

MINUTES OF THE BOARD OF SELECTMEN

December 4, 2023

Town Hall, 139 Main Street, Rowley

6:00 p.m.

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

PUBLIC ATTENDEES: Fire Chief Mark Emery; Police Chief Scott Dumas; Bernie Cullen, 283 Wethersfield St; Treasurer/Collector Karen Summit; Chris Sherratt, 305 Wethersfield St

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 6:00 p.m. He said the meeting is being audio and video recorded by Rowley Community Media.

PLEDGE OF ALLEGIANCE

Fire Chief Mark Emery lead the Pledge of Allegiance.

6:00 p.m. TO 6:05 p.m. PUBLIC COMMENT

There was no public comment.

GENERAL BUSINESS

1. Approve Council on Aging donations

Council on Aging Director Ellie Davis has received donations totaling \$1,900 from the Friends of the Rowley COA.

The Board needs to vote to approve and accept the donation.

Bob Snow made a motion to accept the donation, Deana Ziev second, all in in favor – aye (4-0).

2. Request from Marine Corps Reserve to place Toys for Tots drop off box at Town Hall

Pierce read the following:

The Marine Corps Reserve is collecting donations for Toys for Tots. We have been told that donations will be picked up sometime this week.

The Board needs to vote to authorize a Toys for Tots drop off box to be placed at Town Hall.

Bob Snow made a motion to authorize a Toys for Tots drop off box to be placed at Town Hall, Sheri David second, all in favor – aye (4-0).

Bernie Cullen asked when the final pick up will be. Ziev said it will be later this week. Chief Emery said they need time to pick up the toys, sort, and distribute.

3. Set meeting schedule – January, February, March, and April

Pierce read the following:

The suggested meeting dates for the next several months are as follows:

NOTE – These dates may change.

January 8

January 22

February 5

February 26

March 4

March 18

April 1

April 8

April 29

Bob Snow made a motion to approve the meeting dates, Deana Ziev second, all in favor – aye (4-0)

4. Resignation from Building Inspector Ken Ward**

Pierce read the following:

We received a letter of resignation this morning from Building Inspector Ken Ward. The Board needs to vote to accept his resignation.

Bob Snow made a motion to accept Ken Ward's resignation with regrets, Deana Ziev second, all in favor – aye (4-0).

Pierce said we wish Ken well.

5. Request from Town Administrator Deborah Eagan to lift the hiring freeze for the position of Building Inspector**

Pierce read the following:

Ken Ward's resignation is effective next Monday, December 11th.

Debbie recommends that the Board vote to lift the hiring freeze so that we can post the position of Building Inspector this week.

Bob Snow made a motion to lift the hiring freeze for the position of Building Inspector, Deana Ziev second, all in favor – aye (4-0).

6:05 p.m. APPOINTMENT Fire Chief Mark Emery to discuss goals

Pierce read the following:

We are holding this meeting to define goals and performance objectives for the proper performance of the Fire Department.

The Board and Chief Emery will discuss and define a list of goals that Chief Emery will work on during a specified period of time which will be defined by the Board.

One goal that the Personnel Advisory Committee has requested is a five-year study of the Fire Department. With the significant growth in new homes, there needs to be an examination of what the needs of the Fire Department will be over the next five years.

Does the Board have any other goals, in addition to the five-year study?

What goals does the Chief have?

After discussing the goals, the Board and the Chief need to come up with a list, along with a timeframe as to when each goal or performance objective will be completed. Debbie will provide a written memo to the Chief on the goals and the timeframe for completion.

Fire Chief Mark Emery gave a summary of the achievements that have been made over the last year. He said that they hired a new Captain and Lieutenant to each head up 2 12-hour daytime shifts. Emery said they also have hired 2 four firefighters shifts to staff 12 hours a day. He said they changed software to a new system which has improved their ability to respond to events more efficiently and have improved their fire prevention records, as well. He said they received a SAFE grant to get into the schools and they sent a fire fighter to a senior SAFE program to learn to be an instructor. He said the Department received a \$15,500 grant for equipment and they are applying for a FY24 grant for more equipment along with a grant to add another defibulator to the Department. He said they have started several public relations projects - sound the alarm program, a Veterans Day road race that was run with the Rowley Volunteer Fire Association, t-shirt sales for breast cancer and autism awareness, and a knox box

program for senior citizens who aren't mobile which allows firefighters to get the key for the house instead of knocking down the door. Emery said they re-started local emergency planning committee along with neighboring towns and are working with MVPC to update the hazardous mitigation plan. Lastly, he said he is participating in the Town's housing group, updating the emergency medical zone plan, and working with the Ipswich Fire Chief to renew the ambulance contract.

Emery then discussed the 5-year goals for the Department. He said they would like to provide safe around the clock coverage; right now from 6:00 pm to 6:00 am they rely on the call force. He suggested the Selectmen set up a working group to look into expanding coverage. He said he still sees a future role for call firefighters. Emery said the Department is in need of administrative help. He also sees a future need for a dedicated Fire Prevention personnel to help with all the new building in Town. He said the 2002 pumper truck will need to be replaced soon; they can no longer get parts for it. He has been told that if the Town orders a truck now, they will see it in 2 years because there is a backlog. Lastly, he said they need to look at auxiliary heating system for the police and fire stations because when the weather is very cold, the pipes freeze up.

David asked for clarification on the work on the emergency medical zone plan update. Emery said the plan was last completed a number of years ago. He said it is very outdated – many employees listed no longer work for the Department, the wrong ambulance company is listed, etc.

Ziev asked about the status of the communication upgrades. Emery said that the repeaters will be installed in February or March, they are still waiting for some parts. He said they were ordered a year ago from Motorola. He said the appropriation was voted 2 years ago, hopefully communication will be improved by the project - there have been some issues.

David asked how the Fire Department currently handles calls for inspections. Emery said Cooper and Baker handle the inspection calls, whichever is on that day. He said he hopes that eventually there will be a position in the Town that is specifically for Fire Prevention because if the Town moves to 24 hour shifts, there wouldn't be the consistency in staffing that is needed for that role.

Snow asked how Emery back fills if someone calls out sick. Emery said that with the current staffing of four firefighters on duty, one can be out and they are still ok because they have three employees there. He said that if the shifts go to three staff on duty, they would be filling for someone nearly every day. Ziev said that their goal should be to have four employees on duty around the clock. Emery agreed. He said that he has worked out an agreement with the Ipswich, Newbury, and Georgetown Chiefs where they aid each other on active fires. He said right now, full time staff does a lot of the

responding for after-hours calls and most do not live in town. He hopes to have the call firefighters fill in on shifts.

Pierce asked if it is possible to get another firefighter through a grant, like the last time. He said the fiscal situation for the Town is not very good, especially if the Whittier project passes. Emery said he is not sure if the Town is eligible but will look into it. David asked if Chief Emery isn't here in 5 years, can he advise a future Chief in order to help meet the 5-year goals. Emery said he hopes to implement the goals sooner than 5 years. He added that, with regards to staffing, it costs \$10,000 to bring onboard a call firefighter.

Eagan told Emery that the Personnel Advisory Committee asked him to come up with the 5-year staffing plan. She said it would be up the Board to decide whether they want a group to review the plan that Chief Emery comes up with. Pierce said the Chief should put together some options and prices, then come back for the Board to discuss whether to put together a working group. Eagan suggested that Emery take the goals and put them into a draft 5 year plan, then the Board can look at it in more detail. Emery said he will come back to the Board in January with his plan. Snow asked how many Towns have 24/7 coverage. Emery said all the surrounding Towns except West Newbury and Groveland. David asked if Emery thinks residents are aware there is no coverage at night. Emery said that when he responds to calls at night, he tells people because they did not know.

Deana Ziev made a motion for Fire Chief Mark Emery to create a draft of a 5-year plan and to come back in January, Bob Snow second, all – aye (4-0).

6:30 p.m. JOINT MEETING BOARD OF ASSESSORS – TAX CLASSIFICATION PUBLIC HEARING

Chairman Pierce called for a motion to open the Joint Meeting with the Board of Assessors.

Deana Ziev made a motion to open the joint meeting with the Board of Assessors, Bob Snow second, all in favor by ROLL CALL: Sheri David – AYE, Bob Snow – AYE, Cliff Pierce – AYE, Deana Ziev – AYE

Chair Jamie Snow called for a motion to open the Joint Meeting with the Board of Selectmen. Judith Doak made the motion to open the joint meeting with the Board of Assessors, David Zizza second, all in favor by ROLL CALL: Judith Doak – AYE, David Zizza – AYE, Jamie Snow – AYE.

The joint meeting of the Board of Selectmen and Board of Assessors was then opened.

Chairman Pierce read the Tax Classification Hearing Notice into the record. He stated that notice of this public hearing was published in the November 22, 2023 edition of The Ipswich Local News.

Chairman Pierce called for a motion of the Board of Selectmen to open the tax classification hearing. Deana Ziev made a motion to open the hearing, Sheri David second, all in favor by ROLL CALL: Sheri David – AYE, Bob Snow – AYE, Cliff Pierce – AYE, Deana Ziev – AYE

Chair Jamie Snow called for a motion for the Board of Assessors to open the tax classification hearing. David Zizza made a motion to open the hearing, Judith Doak second, all in favor by ROLL CALL: Judith Doak – AYE, David Zizza – AYE, Jamie Snow – AYE.

The Tax Classification hearing was then open.

Sean McFadden, Principal Assessor, said he included a handout which explains the assessment change and rate for FY24. He said property values are going up, but when the property values go up the rate goes down. He said the rate is going down 92 cents this year from \$13.02 to \$12.10. He said the average bill is \$8,340.06 an increase of \$284.35, which is in line with other Towns or better. He said they reported growth of \$30,000,000 for FY23 and they had estimated \$20,000,000. He said this will eventually come out as free cash next year.

McFadden said that certain styles of homes went up more than others. He said that capes and ranches went up 10% this year because last year they had a bigger increase. He said older style homes went up 13-15% this year because those houses have become more desirable for buyers trying to get into the Town. He said the lowest price sale in Rowley last year was \$500,000. McFadden said that the number of \$1 million plus home sales is increasing and the homes are located throughout the Town.

McFadden said that, with regards to shifting some of the tax burden to commercial businesses, he doesn't think it makes sense for the Town at this time. He said that if the Town got to a point of having 25% commercial, it would be worth doing however the Town is currently at 12.79%, a drop from 13.3% last year. He said that, for example, a 5% shift would reduce the residential rate to \$12.01, which would only save residents \$62, but commercial would go up \$616. He said he personally doesn't think the Town is at that point, yet. He said the Town doesn't have enough commercial real estate in Town for it to make a sizable impact on the residential bills. Jamie Snow, Chair of the Board of Assessors, noted that the Board of Assessors voted to support a single tax rate.

Bernie Cullen, 283 Wethersfield Street, asked what the Board of Assessors thinking on the rate at which undeveloped open land is taxed. He said there is a limited amount of open land for developers to build on and there are a number of zoning changes in the works, like MBTA, that will change the look of certain areas in the Town. He also asked why the assessed values of commercial properties in Town were dramatically different than the sales prices. He said he is concerned that the assessed values of commercial and residential are on par.

McFadden responded to Cullen's questions. He said that the value of residential land , prime and excess land, went up 15-16% this year. He said that the Board of Assessors cannot assess land for more than what it is selling for. He said the use of vacant land would fall under the Planning Board. He said the Board of Assessors can't plan the future of vacant land. Cullen asked if the tax rate for open land is the same or not the same. McFadden said it depends on which zone the land is located in – land in commercial zones is taxed as commercial, land in residential zones are taxed as residential. He said that if there is an area of land that the Planning Board wants to change, they would bring it to Town Meeting. Cullen said there isn't an incentive for people to develop land for housing; people are sitting and holding land. McFadden said, personally, he would not want to see all the Town's undeveloped land be developed; it would take away from the character of the Town.

McFadden responded to Cullen's second question regarding commercial property assessments. He said that they determine the value by looking at the sale price, as well as the income and expenses. He said they send out income and expense reports, review them and the market. He said that last year industrial went up 18% and commercial 10%, but this year industrial is going up 7% and commercial 9%. The values need to be approved by the State.

Chairman Pierce called a motion of the Board of Selectmen to close the Tax Classification hearing. Bob Snow made a motion to close the Tax Classification hearing, Deana Ziev second, all in favor by ROLL CALL: Sheri David – AYE, Bob Snow – AYE, Cliff Pierce – AYE, Deana Ziev – AYE

Chair Jamie Snow called for a motion of the Board of Assessors to close the Tax Classification hearing. Judith Doak made the motion to close the tax classification hearing, David Zizza second, all in favor by ROLL CALL: Judith Doak – AYE, David Zizza – AYE, Jamie Snow – AYE.

The tax classification hearing was closed.

Chairman Pierce called for discussion. He said he doesn't think there should be a change in the single tax rate; the commercial side of Town isn't growing fast enough. Bob Snow agreed.

Chairman Pierce called for a motion by the Board of Selectmen to approve the determination of classification rates for residential, open space, commercial, industrial, and personal property for fiscal year 2024. Bob Snow made the motion, Deana Ziev second, all in favor by ROLL CALL: Sheri David – AYE, Bob Snow – AYE, Cliff Pierce – AYE, Deana Ziev – AYE.

Chair Jamie Snow called for a motion of the Board of Assessors to approve the determination of classification rates for residential, open space, commercial, industrial; and personal property for fiscal year 2024. Judith Doak made the motion, David Zizza second, all in favor by ROLL CALL: Judith Doak – AYE, David Zizza – AYE, Jamie Snow – AYE.

Chairman Pierce called for a motion to close the Joint Meeting of the Board of Selectmen and the Board of Assessors. Deana Ziev made the motion, Sheri David second, all in favor by ROLL CALL: Sheri David – AYE, Bob Snow – AYE, Cliff Pierce – AYE, Deana Ziev – AYE.

Chair Jamie Snow called for a motion to close the Joint Meeting of the Board of Selectmen and to adjourn the Board of Assessors meeting. Judith Doak made the motion, David Zizza second, all in favor by ROLL CALL: Judith Doak – AYE, David Zizza – AYE, Jamie Snow – AYE.

NEW BUSINESS

1. Request from Police Chief Scott Dumas to approve a new Police Department policy on military deployment that meets the requirements of the Massachusetts Police Accreditation Commission for inclusion in the Police Department Policy and Procedure Manual

Chairman Pierce read the following:

Chief Dumas is asking the Board to approve a new policy on military deployment for police officers. This policy is needed in the Police Department Policy and Procedure Manual in order to meet one of the police accreditation requirements. This policy falls within the provisions of G.L. c. 33 §59, which provides that public employees will not lose pay or vacation time as a result of his/her service in the Armed Forces. The Town accepted this statute in 2001. Policy changes or additions to the Police Department Policy and Procedure Manual require a vote of approval by the Board of Selectmen.

Police Chief Dumas discussed the proposed policy. He said the Department is going through the accreditation process. He said this is a new requirement in the accreditation standards. He said he is not sure why they are adding this in. Snow said that the

Reserves are being used more than they have in the past, because the military is smaller than it used to be.

David asked if the policy applies to both full and part time employees. Dumas thought it was just for full time employees. Eagan said she will need to review the statute, but it says employees will not lose accrued time.

Bob Snow made a motion to approve the new policy on military deployment for police officers, Sheri David second, all in favor – aye (3-0). Deana Ziev – ABSTAIN.

2. Request from the Rowley Veterans Association for a One-Day Entertainment License for a four-member band to provide live music at the Rowley Veterans Association, 19 Bradford Street, in the first floor lounge area on December 29, 2023 from 7:00 p.m. – 10:00 p.m.

Chairman Pierce read the following:

This application has been reviewed by the relevant department heads and there are no concerns.

The Board needs to vote approve the application with the following standard One-Day Entertainment License conditions:

- 1) *Crowd manager must be present at all times during the event*
- 2) *Occupancy limits for premises must not be exceeded and crowd manager must be monitoring occupancy during the event*
- 3) *Windows and doors must remain closed during the event to prevent noise nuisance*
- 4) *Parking on the street is prohibited. The crowd manager must watch for instances of street parking and request vehicle owners to immediately move any vehicles parked on the street to designated facility parking areas*
- 5) *People congregating outside premises is prohibited.*

The license will be signed after the meeting.

Deana Ziev made a motion to approve the one-day entertainment license with the standard conditions, Sheri David second, all in favor – aye (4-0).

3. Review Zoning Board of Appeals Special Permit application filed by Christine A. McClearn of DiLuigi Foods to erect a sign consisting of 50 feet at 62 Forest Ridge Drive, 4B, in the Business/Light Industry District

Bob Snow made a motion of no comment on the application, Deana Ziev second, all in favor – aye (4-0).

OLD BUSINESS

1. Review response from Triton Regional School District Committee Chairperson and Superintendent regarding request to reduce FY 24 Assessment due to increases in Chapter 70 and Transportation funds

Chairman Pierce read the following:

The Board sent a letter to the Triton School Committee and Superintendent in October requesting a reduction the Town's assessment because the School District received higher than budgeted amounts of Chapter 70 funding and Regional School Transportation.

Triton School Committee Chair Linda Litcofsky and Triton Superintendent Brian Forget responded to the request. They are denying the request.

Pierce said their response is unfortunate and he is disappointed in their response.

2. Discuss Whittier Regional Vocational Technical High School Building Project

Chairman Pierce read the following:

The attached letter regarding construction cost estimates was sent to Whittier with a copy to the MSBA. We are requesting a response to the letter.

Additionally, Rep. Kassner and Sen. Tarr met with the Whittier officials on November 17th to discuss the predicament the District cities and towns are facing with a districtwide vote planned for January 23.

Chairman Pierce met with the Georgetown Board of Selectmen Chair Amy Smith to discuss concerns on the potential impact of a districtwide vote to both Rowley and Georgetown.

Pierce said Representative Kassner and Senator Tarr have been great through this process and supportive of the Towns. He said they will be putting together a summary of their meeting, which will be sent to the Board when it is completed. Pierce said most of the Towns are on the same page. He said that he and Eagan think the Board should respond to Superintendent Lynch's response to the MSBA, particularly since Whittier has withdrawn from its community presentations on the project.

Bob Snow made a motion to send a response to the MSBA, Deana Ziev second, all I favor – aye (4-0).

Bernie Cullen, 283 Wethersfield Street, said that Representative Kassner questioned some of the project costs. He said she pointed out that the access road was estimated to cost \$12 million however earlier estimates had it at \$4 million. He said she was astounded by the cost of the road, having experience with that type of work. He said she recognized that there could be a valid case to renovate the school rather than rebuild. Cullen said the estimated values for repairs seem grossly inflated. He said the only way to get a renovation is to defeat the new building on January 23. He said the lack of fire prevention has gone on for 10 years, it needs to be addressed. He said if it is essential, it should have been completed back in 2013 when it was identified.

Pierce said that it is unusual to hold an election in January. He said Rep. Kassner said there was some movement to push the vote out, but we will not know until the School Committee vote. Snow said that 12 years ago he went over to Whittier because they said they needed a new roof and the Towns were supportive of that repair. He is concerned about the upkeep of the building and would like to see more information about their maintenance plan. He said that the Pine Grove School was renovated; he sees no reason why Whittier couldn't be as well. Pierce said that, if they approve the January 23 election, the Towns will need to motivate voters to get to the polls.

Chris Sherratt, 305 Wethersfield St, said she went to Whittier to look at the school. She asked if the voting locations will be the same as in a regular election. Pierce said Rowley will have the same polling location. Sherratt said that her understanding is that Whittier turns away 500 applicants each year. She said she would like information on how many Rowley students have been turned away. Sherratt said that the way the project has been presented and the lack of information, seems unfortunate. She said that as a resident, she should have been informed about this project a long time ago - the process for the new school is short sighted for gathering support for the new school. She said voc tech has her support, but this wasn't the right way.

David said that there is no guarantee that Rowley students will even be admitted. She said the condition of the building is entirely on Whittier. Ziev asked what the protocol would be to ensure the school is currently safe for students that are there. David agreed that she is concerned about the lack of fire suppression. Eagan said they were told the Haverhill Inspectional Department inspects the building and this is a question for Haverhill Inspection.

Deana Ziev made a motion to have the Town Administrator reach out to Haverhill Building Inspection for a copy of the occupancy permit and inspection report, Sheri David second, all in favor – aye (4-0).

3. Discuss Housing Partnership Committee

Chairman Pierce read the following:

The Board voted on September 25, 2023 to approve Town Counsel Tom Mullen's suggested guidelines for forming a Housing Partnership Committee. The Board also requested Tom to provide a "form of motion" to create the committee.

Tom has provided the form of motion, which is attached. The motion incorporates the tasks of the Committee and composition of the committee.

If the Board is in agreement, the Chairman will need to call for a member to read the printed motion, a member to second it, and a vote.

Tom recommends that we then solicit applications from persons willing to serve on this committee, and then at a future meeting the Board can appoint members of the committee from the applicant group. (See attached message.)

Debbie suggests that she post a notice on the homepage and with the Town Clerk informing the public that the Board of Selectmen is accepting applications for the Housing Partnership Committee from persons who have professional experience in the housing field, such as affordable housing, real estate, construction, and banking, and that preference will be given to persons who reside in Rowley.

Pierce asked Eagan if they should call for a vote tonight. Eagan said the Board can, if it feels ready to vote on it.

Pierce read the motion:

I move that the Select Board create a five- (5-) member committee to be known as the "Housing Partnership Committee" (hereinafter, the "Committee"), whose members shall be appointed by the Select Board to staggered, two- (2-) year terms, to serve the following functions:

- 1. to study, promote and facilitate affordable housing in Rowley by working through public and private partnerships;*
- 2. to prioritize housing initiatives and goals that focus on enabling families, the elderly, and veterans to have housing choices in Rowley;*
- 3. to identify resources in Rowley and the wider region to help meet housing needs;*
- 4. to identify and research available sites for potential affordable housing projects in Rowley;*
- 5. to act as an advisor to the Town of Rowley's Affordable Housing Trust Fund Board;*
- 6. to promote the creation and preservation of affordable housing in Rowley;*
- 7. to make recommendations to the Rowley Planning Board on housing matters;*

8. *to make recommendations on comprehensive permit projects under G.L. c. 40B to the Select Board and the Rowley Zoning Board of Appeals;*
9. *to recommend policies on affordable and accessible housing; and*
10. *to serve as a source of information on affordable housing matters for Rowley boards and officials as well as the general public.*

I further move that in order to achieve staggered terms, the Select Board appoint each of three (3) initial members of the Committee to a two- (2-) year term and each of the remaining two (2) initial members of the Committee to a one- (1-) year term, provided that as the terms of each of the initial members expire, their successors shall be appointed to terms of two (2) years each, provided further that nothing herein shall prevent the Select Board from re-appointing any member to a second or subsequent term. I further move that in appointing members of the Committee, the Select Board attempt to ensure that such members have professional experience in fields relevant to the Committee's purposes, including, without limitation, affordable housing, real estate, construction and banking, and that preference be given to persons who reside in Rowley.

Bob Snow made the motion, Deana Ziev second, all in favor – aye (4-0).

4. Kid's Kingdom Playground Project Update

Chairman Pierce read the following:

We have good news to report on this project. We received the State Earmark Grant in the amount of \$75,000. These funds will reduce the cost to the Town for the project. We want to thank Senator Bruce Tarr and former Representative Jami Belsito for all their work in getting these funds for the Town. Our playground is now ADA compliant. Does the Board wish to send them a thank you letter for all their work in helping us get these fund?

Debbie reports that there are few items left to complete for this project:

- 1) *There is a slide that was on back-order. Once it comes in, the contractor, T. Ford, will install it, weather permitting.*
- 2) *The project team is working on a new Kid's Kingdom sign*
Lighting for the parking lot and playground. Debbie wants to put lights on the poles that are behind the Police and Fire Stations to light the newly-paved parking lot in Eiras Park. Debbie feels that having adequate lighting on the parking lot is a safety measure. This parking serves dual purposes – it is the overflow parking area for the Fire Station and Police Station buildings and it is the parking area for the playground and ballfields. Now with Town boards meeting in the Fire Station Meeting Room, meeting attendees are parking in the new parking lot and we need adequate lighting in the evening. These new light fixtures will provide adequate lighting for security purposes for the new playground and the ballfields. The cost for

this work is \$3,711.13. (Quote is attached.) Debbie is asking for authorization to get this work done before the winter weather conditions set in.

Bob Snow made a motion to complete the additional work and to send a thank you letter to Senator Bruce Tarr and former Representative Jami Belsito, Deana Ziev second, all in favor – aye (4-0).

Ziev said the playground looks amazing.

5. Discuss Remembrance of Climate Futures markers and proposed locations

Chairman Pierce read the following:

This agenda item was tabled at the November 20th meeting, to allow the Board time to review this project, which had been discussed three years ago. Debbie reached out to Town Counsel Tom Mullen to see if, by allowing this project to go forward, there is a precedent being set regarding allowing art projects on Town property.

Tom provided a response, which is attached. The first question is does the Board wish to permit this art project to be installed? If so, the Board needs to adopt a policy making clear that the Board, as the custodian of all municipal buildings and grounds, reserved to itself the sole right to decide what works of art and other forms of expression are attached to, placed upon or incorporated into Town structures and land. The policy might go on to say that any permission given by the Board with respect to a particular installation is solely an expression of government speech, reflecting the subjective, discretionary view of the elected Board, and does not confer any rights on the artist or any other person. It should say that any such permission is in the nature of a license that is revocable at will by the Board. The Board might also want Professor Starr to sign a document acknowledging that he has read the policy and understands that it applies to his project before it is installed.

Tom has offered to draft or review the policy, if the Board wishes to go forward with this project.

David said that she would withdraw support for the project. She said she is in support of climate awareness however the art project seems to express the opinion of the creator. She said that the plaques date out to 2057 and none of the Board members will be there to explain and address the plaques. She said that climate awareness is more out there than it was in 2017. She also said that she doesn't think that any art projects should be permanently affixed to Town Hall. Snow said he understands what David is saying. He said this is similar to the flag issues; the Town only allows the US and POW flags on the common. He said if they allow a plaque on Town Hall now, someone else may then want to install a different art project on Town Hall. David said this is being

called art, but art is open to interpretation. She said you cannot be sure of what will happen in 2057.

Pierce said the best way to not encourage something is to not approve it. He said he feels bad because the Board did support the project in 2017, but now he wishes they hadn't. He said in light of the Supreme Court decision on the flags, the Board needs to be cautious. Pierce said he doesn't want it to seem as though the Board members are climate change deniers, he said he is a proponent of climate awareness. Snow agreed. David said the Town does need a policy for art on public buildings, but she said she thinks the Town should withdraw its support for this project.

Sheri David made a motion to withdraw the Town's support for the Climate Remembrance project, Bob Snow second, all in favor – aye (4-0).

David asked if a motion should be made to create a policy. Pierce said they could also wait until a policy is needed. Eagan said that Tom Mullen can draft a policy.

LICENSE RENEWALS

Class II Dealer's License Renewals

- Gino Tzortzis and Timothy Harder d/b/a Gino's Collision Center, Inc. 274 Newburyport Turnpike***
- Josephine Bornstein d/b/a D&D Auto Sales LLC 274 Newburyport Turnpike
- Mark Ouellette d/b/a M & J Foreign Cars, Inc. 415 Newburyport Turnpike
- Kostantinos Baltopoulos d/b/a Car and Truck Exchange, Inc. - 185 Newburyport Turnpike
- Donald Savory and Mark Savory d/b/a Bay Road Auto Sales – 56 Newburyport Turnpike and 588 Main Street
- Salvatore A. LaFauci d/b/a AutoPro Collision Corp. 266 Haverhill Street
- Thomas Boucher d/b/a Boucher's Automotive Machine Shop, Inc. 239 Haverhill Street
- Darya Litvinava d/b/a Auto Imports Unlimited, Inc. 357 Main Street
- Thomas Mannetta Jr. d/b/a Legendary Motors LLC 28 Forest Ridge Drive Building #3
- Robert Souza d/b/a Automotive Transport Service, Inc. – 60 Main Street

Chairman Pierce read the following:

We have received the renewal paperwork from the current Class II Dealer's license holders.

Attached is the report from Regulatory Compliance Agent Frank Marchegiani regarding his site visits of the Class II businesses. There are no overdue taxes, water or electric balances from these applicants.

Please vote on the approval and signing of the following licenses up for renewal. These licenses have been prepared for you to sign after tonight's meeting.

Bob Snow made a motion to approve the Class II dealer's license renewals, Deana Ziev second, all in favor – aye (4-0).

Class III Dealer's License Renewals

- Donald Savory and Mark Savory d/b/a Rowley Auto Salvage Inc. 588 Main Street

Chairman Pierce read the following:

We have received the renewal paperwork from the one Class III Dealer's license holder. There are no overdue taxes, water or electric balances from this applicant.

Please vote on the approval and signing of the following license up for renewal. This license has been prepared for you to sign after tonight's meeting.

Bob Snow made a motion to approve the Class III Dealer's license renewals, Deana Ziev second, all in favor – aye (4-0).

Flea Market License Renewals

- Starr P. Todd d/b/a Todd Farm LLC 283 Main Street
- Sandra A. Hamel d/b/a Sandy's Flea 31 Main Street
- Frank and/or Shirley Todd d/b/a Todd's River Farm, LLC 275 Main Street

Chairman Pierce read the following:

There are no overdue taxes, water or electric balances for the applicants. Please vote on the approval and signing of the following licenses up for renewal. These licenses have been prepared for you to sign after tonight's meeting.

Bob Snow made a motion to approve the flea market license renewals, Deana Ziev second, all in favor – aye (4-0).

MINUTES

- October 30, 2023

Deana Ziev made a motion to approve the minutes of October 30, 2023, Sheri David second, all in favor – aye (4-0).

- November 13, 2023 – Executive Session

Approval of the Executive Session minutes was continued to the next meeting.

ANNOUNCEMENTS

1. The Town of Rowley Veterans Committee is holding a Wreaths Across America program. The Committee is looking for volunteers to lay wreaths on veterans' graves in the Rowley Cemetery on Saturday, December 16 at 10:00 a.m. Donations are also being accepted. Please go to the Town's website for more information.
2. The Town has the following board vacancies:
 - **Conservation Commission**
 - **Council on Aging**
 - **Open Space Committee**
 - **Rowley Cultural Council**
 - **Zoning Board of Appeals – Alternate member**Interested residents should send a letter of interest to the Board of Selectmen. Positions are open until filled.

Snow said Wreaths Across America will be taking place on December 16 at 10 am. He invited the public to come and volunteer to lay wreaths on the graves. He said it is a great and humbling event.

ADJOURN

Bob Snow made a motion to adjourn, Deana Ziev second, all in favor – aye (4-0).

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Natalie Lovett
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo for 6:05 Appointment: Fire Chief Mark Emery to discuss goals
2. Excerpt from Personnel Advisory Committee memo dated December 19, 2022
3. Excerpt from Mark Emery's contract
4. FY 23/24 Fire Department accomplishments submitted by Chief Emery on December 4, 2023
5. Meeting memo for 6:30 p.m. Joint meeting Board of Assessors – Tax Classification Public Hearing
6. Tax Classification Hearing notice

7. Copy of Tax Classification Hearing notice publication on November 22, 2023
8. Tax Classification Hearing presentation
9. Meeting memo for General Business #1: Approve Council on Aging donations
10. Request from COA Director Ellie Davis to approve donations
11. Meeting memo for General Business #2: Request from Marine Corps Reserve to place Toys for Tots drop off box at Town Hall
12. Meeting memo for General Business #3: Set meeting schedule – January, February, March, and April
13. Meeting memo for General Business #4: Accept resignation from Building Inspector Ken Ward
14. Resignation letter from Ken Ward
15. Meeting memo for General Business #5: Request from Town Administrator Deborah Eagan to lift the hiring freeze for the position of Building Inspector
16. Meeting memo for New Business #1: Request from Police Chief Scott Dumas to approve a new Police Department policy on military deployment that meets the requirements of the Massachusetts Police Accreditation Commission for inclusion in the Police Department Policy and Procedure Manual
17. Letter from Chief Scott Dumas re: New Police Department Policy
18. Draft policy for Military Deployment and Reintegration
19. Excerpt from Chapter 22: Massachusetts Police Accreditation Standards
20. Excerpt from ATM May 7, 2001
21. Meeting memo for New Business #2: Request from the Rowley Veterans Association for a One-Day Entertainment License for a four-member band to provide live music at the Rowley Veterans Association, 19 Bradford Street, in the first floor lounge area on December 29, 2023 from 7:00 p.m. – 10:00 p.m.
22. One-Day Entertainment License application from the Rowley Veterans Association
23. Meeting memo for New Business #3: Review Zoning Board of Appeals Special Permit application filed by Christine A. McClearn of DiLuigi Foods to erect a sign consisting of 50 feet at 62 Forest Ridge Drive, 4B, in the Business/Light Industry District
24. Special Permit application filed by Christine A. McClearn of DiLuigi Foods to erect a sign consisting of 50 feet at 62 Forest Ridge Drive, 4B, in the Business/Light Industry District
25. Meeting memo for Old Business #1: Review response from Triton Regional School District Committee Chairperson and Superintendent regarding request to reduce FY24 Assessment due to increases in Chapter 70 and Transportation funds
26. Letter from Triton Regional School District Committee Chairperson and Superintendent regarding request to reduce FY24 Assessment due to increases in Chapter 70 and Transportation funds

27. Letter to Triton Regional School District Committee Chairperson and Superintendent regarding request to reduce FY24 Assessment due to increases in Chapter 70 and Transportation funds
28. Meeting memo for Old Business #2: Discuss Whittier Regional Vocational Technical High School Building Project
29. Letter to Whittier Regional Vocational Technical School Committee Chairman and Superintendent regarding Whittier Regional Vocational Technical High School School Building Project – Cost Estimates
30. Letter from Whittier Regional Vocational Technical School Superintendent regarding Whittier Regional Vocation Technical High School – School Building Project
31. Letter from the Massachusetts School Building Authority to the Town of Rowley regarding Whittier Regional Vocational Technical School District, Whittier Regional Vocational Technical High School
32. Letter from the Massachusetts School Building Authority to Superintendent Lynch regarding Whittier Regional Vocational Technical School District, Whittier Regional Vocational Technical High School
33. Letter from Town Administrator Deborah Eagan to Whittier Regional Vocational Technical School Committee Chairman and Superintendent regarding Whittier Regional Vocational Technical High School – School Building Project
34. Letter from Chairman Cliff Pierce to Senator Tarr and Representative Kassner regarding Whittier Regional Vocational Technical High School School Building Project – Project Vote with enclosures
35. Letter from Chairman Cliff Pierce to State Treasurer Deborah Goldberg and MSBA CEO James MacDonald regarding Whittier Regional Vocational Technical High School School Building Project – Project Vote with enclosure
36. Meeting memo for Old Business #3: Discuss Housing Partnership Committee
37. Housing Partnership Committee Motion
38. Email from Thomas Mullen to Debbie Eagan regarding Housing Partnership Committee
39. Excerpt from September 25, 2023 Board of Selectmen meeting minutes regarding Discuss Housing Partnership Committee
40. Meeting memo for Old Business #4: Kid's Kingdom Playground Project Update
41. Quote from J. Cotter Electric Service, Inc.
42. Meeting memo for Old Business #5: Discuss Remembrance of Climate Futures markers and proposed locations
43. Email from Debbie Eagan to Board of Selectmen regarding Climate Marker Public Art Project
44. Draft Rowley Remembrance Trail markers
45. Email from Natalie Lovett to Thomas Starr regarding Climate change public information project
46. Meeting memo for Class II Dealer's License Renewals
47. Site visit report from Regulatory Compliance Agent Frank Marchegiani

- 48. Meeting memo for Class III Dealer's License Renewals
- 49. Meeting Memo for Flea Market License Renewals
- 50. Draft meeting minutes of October 30, 2023