

MINUTES OF THE BOARD OF SELECTMEN MEETING

April 27, 2015
7:00 p.m. Town Hall

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

PUBLIC ATTENDEES: John Chapmin; Brenda Chapman; Steven Adams; Anne Adams; Patrick O'Neale, Tata & Howard, Inc.; Stephen Comley, We the People; Charles W. Hardy, VA; MaryBeth Wiser, Water Department; Patrick Snow, Highway Department; Brent Baeslack, Conservation; Susan Bailey, Accounting; Karen Summit, T/C; Robert Barker, Police; Cliff Pierce, Planning; Kirk Baker, Planning; Tim Southall, Parks & Recreation; Robert Pietrillo; Jean Pietrillo;

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Joe Perry led the Pledge of Allegiance.

APPOINTMENTS AND HEARINGS

7:00 p.m. Police Chief Robert Barker to present Robert Adams for appointment as a full time police officer.

Chairman Merry read Police Chief Barker's letter. Barker said Adams has served as a Reserve Patrolman in Rowley, he has worked a ton of hours, and he has a good feeling about his success.

Bob Snow made a motion to appoint Robert Adams as a full-time police officer, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

7:10 p.m. Police Chief Robert Barker to present finalist for the police/fire station feasibility study.

. Police Chief Barker said we have \$100,000 to do a feasibility study for the police/fire station. He said the Fire Chief, Police Chief and Dave Petersen met and evaluated the nine proposals that were submitted. He said three of the proposals were not

responsive, another didn't meet the minimum requirements. He said they deliberated and rated the five remaining firms, and three highly advantageous firms were Reinhart, Carell Group and Kaestle Boos. He said they visited building designed by each of these firms, and the Swampscott station designed by the Carell Group was the best they visited. He said Swampscott has a limited budget and a small space, but he Carell Group designed them an efficient, well thought out building. He said the Hamilton building, designed by Reinhart, was not as well laid out and they had maintenance issues, such as ice dams. He said the Holden public works building, designed by Kaestle Boos was very nice, but much larger than what Rowley is looking for. He said it was grandiose and out of the price range for Rowley, but well laid out and thought out. He said the radiant heat and drainage system was a little over the top. He said he would like to recommend that the Board of Selectmen interview these three firms and choose from them. Perry asked if the Swampscott building is smaller than the other two. Barker said he wouldn't say it was smaller, they have a larger force than Rowley does. He said the Chief in Swampscott thought the Carell Group understood their needs, the project cost \$6,000,000 and the combined square feet of the Rowley Police and Fire Departments would be around the Swampscott building's square feet. Snow asked how long ago the Swampscott project was done. Barker said two years ago and they added a second floor.

Joseph Perry made a motion to accept the three candidates recommended and to interview them, Bob Snow second, all in favor – aye (3-0). Dave Petersen – ABSENT

Merry said the interviews should be scheduled for after Town Meeting.

GENERAL BUSINESS

1. Road Opening Permit application from National Grid to open 112 Central Street for new gas service.

Joseph Perry made a motion to approve the road opening permit application from National Grid to open 112 Central Street for new gas service, Bob Snow second, all in favor – aye (3-0). Dave Petersen – ABSENT

The Selectmen signed the permit.

2. Road Opening Permit application from National Grid to open 151 Hillside Street for new gas service.

Chairman Merry read the conditions listed by Conservation Agent Brent Baeslack.

Bob Snow made a motion to approve the road opening permit application from National Grid to open 151 Hillside Street for new gas service, with the conditions as presented by

the Conservation Agent, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

The Selectmen signed the permit.

3. Letter from Patrick Snow requesting to lift the hiring freeze for the position of Highway Truck Driver/Equipment Operator.

Chairman Merry read the letter from Highway Surveyor Patrick Snow.

Bob Snow made a motion to lift the hiring freeze for the position of Highway Truck Driver/Equipment Operator, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

4. Request from Neurofibromatosis Northeast for fifth Annual Coast to the Cure Bike Ride on Saturday, September 12, 2015.

Chairman Merry read the following:

Neurofibromatosis Northeast has requested permission to include Rowley on the route for the 5th Annual Coast to the Cure bike ride to benefit Neurofibromatosis Northeast. They are not requesting a rest stop on the Town Common as they did in past years. The ride will take place on Saturday, September 12, 2015 and starts and finishes at Stage Fort Park in Gloucester. The event consists of three prescribed routes (24, 66 and 100 miles) encompassing Rowley and 18 other communities. The following streets in Rowley are on the route: Cross, Central, Bennett Hill, Wethersfield, Independent Summer and Main (medium and long routes).

The Director of the event has assured us that all participants will wear helmets, travel in an organized fashion on public roads, never on private property, and will obey the rules of the road. The cyclists will leave Stage Fort Park in staggered starts beginning at 7am and they anticipate approximately 50 riders in total travelling in packs of 3-6 people over a period of two hours through Rowley.

The Police Chief, Fire Chief, Highway Surveyor and Health Agent do not have any comments or concerns about this request.

Joseph Perry made a motion to allow Neurofibromatosis Northeast to include Rowley on the route for the 5th Annual Coast to the Cure bike ride on September 12, 2015, Bob Snow second, all in favor – aye (3-0). Dave Petersen – ABSENT

5. Request from the Rowley Cub Scouts Pack 15 to use the Town Common on Tuesday, May 26 for Bridging Ceremony

Chairman Merry read the following:

Rowley Cub Scouts Pack 15 has requested to use the Town Common on the evening of Tuesday, May 26, 2015 for their annual Bridging Ceremony. The Police Chief, Fire Chief and Health Agent do not have any comments or concerns about this request. The Highway Surveyor requested that all trash from the event be taken away from the Common.

Joseph Perry made a motion to allow Rowley Cub Scouts Pack 15 to use the Town Common on the evening of Tuesday, May 26, 2015 for their annual bridging ceremony, Bob Snow second, all in favor – aye (3-0). Dave Petersen – ABSENT

6. Request from the Rowley Historical Society to use the Margaret Scott Green for Annual Plant Sale on May 16, with rain date May 17.

Chairman Merry read the request from the Rowley Historical Society to use the Margaret Scott Green for Annual Plant Sale on May 16, with rain date May 17.

Joseph Perry made a motion to allow the Rowley Historical Society to use the Margaret Scott Green on May 16, 2015, with a rain date of May 17, 2015, for their annual plant sale, Bob Snow second, all in favor – aye (2-0). Dave Petersen – ABSENT Bob Merry – ABSTAINED

7. Request from Great Marsh Garden Club to hang banner on the Town Common backstop announcing Plant Sale

Chairman Merry read the email request from Karen Ziemplak of the Great Marsh Garden Club.

Bob Snow made a motion allow the Great Marsh Garden Club to hang a banner on the Town Common backstop advertising their annual plant sale, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

8. Issue Proclamation for Drinking Water Week for the Grand Opening of the Water Treatment Plant.

Chairman Merry read the proclamation for Drinking Water Week.

Joseph Perry made a motion to authorize Bob Merry to sign the proclamation, Bob Snow second, all in favor – aye (2-0). Dave Petersen – ABSENT Bob Merry – ABSTAINED

Bob Merry signed the proclamation.

APPOINTMENTS AND HEARINGS

7:30 p.m. Informational Hearing on the Town Meeting Warrants

7:30 p.m. Open Joint Meeting with the Finance Committee on the Informational Hearing on the Town Meeting Warrants

May 4, 2015 Annual Town Meeting Warrant

May 4, 2015 Special Town Meeting Warrant

Chairman Merry called for a motion to open the Joint Meeting of the Board of Selectmen and the Finance Committee. Bob Snow so moved, Joseph Perry second, all in favor roll call vote: Bob Merry – aye, Joseph Perry – aye, Bob Snow – aye. Dave Petersen - ABSENT

Finance Committee Chairman White called for a motion to open the Joint Meeting of the Board of Selectmen and the Finance Committee. Jami Snow so moved, Janet Bridges second, all in favor roll call vote: Larry White – aye, Jami Snow – aye, Janet Bridges – aye, Denis Roy – aye, Sharon Emery – aye, Peter Censullo – aye, Paul Jalbert - aye.

Chairman Merry opened the Informational Hearing on the Town Meeting Warrants. Chairman Merry reviewed the articles on the Annual Town Meeting Warrant through Article 5, and the Town Accountant's FY 16 Budget Plan. Town Accountant Susan Bailey said there will be \$964,000 in the stabilization Fund once this \$250,000 is added. Bob Snow said the stabilization balance is very important for the Town's debt service. Merry said this is the Town's rainy day fund, the goal has been to get \$1,000,000 saved, and it is important to keep our bond rating up.

Merry and Perry continued reviewing the Annual Town Meeting Warrant articles. Peter Censullo said it would be nice to know the number of students behind the school budget numbers. Merry said those numbers are reviewed during the budget reviews, but not published in the warrant. Perry said it has been a very costly winter with \$333,000 in snow and ice removal expenditures, so the amount budgeted for FY16 is being increased to \$125,000. He said the Veterans Benefits budget is also being increased due to more requests for assistance. Eagan said the state reimburses the Town for 75% of Veterans benefits costs.

Walter Hardy said he would like to see the costs for the Rowley Access Channel, which is a town-run program paid for by funds from cable companies. Merry said that is an off-budget account since the money comes from the cable companies. Eagan said there is no appropriation for this in the Town's budget. Hardy asked how he can find out

the state of the department and the budget. Town Accountant Sue Bailey said the capital account has a \$37,000 balance, and the operating grant has a balance of \$380,000. Hardy asked if the Town is looking to build a studio and what the Town does with the money. Merry said they purchase equipment and they have been searching for a studio, but haven't found one that the Town can afford.

Water Superintendent MaryBeth Wiser presented the Water Department budget and said Pat O'Neil from Tata and Howard is present to discuss the recent water rate study they performed. O'Neil said they did a comprehensive study of expenses such as operating, engineering, capital plan, debt services and overhead, and forecasted this using a three year planning tool. He said the analysis covers FY16 and beyond and they looked at all revenue sources. He said they recommend that service fees be increased to be more in line with costs. He said the Board of Water Commissioners voted to increase rates by 12% with a slight tier restructure, and to add a \$20 base fee to the bills. He said the budget is balanced for FY16 and the rates in FY17 and FY18 may need to be adjusted depending on the capital plan.

Jeanne Petrillo said a \$20 base fee seems extreme, for example for people who have a monthly bill of \$50, and she is concerned about this fee especially for retired people. Sharon Emery said the percentage increase is more like 50% when the base fee is added in. Pam Jacobson said the fee increase information came out after the departments budgeted for FY16, so the Library budget is now underfunded.

Superintendent Wiser said the Town invested in a \$12 million dollar treatment plant, and it costs money to maintain it, and it is important to have the money to cover these costs. She said this year they did not bring in enough revenue and the rate should have been done last year, but it wasn't. She said she is not happy and didn't think they would have to raise the rates the first year, but this has to be done. White said Tata and Howard submitted three rate proposals, the Water Board had a hard decision, but they chose the proposal that seemed to be the least hurtful to all. Jeanne Petrillo said this is a hardship for customers in the lowest tier. Mr. Petrillo said they should set the rate structure and charge based on usage and the monthly surcharge will annoy everyone every month. Merry asked if anyone has an idea of how this will impact department budgets. Jacobson said the cost of water will be double what she budgeted for at the Library. Merry said this is a bridge that we will have to cross.

Merry and Perry continued reviewing the articles. Mr. Petrillo asked if the IT budget includes anti-hacking software to prevent it or see where it is coming from. Karen Summit said they have anti-virus software and firewalls, but you can't prevent hacking. She said the IS budget is to replace computers or servers. The review of the articles was completed.

Merry reviewed the articles on the Special Town Meeting Warrant. Harbormaster Bill DiMento reviewed articles 8 and 9 and said the additional \$6,000 will allow them to finish the dock replacement project, and the state will match 25% of the funds for a new pump-out boat to replace the current boat from 1997. He said additional funds are

needed for the wharf rot repair projects and the bids came in higher than the amount budgeted for the project in May of 2014. Mr. Petrillo said the cell towers companies should pay for the maintenance of Prospect Hill. Merry said the Town leases the land to the cell tower companies, and the Town needs to maintain the road as part of the lease. Superintendent Wiser said Pingree Farm Road, the road to the Water Treatment Plant needs to be widened and upgraded to allow large trucks delivering chemicals to drive on it. Mr. Petrillo said the road was put in in the 1930's and has been regraded and new stone added periodically. He said it is well done and thinks it is all we should do to the road. He said \$200,000 is a lot of money to do this project, and the length of the road is only six tenths of a mile and not two miles as stated in the article. Wiser said \$40,000 of the project cost is for wetlands and complying with the Conservation Commission by-laws, and a drainage system needs to be added. Wiser said they can re-measure the road, and it would be less money if the road is less than two miles. Merry said the funding for this can be reduced at Town Meeting. Jeanne Petrillo said cars fly down the road on the weekends when people are out with their dogs or grandchildren. She said her main worry is the speeding, and it is the concern of the Pingree Farms residents as well. She asked if the Police can patrol the road and if the speed limit can be set low at 10 MPH for example. Chief Barker said it is a one lane road, so it is difficult to monitor using radar, but they will keep an eye on it. Wiser said the chemical companies are asked to be mindful of the speed limit and they may look to put in speed bumps. Perry said speed bumps are a good idea. Wiser said there is someone there working when the gate is open, and it is padlocked when nobody is there.

The Board reviewed the remaining articles. Harbormaster Bill DiMento reviewed the increase in Harbormaster fees. Cliff Pierce reviewed the Antique / Flea Market Overlay District article.

Merry thanked the Department Heads and Board and Committee members for their attendance.

Chairman Merry called for a motion to close the Joint Meeting of the Board of Selectmen and the Finance Committee. Bob Snow so moved, Joseph Perry second, all in favor roll call vote: Bob Merry – aye, Joseph Perry – aye, Bob Snow – aye, Larry White – aye, Jami Snow – aye, Janet Bridges – aye, Denis Roy – aye, Sharon Emery – aye, Peter Censullo – aye, Paul Jalbert - aye. Dave Petersen - ABSENT

Joint Meeting closed 9:10 p.m.

GENERAL BUSINESS

9. Request from VFW for Memorial Day Parade and Ceremonies

Chairman Merry read the letter, press release and summary of the day's events for the VFW Memorial Day Parade and Ceremonies.

Bob Snow made a motion allow the VFW to hold the Memorial Day Parade and Ceremonies, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

NEW BUSINESS

1. Review and approve Antique/Junk license renewals

Chairman Merry read the following:

We have not yet received the Antique/Junk Dealer license renewal from Kathryn Hall, Bittersweet Collectibles, 164 Main Street. Renewal packages were mailed out on March 4, 2015 with instructions to return the documents before April 1, 2015. On April 14, 2015 Amy left a voicemail regarding this outstanding renewal, but we have not heard back. This license will expire May 1, 2015.

2. Robert Snow – update on the April 13 MBTA Advisory Board Meeting

Chairman Merry said, "Bob Snow will provide an update on a recent meeting he attended at the MBTA."

Snow said he attended this meeting and there were approximately thirty other attendees. He said this was very interesting after the MBTA events that happened this winter. He said interim Chairman DePaola was there and the discussion was about the overall health of the MBTA. He said they reported that they have employee attendance problems with a 11% absentee rate. He said they are in a public relations crisis which is creating a morale crisis for their employees. He said he can understand why the Governor asked for a fiscal management control board. He said the switches froze up and they had a hard time digging out of the snow. He said there are a lot of problems that the legislation needs to address, and he urged all to write letters to the legislature.

3. Review updated EEO and Sexual Harassment Policy

Chairman Merry read the memo from Deb Eagan regarding the Updated EEO, Discrimination and Sexual Harassment Policy.

The Board reviewed the policy. Perry said we have to set these policies and Merry agreed. Perry said these are well written and he thinks the Board should support them.

Bob Snow made a motion to approve the updated EEO, Discrimination and Sexual Harassment Policy, Joseph Perry second, all in favor – aye (3-0). Dave Petersen – ABSENT

4. Discuss Rule of Necessity in signing bills and payroll warrants

Chairman Merry read the following:

We need to vote to authorize Bob Merry to sign the bills payable and payroll warrants. Selectman Petersen has been ill and has not been able to come in to sign the bills and payroll.

Joseph Perry made a motion to authorize Bob Merry to sign all bills payable and payroll warrants as a Selectman under the Rule of Necessity, Bob Snow second, all in favor – aye (2-0). Dave Petersen – ABSENT Bob Merry - ABSTAINED

OLD BUSINESS

1. Finalize the list of tax title auction properties

Chairman Merry said, “Treasurer/Collector Karen Summit will update the Board on the list of tax title auction properties.”

Summit said they started with fourteen properties and requested comments/feedback from department heads. She said two were removed at the Conservation Commission’s request. She said she, Chairman Merry and Assessor Sean McFadden visited the remaining sites, and one had a large rock which won’t be auctioned. She said that leaves eleven properties and she will meet with the Board after Town Meeting and provide more information about the properties such as where they are located, mapping and if there are structures on the properties or wetlands.

2. Assign motions for May 4, 2015 Annual and Special Town Meeting Warrants

Chairman Merry said, “The Board needs to review the Annual and Special Town Meeting Warrants and assign motions for each article for Debbie to record.”

The articles for the Annual Town Meeting were assigned as follows:

Joseph Perry: Articles 3, 9-12, 14, 15, 19, 20, 22, 24

Bob Merry: Articles 4, 13, 16, 18, 21, 23 and adjournment

Larry White: Article 5

Water Board: Articles 6-8

Board of Health: Article 17

The articles for the Special Town Meeting were assigned as follows:

Joseph Perry: Articles 3, 5, 7, 9, 11, 12, 13, 17, 20

Bob Merry: Suspend the reading of the warrant, 4, 6, 8, 10, 16, 19 and adjournment

Water Board: Articles 14 and 15

Harbormaster: Article 18

Planning Board: Articles 21 and 22

ANNOUNCEMENTS

- Town Meeting is scheduled for May 4, 2015 at 7:30 p.m. at the Pine Grove School
- Annual Town Election is Tuesday, May 12, 2015 from noon to 8:00 p.m. at St. Mary's Hall
- Drinking Water Week – May 3 -9 - Tours of the Town's new water treatment plant will be provided, contact Water Superintendent Marybeth Wiser at 978-948-2640 ext. 4 to schedule a tour
- Check out the Library's website and Rowley Community Media for news on the Rowley Reads Program
- The Town has the following vacancies:
 - a. **Fence Viewer** – three positions;
 - b. **Wood, Lumber & Bark Inspector**; and
 - c. **Zoning Board of Appeals Associate** - two open seats
 - d. **Historical Commission-Historic District Commission** – two seats
 - e. **Parks and Recreation Committee** – two seats
 - f. **Open Space Committee** is seeking membersFor 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. Bob Snow so moved, Joseph Perry second, all in favor - aye (3-0). Dave Petersen - ABSENT.

Open meeting adjourned at 9:39 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS

1. Letter from Police Chief Robert R. Barker, April 15, 2015, to present Robert Adams for appointment as a full-time police officer.
2. Memorandum from Police Chief Robert R. Barker, April 27, 2015, to present finalist for the police/fire station feasibility study
3. Road Opening Permit application from National Grid to open 112 Central Street for new gas service.
4. Road Opening Permit application from National Grid to open 151 Hillside Street for new gas service.
5. Letter from Patrick Snow requesting to lift the hiring freeze for the position of Highway Truck Driver/Equipment Operator.
6. Meeting Memo regarding General Business #4: Request from Neurofibromatosis Northeast for fifth Annual Coast to the Cure Bike Ride on Saturday, September 12, 2015.
7. Meeting Memo regarding General Business #5: Request from the Rowley Cub Scouts Pack 15 to use the Town Common on Tuesday, May 26 for Bridging Ceremony
8. Meeting Memo regarding General Business #6: Request from the Rowley Historical Society to use the Margaret Scott Green for Annual Plant Sale on May 16, with rain date May 17.
9. Letter from Rowley Historical Society, April 21, 2015, to use the Margaret Scott Green for Annual Plant Sale on May 16 with rain date May 17.
10. Request from Karen Ziemiak, Great Marsh Garden Club, April 21, 2015, to hang banner on the Town Common backstop
11. Proclamation for Drinking Water Week for the Grand Opening of the Water Treatment Plant, May 3-9, 2015.
12. Draft proclamation for Drinking Water Week
13. Meeting Memo regarding 7:30 p.m. Informational Hearing on the Town Meeting Warrants
14. Agenda for Finance Committee, April 27, 2015
15. FY 2016 Budget Plan, Sue Bailey, April 27, 2016
16. Warrant for Annual Town Meeting, May 4, 2015
17. Warrant for Special Town Meeting, May 4, 2015
18. Letter, press release and summary of Celebration from Kenneth J. Gawrys, VFW Post for Memorial Day Parade and Ceremonies.
19. Meeting Memo regarding New Business #1: Review and approve Antique/Junk license renewals
20. Meeting Memo regarding New Business #2: Robert Snow – update on the April 13 MBTA Advisory Board Meeting
21. Memorandum from Deb Eagan, April 27, 2015, regarding updated EEO, Discrimination and Sexual Harassment Policy.

- 22. EEO, Discrimination and Sexual Harassment Policy
- 23. Meeting Memo regarding New Business #4: Discuss Rule of Necessity in signing bills and payroll warrants
- 24. Meeting Memo regarding Old Business #1: Finalize the list of tax title auction properties
- 25. Meeting Memo regarding Old Business #2: Assign Motions for May 4, 2015 Annual and Special Town Meeting Warrants
- 26. May 4, 2015 Annual and Special Town Meeting Warrants
- 27. Earth Day Train Clean flyer, May 2, 2015