

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

May 13, 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 (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

**PUBLIC ATTENDEES:** Christopher Harlow; Frank Iovanella; Terri Davidson Cabitt; Bernie Cullen – 283 Wethersfield Street; Bryan DiPersia – 500 Wethersfield Street

### **CALL MEETING TO ORDER**

Chairman Pierce called the meeting to order at 7:00 p.m.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **GENERAL BUSINESS**

1. Request from the Town Clerk Susan Hazen to appoint the following Election Workers:
  - a. William J. Cousins
  - b. Kimberly G. Perilli

Bob Snow made a motion to appoint William J. Cousins and Kimberly G. Perilli as Election Workers through June 30, 2019, Joe Perry second, all in favor - aye (4-0).

2. Request from Rowley Cub Scout Pack 15 to use the Town Common on May 19, 2019 for a Bridging Ceremony

Chairman Pierce read the following:

*Jacquelyn Savage of Rowley Cub Scout Pack 15 sent the following request:*

*To Whom It May Concern,*

*I am sending a written request to ask for the use of the town common for our Rowley Cub Scout (Pack 15) Bridging Ceremony. The date and time that we are looking to celebrate their achievements is Sunday May 19 with a 6PM start time for the ceremony. Please let me know if this date works.*

*Sincerely,*

*Jacquelyn Savage*

*She said they will have approximately 55 people attending the event. The Police Chief, Fire Chief, Highway Surveyor and Health Services Coordinator didn't have any comments or concerns about this request.*

Dave Petersen made a motion to authorize the use of the Town Common by the Rowley Cub Scout Pack 15 for their bridging ceremony on Sunday May 19 starting at 6:00 p.m., Bob Snow second, all in favor - aye (4-0).

3. Letter of resignation from Guillaume Buell from the Associate Member of the Zoning Board of Appeals

Chairman Pierce read the resignation notice.

Joe Perry made a motion to accept the resignation with regret, Bob Snow second, all in favor - aye (4-0).

### **NEW BUSINESS**

1. Set meeting schedule for June, July and August

Chairman Pierce read the proposed meeting schedule as follows:

*June 3, 2019*

*June 17, 2019*

*July 1, 2019*

*July 15, 2019*

*July 29, 2019*

*August 12, 2019*

*August 26, 2019*

Joe Perry made a motion to approve the meeting schedule as read, Bob Snow second, all in favor - aye (4-0).

Perry said he cannot attend the June 17<sup>th</sup> meeting.

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

Petersen said he checked with the Rowley Veterans Association today, and the Memorial Day Parade will be held on May 27<sup>th</sup>. He said the parade will leave the RVA at 1:30 p.m. and head to the Cemetery and then the Town Common. He said flags will

be placed in the Cemetery by the Boy Scouts. He asked that this information be put on the Town website and Rowley Community Media.

Perry said the State Department of Transportation approved the new entrance at Pine Grove School.

Eagan said next week the Board should vote on the Memorial Day Parade.

## **NEW BUSINESS**

2. Discuss status of Atlantic Auto Solutions Class II Dealer's License at 185 Newburyport Turnpike and letter from Frank Iovanella of Carlines

Chairman Pierce read the following:

*The Board has two licenses issued to 185 Newburyport Turnpike as follows:*

- *Edward Dello Iacono, Sr. d/b/a Atlantic Auto Solutions for a 30 car limit.*
- *Frank Iovanella and James Price Inc. d/b/a Carlines for a 12 car limit*

*Atlantic Auto Solutions has vacated the premises at 185 Newburyport Turnpike. Please see the attached report from Regulatory Compliance Agent Frank Marchegiani.*

*We sent a certified letter to Edward Dello Iacono on May 6, 2019 requesting that he turn in the license. We received the receipt that Mr. Dello Iacono received the letter on May 9, 2019. We have not yet received the license back.*

*Frank Iovanella of Carlines wishes to amend his license back to a 42 car limit, which is the total amount of vehicles allowed at 185 Newburyport Turnpike (see attached letters). Until the Board receives the license issued to Mr. Dello Iacono, or until that license is revoked, a new license with the 42 car limit cannot be issued to Mr. Iovanella. While the Selectmen set car limits, this address is a grand-fathered non-conforming location and it has been the practice to not increase car limits at these locations.*

*Does the Board wish to schedule a revocation hearing in case Mr. Dello Iacono doesn't return the license?*

Eagan said she suggests that this be considered urgent. She said Mr. Dello Iacono knows the license needs to be returned, but has failed to contact the Town. She suggested holding the revocation hearing next Monday, and to inform him of the hearing via a certified letter. She said under the statute, it is clear that the license is issued to the premises, and we know that he is no longer there. She said we should inform the bond holder as well.

Joe Perry made a motion to hold a revocation hearing on Monday, May 20, 2019 at 7:15 p.m., and to provide the required notices, Bob Snow second, all in favor - aye (4-0).

Frank Iovanella of Carlines said he is sorry it has ended this way. He said Dello Iacono informed him in April that he could no longer pay the rent. He said he visited the building in mid-April and the conditions were bad, and there were guys he didn't know there. He said he told all of them they were to be out by April 30<sup>th</sup>. He said he gave them until May 2<sup>nd</sup> to get all the items out, and towed away the last several vehicles that hadn't been removed. He said he has been at that location since 2001. He said Dello Iacono indicated that he was ill, and was pushing him to lease the space to the other men he was working with. He said he plans to clean up the property, and will have a father and son working with him at the site. He said he won't rent the location out again, he is embarrassed and this is a high profile site.

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

Terri Davidson asked the Board of clarify the potential cost to change the name of the Board of Selectmen. Pierce said it would be pretty minimal, and Town Counsel would draft an article. Eagan said every reference to the Board of Selectmen in the bylaws and general bylaws would need to be changed. Pierce said we can either get a vote of the legislation to do this, or pass an article at Town Meeting. He said we would pass an article at Town Meeting. Davidson said she heard the cost would be around \$600. Pierce said it will be probably be close to that. Eagan said the staff will also need time to revise the bylaws.

**7:15 p.m. APPOINTMENT** – Fire Chief/REMA Director James Broderick to discuss firefighter work schedules and emergency communications trailer

Fire Chief Broderick said they received a trailer from Amesbury 10 years ago as its' third owner. He said the roof has deteriorated and it has leaked and caused a lot of damage. He said all items from the trailer have been salvaged and are now in the new Fire Station. He asked that the Board declare the trailer as surplus property and said its value is minimal.

Bob Snow made a motion to declare the trailer surplus property and to dispose of it, Joe Perry second, all in favor - aye (4-0).

Broderick said the proposed schedule for the staff with the two new Firefighters is for 14 hours of coverage as follows:

First shift: 6:00 a.m. – 2:00 p.m.

Second shift: 12:00 p.m. – 8:00 p.m.

He said this schedule will provide coverage during the morning and evening commute, there will be a two hour overlap in shifts for the transfer of information, and the second shift will be home to their families by 8:00 p.m. He said they will swap shifts after a few months. He said when he is in the station from 8:00 a.m. to 4:00 p.m., he will be the third person on the truck when needed.

Broderick said regarding the hiring process, they have narrowed it to five candidates and will try to bring it down to three candidates. Bernie Cullen asked about weekend coverage. Broderick said there will be no change, the full time firefighters will alternate their availability to respond to calls.

Bob Snow made a motion to approve the staffing schedule as presented, Dave Petersen second, all in favor - aye (4-0).

Broderick said there will be an open house on Saturday June 22, 2019 from 10:00 a.m. to 2:00 p.m. for both buildings. He said there will be a dedication and then tours.

### **NEW BUSINESS**

#### **3. Discuss Town Administrator Deborah Eagan Performance Appraisal**

Chairman Pierce read the listing of projects that Eagan has been working on. Petersen said he is the Chairman of the Personnel Advisory Committee and Eagan and Lydon put a lot of work into totally revamping the Personnel Plan. He said there was an unbelievable amount of work on this above all the normal work, and Eagan deserves an A+ on this. Pierce said compiling the Annual and Special Town Meeting warrant was an immense undertaking, but it gets done somehow and she does an amazing job. Petersen said Eagan has worked on the Police and Fire Station projects with the bidding work, and she goes to almost all of the building meetings. He said she is a big help to the Board of Selectmen, the architect and the OPM. Perry said Eagan has filled a similar role with the Pine Grove School project with the documentation, RFPs, which are correct and accurate. Snow said Board members often receive emails from Eagan on Saturdays and Sundays, she does a remarkable job and she makes the Chair's job easier. Pierce said Eagan is the glue that holds the Town together.

Bernie Cullen said on behalf of the Water Department, they get the support they need from Eagan, and the culture at Town Hall is constructive, positive and supportive under her leadership. Petersen said Eagan's door is open when you have a question or concern, and she is a stickler for doing things the right way. He said Eagan interacts well with everyone at Town Hall.

Pierce said Eagan was given all "Excellent" ratings on her last two appraisals, and he is prepared to give her "Excellent" ratings on this appraisal. Snow said nothing has changed and things have gotten better. Perry said Eagan does an incredible job. Petersen said it would be tough not to give all "Excellent" ratings and he cannot recall an incident when she didn't do something correctly.

Joe Perry made a motion to give Eagan "excellent" and "5" ratings in each category of the appraisal, Bob Snow second, all in favor - aye (4-0).

Eagan thanked the Board, said it is an honor to work with them, the Personnel Advisory Committee and the townspeople for the past 21 years.

4. Request from Chris Walsh to re-purpose Pine Grove School power flame gas burner for HVAC boiler and 1 Boge receiver air dryer for HVAC pneumatic controls

Chairman Pierce read the following:

*The Pine Grove School has several pieces of equipment that it no longer requires:*

*1 Power Flame gas burner for HVAC boiler (4 years old)*

*1 Boge receiver air dryer for HVAC pneumatic controls (approximately 3 years old)*

*Chris Walsh, Manager of Facilities and Grounds for the Triton Regional School District, would like to re-purpose this proprietary equipment within the school district. They have compatible Power Flame and Boge equipment in other buildings.*

*Does the Board of Selectmen wish to donate the above equipment to the Triton Regional School District?*

Perry said he went with Chris Walsh to the old boiler room and this is the equipment that was purchased three to four years ago when the boiler stopped working at the school. He said this can no longer be used at the Pine Grove School, but can be used at other Triton facilities.

Joe Perry made a motion to donate this equipment to the Triton Regional School District, Dave Petersen second, all in favor - aye (4-0).

## **OLD BUSINESS**

1. Letter from Massachusetts Department of Transportation regarding safety improvements at the intersection of Route 1 and Central and Glen Streets

Chairman Pierce read the letter. Snow said he sits on the MPO and will give the Board an update after their meeting on the 22<sup>nd</sup>.

2. Sign contract with Unicon, Inc. for Annex ramp project

Chairman Pierce read the following:

*The contract is ready for the Selectmen to approve and authorize the chairman to sign. There are two originals. The Board previously voted on April 29, 2019 to award the contract to Unicon, Inc., the lower bidder, with the inclusion of the alternate lattice. However, the Historic District Commission preferred that there be no lattice on the ramp. Therefore, the contract will not include the lattice and the contract price is \$61,000.*

Joe Perry made a motion to approve the contract with Unicon, Inc. and to authorize the Chairman to sign it, Bob Snow second, all in favor - aye (4-0).

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

- 1) Request from Town Administrator to transfer funds from Veterans Benefits to Eastern Essex Veterans District Assessment

Dave Petersen made a motion to approve the MGL Ch. 44 § 33B(b) transfer of \$329.86 from Veterans Benefits to Eastern Essex Veterans District Assessment, Joe Perry second, all in favor - aye (4-0).

The Selectmen signed the form.

- 2) Request from Town Administrator to transfer funds from Unemployment to Town Hall Annex Expenses

Dave Petersen made a motion to approve the MGL Ch. 44 § 33B(b) transfer of \$1,000 from Unemployment to Town Hall Expenses, Bob Snow second, all in favor - aye (4-0).

The Selectmen signed the form.

- 3) Request from Town Administrator to transfer funds from Administrative Assistant line to Assistant Town Administrators line

Dave Petersen made a motion to approve the MGL Ch. 44 § 33B(b) transfer of \$675 from Administrative Assistant to Assistant Town Administrator line, Bob Snow second, all in favor - aye (4-0).

The Selectmen signed the form.

### **MINUTES**

- April 29, 2019

Joe Perry made a motion to approve the April 29, 2019 minutes, Bob Snow second, all in favor - aye (4-0).

- May 6, 2019

Bob Snow made a motion to approve the May 6, 2019 minutes, Joe Perry second, all in favor - aye (4-0).

### **ANNOUNCEMENTS**

- Two vacancies on the Conservation Commission – interested residents should send a letter to the Board of Selectmen
- One vacancy on the Rowley Municipal Light board – interested residents should send a letter to the Board of Selectmen

### **ADJOURN**

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

Open meeting adjourned at 7:43 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

### **ATTACHMENTS:**

1. Request from the Town Clerk Susan Hazen to appoint Election Workers
2. Meeting memo regarding General Business #2: Request from Rowley Cub Scout Pack 15 to use the Town Common on May 19, 2019 for a Bridging Ceremony



3. Request from Rowley Cub Scout Pack 15 to use the Town Common on May 19, 2019 for a Bridging Ceremony
4. Letter of resignation from Guillaume Buell from the Associate Member of the Zoning Board of Appeals
5. Meeting memo regarding New Business #1: Set meeting schedule for June, July and August
6. Board of Selectmen Public Comment Policy
7. Meeting memo regarding New Business #2: Discuss status of Atlantic Auto Solutions Class II Dealer's License at 185 Newburyport Turnpike and letter from Frank Iovanella of Carlines
8. Atlantic Auto Solutions Class II Dealer's License at 185 Newburyport Turnpike
9. Carlines Class II Dealer's License at 185 Newburyport Turnpike
10. Email from Deborah Eagan regarding Atlantic Auto Solutions 185 Newburyport Turnpike, including attachments
11. Email from Frank Marchegiani regarding Carlines 185 Newburyport Turnpike follow up visit, including attachment
12. Letter from Frank Iovanella dated May 8, 2019
13. Memo from Frank Iovanella received May 13, 2019
14. Map of premises at 185 Newburyport Turnpike from Frank Iovanella received May 13, 2019
15. Letter from Fire Chief/REMA Director James Broderick regarding Rowley Emergency Management Communications Trailers
16. Letter from Fire Chief/REMA Director James Broderick regarding Firefighter work schedules
17. Meeting memo regarding New Business #3: Discuss Town Administrator Deborah Eagan Performance Appraisal
18. Memo from Deborah Eagan regarding Performance Appraisal, including attached Performance Appraisal
19. Memo from Deborah Eagan and her completed Performance Appraisal from May 2015
20. Memo from Deborah Eagan and her completed Performance Appraisal from May 2014
21. Meeting memo regarding New Business #4: Request from Chris Walsh to re-purpose Pine Grove School power flame gas burner for HVAC boiler and 1 Boge receiver air dryer for HVAC pneumatic controls
22. Email from Chris Walsh regarding boiler at Pine Grove School, including attachment
23. Letter from Massachusetts Department of Transportation regarding safety improvements at the intersection of Route 1 and Central and Glen Streets
24. Meeting memo regarding Old Business #2: Sign contract with Unicon, Inc. for Annex ramp project
25. Signed contract with Unicon, Inc. for Annex ramp project
26. Signed FY 19 MGL Ch. 44 § 33B(b) Budget Transfer for \$329.86 from Veterans Benefits to Eastern Essex Veterans District Assessment, including attachments

27. Signed FY 19 MGL Ch. 44 § 33B(b) Budget Transfer for \$675.00 from Administrative Assistant line to Assistant Town Administrators line, including attachments
28. Signed FY 19 MGL Ch. 44 § 33B(b) Budget Transfer for \$1,000.00 from Unemployment to Town Hall Annex Expenses, including attachments
29. Draft Minutes of April 29, 2019
30. Draft Minutes of May 6, 2019