

MINUTES OF THE BOARD OF SELECTMEN

March 21, 2022

Town Hall, 139 Main Street, Rowley, MA

6:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Clerk Robert Snow; Joseph Perry; David Petersen (Town Administrator Deborah Eagan; Assistant Town Administrator Amy Lydon) Vice Chairman Deana M.P. Ziev - ABSENT

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. He read a COVID announcement from the Board of Health.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6:05 P.M. TO 6:10 p.m. PUBLIC COMMENT

There were no public comments.

GENERAL BUSINESS

1. Request from Zeth Folds to be appointed to the Board of Registrars and letter from Assistant Town Clerk Janet Peabody to appoint Zeth Folds to the open seat on the Board of Registrars

Chairman Pierce read the following:

The appointment procedure for the Board of Registrars is outlined in G.L. c.51 section 15. Under the statute, the term starts on April 1st.

Rowley resident Zeth Folds has submitted a letter of interest in serving on the open seat on the Board of Registrars. Mr. Folds has met with Town Clerk Catie McClenaghan and Assistant Town Clerk Janet Peabody to discuss the duties and responsibilities required to serve on the Board of Registrars. Catie and Janet are recommending that Mr. Folds be appointed to this open seat.

Does the Board wish to appoint Mr. Folds to this seat? If so, please vote to appoint him through March 31, 2022, and to re-appoint him from April 1, 2022 – March 31, 2025.

Bob Snow made a motion to appoint Zeth Folds to the Board of Registrars through March 31, 2022 and to re-appoint him for a new three-year term from April 1, 2022 – March 31, 2025, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

2. Request from Rowley Youth Baseball to use the Town Common for the T-ball season

Chairman Pierce read the following:

Rowley Youth Baseball has requested the use of the Town Common for the Tee Ball season, which will start April 25th and runs until June 18th, Monday-Friday from 6-7:30.

We received the following feedback from Department Heads:

- **Police Chief:** *“If the league could put out a reminder to parents to be mindful of the parking issues and there should be no parking along 1A, it would be appreciated. Otherwise the Police Department has no concerns. Thanks.*
- **Health Director:** *No comments / concerns*
- **Acting Fire Chief:** *No comments / concerns*
- **Highway Surveyor:** *No comments / concerns*

Does the Board wish to approve this request conditional upon the following:

1. *Rowley Youth Baseball to advise participants not to park on 1A and to be mindful of where they are parking in relation to driveways, fire hydrants, side of street, etc.*
2. *Rowley Youth Baseball to provide an updated certificate of insurance - the current certificate provided expires on April 17th.*

Joe Perry made a motion to approve this request conditional upon: Rowley Youth Baseball to advise participants not to park on 1A and to be mindful of where they are parking in relation to driveways, fire hydrants, side of street, etc. and Rowley Youth Baseball to provide an updated certificate of insurance - the current certificate provided expires on April 17th, Bob Snow second, all in favor – aye (4-0). Deana Ziev - ABSENT

3. Department of Agricultural Resources Annual Animal Inspector Nomination

Chairman Pierce read the following:

We have received the annual nomination form from the State Agriculture Division of Animal Health for the Town’s Animal Inspector.

The Board needs to vote to nominate Reed Wilson as the Town’s Animal Inspector. Once he has been nominated he will sign the attached form in the witness of a notary and we will mail the form to the Department of Agricultural Resources.

Bob Snow made a motion to nominate Reed Wilson as the Town’s Animal Inspector, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

4. Letter of resignation from Board of Health Member John Melcher

Chairman Pierce read the following:

Longtime Board of Health member John Melcher has submitted his letter of resignation.

The Board needs to vote to accept his resignation.

Bob Snow made a motion to accept this resignation, Joe Perry second, all in favor – aye (4-0). Deana Ziev – ABSENT

NEW BUSINESS

1. Old Planters of Cape Ann Community Impact Statement

Chairman Pierce read the following:

Spencer Kalker, the CEO of Old Planters of Cape Ann, Inc. contacted Debbie via email as shown below:

Good morning, as part of our annual license renewal we need to provide the State CCC with a letter from the town stating what, if any, impact Cape Ann Cannabis operations has had on the towns services and community during 2021. Please provide an impact statement for us to forward to the CCC. Thank you very much for your consideration in this matter.

Best Regards

Spencer

Spencer Kalker

President CEO

Cape Ann Cannabis

Old Planters of Cape Ann, Inc.

Town Counsel previously recommended to Debbie that she query Town departments to see if anyone has had any financial impact. If no departments have had any financial impacts, Tom Mullen recommends that we inform Old Planters of Cape Ann that the “Town has not yet suffered any quantified impacts.” (This is what we have done in the past.)

The departments have indicated that they have not any financial impacts incurred from this business. Also, the Selectmen’s Office has not incurred any financial impacts from this business. Therefore, the Board needs to vote to authorize Debbie to provide Mr. Kalker with a response in accordance with Tom Mullen’s recommendation. This response will be sent by Mr. Kalker to the Cannabis Control Commission.

Joe Perry made a motion to authorize Debbie to provide Mr. Kalker with a response in accordance with Tom Mullen's recommendation, Bob Snow second, all in favor – aye (4-0). Deana Ziev – ABSENT

2. Update on the Triton District Communications Committee meeting

Chairman Pierce read the following:

Dave attended the March Triton District Communications Committee meeting. He said that the School District has decided to set up a Stabilization Fund. The process to do so requires them to place an article on the Town Meeting warrant. (Please see attached.)

Dave will provide an update on this.

Petersen said this was a quick meeting and Triton provided their budget. He said the proposed policy is to apply money each year from their Excess and Deficiency account to a general stabilization account and OPEB. He said the establishment of a general stabilization account needs a Town Meeting warrant article to be passed in two out of the three towns. He said Triton provided the article wording and he read it into the record. He said this is the same type of fund that the Town uses and he recommends that the Board vote in favor of this.

Dave Petersen made a motion to support an article to establish a stabilization fund for Triton, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

Bernie Cullen of 283 Wethersfield Street said he was at that meeting and most of the Triton budget meetings. He said he has no issues with the stabilization fund but Triton will be increasing their budget each year in order to add funds to this account, so this vote is a vote to increase Triton's budget. Petersen said this is correct. He said sometimes Triton uses the Excess and Deficiency funds to fund their budget and now they want to set up a stabilization fund for emergencies and repairs. He said Triton has a \$45,000,000 budget, there was \$700,000 in the Excess and Deficiency and they used \$90,000 to reduce the stadium payment. He said they haven't had a plan to fund OPEB, and they now plan to fund it with \$75,000 each year. He said this is a good budgeting tool and it is allowed under State law.

OLD BUSINESS

1. Update on Merrimack Valley Regional Transit Authority Ring and Ride Program

Chairman Pierce read the following:

Bob Snow asked for this item to be on the agenda. He is working with the Merrimack Valley Regional Transit Authority Administrator Noah Berger on setting up the Ring and Ride Program in Rowley. Rowley will be part of a new streamlined operation and there will be no cost to the Town. The program is slated to start on July 1, 2022.

Bob will provide an update on this agenda item.

Snow said Ellie from the COA has reported that there are seniors in Town who need to get to appointments in other Towns. He said MVRTA is working on setting up a Ring and Ride Program where people can pay a certain amount of money for a ride, which the fee paid by seniors being half the regular fee. He said this was supposed to be effective on July 1st, but they are working on getting volunteers and hope to kick it off in the next couple of weeks. He said four towns are being added to the program including Rowley, Georgetown and Groveland. He said Noah Berger of the MVRTA has a vision and he likes working with him. He asked people to share any feedback that they have on this program.

FY 23 BUDGETS

1. Board of Selectmen

Eagan asked the Board if there are any questions on this budget. She said she is requesting to increase Natalie's hours to accommodate the workload from a number of programs we are involved in, such as the Green Communities Program, OSHA Compliance, CARES Act reporting and ARPA reporting, in addition to grant writing. She said these additional hours are needed to support the projects that the Board wants to do. Petersen said he totally supports this increase, he is in Town Hall three to four days per week and the office does an incredible amount of work. He said the Green Communities is a lot of extra work and the building projects require a great deal of work, and this is worthwhile and overdue. Snow said he often gets emails from Eagan on Saturday afternoons, and all of the staff does a great job. Pierce said additional grant awards will offset some of the additional cost to increase the hours.

Dave Petersen made a motion to approve the FY23 Selectmen's budget, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

2. Board of Assessors

Principal Assessor Sean McFadden said he has met the guidelines, but is asking for a \$891 increase for the professional services line. He said the costs for the Vision software and the webhosting are increasing, and he can't cover these increases with the existing budget. He said with all of the map updates due to new construction, he may be short this year. Snow said the total budget is increasing by 1.86%.

Joe Perry made a motion to approve the FY23 Board of Assessors budget, Bob Snow second, all in favor – aye (4-0). Deana Ziev - ABSENT

3. Town Accountant

Town Accountant Sue Bailey said she right now she and Carrie work three days per week and she is requesting that their hours increase so that they work 3.5 days per week, which is a 20% increase. She said they keep track of the Town's budget of \$22

million, the Water budget of \$4 million, the Light budget of \$8 million and grants and trust funds. She said additionally constituents want information from them, this is long overdue for more funding. She said their current hours are the equivalent of 1.2 full-time equivalents, and they have no down time.

Petersen said he supports this and this department does a great job and they are helpful. He said the Town is growing and we are still trying to run it using part-time people. Perry agreed and said the support from the office is immeasurable, and we should support this increase.

Dave Petersen made a motion to approve the FY23 Town Accountant budget, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

4. Town Hall

Eagan said this budget was distributed last week. She said there are no changes to the Janitor's wages, and she is increasing the expense budget by \$800 to \$23,000. She said the budget for this building has been lower by \$800 than the Annex budget, but the costs are higher. She said we have already received a Reserve Fund Transfer this year, but the new heating system should help reduce costs. She said Town Hall has two heating systems and an elevator to maintain and costs are increasing. She said the heating oil budget line was reduced because oil will only be used for the upstairs auditorium next year. She said the electrical and repairs/maintenance budget lines were increased. She said this is a historic and fully occupied building, and more funds are needed.

Dave Petersen made a motion to approve the FY23 Town Hall budget, Bob Snow second, all in favor – aye (4-0). Deana Ziev - ABSENT

5. Inspection Department

Eagan said Building Inspector Ken Ward was informed about the meeting, but he isn't here yet. She said he is requesting an increase in his hours. Snow said he spoke with Ward earlier and he said he would be here. Pierce said lets table this for now.

6. Police Department

Chief Dumas said the overall increases are due to Collective Bargaining Agreements and contractual obligations. He said his expenses are shown on page 6 and he has four Issues and Options, three of which are needs, and one of which is a want. He explained the need for and costs of the three Issue and Options "needs" for: security camera software updates \$4,754.88; cloud storage for body worn cameras \$3,504; landscaping for public safety buildings \$2,889. He said the Issues and Option "want" item is for a motorcycle lease for \$5,000, which is an officer retention tool and good for traffic enforcement. He said these items collectively add \$16,147.88 to the budget.

Petersen asked how many hybrid vehicles they have and how they are working for fuel and maintenance. Dumas said his car is working fantastic and probably gets double the fuel efficiency of the last Chief's vehicle. He said the electronics in the cruisers are causing issues for the hybrid vehicles, such as surging, which is causing him to rethink purchasing hybrid cruisers in the future. Bernie Cullen asked if there is a plan to increase the number of speed radar signs. Dumas said they have added two into the capital budget, they do work, and the Light Department helps to move them to difference locations.

Joe Perry made a motion to support the budget with the \$5,000 for the motorcycle. The vote was not completed. Petersen said he is opposed to the motorcycle because there are a lot of increases in the capital budget, he understands the Chief's arguments, but thinks this can be postponed for one more year. Dumas said he agrees there are some practicality issues, such as the inability to transport with a motorcycle, but said the motorcycle can be used from March until they start salting the roads. He asked if it would be okay if he could find a grant to fund this. Petersen said he would support this if another funding source can be found. Snow said Dumas should find an alternate funding source.

Joe Perry made a motion to approve the FY23 Police budget with the first three Issues and Options and to require an alternate source of funding for the motorcycle, Bob Snow second, all in favor – aye (4-0). Deana Ziev – ABSENT

Petersen said the Police and Fire Departments are requesting \$400,000 for a radio system upgrade under a capital request which has been approved, but we aren't sure of the funding source yet.

7. Harbormaster

Eagan said the Harbormaster Is not here and the budget is within the guidelines.

Bob Snow made a motion to approve the FY23 Harbormaster budget, Dave Petersen second, all in favor – aye (4-0). Deana Ziev - ABSENT

8. Tree Warden

Tree Warden Patrick Snow said this budget is within the guidelines and the expenses have been level funded. He said two trees were removed from the Town Common last year, and the cost to replace these two trees is \$425 and \$575 for a total of about \$1,000. He said there is not enough money in this year's budget to cover this. Eagan said we can request a 44 33B transfer in May to cover this. Patrick Snow said the Institution for Savings donated trees in the past, and the DiMento family offered to cover one tree in the memory of Barbara DiMento.

Dave Petersen made a motion to approve the FY23 Tree Warden budget, Bob Snow second, all in favor – aye (4-0). Deana Ziev – ABSENT

9. Highway

Highway Surveyor Patrick Snow said he is requesting an increase for engineering services for \$75,000, but he is willing to back that down to \$25,000 and see how things go for the first year. Pierce said he can see how there is a need for this. Patrick Snow said we do need this with all of the construction in town, the bridge and culvert study and they can help us apply for grants as well.

Dave Petersen made a motion to approve the FY23 Highway budget with a reduction of engineering services to \$25,000, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

10. Snow and Ice

Highway Surveyor Patrick Snow said this is level funded. He said they will be going into deficit spending this year and they have used 1,085 tons of salt this year. He said they lost three to four contracted trucks this year due to contractors not having enough help. He said in the future they may be looking for early sign on bonuses or extra money per hour if they commit to the Town for the season.

Bob Snow made a motion to approve the FY23 Snow and Ice budget, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

11. Triton

Pierce said this budget has increased by 4%.

Joe Perry made a motion to approve the FY23 Triton budget, Dave Petersen second, all in favor – aye (4-0). Deana Ziev – ABSENT

12. Whittier

Pierce said this budget is increasing by 21%. Eagan said this is due to enrollments.

Bob Snow made a motion to approve the FY23 Whittier budget, Dave Petersen second, all in favor – aye (4-0). Deana Ziev – ABSENT

13. Essex Tech

Perry said this budget has decreased.

Joe Perry made a motion to approve the FY23 Essex Tech budget, Bob Snow second, all in favor - aye (4-0). Deana Ziev - ABSENT

14. Water Department

Water Commissioner Bernie Cullen provided an overview of the Water Department budget as follows:

- Their FY22 revenues were \$200,000 less due to the wet summer, but they have kept their projections constant.
- Expenses are increasing 2.3% or \$55,000 across the various categories, and an unknown is the impact of inflation.
- Heat and fuel budgets have increased by 50%, electricity has increased by 10%, and chemicals have increased by 20%. They have a line for Collective Bargaining Reserve.

Pierce asked if the 25 hookups are for Falcon Ridge and if so, will there be a lot more after FY23. Cullen said Falcon Ridge will have 49 total, they have done a lot already, so 25 represents the remaining amount. Pierce asked if we have enough water for these developments. Cullen said yes, and the wet summer helped. He said they have no issues with the wells and have identified a new water source near well #2. He said the water main project for Dodge and Daniels road had been funded with money from stabilization, but the Federal ARPA money became available and was applied to this project. He said the stabilization money originally planned to be used for this will be repurposed for a Fenno Drive water main replacement project, which will be a similar sized project. He said they have a large amount of unaccounted for water, 20%, which is above the State target. He said they use a program to check for leaks and what they are able to find are usually small leaks unless the water is showing on the surface of the ground. He said this is a mystery, their hypothesis is that this could be from old meters, they will have an article for \$100,000 to begin meter replacements, which will cost \$2,000,000 to replace all the meters. He said their intent is to reduce rates and Rowley's water rates are still high due to the expensive water treatment plant that is being paid for by 2,000 customers. He said they haven't been fully staffed and will be putting \$500,000 into stabilization. He said they will have the requisite coverage with a Primary and Secondary for Distribution and a Primary and Secondary for Treatment. He said even though they have had vacancies, they need to fund the positions because they are trying to hire people, and they also have to put extra money in the health insurance line in case current employees decide to sign on for the Town's plan.

Snow asked when the treatment plant will be paid off. Cullen said in 2032 and they are trying to hold off on capital projects until this is paid off. Snow said the Master Plan calls for a water tank. Cullen said there is a dispute amongst the Water Board about when this is needed, but the location will be Prospect Hill. Water Superintendent Bob Gray said the tanks installed up high that you see around are installed that way to boost the pressure, but with Prospect Hill at a high elevation, we can use a regular tank. He said we need to have more usage before we need another tank because the water needs to circulate in the tanks to keep the water quality high. He said the water meters are ultrasonic and the meter heads can be repaired. He said they have the same amount of unaccounted for water each year and the plan is to put 15 new meters in and see if

there is a decrease in the unaccounted for water. He said if this doesn't solve the problem, they will have to look for leaks and this is expensive to do. He said the current tank holds 1,000,000 gallons of water. Petersen said he commends the Water Department and its' staff, all Town departments work well together and the Town is fortunate to have quality employees. Perry said the cooperation between departments is great. Snow asked Bernie and Bob to keep the Board of Selectmen informed about the leaks.

Bob Snow made a motion to approve the FY23 Water Department budget, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

5. Inspection Department (CONTINUED)

Pierce said this budget request is adding 240 hours for the Building Inspector. Building Inspector Ken Ward apologized for being late. He said a law was passed to allow people who have retired to work an additional 250 hours up to a cap of \$15,000. He said he hopes to catch up with these additional hours. Petersen said the Inspection Department brings in a lot of revenue, he doesn't know how Ward does the job within the current hours and this increase is warranted and he supports it 100%.

Dave Petersen made a motion to approve the FY23 Inspection Department budget, Joe Perry second, all in favor – aye (4-0). Deana Ziev - ABSENT

MINUTES

- March 7, 2022

Joe Perry made a motion to approve the March 7, 2022 minutes, Bob Snow second, all in favor – aye (4-0). Deana Ziev – ABSENT

- March 21, 2022 Executive Session – this was a typo and should have been March 14, 2022.

ANNOUNCEMENTS

- Conservation Commission. Interested residents should send a letter of interest to the Board of Selectmen by March 31, 2022
- Open Space Committee. Interested residents should send a letter of interest to the Board of Selectmen by March 31, 2022

ADJOURN

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

Meeting adjourned at 7:26 p.m.

Respectfully submitted,

Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Board of Health COVID announcement
2. Meeting memo regarding General Business #1: Request from Zeth Folds to be appointed to the Board of Registrars and letter from Assistant Town Clerk Janet Peabody to appoint Zeth Folds to the open seat on the Board of Registrars
3. Request from Zeth Folds to be appointed to the Board of Registrars
4. Letter from Assistant Town Clerk Janet Peabody to appoint Zeth Folds to the open seat on the Board of Registrars
5. Meeting memo regarding General Business #2: Request from Rowley Youth Baseball to use the Town Common for the T-ball season
6. Request from Rowley Youth Baseball to use the Town Common for the T-ball season
7. Meeting memo regarding General Business #3: Department of Agricultural Resources Annual Animal Inspector Nomination
8. Letter and Nomination form from the Department of Agricultural Resources for the Annual Animal Inspector Nomination
9. Meeting memo regarding General Business #4: Letter of resignation from Board of Health Member John Melcher
10. Meeting memo regarding New Business #1: Old Planters of Cape Ann Community Impact Statement
11. Meeting memo regarding New Business #2: Update on the Triton District Communications Committee meeting
12. Letter from Triton Regional School District regarding the creation of a General Stabilization Fund, including attached Financial Reserves Policy
13. Meeting memo regarding Old Business #1: Update on Merrimack Valley Regional Transit Authority Ring and Ride Program
14. Meeting memo regarding FY23 Budgets
15. Board of Selectmen draft FY23 budget
16. Board of Assessors draft FY23 budget
17. Town Accountant draft FY23 budget
18. Town Hall draft FY23 budget
19. Police Department draft FY23 budget
20. Harbormaster draft FY23 budget
21. Tree Warden draft FY23 budget
22. Highway draft FY23 budget
23. Snow and Ice draft FY23 budget
24. Triton draft FY23 budget
25. Whittier draft FY23 budget
26. Essex Tech draft FY23 budget
27. Water Department draft FY23 budget
28. Inspection Department draft FY23 budget
29. Meeting memo regarding minutes
30. March 7, 2022 draft minutes

