

**MINUTES OF THE BOARD OF SELECTMEN
SPECIAL MEETING**

December 27, 2023

Rowley Town Hall, 139 Main Street, Rowley, MA

10:00 a.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Christine Kneeland, Clerk Deana Ziev, Sheri David (Town Administrator Deborah Eagan)

Robert Snow – ABSENT

ATTENDEES: James Pike

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 10:02 a.m.

He said we have a single item on the agenda this morning and that is the appointment of James Pike as the Town's new Building Inspector.

10:00 a.m. APPOINTMENT* James Pike – interview for the position of Building Inspector

Chairman Pierce said that we have received one application for the position of Building Inspector. He said that James Pike has applied for the position and that he is the Town's Alternate Building Inspector. He was appointed to this position by the Selectmen effective September 27, 2023. James is the Georgetown Building Inspector. Debbie spoke to the Georgetown Town Administrator for a reference check when he applied for the position of Alternate Building Inspector and he was given a good reference.

Pierce said the Board needs to interview James Pike. Attached are suggested interview questions. The Board members may want to ask their own questions in addition to the questions on the list.

Pierce asked James Pike to tell us about yourself.

Pike said that he has been in construction for 20 years. He said he is currently the Building Inspector in Georgetown. He said that Rowley is part-time and Georgetown is part-time and that they border each other that it would be a good fit. He said that it would be full-time coverage for both towns because they are so close. He said he is excited about this opportunity and that he has been covering for Ken for a while and that he has been working closely with the Fire Department. Pike said that we have an online permitting system that is being updated next week. He said that the other departments should have access to it and that we need to get the other departments involved in the permitting process.

Pierce asked how many hours a week does he work in Georgetown. Pike said 24 hours per week. Pierce said the position in Rowley is 23 hours per week.

Pierce said the position of Building Inspector in the Town of Rowley is a Department Head Supervisor position. The Building Inspector supervises the electrical inspector, plumbing and gas inspector, a part-time secretary and three alternate inspectors for building, electrical and plumbing and gas. Have you ever supervised employees, and if, so please tell us the number of employees and what their job functions were?

Pike said that the department organization in Rowley is similar to that in Georgetown. He said that he has been doing it in Georgetown full-time for over a year and part-time before then. He said that he has alternates in Georgetown under him, similar to Rowley and that he has a full-time administrative staff person under him in Georgetown.

Christine Kneeland asked the following question: The Building Inspector in the Town of Rowley is responsible for preparing the Inspection Department annual operating budget and making sure that the Department's payrolls and bills payable expenses are processed correctly and within the Department's appropriated budget. Please describe your experience in budgeting, payroll preparation and bills payable processing.

Pike said it is very similar work to that in Georgetown and that he ran his own construction company for 18-19 years and responsible for similar duties, such as budget. He said he feels he is very qualified to do this work.

Deana Ziev asked the following question: The position requires that the Building Inspector be state certified by the Board of Building Regulations and Standards as a "Building Commissioner/Building Inspector". Do you have the certification?

Pike said that he is a certified Building Commissioner. He said that he is a board member of the MBCIA and the MBFO, which are both statewide organizations. He said that he still holds a CSL and HIC and that he used to do some HVAC work and that he still holds that certification and some other certifications. Ziev asked Pike if he would be willing to keep these certifications by attending the State seminars and meetings. Pike said yes and that by being part of the Massachusetts Building Commissioners and Inspectors Association he has to attend meetings and continuing education classes. He said that he also helps lead a district meeting monthly, which are held in Haverhill or Georgetown. He said all the district inspectors get together. Pierce asked if you find that the inspectors communicate a lot with each other. Pike said that the district meetings are good and we all talk with each other and we have similar issues and it is a huge benefit to bounce things off each other. He said we can cover for each other for inspections.

Ziev asked if we will have to post the position of Alternate Building Inspector. Eagan said that if the Board appoints James to the position of Building Inspector today, then the position of Alternate Building Inspector will become vacant. Eagan said the new

building inspector will need to file a request with the Board of Selectmen to lift the hiring freeze so that the position can be posted.

Sheri David said that she has a few points. She said that the residents in Town need a more streamlined process to get permits. She said that she has received a lot of feedback from residents on this issue. She asked Pike if he could think of a way to streamline the process and work with the other Town departments. Pike said that the biggest stumbling block we are running into is how PermitLink is being used. He said PermitLink is not being utilized to its full capacity right now. He said that the software allows permit applications to be sent to all Town departments in real time and have the ability to make comments. David said that she was going to ask if the departments would see the permit application. Pike said that the software allows for departments to upload comments and files. David said that a resident would be able to know where they are in the process the whole time? Pike said yes. Pike said in Georgetown it took a while to get all the Town departments into the system, but once they did it worked really well. He said it gives everyone a central location for everything and it also a nice central location for documents. Kneeland said it streamlines the process. Pike said yes. David said it shouldn't take 8 months to get a permit to re-model a bathroom. David asked if there could be a checklist for applicants. Pike said when you go online it is obvious what the process is. He said that a lot of times there are things that are not applicable to the permit, and that the process works better through the online permitting system because it keeps everyone abreast of the process. He said you can access the system from anywhere. He said the reality is there should be no reason why an applicant who submits all required documents it shouldn't be turned around in a few days or a week. He said that if the online permitting is being done correctly it should be done quickly. He said that he has his tablet with him all the time and that you will be always able to get a hold of him. He said the biggest thing for people is to know where they are in the process. David said when a resident comes for a permit and you say you have to go to the Planning Board for that or you have to go to the ZBA for that, do you message that Board to tell them that the person needs to get on their agenda? Pike said first when the software is used correctly there will be a notification put out automatically that the applicant will be in that Board's realm. Pike said that secondly, because all the permit applications comes to through my office, by default I am at the center of the process and that it is my job to work with the other departments. He said he has already had meetings with Kirk in Planning, and the Fire Department. He said that he is working really closely with the Fire Department to deal with some unique situations in Rowley. David said if the position were to increase in hours would that be a problem? Pike said that he is confident that he can stay on top of both Towns. He said that obviously in the beginning there are things to learn. He said the Inspection Department works in waves, whereby some weeks are very busy and other weeks may not be. He said that hopefully he will have the flexibility here that he has in Georgetown so that he can ebb and flow between the two Departments as necessary and that should be very possible.

Ziev asked if we have an urgent situation going on in Town and that one of us needs to reach out to you over the weekend, would you be able to take a phone call. Pike said yes, I am available literally all the time. He said his job is to help contractors and

homeowners to build safely and that process works best when I am available. I can access PermitLink anytime and that his work emails come to his phone and tablet. He said that he will always come down as necessary, but he has an alternate that can come down, if he can't.

Ziev asked Pike if he is still the alternate in the Towns of Groveland and West Newbury. She asked him if he feels like those positions occupy a lot of his time. Pike said they occupy almost none of his time. He said Sam Joslin is the Building Commissioner there and that he almost never takes any time off.

Kneeland said to Pike, given that as the Building Inspector you have to deal with the public, applicants, and department heads, how would you handle an uncooperative person? Pike said what he has found what works is being able to go to the building code or to the bylaws and to show people specifically why he is asking them to do certain things. He said that this approach has been immensely beneficial. He said that I have had plenty of permit applicants come in very frustrated, but they have left maybe not getting the answer they wanted, but they were not upset because they understood reasons why I was asking them to do certain things.

Pierce said that in our Town the Building Inspector is our Zoning Enforcement Officer. He asked Pike if he had any experience with zoning enforcement and if he could describe his outlook and attitudes with this facet of the position. Pike said a few years ago when he decided to become an inspector, Sam Joslin set up an internship program and asked him to be part of it. He said inspecting buildings comes down to a small portion of what inspectors have to do and that there is more zoning work. He said he has had Rowley's bylaws for a while now and he has been reviewing them and working with Kirk to get familiar with the bylaws.

Pierce asked if you would only deal with issues brought to you by a proper complaint or would you feel free to enforce the bylaws when you are driving around Town and see something happening that should not be happening. Pierce asked him if he would stop and inquire about what is going on. Pike said that a lot of that comes down to how the Town wants to handle it. He said that if someone comes to him with a complaint then he is going to address it. He said that if he comes across a safety concern then it is non-negotiable and I am going to address it. He said when it comes down to smaller issues, it is a conversation we can have on how you want to address it. He said the reason I say that, is policing every zoning infraction that could possibly be out there can take a lot of time and I don't know that it is always worth it, but that is up to the Board. Pierce said that it does make sense and that you can't spend all your time chasing down people who don't follow the bylaws.

Pierce said we have a Zoning Review Committee in Town made up of about five or six members who meet a couple times a year to discuss changes to the Town's zoning bylaws. He said this Committee initiates the proposed changes to the bylaw and then it goes to the Planning Board for public hearings. He said that Ken Ward would appear before the Committee and it is good to have the input from the Building Inspector.

Pierce asked Pike if that is something he would be willing to do. Pike said he would be very happy to do that. He said that he is involved in the zoning bylaws as the Zoning Enforcement Agent in Georgetown and it would help him in his job if language in some cases was cleaned up. He said it would make his job easier and that he made recommendations to clear up language in the Georgetown zoning bylaws.

Ziev asked Pike if he had any questions for us. Pike said he doesn't think so, but that he has hit the ground running and will have questions in the future. Pike said he wanted to touch base with the Board on an application that he spoke to Debbie about. He said it is a FEMA grant for \$30,000 that will help with online permitting, education for him and other inspectors, and code books. He said that the government will cover 75% of the cost. The Board members agreed that it would be beneficial for the Town if we got the grant.

There being no further questions for Pike, Pierce asked the Board if they wanted to appoint James Pike to the position of Building Inspector, and if the Board appoints James, the Board will need to set his starting pay rate. The position is based on a 23-hour work week, which comes out to **\$42,661** (first step) - **\$45,160** (Step 5) - **\$48,880** (top step). Based on James qualifications and his institutional knowledge from his experience as the Alternate Building Inspector, where does the Board wish to start him? Ken was at the top step. Pierce said then, the Board will need to decide a start date. He said Debbie recommends that if the Board moves forward with appointing James, it be effective immediately, December 27, 2023.

Pierce asked if anyone has a motion to appoint James as the Building Inspector. Kneeland made a motion to appoint James Pike to the position of Building Inspector, Ziev, seconded, all in favor, aye (4-0).

Pierce asked at what pay rate does the Board wish to start James. Kneeland said that based on James' amount of experience she is comfortable with starting James at step 5, which is **45,160**, based on his experience. Ziev said she would second step 5. David said she would agree with that. Pierce said he has amazing experience and that it is a great fit for him and for us and that we lost Ken after he worked for us for many years. Pierce said he is very comfortable with that and called for a motion. Kneeland made a motion to set the starting pay for James Pike at Step 5 which is \$46,160, David seconded, all in favor, aye, 4-0.

Pierce said that James' start date should be immediate, today, December 27, 2023 and called for a motion. Ziev made a motion that James Pike start date should be today, December 27, 2023, Kneeland, seconded, all in favor, aye, 4-0.

Pike asked if he could have any input on the wages. He said that Rowley is on the real low end of the wage scale. He said that he doesn't know why that is, but it may be that Ken was here for a really long time. Pike said that he has a 2023 wage survey of all the neighboring towns. Pike asked what the breakout for the hourly wage is. Eagan said the hourly rate for step 5 is \$37.76. Pike said that it is \$11 under the average hourly rate for

Towns in the area. He said the survey was done by Groveland in January of this year. He told the Board that he would send them the survey. He said the rate is lower than what he wants to start at and lower than Georgetown. Kneeland said she would be happy to make a motion to rescind her vote and to make a motion to set the starting rate at the top step, which is \$48,880, which is \$40.87 per hour. Pierce asked Pike if that would address his concerns. Pike asked about vehicle and phone stipends. Eagan said that the Town has a cell phone stipend that the Board could vote to approve it today and the stipend ranges from \$10 up to \$50 per month. Eagan said we reimburse for mileage at the IRS rate and that it fluctuates year-to-year. Pike asked about vacation. Eagan said after one year he would be entitled to two weeks of vacation and that starting now he would be entitled to receive personal days on a prorated basis tied to the fiscal year. Eagan said that we are working with what is already in the FY 24 budget. She said that if the Board wants to re-consider the rate, they would need to look at doing so in the FY 25 budget and that this would need to be referred to the Personnel Board for review and a recommendation. Pike said the rate is low from what he is hoping for and low comparatively to other similar positions. He said that he is not asking for the moon. David asked Pike what will he be satisfied with. Pike said the average rate is \$48 per hour. He said that he doesn't need to get to \$48 per hour and that he was hoping to get closer to \$45 per hour. He said he would also be amenable to a probationary period to prove that he can do this job and do this job well. Ziev said that she is not comfortable going over the top step because we don't have the funds to go over the budget. Eagan said if the Board wanted to re-consider the pay rate, the Board can request the Personnel Board to look at the data Mr. Pike has and our own data. Eagan said there is a six-month probationary period anyway for non-union employees. Eagan said the Personnel Board would review the data and make a recommendation to the Board of Selectmen and then it would be put in the budget, which is reviewed by the Finance Committee and approved at Town Meeting and would go into effect on July 1. Kneeland said that the rate change would come after the six-month probationary period. Pike said it is tough to fill these part-time positions, but it is good fit because I work next door. Pike said I don't think you had another applicant for that reason. He said there are not a lot of inspectors out there. He said that there are a lot of full-time inspector positions available that are paying well, so it is hard to fill the part-time positions. He said most full-time inspectors are paying at or above the \$100,000 mark. He said he would love to make this work but that he can't take the position for \$45,000. David asked him how much he is making as the alternate. Pike said he is making \$25.00 per hour, but that none of the inspectors are working as alternates for the money, but more to help each other out, by reciprocating coverage. Ziev said we don't have the money in this budget year to go over the \$48,880, but that we could on July 1, which is at the end of the probationary period. Pike said that he understands and would be happy to do it now, but he wants to be clear that he can't work for that amount after July 1. Pike said that this not uncommon when you have an Inspector in a position for a long time, and he leaves you see the rates go up in the other Towns. Eagan said that normally, when a person leaves a job after being in it for a long time, we look at the job description and see if it needs to be changed. She said in this case, Ken did not give us a lot of notice and so we have not had a chance to look at the job description, which was done in 2008. Eagan said that we need to look at the job description and get feedback from the

new Building Inspector to get it more current and to reflect the use of new technology, along with looking at the salary. Ziev asked what is our pay compared to Georgetown. Pike said it is \$46 per hour and that Rowley is well-below the average. Kneeland made a motion to rescind the prior motion and vote to set James Pike's starting rate at Step 5, David, seconded, all in favor, aye, 4-0. Kneeland made a motion to appoint James Pike at \$48,880, which is the top step, Ziev, seconded, all in favor, aye, 4-0. David made a motion to submit the Building Inspector's job description and the salary to the Personnel Board for review, Ziev, seconded, all in favor, aye, 4-0.

Pike asked if we need to talk now about the vehicle stipend and cell phone. Eagan said that Pike should be getting reimbursed for his mileage now as the alternate and that it would continue with his new position as Building Inspector. Eagan recommended the Board vote on the cell phone stipend and that it is based on a monthly amount ranging from \$10 up to \$50 per month. Eagan said that she believes that Ken received \$50 per month and that it should be in the budget. Ziev made a motion to set the monthly cell phone stipend for James Pike at \$50 per month, Kneeland seconded, all in favor, aye 4-0. Pike said that the cell phone amount is on the low rate. Kneeland said she got a state rate of \$56 per when she worked for the school district. Eagan said we have our own Rowley rate and that she was not sure what the State rate is.

Eagan said that James Pike will need to be sworn in with the Town Clerk after the meeting and that his pay rate will change as of today.

ADJOURN

Ziev made a motion to adjourn, Kneeland seconded, all in favor, aye, 4-0.

Meeting adjourned at 11:06 a.m.

Respectfully submitted,
Deborah Eagan
Town Administrator

ATTACHMENTS:

1. Special Meeting – December 27, 2023 Meeting Memo with attachments: James Pike resume, interview questions, job vacancy notice, Building Inspector Job Description, FY 24 Non-union compensation schedule with three payroll calculation sheets attached showing the salary based on Step 1, Step 5, and Step 9.