

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

April 4, 2016

Meeting held at Town Hall, 7:00 p.m.

**MEMBERS PRESENT:** Chairman Robert Merry, Vice Chairman Joseph Perry, Clerk Robert Snow - ABSENT until 7:13 p.m.; David Petersen, Cliff Pierce (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

**PUBLIC ATTENDEES:** Lawrence White – FINCOM & OSRC; Brenda Fiers; Stephen Kreticos; Robert Tebov; Bruce Fournier; Anne Fournier; Janice Kindler; Russ Leibe; Nancy Leibe; Steven Kindler; Carol Tebov; Patrick Snow - Highway Surveyor; Bernard Cullen; Dennis Roy - FINCOM; Stewart Lytle - Town Common Newspaper

### **CALL MEETING TO ORDER**

Chairman Merry called meeting to order at 7:00 p.m. He said the meeting is being audio and video recorded digitally.

### **PLEDGE**

Patrick Snow led the Pledge of Allegiance.

### **STREET LAYOUT HEARING - 7:00 p.m.** – Intervale Circle

Chairman Merry read the hearing notice into the record.

Merry called for a motion to open the Street Layout Hearing for Intervale Circle. Dave Petersen so moved, Cliff Pierce second, all in favor - aye (4-0). Bob Snow - ABSENT

Public hearing opened at 7:04 p.m.

Chairman Merry read the following:

*Debbie has informed all parties who have frontage on Intervale Circle, including Kingston Realty Trust. This is an eminent domain taking because the road was abandoned by the developer more than 30 years ago. The Intervale Circle residents, lead by Nancy Leibe, have requested that their road be accepted by the Town as a public way.*

Chairman Merry read the report from the Planning Board into the record.

Chairman Merry read the following:

*The Selectmen need to examine the street layout plan for Intervale Circle and the written metes and bounds description, which is attached.*

The Board reviewed the plan. Merry asked Highway Surveyor Patrick Snow if he has any comments. Patrick Snow said the road can be accepted as it stands now and it will be a relief so that the repairs and resurfacing can be done. There were no comments or questions from the audience.

Dave Petersen made a motion to close the public hearing, Joseph Perry second, all in favor - aye (4-0). Bob Snow - ABSENT.

Public hearing closed at 7:07 p.m.

Dave Petersen said I, David Petersen, move that Intervale Circle, as described as follows, be laid out as a Town way, and I further move that the Town Administrator be directed to promptly file with the Town Clerk a report of this layout of Christopher Road as a Town way. As shown on a plan titled "Intervale Circle Street Acceptance Plan located in Rowley, Massachusetts (Essex County).", dated March 18, 2016 and prepared by Meridian Associates; this being the roadway shown on a plan entitled "Sheffield Arms II Plan of Land in Rowley, Mass., Owner & Developer Frederick H. Baldwin, Jr., Inc., 853 Main St., Tewksbury, Mass.", recorded with the Salem Registry of Deeds in Plan Book 144, Plan 82, Cliff Pierce second, all in favor - aye (4-0). Bob Snow - ABSENT.

The Selectmen signed the written motion.

Bob Snow arrived at 7:13 p.m.

## **GENERAL BUSINESS**

1. Letter from Fire Chief James Broderick regarding appointment of Mathew Ross to the position of Certified Call Firefighter

Chairman Merry read the following:

*Chief Broderick informed the Board last week that Mathew Ross received his certification as a Call Firefighter. The Board needs to vote to appoint him as a "Certified Call Firefighter."*

Joseph Perry made a motion to appoint Matthew Ross as a Certified Call Firefighter, Bob Snow second, all in favor - aye (5-0).

## **OLD BUSINESS**

1. Discuss the following:
  - FY 17 Triton Budget Update and
  - Pine Grove School Project informational hearing
  - Stadium Project
2. Discuss Public Safety Building Project and informational hearing

Perry said regarding the FY 17 Triton budget, Rowley assessment is \$3,140 less than the figure from the preliminary hearing at \$9,199,643. He said the final increase from FY16 to FY17 to Rowley of \$486,000 is more reasonable than the initial increase, but is still higher than we wanted.

Perry said regarding the Pine Grove School Project informational hearing, the school couldn't get the video made in time, so this needs to be postponed. He said the final figure for the feasibility study is \$800,000 after the research he did, and we would rather have more than enough money than not enough. He said the State will reimburse the Town for 48.47% of this, so the Town will be responsible for a little more than \$400,000. Petersen said in lieu of the informational hearing, the Police and Fire Chiefs, Perry, Principal Kneeland and himself are recording a synopsis of the projects to be put on the local access channels and the homepage on the Town's website. Pierce asked what the impact will be on the average tax bill in Town. Petersen said for the \$11.7 MM public safety building, on an average house value of \$415,000, it will be \$361 per year or 87 cents per 1,000 of value. He said for the school, the study will be for \$800,000 which will be borrowed for the first year or two through short term notes that will be interest only. He said depending on the interest rate, it should be \$20 - \$25 per year. He said if the renovation project goes through, this amount will get rolled into the cost of the total project, and the whole project will get a 48.47% reimbursement from the State.

Petersen said the Pine Grove School was originally built in 1954 and had additions in 1988/1990. He said the last major renovation happened over twenty years ago, and major items such as a new roof, and electrical upgrades are needed. He said if this project isn't approved, these items will need to be addressed using 100% Town money. Snow said these projects are being funded with debt exclusion overrides, so once the debt for these projects is repaid in fifteen to twenty years, the tax impact goes away. Snow said the Fire Station is critical and the floors may not hold the trucks one day in the existing station. Snow said the costs will continue to increase the longer we wait, and it is cheap to borrow money now. Perry said he watched the videos on the Town's website and he urged everyone to watch them. Petersen said these projects are overdue. Merry said we spent money for a new fire truck and put it in the existing station and keep our fingers crossed. He said we definitely need the fire station. Larry

White said the tax increases for these projects will not be on the next tax bills, but will be on the bills one to two years from now. He said this gives people time to budget for the tax increase. Petersen said the Public Safety building would be in FY18 and the interest only for the feasibility study will be done in FY17.

Perry said regarding the Triton Stadium, the contract has been awarded to a company from New Hampshire, construction starts April 11th, and it will hopefully be complete for the fall in September.

### 3. FY 17 Budgets -Police, Cemetery, Debt and Water

Eagan said the Debt budget has been revised to include capital equipment interest for FY17. She said a revised Water budget was received late last week, and additional items were revised today.

Dave Petersen made a motion to approve the Debt budget, Joseph Perry second, all in favor - aye (5-0).

Petersen read the memo FY17 Budget Change Explanation from the Water Department.

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

### 4. Review May 2, 2016 Special and Annual Town Meeting warrant articles, omnibus budget and ballot questions

Eagan reviewed the Special Town Meeting warrant as follows:

- Articles 1-3 are standard articles
- Article 4 is to fund the cost to hold the Town Meeting, the money is coming from the unemployment line
- Articles 5-9 are re-purposing remaining Article balances from various capital projects done for various departments in the past to purchase additional similar items
- Article 10, the Selectmen met with Brightergy and the solar field plan requires authorization by Town Meeting. Pierce said this Article only lists Central Street and asked about the Main Street site. Eagan said she will confirm the other site location.
- Article 11 is a donation of land to the Town which abuts the Dodge Reservation
- Article 12 is for the acceptance of Intervale Circle as a public way
- Article 13 is for the continuation of landfill monitoring, and unused funds set aside for stormwater compliance is being used for this.

- Article 14 is for the expansion of the Town Hall Annex parking lot since the initial estimates were not accurate, and for the improvement of the handicap ramp and entryway.
- Article 15 is for Prospect Hill improvements, there is an \$87,000 shortfall from the low bid. This will be completed in three phases – excavation, new material will be brought in, and a compaction test.
- Article 16 is for a shortfall in the Hydrant budget for FY16, which is \$53,400 total.
- Article 17 is for an unanticipated health insurance line shortfall as a result of new employees or additional employees signing on to the Town's plan, this money is coming from the Essex Regional Retirement budget line.
- Article 18 is for a corrosion warranty for Fire Engine #1 and essential fire gear.
- Article 19 is for a new motor for the Harbormaster's patrol boat.
- Article 20 is a standard CPC article.
- Article 21 is a CPC appropriation to cover the balance needed for the Open Space Plan, we need this plan to be on file so that we can apply for State grants.
- Article 22 the Water Board is repurposing articles for an electronic message board.
- Article 23 is a transfer from the Water Department stabilization fund to pave the parking lot at 401 Central Street.
- Article 24 is a transfer from the Water Department stabilization fund of \$376,000 to retro-fit a dehumidification system at the Water Treatment Plant.
- Article 25 is for \$160,000 to maintain the water tank at Prospect Hill.
- Article 26 is to amend the Water Use Restriction Bylaw to correct an erroneous reference to Mass. General Law Chapter 41 Section 69B, and Town Counsel worked on this wording.
- Article 27 is a Bylaw change to change the zoning for a small area on Route 1 from Outlying to Building Light Industry.

**CITIZEN QUERY 7:15 p.m. to 7:20 p.m.**

There were no Citizen Queries.

**JOINT MEETING 7:45 p.m.** – Board of Cemetery Commissioners and Cemetery Task Force to discuss FY 17 Cemetery Budget

Bob Snow left the Selectmen's table and sat in the audience. A quorum of the Cemetery Commissioners was not present.

Chairman Merry called for a motion to open the Joint Meeting with the Cemetery Task Force to order by a roll call vote. Dave Petersen so moved, Joseph Perry second, all in favor, roll call vote: Robert Merry - aye, Joseph Perry - aye, David Petersen -aye; Cliff Pierce – aye; Dennis Roy - aye; Robert Snow - aye; Karen Summit – aye.

Joint meeting opened at 7:55 p.m.

Chairman Merry said, "The Boards will discuss the FY 17 Cemetery Budget. The budget needs to be finalized today to be on the Town Meeting Warrant."

Summit said the Cemetery Task Force met at 6:30 this evening, Cemetery Commissioner Bill Gaynor joined them, and Dennis Roy will summarize the meeting. Roy said they discussed the FY17 budget, Gaynor has three plans, and the Cemetery Commissioners are meeting tomorrow to go through these plans plus one more. He said they voted to put through the FY 17 budget as level funded with \$20,200 in wages and \$5,000 in expenses. He said they plan to continue to meet and finalize the plans for FY18. He said if additional FY17 funds are needed, they will put an article on the fall special town meeting, or wait until next year. He said he hopes they can come to an agreement, and the plans need to be digested and some need numbers put to them. Pierce asked what the nature of these plans is. Roy said since the Commissioners are no longer being paid, we need to change the operations of the Department. He said some options are to hire a Superintendent and a couple of Laborers; to farm out the mowing work; to look for local contractors to dig graves as needed. Summit said the Cemetery Commissioners know what needs to be changed, and they need to come up with a plan on how to run the Cemetery. Roy said he surveyed twelve towns similar to Rowley, and he will put this information together and present it to the Cemetery Commissioners. Petersen asked if a stipend for the Cemetery Commissioners should be added to Article 4. Roy said it is not the Task Force's place to suggest this, and after the Cemetery Commissioners meet tomorrow, they may wish to present this to the Finance Committee if they want to have a stipend. Eagan said the Selectmen are having a Special Meeting on Thursday where the Selectmen can make last minute changes if desired. Roy said whether or not the Commissioners get a stipend depends on the structure of the Department, and a placeholder can be added into the warrant with a zero dollar amount. Summit said the Cemetery Commissioners need to present the stipend and explain what they are doing for it. Petersen said the stipend should be added but left at zero for now.

Dave Petersen made a motion to approve the level funded Cemetery Department budget, and add a zero amount as a placeholder for Commissioner stipends in Articles 4 and 5 of the Annual Town Meeting Warrant, Joseph Perry second, all in favor - aye (4-0). Bob Snow – ABSTAINED.

Chairman Merry called for a motion to adjourn the Joint Meeting with the Cemetery Task Force by a roll call vote. Dave Petersen so moved, Cliff Pierce second, all in favor, roll call vote: Robert Merry - aye, Joseph Perry - aye, David Petersen -aye; Cliff Pierce – aye; Dennis Roy - aye; Robert Snow - aye; Karen Summit – aye.

Joint meeting adjourned at 8:05 p.m.

Bob Snow returned to the Selectmen's table.

**EXECUTIVE SESSION 8:15 p.m.** – to conduct strategy sessions in preparation for negotiations with nonunion personnel, Scott Dumas, and to conduct contract negotiations with Scott Dumas

Chairman Merry called for a motion to go into Executive Session for the following purposes:

- To conduct strategy sessions in preparation for negotiations with nonunion personnel, Scott Dumas; and
- To conduct contract negotiations with nonunion personnel, Scott Dumas

And to return to open session.

Bob Snow so moved, Cliff Pierce second, all in favor – roll call vote: Robert Merry - aye, Joseph Perry - aye, David Petersen -aye; Cliff Pierce – aye; Robert Snow – aye.

Executive session opened at 8:07 p.m.

Executive session adjourned and open session resumed at 9:55 p.m.

### **OLD BUSINESS**

#### 3. FY 17 Budgets -Police, Cemetery, Debt and Water

Eagan said the Police Chief line will remain level funded at \$117,000. She said the Cemetery and Water budgets have already been reviewed.

Joseph Perry made a motion to approve the Police Department FY17 budget, Joseph Perry second, all in favor - aye (4-0). Bob Snow – ABSTAINED.

#### 4. Review May 2, 2016 Special and Annual Town Meeting warrant articles, omnibus budget and ballot questions

Eagan reviewed the Annual Town Meeting warrant as follows:

- Articles 1-3 are standard articles.
- Article 4 a placeholder was added for Cemetery Commissioner stipends.
- Article 5 is the omnibus budget.
- Article 6 is the Water Department budget, which needs to be updated for today's changes.
- Article 7 is the transfer from the Water Department to the General Fund, followed by a revenue table.
- Article 8 is the Water Department transfer from free cash to stabilization, and the number will hopefully be available tomorrow.
- Article 9 funds the future cost of the Pall membranes at the Water Treatment Plant.

- Article 10 is to upgrade the road to the Water Treatment Plant including widening the road, permit requirements and leveling the material off.
- Article 11 is a dump truck for the Water Department. Petersen asked if one truck could be given to the Cemetery Department. Eagan said she is aware of a transfer of a vehicle to the Cemetery Department.
- Articles 12-14 are standard articles and there are no changes.
- Article 15 is the renewal of the revolving funds.
- Article 16 is a standard article for the septic loan program.
- Article 17 is an appropriation contingent upon the passage of the debt exclusion override for the feasibility study for Pine Grove School, the amount changed to \$800,000.
- Article 18 is an appropriation contingent upon the passage of the debt exclusion override for the public safety building.
- Article 19 is for Capital Borrowing VI which has been tapered down due to budget concerns.
- Article 20 is a standard CPC article.
- Article 21 is the creation of a stabilization fund for Whittier.
- Article 22 is for a transfer of \$100,000 into OPEB.
- Article 23 is for a transfer into the stabilization fund which was scaled down and will bring the balance in this fund to just over \$1,000,000.
- Article 24 includes two ballot questions – the first for the school will be changed to \$800,000.

Joseph Perry made a motion to approve the draft of the Annual Town Meeting Warrant, Bob Snow second, all in favor - aye (5-0).

Joseph Perry made a motion to approve the draft of the Special Town Meeting Warrant, Dave Petersen second, all in favor - aye (5-0).

## **ANNOUNCEMENTS**

- Town Meeting is Monday, May 2<sup>nd</sup> and Annual Town Election is Tuesday, May 10<sup>th</sup>
- The Rowley Water Department 2015 Annual Water Quality Report is available online at [www.rowleywater.com](http://www.rowleywater.com). If you would like a copy of the report mailed to you contact Customer Service at 800-553-5191 or stop by the Water Department Office at 401 Central Street or Town Hall at 139 Main Street
- The Town has the following vacancies:
  - a. **Shellfish Commissioners** – 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; andFor more information on these positions, please contact the Selectmen's Office at 948-2372.

- Rowley Food Pantry is in need of donations. The Food Pantry is open Tuesdays from 10:00 a.m. to 12:00 p.m. and Thursdays from 5:30 p.m. to 7:00 p.m.

## **ADJOURN**

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

Open meeting adjourned at 10:07 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS:**

1. Meeting memo regarding 7:00 p.m. Street Layout Hearing
2. Street Layout Hearing Notice
3. Memo from Planning Board regarding Intervale Circle Street Acceptance By Eminent Domain
4. Written motion to layout Intervale Circle as a Town Way
5. Written description of Intervale Circle
6. Street Acceptance Plan for Intervale Circle
7. Meeting memo regarding General Business #1: Letter from Fire Chief James Broderick regarding appointment of Mathew Ross to the position of Certified Call Firefighter
8. Meeting memo regarding Old Business #1: Discuss the following:
  - FY 17 Triton Budget Update;
  - Pine Grove School Project Informational hearing
  - Stadium Project Update
8. Letter from Triton regarding the official FY17 Final Operating Expenditures
9. Meeting memo regarding Old Business #2: Discuss Public Safety Building Project and informational hearing
10. FY 17 Budgets -Police, Cemetery, Debt and Water
11. Working Draft Fiscal Year 2017 Omnibus Budget
12. Draft Warrant for Annual Town Meeting
13. Draft Warrant for Special Town Meeting
14. Meeting memo for Joint Meeting 7:45 p.m. - Board of Cemetery Commissioners and Cemetery Task Force to discuss FY 17 Cemetery Budget
15. Meeting memo for Executive Session 8:15 p.m. - to conduct strategy sessions in preparation for negotiations with nonunion personnel, Scott Dumas, and to conduct contract negotiations with Scott Dumas
16. Earth Day Clean Up Announcement