

MINUTES OF THE BOARD OF SELECTMEN MEETING

September 24, 2018

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

7:00 p.m.

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

PUBLIC ATTENDEES: David Zizza – 29 Bradford Street; Bryan DiPersia – 588 Wethersfield Street; Bernard Cullen – 283 Wethersfield Street; Bonnie Berkowitz – 623 Wethersfield Street; Barbara Berkowitz – 623 Wethersfield Street

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.

GENERAL BUSINESS

1. Letter of resignation from Edna Keyes from the Council on Aging Board

Chairman Pierce read the letter of resignation from Edna Keyes.

Bob Merry made a motion to accept this resignation with thanks and said Edna Keyes is a long-term resident of Rowley, Bob Snow second, all in favor - aye (4-0). Joe Perry - ABSENT

NEW BUSINESS

1. Review Planning Board Special Permit Application filed by Taylor Lane LLC for an Open Space Residential Subdivision at 430 Wethersfield Street

Chairman Pierce said he is an abutter to this project and won't be able to vote on it. He said this is a pretty significant development for the Town with up to 60 units. He said this is the first of a multi-phase project. Petersen said he has concerns about the traffic flow with 60 new homes at the Route 1 and Wethersfield Street intersection. He said he hopes the State will look at this from a safety perspective. Eagan said the Board has sent a letter to the Secretary of Transportation about this intersection, and the Town is requesting funding through the Environmental Bond Bill. She said she is not sure what

the status of the MassDOT traffic study. Petersen said we should send a letter about these concerns to the Planning Board, Mass Highway, Senator Tarr and Representative Hill, and make them aware of this potential development and ask them to plan for this new traffic. Snow said there have been two fatalities at this intersection and a near fatality from a third accident.

Pierce said the entrance to the development road, Taylor Lane, is just past the YMCA camp parking lot, which is a blind corner that is already dangerous. He said hopefully the Planning Board will take a close look at this. Pierce said this is being developed as an Open Space Residential Development which will include 52 acres of open space being added to the Dodge Reservation. Petersen said there are two traffic concerns that should be communicated to the Planning Board. Eagan said these are old country roads not intended for this amount of traffic, and infrastructure upgrades may be needed.

Bernie Cullen asked if the development will have a connection to Route 133. Pierce said not in this phase, but in future phases it may connect to Daniels Road. Petersen said there are two different developers that seem to be coordinating together. He said there will be single family homes and townhouses.

Dave Petersen made a motion to send the following letters:

- To MassHighway with concerns about the Route 1 and Wethersfield Street intersection, with a cc to the Planning Board
- To the Planning Board with concerns about the Taylor Lane and Wethersfield Street intersection

, Bob Snow second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce - ABSTAINED

2. Request from Building Inspector Ken Ward to designate position of Alternate Electrical Inspector as Special Municipal Employee under Massachusetts General Laws Chapter 268A and to appoint James Cotter to the position of Alternate Electrical Inspector

Cliff Pierce read the following from the memo from Amy Lydon:

- *The position of Alternate Electrical Inspector is vacant*
- *James Cotter applied for this position and Ken Ward has requested that he be appointed to this position*
- *Because Cotter has an electrician business in Town and is used by various Town departments on occasion, there is a conflict of interest under G.L. c. 268A.*
- *The State Ethics Commission noted that the conflict can be addressed by doing the following:*

1. *Board of Selectmen designate the position as a Special Municipal Employee*
2. *Board of Selectmen appoints Cotter to the position with the following conditions:*
 - a) *Cotter must file a Section 20C disclosure with the Town Clerk prior to each time he performs electrical work for the Town*
 - b) *Cotter can work no more than 800 hours per year as the Alternate Electrical Inspector*
 - c) *Cotter must take the online State Ethics exam*
 - d) *Cotter must be sworn in with the Town Clerk*
 - e) *Cotter is prohibited from issuing himself electrical permits*

Dave Petersen made a motion to designate the Alternate Electrical Inspector position as a Special Municipal Employee under Massachusetts General Laws Chapter 268A, Bob Snow second, all in favor - aye (4-0). Joe Perry - ABSENT

Dave Petersen made a motion to appoint James Cotter to the position of Alternate Electrical Inspector subject to the following conditions:

- a) Cotter must file a Section 20C disclosure with the Town Clerk prior to each time he performs electrical work for the Town
- b) Cotter can work no more than 800 hours per year as the Alternate Electrical Inspector
- c) Cotter must take the online State Ethics exam
- d) Cotter must be sworn in with the Town Clerk
- e) Cotter is prohibited from issuing himself electrical permits
- f) Subject to completion of final background check

Bob Snow second, all in favor - aye (4-0). Joe Perry - ABSENT

7:10 to 7:15 p.m. PUBLIC COMMENT

There were no Public Comments.

3. Discuss: zoning changes; update on Didax property at 395 Wethersfield Street; and possible Special Town Meeting dates

Chairman Pierce read the following:

The Planning Board has been working with the Zoning Review Committee on amending various zoning bylaws with the goal of expanding areas for economic growth. The Planning Board has also been reviewing zoning changes for the parcel adjacent to 395 Main Street. Didax is hoping to find a larger site in Rowley to re-locate their business.

Cliff asked Debbie to narrow down possible dates to hold a Special Town Meeting. Debbie has reached out to Town Planner Kirk Baker. The Planning Board needs time:

to draft the zoning bylaw changes; have Town Counsel review the changes; and to hold public hearings. This process runs approximately two months.

Some suggested dates are: December 10, January 7, and January 14. Debbie feels that the best possible date is January 14, based on the time frame for the requirements that the Planning Board needs to follow and the Town Meeting posting requirements. The Didax attorney, John Smolak, seems to think that this date may work, but needs more time to review the timeline of all the requirements.

Pierce said it is impractical to hold the Special Town Meeting in the fall and said the January 14 seems to be a good date. Eagan said there was a typo on the agenda that listed the Didax building at 395 Wethersfield Street, and this should be 395 Main Street. The Board was in agreement with January 14, 2019 being the tentative date for the Special Town Meeting.

Bryan DiPersia asked what the other potential zoning bylaw changes are. Pierce outlined the following potential zoning bylaw changes:

- Turn parcel behind Didax building into a transit oriented overlay district due to its proximity to the MBTA station. This would allow for a more dense multi-family development.
- Allow commercial development along Route 1, north of Wethersfield Street
- The Area around Route 95 is in the Business/Light Industry District, and the potential zoning change would allow for retail uses.
- The land at the end of the Forest Ridge subdivision would be available for commercial development.

OLD BUSINESS

1. Pine Grove School Project Update

Chairman Pierce said he attended the construction meeting last Friday, and they reported that drop-offs and pick-ups went well last week. He said the plan redesign for the front entrance was presented. He said the problem now is that it doesn't allow buses leaving the school to stay in their own lane, because the lanes are too narrow. He said the plan to correct this is to widen the entrance to 32 feet and allow for a larger radius on each side. He said they feel this will correct the problem, they hope to build this in November of this year, and they need to get approval from the MSBA. He said they were assured at the meeting that the Town would not be responsible for paying for this, rather the contractor or sub-contractor would pay for it. Petersen said this was a poor design to begin with. Bernie Cullen asked if this agreement was documented. Pierce said no, it was said orally at the meeting and should be in the meeting minutes.

2. Fire Station and Police Station Addition Project Update and award Fire Station Capture Exhaust System contract to Air Cleaning Specialists of New England, LLC

Chairman Pierce read the following:

The installation of the roof is complete. Light fixtures are being installed. The drywall in the police station addition is expected to be done this week. The water lines were installed last week.

One bid was received in response to the Invitation for Bids for the Fire Station Capture Exhaust System. The bid was submitted by Air Cleaning Specialists of New England, LLC of Hanover, Massachusetts in the amount of \$36,113.00, with the alternate of \$3,690.00 for a total of \$39,803.00. The alternate provides another access point for exhaust from ladder trucks from other towns manning the Rowley Fire Station during mutual aid situations. Most ladder trucks do not have an exhaust stack, like the Rowley ladder truck does. The bid amount is substantially less than the expected cost of approximately \$60,000 for this system.

Debbie is asking the Board of Selectmen to award the contract for the Fire Station Capture Exhaust System to Air Cleaning Specialist of New England LLC in the amount of \$39,803.00 and to vote execute and sign a contact with Air Cleaning Specialists of New England. (The contract will be submitted next week and can be signed by the Board when it comes in.)

Dave Petersen made a motion to award the contract for the Fire Station Capture Exhaust System to Air Cleaning Specialist of New England LLC in the amount of \$39,803.00 and to execute and sign a contract with Air Cleaning Specialist of New England LLC, Bob Snow second, all in favor - aye (4-0). Joe Perry - ABSENT

7:15 p.m. APPOINTMENT Shawn Giles to discuss interest in Assistant Harbormaster position

This applicant did not appear before the Board.

7:25 p.m. APPOINTMENT Jenna DiMento to discuss interest in Assistant Harbormaster position

Chairman Pierce asked Jenna DiMento the following questions. DiMento's responses are recorded in italic font below.

- 1) Why do you want to be an Assistant Harbormaster?

Always wanted to be as long as she can remember. Her father is the Harbormaster and she grew up helping him and loves the work. She grew up in Rowley and practically lives on the Rowley river. She officially wants to run and be involved in the maintenance.

- 2) How do you feel that you are qualified for this position?
 - a) How many years' experience operating boats do you have? *Been boating her whole life, and has been driving boats herself for 13 years.*
 - b) What type of boat or boats have you operated?
 - c) The Harbormaster department has a 21 foot Boston Whaler and a 23 foot Pumpout Boat. Have you operated the types of boats? *She has operated boats ranging from 8 feet to 47 feet long, and owns many boats. Has operated the Town's pumpout boat for the past six years and the Harbormaster's boat. She has summers off from her teaching job.*

- 3) Do you meet these minimum qualifications for the position:
 - a) Do you have a US Coast Guard Safe Boating Certificate or equivalent Certificate? *Yes*
 - b) Do you have a current CPR/first aid or EMT certificate? *Yes as of last Saturday*

- 4) Are you familiar with VHF radio communication and emergency procedures?
Channel 16 is the Harbormaster channel
- 5) Do you know what is Channel 9 used for? (ANSWER: Boater to boater calling)
Channel 9 is for Boater to Boater calls

- 6) Do you feel that you are capable of performing the physical requirements of this position which include but is not limited to the following:
 - a) Lifting up to 75 pounds (Mushroom moorings)
 - b) Strenuous work installing 21 foot metal pipes used to stake out the river
 - c) Agility in moving from vessel to vessel in adverse weather conditions
 - d) Good swimming ability*Yes to all.*

- 7) An important part of the job is responding to emergency calls, at any time of the day on any day. Do you have any concerns about this?
No – has been doing already for a long time – middle of the night in freezing weather at dead low tide.

- 8) You will be expected to participate in two events during the year:
 - a) In the Spring: prepping boats, painting markers, painting boats, installing docks
 - b) In the Fall: removing channel markers and docksDo you have any concerns about this?

No – already participates in these events.

Petersen said DiMento graduated #3 out of 220 at Triton and was summa Cum Laude at Ithica College. He said she is well rounded, the other applicant did not show up, and DiMento is well qualified.

Dave Petersen made a motion to appoint Jenna DiMento as Assistant Harbormaster, Bob Snow second, all in favor - aye (4-0). Joe Perry - ABSENT

MINUTES

- September 17, 2018

Bob Snow made a motion to approve the September 17, 2018 minutes, Dave Petersen second, all in favor - aye (4-0). Joe Perry - ABSENT

ANNOUNCEMENTS

- The Rowley Public Library is hosting an Open House on Saturday, September 29, 2018 from 10:00 a.m. to noon to welcome the new Children's Librarian, Miranda Griffiths**
- The YMCA is inviting Rowley residents for a tour of Camp Cedar Mill, dinner, and a discussion on the types of year round programs residents are interested in having at Camp Cedar Mill. Three sessions will be held in October that residents can attend:
 - 1) Tuesday, October 16 at 5:00 p.m.
 - 2) Tuesday, October 23 at 5:00 p.m.
 - 3) Thursday, October 25 at 5:00 p.m.Please RSVP to Farrah Dube-Paent at dubef@northshoreymca.org
- The Town has the following vacancies:
 - a. Agricultural Commission Associate
 - b. Cultural Council
 - c. Council on Aging
 - d. Fence Viewer – three positions;
 - e. Wood, Lumber & Bark Inspector;
 - f. Zoning Board of Appeals Associate – three seats; and
 - g. 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

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Dave Petersen second, all in favor - aye (4-0). Joe Perry – ABSENT

Open meeting adjourned at 7:32 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS

1. Letter of resignation from Edna Keyes from the Council on Aging Board
2. Email from Kirk Baker regarding New OSRD review for Planning Board review – Comments requested
3. Planning Board Special Permit Application filed by Taylor Lane LLC for an Open Space Residential Subdivision at 430 Wethersfield Street
4. Memo from Amy Lydon to Board of Selectmen regarding Special Municipal Employee Status of Alternate Electrical Inspector, including attachments
5. Board of Selectmen Public Comment Policy for Public Meetings
6. Meeting memo regarding New Business #3: Discuss: zoning changes; update on Didax property at 395 Wethersfield Street; and possible Special Town Meeting dates
7. Email from John Smolak regarding special town meeting
8. Meeting memo regarding Old Business #1: Pine Grove School Project Update
9. Meeting memo regarding Old Business #2: Fire Station and Police Station Addition Project Update and award Fire Station Capture Exhaust System contract to Air Cleaning Specialists of New England, LLC
10. Notice of Award to Air Cleaning Specialists of New England, LLC
11. Job Vacancy Notice for Assistant Harbormaster
12. Job Description for Assistant Harbormaster
13. Meeting memo regarding 7:15 p.m. Appointment: Shawn Giles to discuss interest in Assistant Harbormaster position
14. Redacted cover letter from Shawn Giles
15. Redacted resume from Shawn Giles
16. Meeting memo regarding 7:25 p.m. Appointment: Jenna DiMento to discuss interest in Assistant Harbormaster position
17. Redacted resume from Jenna DiMento
18. American Red Cross Certificate of Completion for Adult First Aid/CPR/AED issued to Jenna DiMento
19. Draft minutes of September 17, 2018