

MINUTES OF THE BOARD OF SELECTMEN

March 29, 2021

Recorded from Town Hall, 139 Main Street, Rowley, MA

1:00 p.m.

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

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 1:02 p.m. He read the following:

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the open session portion of the meeting in real time. Persons who wish to do so are invited to watch the open session portion of the meeting on Rowley Community Media TV / listen live on the RCM page on the Town's website at www.townofrowley.net or join the meeting from your computer, tablet or smartphone by using the link: <https://global.gotomeeting.com/join/713648901> or also dial in using your phone by calling +1 (872) 240-3212 and using access code 713-648-901. In the event that live transmission proves infeasible, an audio or video recording, transcript or other comprehensive record of the open session portion of the meeting will be made available on the Town's website as soon as possible.

1:00 p.m. APPOINTMENT Town Clerk Susan Hazen to discuss May 11, 2021 Annual Town Election

Chairman Pierce read the following:

Susan Hazen is here today to discuss the upcoming Annual Town Election. The State is giving municipalities the option to have early voting for municipal elections. If Susan would like to do that, she will need permission from the Board to hold early voting in the Town Hall.

Hazen said early voting doesn't generally extend to Town elections, but due to COVID, the Town can offer mail in and personal early voting options. She said Newbury is offering early voting by appointment, and Salisbury is not offering this. She said she doesn't know if this is needed, but people seem to embrace it, especially in this environment. She said the Town could offer early voting for 36 hours, Monday – Friday with no night or weekend hours. She asked if the Board is interested in supporting this. Pierce said he would support Hazen's decision on this, but wondered if it was necessary for the Town election with not many contested races. Petersen said he doesn't think we need five days and two or three should be sufficient. Ziev said three days by appointment seems reasonable. Hazen said because Town Hall is open to the public,

the voting wouldn't be by appointment. Ziev asked if this puts Hazen in a position where she will need to monitor people coming in for social distancing. Hazen said yes, but she doesn't expect huge crowds and she will have signage on the doors. Hazen said there will not be a need for a Police detail or the Constable. Perry recommended Thursday and Friday only. Snow said people are still timid and two or three says is appropriate. Hazen said with more hours, people will be spread out more. She said the Assistant Town Clerk and herself can run the in-person early voting on Wednesday, Thursday and Friday, and will require masks and social distancing.

Bob Snow made a motion to approve the use of Town Hall for early voting Wednesday - Friday, Deana Ziev second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye.

GENERAL BUSINESS

1. Request from Gemma Doyle to be appointed to the Rowley Cultural Council

Chairman Pierce read the following:

Gemma Doyle of Central Street is requesting to be appointed to a vacant seat on the Rowley Cultural Council. She has discussed this with RCC Chairwoman Sharon Hydren.

Could the Board please vote to appoint Gemma by roll call?

Bob Snow made a motion to appoint Gemma Doyle to the Rowley Cultural Council, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye.

2. Request from Police Chief Scott Dumas to appoint Elizabeth Urbanczyk to the position per diem communications specialist/reserve dispatcher

Bob Snow made a motion to appoint Elizabeth Urbanczyk to the position of Reserve Dispatcher, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Deana Ziev – ABSTAINED.

3. Veterans Sock Donation Drive Update

Chairman Pierce read the following:

Eastern Essex Veterans Services Director Karen Tyler has provided the Board with a report on the outcome of the Veterans Sock Drive that she and Triton High School student Douglas Aylward worked on last month. The Board authorized them to place a sock collection box at the Town Hall.

Doug collected 1,324 pairs of socks and over 40 toiletries, all of which were delivered to the Northeast Outreach Center in Haverhill.

Attached are photos.

Perry said this is outstanding. Snow said Doug is a fine young man who he met 5 years ago and said he wanted to work for the State Department when he was 11 or 12 years old.

Dave Petersen made a motion to send Doug Aylward a letter of thanks and congratulations, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye.

1:15 p.m. APPOINTMENT Karen Summit to discuss appointment to the Treasurer/Collector position

Chairman Pierce read the following:

We have received one application for the position of “appointed” Treasurer/Collector. The one applicant is our current “elected” Treasurer/Collector Karen Summit.

Karen meets, and in some cases exceeds, all the requirements of the job description and brings a wealth of institutional knowledge to the position.

Attached is her cover letter, resume, and the newly-written job description.

Does the Board have any questions of Karen?

Petersen said Summit has done a fine job as an elected Treasurer/Collector and he has no doubt she will continue her fine job as an appointed Treasurer/Collector.

Dave Petersen made a motion to appoint Karen Summit as the Treasurer/Collector, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

Eagan said this appointment would be effective on May 12, 2021, the day after the election when her elected term finishes. She said she believes this position is appointed every three years, and can check the statute. Summit said she believes it is every three years. Eagan asked the Board to make the appointment effective May 12, 2021 through June 30, 2021, and then reappoint Summit in June.

Dave Petersen made a motion to appoint Karen Summit as the Treasurer/Collector appointment effective May 12, 2021 through June 30, 2021, and then she will be reappointed, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

Pierce congratulated Summit and said we are lucky to have her. The rest of the Board thanked Summit. Summit said she is looking forward to continuing working with the Board of Selectmen.

NEW BUSINESS

1. Rowley Municipal Lighting Plant 2021 Payment in Lieu of Taxes Notice

Chairman Pierce read the following:

The Board of Light Commissioners voted to issue a PILOT Payment to the Town of \$21,547.87, which is the FY 21 Street Light cost. This amount is less than the FY 21 Street Lighting Appropriation, which is \$31,852. (See attached.) RMLP Manager Matt Brown told Debbie that the FY 21 amount that we were given a year ago wasn't correct. He told Debbie that the Light Department would not be billing the Town for the difference, which is \$10,304.13. This balance will become unexpended revenue when we close the books on June 30.

Does the Board wish to accept the PILOT in the amount of \$21,547.87 and to issue a letter of thanks to the Light Board? If so, the vote needs to be by roll call.

Dave Petersen made a motion to accept the PILOT in the amount of \$21,547.87 and to send a letter of thanks to the Board of Light Commissioners, Joe Perry second, all in favor, roll call vote— Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

OLD BUSINESS

1. Discuss basketball court project

Chairman Pierce read the following:

Huntress provided the attached 75% plans and construction cost estimate after the project kick-off meeting. The updated cost estimate is higher than the \$65,000 very preliminary initial estimate provided by Huntress before we were under contract with them. There is now a projected budget shortfall of \$22,063, not \$10,000 as originally projected. The updated project cost estimate is summarized below:

<i>BASKETBALL COURT updated estimate</i>	
<i>Base bid two hoops only, includes 5% contingency</i>	<i>\$ 73,563.00</i>
<i>Alternate #1: four additional hoops</i>	<i>\$ 18,000.00</i>
<i>Alternate #2: Players benches</i>	<i>\$ 3,500.00</i>
<i>Huntress Contract</i>	<i>\$ 12,000.00</i>
<i>Total estimated project cost</i>	<i>\$ 107,063.00</i>
<i>Existing CPC Funding</i>	<i>\$ 85,000.00</i>
<i>Estimated Budget Shortfall</i>	<i>\$ 22,063.00</i>

Debbie and Amy recommend requesting a total of \$25,000 from the CPC to do the full project all at once, which would give up an approximate \$3,000 contingency amount. We recommend doing the project all at once because: the CPC has the funds available; in our experience pricing goes up as time passes; and adding the hoop and bench footings in the future will disrupt the brand new court surface. The P&R Committee agrees with this approach and has confirmed that it is the intent of the Committee to start a basketball league that will use this facility, and that it will no longer be used just for recreational use by residents. For this reason, the six nets and team benches are needed to allow the court to be used to its fullest ability by the basketball league.

We have filed three applications with the CPC to repurpose the baseball field project money (\$146,494.07) as follows:

- 1. \$10,000 for Basketball Court Project*
- 2. \$100,000 for Improvements to Eiras Park Recreational Facilities and Playground*
- 3. \$36,494.04 for All Purpose Field at Veterans Field*

If the Board is in agreement with doing this project all at once and requesting \$25,000 from the CPC, could you please vote via ROLL CALL on one of the following options:

- A. Keep the three applications already filed with the CPC as is, and request \$15,000 in new CPA funds to supplement the \$10,000 repurposed funds request. This is the simplest approach.*
- B. Pull the three CPC applications and refile them with \$25,000 being repurposed to the basketball court project. The Board will need to vote on the new amounts to be reallocated to the Eiras Park improvements and all-purpose field as a result of this.*

Also, the Board needs to:

- vote to open the STM Warrant and*
- place the Parks and Recreation projects on the STM*
- vote to close the STM Warrant.*

The articles will still need the approval of the CPC.

Perry recommended option A, keeping the CPA application for the \$10,000 as is and requesting an additional \$15,000.

Joe Perry made a motion to keep the existing CPA application for \$10,000 as is, and to request an additional \$15,000 for this project, Dave Petersen second, all in favor, roll call vote— Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

Bob Snow made a motion to open the Special Town Meeting Warrant (STM) and to place the Parks & Recreation projects on the Warrant, Joe Perry second, all in favor, roll

call vote— Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

Dave Petersen made a motion close the Special Town Meeting Warrant (STM), Bob Snow second, all in favor, roll call vote— Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

2. Discuss ballot question on plastic bag ban

Chairman Pierce read the following:

Chairman Pierce drafted a question and an explanatory note that Debbie sent to Town Counsel Tom Mullen to review. Tom advised that we do not have an explanatory note on the ballot question, other than stating that it is a “non-binding” question. Tom re-wrote the question in a way that incorporates the wording of the explanatory note. See his suggestion below.

Debbie:

I do not recommend putting any explanation next to the question other than the line, used in the 2019 ballot, that is required by G.L. c. 54, s. 42B: "This question is not binding." I say that because the statutes applicable to ballots are hyper-detailed about what can appear on a ballot. See, e.g., G.L. c. 54, s. 42. Further, it is clear that in the analogous situation of a state referendum question, the Legislature permits explanatory material only in the form of the familiar red booklets that the state prints and sends to voters. See G.L. c. 54, s. 54.

It seems to me that by adjusting the language of the question, we can obviate the need for the explanatory parenthetical. How about this:

"Should the Board of Selectmen propose a plastic bag reduction bylaw that would regulate and limit the type of bags offered at checkout by retail establishments in town? This question is not binding."

Tom

The 2019 ballot the wording was:

Should the town vote to ban or otherwise limit the use and distribution of single-use plastic checkout bags by retail establishments in the town? This question is non-binding.

How does the Board wish to proceed? Susan Hazen has informed Debbie that we have one more week to finalize the ballot question wording.

Dave Petersen made a motion to approve the language suggested by Tom Mullen, Joe Perry second, all in favor, roll call vote— Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

FY 22 BUDGETS

- Council on Aging

Chairman Pierce said Eagan circulated an updated COA budget this morning. Eagan said the budget originally had 5 additional hours for the Activities Director, but this wasn't correct and it has been revised for two additional hours for the Activities Director. She said the hours for the Outreach Coordinator are correct, and asked the Board to use the budget version that was emailed to them this morning. Eagan said the COA Director, COA Chairman Joan Lyons and COA Vice Chairman Ginny Merry are on the call.

Petersen said over the years increases for Public Safety and the Library have been supported, and he supports this budget. He said this budget supports a large number of the elderly population, the COA is involved in the COVID vaccines and helping the elderly, especially in this time of need.

Dave Petersen made a motion to approve the COA FY22 budget, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye

ANNOUNCEMENTS

- The May 3, 2021 Town Meeting will be held at Triton Regional High School Auditorium, 112 Elm Street, Byfield at 6:30 p.m.
- White Goods/Light Metal Household Recycling Event for Rowley Residents – April 24, 2021 from 8:30 a.m. to 11:30 a.m., Rowley Highway Department, 41 Independent Street

ADJOURN

Chairman Pierce called for a motion to adjourn. Bob Snow so moved, Deana Ziev second, all in favor – aye- roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye.

Meeting adjourned at 1:30 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding 1:00 p.m. Appointment: Town Clerk Susan Hazen to discuss May 11, 2021 Annual Town Election
2. Meeting memo regarding 1:15 p.m. Appointment: Karen Summit to discuss appointment to the Treasurer/Collector position
3. Cover letter and resume from Karen Summit
4. Job Vacancy Notice for Treasurer/Collector position

5. Treasurer/Collector job description
6. Meeting memo regarding General Business #1: Request from Gemma Doyle to be appointed to the Rowley Cultural Council
7. Request from Gemma Doyle to be appointed to the Rowley Cultural Council
8. Email from Gemma Doyle regarding Letter of Interest for Rowley Cultural Council dated March 23, 2021
9. Request from Police Chief Scott Dumas to appoint Elizabeth Urbanczyk to the position per diem communications specialist/reserve dispatcher.
10. Meeting memo regarding General Business #3: Veterans Sock Donation Drive Update
11. Email from Karen Tyler regarding sock drive, including attached photos
12. Meeting memo regarding New Business #1: Rowley Municipal Lighting Plant 2021 Payment in Lieu of Taxes Notice
13. Rowley Municipal Lighting Plant 2021 Payment in Lieu of Taxes Notice
14. Street Light Wattage Calculation for Town Streetlights
15. Meeting memo regarding Old Business #1: Discuss basketball court project
16. Community Preservation Committee balances as of March 25, 2021
17. Meeting memo regarding Old Business #2: Discuss ballot question on plastic bag ban
18. Original draft ballot question from Cliff Pierce
19. Meeting memo regarding FY22 Budgets
20. FY22 Council on Aging budget