

MINUTES OF THE BOARD OF SELECTMEN

August 12, 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, Deana M.P. Ziev (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

PUBLIC ATTENDEES: Henry Rolfe; David Zizza – FINCOM; Bernie Cullen – 283 Wethersfield St.; Lawrence White - FINCOM

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 by Rowley Community Media.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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

Public Comment was open from 7:00 to 7:05 p.m. There was no public comment.

GENERAL BUSINESS

1. Northeast Massachusetts Mosquito Control News Release on aerial application to control mosquito larvae on coastal salt marshes

Chairman Pierce read the notice.

2. Request from Water Superintendent Robert Gray to lift the hiring freeze for the position of Distribution Working Foreman

Chairman Pierce read the agenda topic title.

Bob Snow made a motion to lift the hiring freeze for the position of Distribution Working Foreman, Joe Perry second, all in favor – aye (5-0).

NEW BUSINESS

1. Review Powers and Sullivan auditing services letter

Chairman Pierce read the following:

Debbie has received a letter from the Town's auditing firm, Powers and Sullivan, on conducting the Town's financial audits for FY 19, 20, 21, and 22.

The audits will be done, as in the past, in accordance with Government Auditing Standards and Generally Accepted Accounting Principles (GAAP).

The cost of the audit of Fiscal Year 2019 is within the FY 20 budget, which is \$18,000. The cost of the annual audit increases to \$21,000 for the three successive fiscal years (FY 20, 21, and 22.)

Debbie is asking the Board to approve the Engagement Letter so she can proceed with setting up the FY 19 audit.

Joe Perry made a motion to approve the Engagement Letter with Powers & Sullivan, Bob Snow second, all in favor – aye (5-0).

2. Review letter from Board of Water Commissioners regarding the Water Superintendent starting pay rate

Dave Petersen recused himself, he said both he and Larry White, who is present at the meeting, are members of the Personnel Advisory Committee. Petersen left the meeting room at 7:04 p.m.

Chairman Pierce read the following:

Water Board Chairman Mark Emery has submitted two letters to the Board of Selectmen requesting to set the starting rate of the newly-appointed Water Superintendent at the top step of the Water Superintendent Pay Grade, which is an annual salary of \$95,246.47. Attached are letters from Chairman Emery dated: August 9, 2019; August 7, 2019; and July 25, 2019.

The Board of Selectmen, as the "Employer" of the Town, is responsible for ensuring fair and equitable hiring practices for all Town employees. The Hiring Policy in the Personnel Plan requires the pay rate for new hires to be set at Step 1. The policy provides for an exception, which states the following:

"Exception: If a newly hired employee has experience or credentials that exceed the requirements of the position, they may be placed above the Step 1 rate with the approval of the Personnel Officer, Personnel Advisory Committee and the Board of Selectmen."

The Personnel Advisory Committee met and unanimously voted to set the starting rate at Step 5 of the Water Superintendent's Pay Grade, which has an annual full time salary of \$87,993.02. Attached is a letter from the PAC.

Attached are the following:

- *Three letters from Chairman Emery*
- *Letter from the Personnel Advisory Committee*
- *Robert Gray Resume*
- *Water Superintendent Job Description*
- *FY 20 Nonunion Compensation Schedule*

Pierce read the recommendation letter from the Personnel Advisory Committee (PAC). Pierce said the placement at the top step of Pay Grade 14 hasn't been proven. He said to be placed at the top step, a candidate needs to be enormously qualified, and has been a Superintendent before, not someone with limited Superintendent experience. He said he thinks we should go with the recommendation of the Personnel Advisory Committee and set the starting rate at Grade 14, Step 5. Ziev said she agrees. Perry said we have gone without a Superintendent for a quite some time, there have been no applications because the Town wasn't offering enough money and contributions for health insurance, and he is concerned there will still be an issue. Snow he is concerned and said we have been looking for a Superintendent for two years and there may be a middle ground. Pierce said step 5 is the middle ground. Snow said he doesn't want to have to do a search for a Superintendent which will cost money.

PAC member Larry White said he would like to present some of the views of the PAC. He said four to five years ago, the requirements in the Superintendent job description were reduced in order to attract more candidates, and the salary has been increased. He said the position responsibilities include planning for capital improvements and doing the budget. He said the PAC looked at the applicant's qualifications, and he has some experience, but for example will now be responsible for the entire budget, which is now spread over two or three people. He said the applicant has a lot of qualifications, but not enough managerial and accounting experience to be placed at the top step. He said no other department has someone at the top step currently, or has hired someone at the top step. He said the PAC feels that step 5 is middle ground between steps 1 and 9, and feels comfortable justifying that placement. Pierce said he agrees, and the top step would be set for someone incredibly qualified. He said the mid-range is reasonable. White said if placed at the top step, there would be no room for future increases except a cost of living, and we are not hiring a Superintendent from Lynn or Boston with ten years of experience as a Superintendent. He said the applicant has a lot of experience and is very knowledgeable, but the top step cannot be justified. Snow said he accepts White's explanation.

Bernie Cullen said he does not have authorization to speak on behalf of the Water Board, but if you watch the Water Commissioner's meeting, his position is in line with the recommendation of the PAC. Pierce said for the record, Bernie Cullen voted against the placement at step 9. He said Mark Emery's letter made it seem like it was a unanimous vote of the Water Commission to set the rate at step 9. Cullen said Bob Gray is a great employee, is respected, and will be a great influence on the Water Department. He said the environment at the Water Department is that everyone helps each other, which is essential in a small department. Pierce said they are not

discrediting Bob Gray, he is a strong candidate and the Town is lucky to have him, but starting him at step 9 is against the Town's hiring policy.

Bob Snow made a motion to set the starting rate for the Water Superintendent at Grade 14, Step 5, Deana Ziev second, all in favor – aye (4-0). Dave Petersen – ABSENT.

3. Discuss Veterans issues

Dave Petersen returned to the Selectmen's table at 7:17 p.m.

Bob Snow said he has been on the Veterans Board for 8 years and has served as the Chairman for the past 3 months. He said he attended a meeting at Pingree School last Monday which Veterans Service Officer Karen Tyler invited him to. He said 25 veterans went to the meeting, and the topic turned into veterans suicide. He said the suicide rate for veterans is quite high, and recently the Air Force stood down for 24 hours because of this. He said 321 active members took their own lives in 2018. He said after his service as a Marine, he visited veterans at various veterans hospitals, and he saw terrible things. He said if you know a veteran there are places for them to go to seek help, and it is disturbing that veterans don't know where to go for help. He said the suicide rate is increasing, yet the number of members in service is decreasing. He asked people who know someone who is a veteran to thank them for their service.

Petersen said he served 13 months in Vietnam, and back then the norm was to serve one year, and then you were done unless you volunteered to serve again. He said now there is a smaller force and no draft, so members are deployed for 8 to 12 months, come back home for a couple months, and are then deployed again. He said this is tough on the members and their families, which is adding to this problem. He said area veterans clubs have gone defunct, and younger veterans aren't going to the clubs and discussing their experiences but are instead internalizing their experiences and trying to forget it.

Snow said alcohol and opioids is abused by many veterans. He said veterans looking for help should contact the Selectmen's Office and he can put them in touch with Veterans Service Officer Karen Tyler.

Ziev thanked Snow for sharing this information.

OLD BUSINESS

1. Update on Pine Grove School Project

Chairman Pierce read the following:

Selectman Joe Perry and Larry Berger of Pinck & Company will discuss this agenda item.

The Building Committee at their August 8 meeting approved the attached contract amendment concerning the mold sample testing in the amount of \$4,010.00 Larry Berger will discuss the contract amendment with the Board. The amendment requires a vote of the Board of Selectmen. The funds will come from the “Soft Contract” contingency fund.

Other project news highlights include the following:

- Work continues on the removal of the old septic system and the installation of the new septic system*
- Electric pole was removed*
- All the playground equipment has been installed with the exception of the swing*
- The roof has been installed*
- The softball field re-construction is underway and will be ready for next year’s softball season*

Larry Berger said the correct amount of the contract amendment is \$4,411. He said there is a contingency for soft costs, which includes architects, engineering and a hygienist for mold issues. He said the \$4,411 will be paid out of the soft cost contingency budget, and will be included with the insurance claim. He said the mold has been completely remediated. He said the upper east wing will be completed by August 23, 2019 as specified, and the lower east wing will be completed a couple of days later, but before the kids start school. He said the driveways will be paved before school starts. Petersen said the new corners look better for the buses to be able to get through. Pierce said the telephone pole has been moved. Berger said the installation of the new septic system is ongoing and once they are done, the baseball field will be available. Eagan said the deductible for the insurance claim is \$5,000. Berger said he expects all of the costs except for the deductible to be covered by the insurance company.

Petersen asked if the plumbing has been replaced so that there will be no lead issues as seen for some schools in the news. Berger said they used a “pro-press” process for the new plumbing, and all the plumbing coming off of the water main on Main Street is new, and all of the water dispensers are new.

Joe Perry made a motion to approve the contract amendment for \$4,411, Bob Snow second, all in favor – aye (4-0).

Ziev asked about how the playground area is coming along, as she is often asked by children about the playground. Berger said the new equipment is standing, and the base of the rubber surface is there. He said they starting adding color to the rubber surface, which will have three colors to mirror the salt marsh. He said there is a spider web netting structure as well as other interactive equipment.

Perry said he walked the playground last week, it looks great, and the rubber surface will look like the marsh. He said they are having an open house celebration on Saturday October 5, 2019 from 1:00 p.m. – 3:00 p.m.

2. Update on the Veterans Field Project

Chairman Pierce read the following:

The well contractor has been drilling for the past couple of weeks. They have gone down 1200 feet, but they have not yet found water. The current cost of the drilling is approximately \$22,000. The contractor has provided a few options with how to proceed:

Option #1: They can provide a fracking procedure that is designed to break apart the bedrock. The cost of this work is approximately \$2,600.

Option #2: There is a local water dowser they recommend who may be able to locate water on the property.

Option #3: The irrigation system can be connected to Town water. This option may be expensive.

The goal for the project is to have a soccer field constructed as soon as possible, followed by a baseball field. The irrigation system is necessary in order to maintain the fields.

Petersen said we need to be able to irrigate the fields, but we don't need to make a decision on this tonight. He said Vierra, the well contractor, suggests fracking, which can be done up to three times. He said fracking is when they inject high pressure water to crack the rock and hopefully cause water to flow into the well. He said a dowser walks the area with a stick, and when the stick drops down, supposedly there is water in that location. He said the contractor said that the field is flat and has a layer of loam and clay, so it can be hayed and mowed which would turn into decent grass for a soccer field next year. He said he needs to discuss this with Parks & Recreation Committee member Tim Southall. He said the fracking can be done now or six months from now. He said another alternative is to run Town water, which will be expensive. Bernie Cullen said if using Town water, the irrigation can't be run when there is a water ban. He said fracking seems to be the only logical next step looking at the cost benefit and if there is a significant probability that it will find water. Petersen said he would like more information before the Board votes on this.

ANNOUNCEMENTS

- Vacancies:
 - 1) Planning Board Associate Member;
 - 2) Two vacancies on the Conservation Commission;
 - 3) One vacancy on the Zoning Board of Appeals Associate seat; and

- 4) Several vacancies on the Rowley Cultural Council
Interested residents should send a letter of interest to the Board of Selectmen or
call the Selectmen's Office at 948-2372.

ADJOURN

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Joe Perry second, all in favor - aye (5-0).

Meeting adjourned at 7:49 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Northeast Massachusetts Mosquito Control News Release on aerial application to control mosquito larvae on coastal salt marshes
2. Request from Water Superintendent Robert Gray to lift the hiring freeze for the position of Distribution Working Foreman
3. Meeting memo regarding New Business #1: Review Powers and Sullivan auditing services letter
4. Powers and Sullivan auditing services letter dated August 7, 2019
5. Meeting memo regarding New Business #2: Review letter from Board of Water Commissioners regarding the Water Superintendent starting pay rate
6. Letter from Board of Water Commissioners dated August 9, 2019
7. Letter from Board of Water Commissioners dated August 7, 2019
8. Letter from Board of Water Commissioners dated July 25, 2019
9. Memo from Personnel Officer Deborah Eagan to Board of Selectmen regarding Water Superintendent Starting Rate of Pay dated August 12, 2019, including enclosure
10. Redacted resume from Robert Gray
11. Redacted licenses held by Robert Gray: Hoisting license; Mass Water Operator license 3T; Mass Water Operator license 3D; New Hampshire Commercial driver's license
12. Town of Rowley Water Superintendent job description
13. FY20 Non-Union Compensation Schedule
14. Meeting memo regarding New Business #3: Discuss Veterans issues
15. VA National Suicide Data Report 2005 – 2016 from U.S. Department of Veterans Affairs
16. Meeting memo regarding Old Business #1: Update on Pine Grove School Project
17. Additional Services Request #15 – Unforeseen Mold in Phase 5 from Dore & Whittier
18. Invoice # 7572-A from Universal Environmental Consultants
19. Meeting memo regarding Old Business #2: Update on the Veterans Field Project

