wetland Protection Action Notice of Intent Filing Fees Account

Chairman Perry read the request letter.

Cliff Pierce made a motion to approve the request from the Conservation Commission to authorize the use of funds from the Wetland Protection Action Notice of Intent Filing Fees Account, Bob Snow second, all in favor - aye (5-0).

5. Approve Separation Agreement and accept resignation from Water Superintendent MaryBeth Wiser

Chairman Perry said, "The Board of Selectmen needs to vote to sign the Separation Agreement and vote to accept the resignation from MaryBeth Wiser."

Bob Snow made a motion to vote to sign the Separation Agreement and to accept the resignation from MaryBeth Wiser, Cliff Pierce second, all in favor - aye (5-0).

The Selectmen signed the separation agreement.

6. Review Planning Board Flood Plain Special Permit and Site Plan Application submitted by William Herrick, Jr. for a replacement/expansion of a bridge across the Mill River at 548 Wethersfield Street

Chairman Perry read the following:

The Planning Board has sent the Board of Selectmen a copy of a Flood Plain Special Permit and Site Plan Application submitted by William Herrick, Jr. for a replacement and expansion of a bridge across the Mill River at 548 Wethersfield Street. The Planning Board has scheduled the public hearing on this application for October 25, 2017.

Does the Board of Selectmen have any comments that they wish to submit to the Planning Board on this application?

Pierce said he doesn't see how the Board of Selectmen would have comments on this as this is a matter that the Planning Board decides with the expert opinion of its' consultant. The Board did not have any comments on this application.

OLD BUSINESS

1. Update on Pine Grove School Project

Chairman Perry read the following:

Contract Extensions

There are a number of documents for Chairman Perry to sign on the Pine Grove School Project.

The Project Funding Agreement is expected to be signed by the MSBA at any time now. The Board of Selectmen needs to vote to authorize Chairman Perry to sign contract extensions with:

- *Pinck & Company, Inc.*
- *Dore & Whittier Associates, Inc.*

pending the receipt of the fully-executed PFA.

Bob Snow made a motion to authorize Chairman Perry to sign the contract extensions with Pinck & Company, Inc. and Dore & Whittier Associates, Inc. pending the receipt of the fully-executed PFA, Cliff Pierce second, all in favor - aye (5-0).

Perry continued:

Alternates

The Pine Grove School ranked the alternates at the last meeting. The order is as follows:

1. *Linoleum flooring - \$170,000*
2. *Soffit (abatement and replacement) - \$101,000*
3. *Theater package - \$83,000*
4. *TPO roofing - \$46,000*

The Board of Selectmen needs to vote to ratify the order of the alternates.

Perry said when we go out to bid, if the cost comes in below the amount voted on for the project at Town Meeting, we can do some alternate work in the order of the list above that is voted on. He said if the bids are higher than expected, no alternate work will be done and the committee will need to decide which work gets cut.

Cliff Pierce made a motion to ratify the order of the alternates, Bob Snow second, all in favor - aye (5-0).

Perry continued:

Proprietary Items

The architect has determined that there are four proprietary specification items. The architect will be attending an upcoming Board of Selectmen's meeting to discuss these items and to explain why they are being classified as "proprietary." The Board of Selectmen will be required to vote on these items.

Early Construction Start

The contractor has requested to start working in April due to concerns over the timeline. He is proposing to start some of the site work on the Pine Grove School grounds, which will mean the girls' softball field will not be accessible this upcoming spring, along with

the spring of 2019. The contractor also would like to start demolition work in the kitchen during April school vacation week. This work will require closing and sealing off the All-Purpose Room, which then will impact Town Meeting, which is tentatively planned for April 30, 2018. The Building Committee has suggested holding the meeting in the school gymnasium, which is the same size as the All-Purpose Room. However, RCM Director Janet Morrissey has confirmed that she will not have a "live feed" capability in the gymnasium. Some options for the Board to consider are:

- 1) Move up Town Meeting by one week to April 23. Have the OPM, who reports to the Town, work with the contractor on scheduling construction work in other areas of the site and keeping the All Purpose Room open and available for Town Meeting, so that the live transmission of the meeting can be shown on the local cable channel.*
- 2) Have the Town Meeting in the gymnasium on April 30. The meeting will be video-recorded with no live feed. Town Meeting will be shown on the local cable channel later that week.*

Public Community Meeting

The Building Committee would like to hold another Public Community Meeting as a way to give the Townspeople an update on the project. The date for this meeting is November 16, 2017 at 7:00 p.m. in the All Purpose Room. The abutters to the school will be notified of this meeting. We'll also put a notice on the Town website, Rowley Community Media, on the Town's message signboards.

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

Chairman Perry read the following:

We are currently out to bid for the Fire Station and Police Station Addition project. Sub-bids are due on November 2 and General bids are due November 16. We'll be issuing an addendum to the bid documents with the permits from the Conservation Commission and the Zoning Board of Appeals. The ZBA hearing is scheduled for this upcoming Thursday, October 19. The Conservation Commission is continuing the discussion on the Stormwater Permit to their Tuesday, October 24th meeting.

3. Approve the Medex 2 MIIA retiree insurance renewal

Chairman Perry read the following:

At the August 21, 2017 meeting, the Board of Selectmen voted to switch to the Medex 2 retiree health insurance plan.

The Medex 2 plan runs on a calendar year basis. The 2018 monthly premium is \$398.43; the current FY 18 monthly premium is \$635.30. (These amounts are for the total premium and do not reflect the Town's 52.5% contribution.) After applying the Town's contribution, the retiree portion is \$189.26 per month.

The Board now needs to vote to approve the CY 18 Medex Premium. An informational session for retirees on the Medex 2 plan has been scheduled for Friday, October 25, 2017 in the Library Meeting room.

Dave Petersen made a motion to approve the CY 18 Medex Premium, Cliff Pierce second, all in favor - aye (5-0).

MINUTES

- September 18, 2017

Bob Snow made a motion to approve the September 18, 2017 minutes, Bob Merry second, all in favor - aye (3-0). Joe Perry – ABSTAIN. Cliff Pierce – ABSTAIN.

- September 18, 2017 Executive Session

These minutes were not voted on.

- October 2, 2017

Bob Snow made a motion to approve the October 2, 2017 minutes, Dave Petersen second, all in favor - aye (4-0). Cliff Pierce – ABSTAIN.

ANNOUNCEMENTS

- Halloween Trick or Treat Hours of 5:00 p.m. to 7:00 p.m. on Tuesday, October 31, 2017
- 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;
 - 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. Bob Snow so moved, Cliff Pierce second, all in favor - (5-0).

Open meeting adjourned at 8:01 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding 7:00 Appointment: Presentation of proclamation to Reverend Robert Hagopian in recognition of his many years of service to the Town
2. Proclamation presented to Reverend Robert Hagopian in recognition of his many years of service to the Town
3. Letter of resignation from Library Technician Joan Lyons
4. Request from Library Director Pam Jacobson to lift the hiring freeze for the position of Library Technician
5. Invitation from the Eastern Essex Veterans District to attend the Korean Ambassador for Peace Ceremony on October 20, 2017 at Ipswich High School
6. Letter from Lisa Orgettas, Executive Director of the Independent Living Center of the North Shore regarding the October 18, 2017 Annual Meeting
7. Memo from Debbie Eagan to Board of Selectmen regarding Crown Castle modification request
8. Request from Crown Castle to approve the modification of Verizon's equipment at the cell tower
9. Meeting memo regarding New Business #2: Discuss Verizon Cable License Renewal
10. Email correspondence regarding Verizon Letter
11. Draft Cable Television Renewal License with Verizon
12. Request from Board of Water Commissioners to transfer funds from the Extraordinary & Unforeseen budget line to Unemployment budget line
13. Request from the Conservation Commission to authorize the use of funds from the Wetland Protection Action Notice of Intent Filing Fees Account
14. Meeting memo regarding New Business #5: Approve Separation Agreement and accept resignation from Water Superintendent MaryBeth Wiser
15. Signed Separation Agreement with MaryBeth Wiser
16. Resignation letter from Water Superintendent MaryBeth Wiser

17. Meeting memo regarding New Business #6: Review Planning Board Flood Plain Special Permit and Site Plan Application submitted by William Herrick, Jr. for a replacement/expansion of a bridge across the Mill River at 548 Wethersfield Street
18. Planning Board Flood Plain Special Permit and Site Plan Application submitted by William Herrick, Jr. for a replacement/expansion of a bridge across the Mill River at 548 Wethersfield Street
19. Meeting memo regarding Old Business #1: Update on Pine Grove School Project
20. Meeting memo regarding Old Business #2: Update on the Fire Station and Police Station Addition project
21. Meeting memo regarding Old Business #3: Approve the Medex 2 MIIA retiree insurance renewal
22. MIIA Renewal Proposal for Medex 2
23. MIIA Renewal Proposal for Medex 3 (current plan)
24. Memo from Karen Summit to Medex Retirees regarding Retiree Informational Session on October 27th
25. Draft Minutes of September 18, 2017
26. Draft Minutes of October 2, 2017