

MINUTES OF THE BOARD OF SELECTMEN

Town Hall, 139 Main Street, Rowley

February 5, 2024

6:00 p.m.

MEMBERS PRESENT: Chair Cliff Pierce, Clerk Deana Ziev, Sheri David, Bob Snow
(Town Administrator Debbie Eagan)

MEMBERS ABSENT: Christine Kneeland

MEETING ATTENDEES: Bernie Cullen, 283 Wethersfield St; Tristan Ashlock, Ipswich Local News; Chris Harlow, 22 Dodge Rd; Travis Kneeland, Shellfish Constable; Sarah O'Connell, The Great Marsh Shellfish Co.; Brendan Doyle, The Great Marsh Shellfish Co.; Janet Fitzgerald, 68 Pleasant St; Karen Summit, Treasurer/Collector; Daniel Terry

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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

Chris Harlow, 22 Dodge Rd, spoke about the Whittier school vote. He said the Ipswich Local News, Rowley Board of Selectmen, taxpayer attention, and weather were all factors in the large turnout for the vote. He said he thinks Whittier is going to work diligently to come up with a new school plan. He said the public needs to stay alert and engaged in the process.

GENERAL BUSINESS

1. Request from Town Clerk Catie McClenaghan to appoint the following Election Workers: Bonnie Fries, Deborah Goldsmith, Jan Saunders, Edward Smith, and Laurie Smith

Chairman Pierce read the following:

The Board needs to vote to appoint the following Election Workers:

Bonnie Fries

Deborah Goldsmith

Jan Saunders

Edward Smith

Laurie Smith

Bob Snow made a motion to appoint the election workers, Deana Ziev second, all in favor – AYE (4-0).

2. Letter from Town Clerk Catie McClenaghan regarding in-person early voting options for the March 5, 2024 Presidential Primary

Chairman Pierce read the following:

The Board needs to vote to set the in-person early voting scheduled for the March 5, 2024 Presidential Primary.

The Board of Registrars has recommended a scheduled that runs from Saturday, February 24, 2024 through March 1, 2024.

Deana Ziev made a motion to approve the early voting schedule, Bob Snow second, all in favor – AYE (4-0).

3. Request from Building Inspector James Pike to appoint Glenn Clohecy Alternate Building Inspector

Chairman Pierce read the following:

James is recommending Glenn Clohecy for the position of Alternate Building Inspector. (See attached.) The Board will need to vote to appoint Glenn to this position.

Deana Ziev made a motion to appoint Glenn Clohecy as Alternate Building Inspector, Sheri David second, all in favor – AYE (4-0).

4. Authorize Deborah Eagan to be the contractor authorized signatory for Massworks grant contract documents

Chairman Pierce read the following:

We received the contract documents for the Massworks grant. Debbie is requesting the Board to vote to designate her as the Contractor Authorized Signatory on the grant paperwork and to authorize Chairman Pierce to sign the form as the CEO on behalf of the Board of Selectmen.

Bob Snow made a motion to authorize Deborah Eagan to be the contractor authorized signatory for the MassWorks grant and to authorize Cliff Pierce to sign the paperwork as the CEO, Deana Ziev second, all in favor – AYE (4-0).

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

Chairman Pierce read the following:

Debbie is requesting the Board to lift the hiring freeze for the position of Assistant Town Administrator.

Deana Ziev made a motion to lift the hiring freeze for the position of Assistant Town Administrator, Bob Snow second, all in favor – AYE (4-0).

6. Letter of resignation from Reserve Police Officer Robert Adams

Chairman Pierce read the following:

Reserve Police Officer Robert Adams has submitted his resignation. The Board needs to vote to accept his resignation.

Deana Ziev made a motion to accept the resignation with regrets, Bob Snow second, all in favor – AYE (4-0).

7. Letter of resignation from Police Officer Adam Elmore

Chairman Pierce read the following:

Police Officer Adam Elmore has submitted his resignation. The Board needs to vote to accept his resignation.

Bob Snow made a motion to accept the resignation with regrets, Sheri David second, all in favor – AYE (4-0).

8. Request from Police Chief Scott to Dumas to lift the hiring freeze for the positions of two fulltime police officers and reserve police officer

Chairman Pierce read the following:

Chief Dumas is requesting the Board to vote to lift the hiring freeze for the two full-time police officers and one part-time/reserve police officer.

Bob Snow made a motion to lift the hiring freeze for the two full-time police officers and reserve police officer, Sheri David second, all in favor – AYE (4-0).

NEW BUSINESS

1. Request from The Bluebird Performance Venue for three One-Day Entertainment Licenses for live music and poetry offered in a coffee house format at the First Congregational Church Parish Hall at 175 Main Street from 6:30 p.m. to 9:00 p.m. on the following dates:

- March 23, 2024
- April 20, 2024
- May 18, 2024

Chairman Pierce read the following:

These applications have been reviewed by the relevant department heads and there are no concerns.

The Board needs to vote approve the three applications 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.*

These licenses will be signed after the meeting.

Sheri David made a motion to approve the 3 dates with the standard conditions, Bob Snow second, all in favor – AYE (4-0).

2. Request from Trevor Laliberte for a street light on the pole located at 54 Haverhill Street

Chairman Pierce read the following:

Trevor Laliberte contacted Debbie recently to request that a street light be placed on the pole in front of his house. He said it is very dark at night in front of his house. He said that the installation of a light on that pole should not shine into his neighbors' homes.

Debbie asked the Highway Department, Light Department, and Police Department to review the request.

*The **Highway Department** had no comments.*

*The **Light Department** said there is electrical power on Pole #15, which is in front of 54 Haverhill Street.*

*The **Police Department** said that they get calls if the lights shine into someone's house, so having the light shining downward without impacting the desired effect of a better lit area should be considered.*

Does the Board wish to approve this request?

David said that she went there a few nights ago. She said it is very dark on that road. She said the light would be ideally located on pole 13 or 14, but there is no power on those poles. She said the light is necessary; it is a very dark stretch.

Deana Ziev made a motion to approve a street light on the pole located at 54 Haverhill St, Sheri David second, all in favor – AYE (4-0).

- 3. Letter from KP Law regarding determination and consent pursuant to Massachusetts Rules of Conduct, Rule 1.7 – Rowley Landing*

Chairman Pierce read the following:

The Town's Labor Counsel firm, KP Law, also serves as Town Counsel for the Town of Georgetown. Joe Fair of KP Law sent the Board the attached letter in accordance with the Rules of Professional Conduct of the Massachusetts Bar because the Town of Georgetown is asking his firm to review the title and historical documents associated with the Rowley Landing for the purposes of determining what rights, if any, Georgetown may have in the Rowley Landing.

Debbie asked Town Counsel Tom Mullen to review the letter and to provide guidance on how to proceed. Tom provided Debbie with the following response:

Debbie:

As we discussed by phone today, the Board has no legal duty to sign the waiver, but on the other hand since Mr. Fair represents the Town with respect to matters that have nothing to do with the landing, I believe that his request for the Board's consent is not unreasonable. The Board is legally free to consent or not as it chooses.

Tom

How does the Board wish to proceed? If the Board votes to consent to the request, the Board needs to sign the Determination form. This will be signed after the meeting.

Chairman Pierce said he sees no issue from an ethical point of view. Snow agreed.

Bob Snow made a motion to sign the waiver, Deana Ziev second, all in favor – AYE (4-0).

4. Update on the January 25, 2024 Triton District Communications Committee meeting

Chairman Pierce read the following:

Christine and Sheri attended the January 25, 2024 DCC meeting in Salisbury. The Committee discussed the proposed FY 25 Triton Budget. Triton Superintendent Brian Forget prepared three operating assessment increase “scenarios” of the proposed school budget.

Scenario #1

*Rowley's increase is 6.72% or \$847,461 for a total of **\$13,454,716.***

Scenario #2

*Rowley's increase is 6.12% or \$771,217 for a total of **\$13,378,472.***

Scenario #3

*Rowley's increase is 5.47% or \$689,120 for a total of **\$13,296,375.***

Sheri will provide an update on the highlights of the meeting.

Does the Board wish to vote to send a letter to the Triton School Committee and Superintendent requesting that they adopt the Scenario #3 Operating Assessment? Rowley's assessment increased by \$991,965 in FY 24 for a total assessment of \$12,607,255. Another huge assessment increase in the next fiscal year will be difficult to absorb.

David said this is the first year that she can remember that they are attempting to limit increases. She recommended that the Board send a letter to the School Committee

recommending that they adopt scenario #3. David said this meeting was preliminary and there will be more information coming.

Bernie Cullen, 283 Wethersfield Street, said he was at that meeting. He said the School Committee seemed to want scenario #1. He said he thinks that the Town should tell the School Committee what the Town can afford given revenue and growth. Pierce said it seems Cullen is saying that it may be best to hold off on a letter until the Town better understands its financial situation for FY25. Cullen said they are looking for information from the Towns before the next DCC meeting.

Eagan said they recently received updated information from the Town Accountant on the budget. She said the 2 ½ levy is \$457,647 for FY25. She said that will all go to the school under scenario 3. She said between Triton, Whittier, and Essex Tech all of the property tax revenue will go to the schools. She expects the same for the next several years. Eagan said even scenario 3 will be a lot for the Town. She said the Town needs to operate under Proposition 2 ½, however the school budget does not.

Bob Snow made a motion for the Board to send a letter to the Triton School Committee explaining the Town current financial situation, Sheri David second, all in favor – AYE (3-0). Deana Ziev – ABSTAIN.

6:15 p.m. PUBLIC HEARING – Aquaculture License application filed by Daniel Terry to perform aquaculture activities in Mud Creek

Chairman Pierce read the following:

The Board of Selectmen has received an Aquaculture License application from Daniel Terry of 13 Jellison Road, Rowley. This application is for a proposed aquaculture project that will include planting, transplanting, growing of shellfish, including but not limited to oysters, scallops, mussels, quahog, with the main focus on oysters and scallops in Mud Creek. The Board of Selectmen is required to hold a public hearing on this application.

Chairman Pierce read the public meeting notice into the record. He stated that the hearing notice was posted in the following three locations Town Hall, Town Hall Annex, and Rowley Public Library. The Hearing Notice was also published in the January 17, 2024 edition of the Ipswich Local News. The posting and the publishing of the notice are required under the State Shellfish Aquaculture License Statute, G.L. c.130 §57.

Chairman Pierce called for a motion to open the public hearing. Deana Ziev made the motion, Bob Snow second, all in favor – AYE (4-0). The public hearing was then open.

Pierce states that the Applicant is applying for a Shellfish Aquaculture License for an approximate 2-acre area located in Mud Creek. He asks the applicant to speak about his project.

Daniel Terry discussed his background. He said he has over 20-years experience in commercial shellfishing. He said he has been a Deputy Shellfish Constable, On-call Firefighter and EMT for the Town of Rowley. He said he got a job at Pfizer after he received his degree in Chemistry. He also said that he recently received a Masters in Biochemistry. Terry then went through his PowerPoint presentation slides.

Terry said that this location was not his first choice – he was advised that his first choice could interfere with recreational boaters. Shellfish Commissioner Ron Kneeland brought him out to the currently proposed location and Terry said he thought it would be a good location. He said he has received support from the Essex County Greenbelt and the landowners near the proposed site.

Terry said that he has met with the Shellfish Commission several times to discuss the proposal. He said they are pleased with the new location and have given their support. He said that he has also met with the Conservation Commission because this is a wetlands area. He received a Conditional Support from the Commission.

Terry said that in addition to the Best Practices that he has for Mud Creek Shellfish, he said that he is also using the conditions that are used by Great Marsh Shellfish Co. for their license. He said that he created a Storm Preparedness Plan in case there is a storm that pushes the cages into the marsh. He said that he has insurance and, in the event that he is not able to get out to the equipment after a storm, he also has a third party that can retrieve the equipment.

He showed the overwintering location for the equipment. He said the floats on the cages are opened and sink to the bottom so that they are not damaged over the winter.

Chairman Pierce read the comments submitted from the following Town Departments:

- Board of Shellfish Commissioners
- Shellfish Constable
- Conservation Commission
- Harbormaster
- Assessor

Harbormaster Bill DiMento said that he has had recent conversations with Terry. He said that Terry moved his equipment nearer to the mudflat and shifted it so that it is further into Rowley. He said that he would like to see the deeds for the properties to

ensure ownership of the mudflats and avoid future issues. He said that Terry will need to use the Town Landing to access the river. He said that Terry is a resident of Rowley, so he has rights to use the landing but he asked that he avoid using the landing on the weekends and times when the Landing is very busy. DiMento said the plan looks very good but he would like to come back to this in the spring and confirm ownership of the mudflats.

Brendan Doyle, owner of Great Marsh Shellfish Co., he said that some of his gear is on a mudflat, which he personally owns. He said he uses a mix between the water sheet that he leases from the Town and the flats that are part of his property. DiMento said that the difference here is that the mudflats are not owned by Terry. DiMento said that the Shellfish Commission has found the proposed flats to be unproductive at this time. Terry said he will reach out to Dave Rimmer, from Essex County Greenbelt, to confirm that Greenbelt owns down to mean low tide. He said his understanding of Massachusetts General Law is that they may have rights to mean low tide, however the public would still have rights to fish, fowl, or navigate around those flats.

DiMento said that he is comfortable with the cages being on the mudflats as long as ownership is confirmed. He said if they continue with the river, he is also OK for the cages to be located along the centerline of the creek to allow boats to navigate around it. He said the area will need to be maintained as closely to original conditions as possible and the equipment will need to be moved for overwintering.

Bob Snow said there was an issue about a decade ago between the Ipswich and Rowley that they had to go to the Merrimack Valley Planning Commission to ask for a delineation between the two towns. He asked if that is needed for Newbury and Rowley. DiMento said that the delineation between Rowley and Newbury is considered to be the centerline of the creek. He said that the issue before was that there had grown to be a lucrative razor clam fishery back then between Ipswich and Rowley and some of the shellfishers from Ipswich were coming over the line into Rowley. He said the land ownership for this site is Greenbelt on one side and Federal Wildlife on the other. Snow said if there is an issue, we can always use MVPC to help. David asked Terry what days, months, times the business would be using the landing. Terry said it would mainly be during the workweek. He said it would be until November. Doyle said it generally takes him some time to prep and secure the oysters and equipment for overwintering. DiMento said that Doyle has been good about avoiding high traffic times at the landing, such as the holidays and weekends. He said he expects that Terry would similarly avoid the high traffic times.

Ziev asked Doyle how his venture is going. Doyle responded that it is going well and they have just completed their second growing season. He said they had a good fall harvest and hope for the same for the spring. Doyle said that Terry has been working

with him for the past few months and observing the operations. Doyle said that shellfishing is the only commercial fishery that requires a social license. He said they have to be very conscious of how their equipment will affect recreational boaters.

DiMento asked if Terry will be using an upweller. Terry said no. David said Terry's proposal says that he will create partnerships with area schools. She asked Terry to explain what that would entail. Terry said that he has spoken with Greenbelt and he is hoping that Triton students will be allowed to use the canoe launch to view the equipment.

Ziev said her biggest concern is that the Town can no longer have a part-time Shellfish Constable overseeing these licenses. She asked if Shellfish Constable Travis Kneeland had anything to share. Shellfish Constable Travis Kneeland said that he sent comments to the Board by email. He said he didn't have any additional comments. Eagan said that Kneeland met with the Personnel Board last year and they drafted a job description for a full-time position, but it got cut out of the FY24 budget. She said the Board of Selectmen said back then that it would look at the position again for FY25. She said Rowley is the only Town in the area with a part-time Constable. She said she is grateful for everything Kneeland does for the Town, but the amount of work is exceeding what he can do on a part-time basis. Ziev said going forward with this license means the Town needs to have a full-time Shellfish Constable. DiMento said the Department of Marine Fisheries requires a lot of oversight for shellfish farms. He said this license will add to the amount of enforcement for the Town. He said if the Town does not have the ability to enforce the requirements, then the license cannot be approved.

Chairman Pierce read letters from Assessor Sean McFadden and the Conservation Commission.

Chairman Pierce asked if the Shellfish Constable, Shellfish Commissioners, or Conservation Agent had any further comments. They did not.

Chairman Pierce asked if the other Selectmen had any additional questions. Pierce asked Terry if he has reached out to the Division of Marine Fisheries (DMF). Terry said he has and was advised to come to the Town first to obtain the Aquaculture License before submitting the DMF paperwork. There were no further questions from the Selectmen.

There were no comments from the public.

Chairman Pierce called for a motion to close the public hearing. Dean Ziev made the motion, Bob Snow second, all in favor – AYE (4-0). The public hearing was then closed.

Pierce said that he recommends the license include the conditions stated by the Conservation Commission. Ziev said she loves this project and the Town just needs to find a way to increase the Constables hours. DiMento added that the ownership of the mudflats should be included as a condition. Pierce suggested they issue the license for 10 years, as they had for the Great Salt Marsh Shellfish Co.

Deana Ziev made a motion to approve the aquaculture license with the conditions as stated by the Conservation Commission, that the deeds be reviewed and approved by the Harbormaster, and the license be issued for 10 years, Bob Snow second, all in favor – AYE (4-0).

6:30 APPOINTMENT* Patrick Connolly, Project Manager, Harborlight Homes to discuss affordable housing development project at 236 Newburyport Turnpike

Chairman Pierce read the following:

*Patrick Connolly is here tonight to request an additional \$200,000 in Community Preservation Act (CPA) affordable housing funds. The Harborlight Homes team met with the Board of Selectmen on November 13, 2023 to make a presentation on a proposed affordable housing development project at 236 Newburyport Turnpike. Harborlight Homes requested **\$300,000** from the Town's affordable housing CPA funds. The Board supported the \$300,000 request and it was referred to the Affordable Housing Trust Board (AHTB) for approval. The AHTB met on January 3, 2024 and voted to approve the \$300,000 CPA allocation. Shortly after that meeting, Debbie was contacted by Harborlight Homes requesting additional funds beyond the \$300,000 allocation due to construction cost increases. Harborlight Homes is requesting a total amount of **\$500,000**. Debbie requested that they submit a cost breakout. (See attached.) The AHTB is also trying to build up the trust fund with available CPA funds. If the Board of Selectmen votes to support an increase in the Harborlights allocation, then the AHTB will reduce the amount that will be allocated for "seed money" for the trust. Additionally, the Board of Selectmen previously authorized the Town's federal HOME funds to be allocated to Harborlight Homes for their project.*

Patrick Connolly gave the Board copies of his PowerPoint presentation.

Pierce said he feels the Board should offer Harborlight a compromise of \$400,000 from CPC for this project. He said that Harborlight has needs, but so does the Town such as the Bradstreet affordable housing project. David said she agrees. Connolly said he came prepared with a presentation, but that was a great summary. He briefly went through his presentation.

Chairman Pierce read the following about the MassWorks grants:

Also, Harborlights is requesting the Town file a State MassWorks grant application to make modifications to Route 1 for their development project. Route 1 is a State road, entirely under the purview of MassDOT. The MassWorks grant program is for municipal infrastructure projects. Due to limited staff resources and the significant number of projects that Debbie and Natalie are working on, Debbie recommends that Harborlight Homes contact the Executive Office of Housing and Livable Communities and have them request MDOT make the modifications needed for this project. The State is pushing cities and towns very hard to generate affordable housing projects, so the State should be investing in these project as well, by making the necessary modifications to the State-owned Route 1 roadway. Additionally, the Rowley Farms Affordable Housing project will need modifications at the intersection of Route 1 and Route 133.

Pierce said there are a lot of needs in Town, and we just don't have the staff to commit to the grant application. Connolly said that he looked through recent MassWorks grant to see if there was precedent for a State-owned road. He said that Uxbridge was awarded a MassWorks grant. He said he reached out to the Town DPW Director and in his opinion it was not a substantial lift as compared to other grants. Connolly said he can reach out to DOT but if they don't agree, then Harborlight is stuck in a hard place. He said Harborlight would help the Town as much as possible through the process. David said the Town just doesn't have the resources to do this now. Eagan said Rowley doesn't have a Department of Public Works to run this project. She said the Town should not have to apply to the State to improve the State's road. She said the MassWorks grants are intended for local infrastructure projects. Ziev agreed. Pierce said the Board thinks this is a great project, he is sorry that the Town can't meet all of Harborlight's requests.

Deana Ziev made a motion to increase the amount of CPC funds for the Harborlight project from \$300,000 to \$400,000, Bob Snow second, all in favor – AYE (4-0).

Snow asked if the Town should send a letter to DOT. David asked if Harborlight will be going back to the State. Connolly said they will be but it would also be helpful to have the Board send a letter to the State explaining the problems.

Bob Snow made a motion to send a letter to the DOT, Deana Ziev second, all in favor – AYE (4-0).

NEW BUSINESS

5. Appoint Christine Kneeland as the Rowley representative to the Triton School Committee Facility Subcommittee

Chairman Pierce read the following:

Triton is asking for a Board of Selectmen representative to serve on the Triton School Committee Facility Subcommittee. Christine is offering to serve on this subcommittee. She brings a wealth of experience having served as the Pine Grove School Principal for many years, as well as overseeing the extensive renovation of the Pine Grove School and grounds.

The Board needs to vote to designate Christine as the Board of Selectmen's representative to the Triton School Committee Facility Subcommittee.

Bob Snow made motion to appoint Christine Kneeland as the Rowley representative to the Triton School Committee Facility Subcommittee, Deana Ziev second, all in favor – AYE (4-0)

Bernie Cullen, 283 Wethersfield St, said that choosing Kneeland makes sense. He said he is concerned about the absence of representatives on the subcommittee with building construction and cost experience. David said the Board should inquire with Triton whether the Town can have an additional rep. Eagan said Cullen should direct his concerns to the School Committee because this is their subcommittee.

6. Review May 6, 2024 Annual Town Meeting Schedule

Chairman Pierce read the following:

Debbie has prepared a Town Meeting Warrant and Budget schedule for the Board to review.

Debbie recommends the Board vote to open the May 6, 2024 Annual Town Meeting Warrant on Monday, February 12, 2024 and to close the warrant on Thursday, March 14, 2024 at 4:00 p.m.

Bob Snow made a motion to open the warrant on February 12, Deana Ziev second, all in favor – AYE (4-0)

7. Discuss hiring a company to do an assessment process for a promotion for the Rowley Police Department

Chairman Pierce said that Larry White, the Chairman of the Personnel Committee, has requested that this item be tabled so that an investigation can be done on the hiring process, because there has been an inquiry. Pierce said he would like to put the item on hold, hopefully just until the next meeting.

Police Chief Scott Dumas asked who made the inquiry and why the Board had him wait at the meeting for an hour when it was going to be continued. Ziev asked Eagan if she had let Dumas know that the item would be continued. Eagan said she contacted the Board on behalf of Personnel Committee Chair Larry White. She said she did not let Dumas know because she wasn't sure what the Board wanted to do. Pierce apologized to the Chief, he said he should have called him.

Dumas asked if he was going to be kept in the dark about the inquiry. Eagan said she cannot say anything at this time, she needs to look into some things that came to Chairman White's attention.

Sheri David made a motion to pause the promotional process along with the assessment center process indefinitely, Bob Snow second, all in favor – AYE (4-0)

OLD BUSINESS

1. Discuss Whittier High School Building Project vote and regional agreement

Pierce said that MSBA states in their rules that if a project doesn't receive community support they will need to file a statement of intent to begin the process again. He said that he recommends the Town immediately file amendments to the agreement. He said they will need 5 other members to agree to initial an amendment process. He said there are two reasons to amend the agreement: the Board of Selectmen should be able to appoint their own representative to the Whittier School Committee, and to change the method for apportioning capital costs to actual enrollment in the school.

Snow said that he thinks the Whittier School Committee members should be elected, not appointed. Pierce said that may require a change in legislation. Snow said the Board should also reach out to the other communities. Pierce agreed, he said he would first like to have the proposed amendments reviewed by Town Counsel and then send them to the other member communities. He said unanimous support is required to make an amendment; Haverhill would have to approve it.

Bernie Cullen, 283 Wethersfield St, said that if the agreement isn't amended he thinks that the communities should only agree to pay for ongoing maintenance costs. He said if Whittier proposes a new project, the size of the project will greatly depend on who is sitting on the School Committee.

Deana Ziev made a motion for the Board to draft amendments to the agreement and to send the proposed amendments to the other member communities, Bob Snow second, all in favor – AYE (4-0).

Chief Dumas came back to the meeting. He said he has a hard time believing that no one on the Board knew why he was at the meeting and allowed him to sit there for an hour and a half. He said now he has heard that there is an inquiry, which is basically an investigation into him he's guessing. Pierce said no one said it was an inquiry against Dumas. Dumas said this is a 13-hour day for him, and 12-hour days have not been uncommon recently. He asked what was delaying the process and what the inquiry is. He said he doesn't work for Larry White, he works for the Board of Selectmen. He gave Chairman Pierce the 3 applications for Captain that were requested by White. He said this is delaying a process that is necessary to get someone into this position. He said he was asked by Chairman Pierce to come to the meeting to discuss the assessment center. Pierce said he thought they were going to discuss it. Ziev said the Board needs to move on to New Business #2, the Chairman already addressed this, the Chief has said his piece. Chairman Pierce apologized for making the Chief sit there. Snow also apologized.

2. Discuss Building Inspector position

Chairman Pierce read the following:

When the Board of Selectmen appointed James Pike to the position of Building Inspector on December 27, 2023, the Board requested the Personnel Advisory Committee to review the outdated job description and the salary.

The PAC has completed its review and recommends the Board approve a new job description and to authorize Chairman Pierce to sign it.

The PAC is recommending that the pay grade be moved from Grade #12 to Grade #14 and that James Pike's rate be set at Step 7 effective July 1, 2024.

Bob Snow made a motion to approve the grade change for Building Inspector, Deana Ziev second, all in favor – AYE (4-0).

3. Bradstreet Educational Nature Trails Project update

Chairman Pierce read the following:

Debbie has been working with Open Space Committee Chair Alyssa King and Conservation Agent Brent Baeslack on the Educational Nature Trails project at the Town's Bradstreet property.

The Open Space Committee received a \$3,500 grant from New England Biolabs that will be used for this project. Debbie is working on a Community Preservation Committee

application for \$6,000 to cover the balance of costs, which includes the purchase and installation of storyboard mounts, invasive species removal, construction of raised beds with native species, etc. The project is at the Bradstreet “active recreation” parcel which is classified as Article 97 park land. The Board of Selectmen are the “park commissioners.”

Debbie is asking the Board to approve her filing this application with the Community Preservation Committee for funding at this year’s Town Meeting.

Bob Snow made a motion to approve, Sheri David second, all in favor – AYE (4-0)

Eagan asked the Board to revote the motion for the Town warrant. She said she didn’t hear whether the closing date was included in the motion.

Bob Snow made a motion to open the May 6, 2024 Town Meeting warrant on February 12 and close it on March 14, Deana Ziev second, all in favor – AYE (4-0)

MINUTES

- January 8, 2024

Bob Snow made a motion to approve the minutes of January 8, 2024, Sheri David second, all in favor – AYE (4-0)

ANNOUNCEMENTS

1. Christmas Tree Drop Off for Rowley residents – Residents can drop off their live Christmas trees at Eras Park until February 16, 2023. Please remove all lights and decorations. Only trees can be disposed of – no wreaths, greens, or objects containing metal.
2. The Town has the following board vacancies:
 - **Conservation Commission**
 - **Housing Partnership Committee – Five members**
 - **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.

ADJOURN

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

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Natalie Lovett

Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo for 6:15 p.m. public hearing
2. Legal notice for public hearing
3. Comments from the Rowley Shellfish Commission regarding the Mud Creek Shellfish Co application
4. Comments from the Rowley Shellfish Constable regarding the Mud Creek Shellfish Co application
5. Comments from the Rowley Harbormaster regarding the Mud Creek Shellfish Co application
6. Comments from the Assessor regarding the Mud Creek Shellfish Co. application
7. Comments from the Rowley Conservation Commission regarding the Mud Creek Shellfish Co application with attachments
8. Letter from David Rimmer, Essex County Greenbelt
9. Email from Daniel Terry to Matthew Hilman, US Fish and Wildlife
10. Email from Matthew Hilman with attached letter
11. Addendum to Proposed Mud Creek Aquaculture Farm with attached coordinates, aerial layout, and maps
12. Powerpoint presentation from Daniel Terry, Mud Creek Shellfish Co.
13. Aquaculture Permit Application for Mud Creek Shellfish Co.
14. Meeting memo for 6:30 p.m. Appointment
15. Email from Patrick Connolly, Harborlight Homes with attachment
16. Letter from Kristin Carlson, Harborlight Homes dated December 18, 2023
17. Community Preservation Act fund balances created by CPC Administrator Karen O'Donnell
18. Meeting memo for General Business #1
19. Letter from Town Clerk Catie McClenaghan dated January 31, 2024
20. Meeting memo for General Business #2
21. Letter from Town Clerk Catie McClenaghan dated January 18, 2024
22. Meeting memo for General Business #3
23. Email from James Pike to Debbie Eagan re: Appointment of Alternate Building Inspector
24. Meeting memo for General Business #4

25. Email from Jong Wai Tommee to Debbie Eagan re: Massworks contract documents
26. Standard Contract Form for Massworks grant with attachments
27. Meeting memo for General Business #5
28. Memo from Deb Eagan re: Request to lift hiring freeze
29. Meeting memo for General Business #6
30. Resignation from Robert Adams dated January 26, 2024
31. Meeting memo for General Business #7
32. Resignation from Adam Elmore dated January 31, 2024
33. Meeting memo for General Business #8
34. Letter from Police Chief Scott Dumas re: Hiring Freeze dated January 31, 2024
35. Meeting memo for New Business #1
36. 1-Day Entertainment License application from The Bluebird Performance Venue for May 18, 2024
37. 1-Day Entertainment License application from The Bluebird Performance Venue for March 23, 2024
38. Email from Police Chief Scott Dumas re: 3 One Day Entertainment License Applications
39. Email from Town Planner Kirk Baker re: 3 One Day Entertainment License Applications
40. Email from Health Director Frank Marchegiani re: 3 One Day Entertainment License Applications
41. Email from ZBA Coordinator Lisa Lozzi re: 3 One Day Entertainment License Applications
42. Email from Highway Surveyor Patrick Snow re: 3 One Day Entertainment License Applications
43. Email from Fire Chief Mark Emery re: 3 One Day Entertainment License Applications
44. Meeting memo for New Business #2
45. Email from Debbie Eagan re: Street light request to the Board of Selectmen
46. Email from Debbie Eagan re: Street light request to Police Chief, Highway Surveyor, RMLP Manager, and RMLP Office Manager with attachment
47. Email from RMLP Manager Matt Brown re: Street light request
48. Email from Highway Surveyor Patrick Snow re: Street light request
49. Email from Police Chief Scott Dumas re: Street light request
50. Meeting memo for New Business #3
51. Letter from KP Law re: Determination and Consent Pursuant to Massachusetts Rules of Professional Conduct, Rule 1.7 – Rowley Landing with enclosures
52. Email from Thomas Mullen re: Georgetown Landing Use
53. Meeting memo for New Business #4
54. FY25 Operating Budget Assessment Scenarios
55. Triton Regional Schools Budget Request Book FY25 – District Wide Proposal
56. Meeting memo for New Business #5

57. Email from Christine Kneeland re: Triton SC Sub Facility Committee Group
58. Meeting memo for New Business #6
59. Draft 2024 Annual Town Meeting & Budget Review Schedule
60. Regional School Committee Meeting Schedule 2023/2024 School Year
61. Meeting memo for New Business #7
62. Email from Police Chief Scott Dumas re: Disclosure
63. Disclosure of Appearance of Conflict of Interest from Police Chief Scott Dumas
64. Letter from Police Chief Scott Dumas re: Hiring Freeze
65. Police Captain Job Vacancy Notice
66. Email from Town Accountant Amy Lydon re: donation account
67. Proposal from Municipal Resources Inc
68. Meeting memo for Old Business #1
69. Email from Debbie Eagan re: Meeting 2/6/24
70. Email from Maureen Lynch re: Meeting 2/6/24
71. Proposed amendments to the Whittier Vocational Regional School District drafted by Cliff Pierce
72. Agreement with Respect to the Establishment of a Vocational Regional School District dated July 26, 1967 with amendments
73. Meeting memo for Old Business #2
74. Memo from Deb Eagan re: Building Inspector Position
75. Revised Building Commissioner Job Description
76. FY24 Nonunion Compensation Schedule
77. Meeting memo for Old Business #3
78. Community Preservation Committee Pre-application form for Bradstreet Educational Nature Trail project
79. Pine Grove School Environmental Education Nature Trail Project Background
80. Letter from Town Clerk Susan Hazen re: Definitive Subdivision Plan Approval for the Bradstreet Farm dated July 22, 2009