

MINUTES OF THE BOARD OF SELECTMEN MEETING

March 21, 2016

Meeting held at Town Hall, 6:30p.m.

MEMBERS PRESENT: Chairman Robert Merry, Vice Chairman Joseph Perry, Clerk Robert Snow, David Petersen (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon) Cliff Pierce -ABSENT

PUBLIC ATTENDEES: Lawrence White – FINCOM & OSRC; Stephen Barry, Henry Rolfe – Independent Press; Laurence Kendall; Conservation Agent Brent Baeslack; COA Director Brienne Walsh; COA Chairwoman Mary Bright; Bernard Cullen; Dennis Roy; Karen Summit

CALL MEETING TO ORDER

Chairman Merry called meeting to order at 6:30 p.m. He said the meeting is being audio and video recorded digitally.

PLEDGE

Dennis Roy led the Pledge of Allegiance.

6:30 p.m. JOINT MEETING– Cemetery Task Force to discuss Town Counsel legal opinion

Bob Snow said he is a member of the Cemetery Task Force and sat in the audience at 6:31 p.m.

Chairman Merry called for a motion to open the Joint Meeting with the Cemetery Task Force to order by a roll call vote. Dave Petersen so moved, Joseph Perry second, all in favor, roll call vote: Robert Merry - aye, Joseph Perry - aye, David Petersen -aye; Dennis Roy - aye; Karen Summit - aye; Robert Snow - aye. Cliff Pierce -ABSENT

Joint meeting opened at 6:32 p.m.

Bob Snow read the legal opinion from Judy Pickett into the record.

Dennis Roy said the Task Force was established by the Board of Selectmen at the request of the Finance Committee due to concerns with last year's budget. He said there was a concern about a payroll that was submitted for more than a 24 hour work day for example. He said they have reviewed the Cemetery Department's policies and practices and asked for a legal opinion with the approval of the Board of Selectmen. He said the legal opinion addresses whether or not there is a violation of the Open Meeting

Law (OML) given the daily functions of the Cemetery Commissioners and whether the Cemetery Commissioners are eligible for compensation under Article 4 of the Annual Town Meeting as required by Massachusetts General Law 41 Section 108. He said this is what we need to discuss. He said there was a Joint Meeting last week with the Cemetery Task Force and the Cemetery Commissioners to discuss this legal opinion and there was some disagreement about OML violations and the Conflict of Interest Law 268A Sections 19-22 which, "prohibits any municipal employee from having a financial interest directly or indirectly in a contract made by a municipal agency of the same Town." He said the Cemetery Commissioners agreed to review the legal opinion and discuss it at their next meeting, which was earlier today, and he doesn't know the outcome of that meeting. He said the Cemetery Commissioners were going to prepare questions and comments on the opinion and present those to the Task Force and the Board of Selectmen. He said the Commissioners still believe that the prior opinions from 1963 and 1966 exempt them from this law. He said if the legal opinion is followed, the structure of the Department will change. He said the Commissioners would no longer be able to work as laborers and the Commissioners' salaries would be set under Article 4 of Annual Town Meeting and no longer be paid from the revolving account. He said the Town may need to create a new position for a Superintendent of Cemeteries, or a part time caretaker. He said some similar sized towns have clerks and they delegate the work down to the laborers. He said many surrounding towns have these positions under Public Works or the Parks Department. He said they want the Cemetery Commissioners to be part of the solution and the Task Force isn't trying to be adversarial, but the laws have changed and the Department needs to adjust. Perry said it seems the laws have changed and we need to comply with them. Roy said it is late in the budget season, and they had hoped for the legal opinion earlier so that the budget could be adjusted. He said we may need interim clerks. He said the Town got a bargain the years that the Commissioners did the work, now we need to bite the bullet and reorganize. Perry said the timing is tight with the Warrant and he doesn't see it happening this fiscal year.

Summit said the Task Force requested that the Cemetery Commissioners to do the following: meet on their own to discuss the opinion, which they did today; come up with a list of questions or ideas about the opinion and to have a three way joint meeting with the Board of Selectmen, the Task Force and the Cemetery Commissioners. Roy said Town Counsel should be present at the joint meeting if possible since it is a complicated issue.

Petersen said the concern is that the Commissioners are hiring themselves as laborers, and one Commissioner regularly works twenty hours per week, and the other two generally work less than that. He said this has been done and accepted traditionally, but another department wouldn't be allowed to do this. He said we need to hire someone, such as a Superintendent for twenty hours per week and then hire laborers for the grave digging. He said currently they hire and pay themselves without any oversight. He said he isn't saying that they aren't actually working, but no other department does this. He said he thinks the Commissioners submitted payroll for two hours each for the joint meeting with the Task Force, and asked why they would be

getting paid for attending this meeting since they were not laboring, just acting as Commissioners, and it will be interesting to hear how that is resolved. He said we probably have the cheapest run Cemetery, but it is being done illegally. He said next week, we can ask them to appoint a Supervisor, then they can hire an outside person to dig the graves. He said if the Commissioners want to do the labor, they should resign as Commissioners. He said there are legal ramifications of one Commissioner regularly working twenty hours per week. He asked does this make them a full time employee eligible for benefits? Perry said this needs to be cleared up.

Larry White of the Finance Committee said he went to the Commissioners' meeting at noon and they are exploring outside firms for grave digging, mowing and setting stones, and they are planning to meet jointly once they have the estimates from these firms. He said it is not very encouraging monetarily. He said they are taking a positive approach and have questions about the legal opinion and are moving in the right direction to resolve the issues. Roy said he doesn't think the Town has to hire out this work for \$50,000, and maybe an employee could be added to the Highway Department to handle the digging. Merry said typically the burials only happen during the warmer months, and he used to dig graves by hand, and each one would take three hours. Petersen said one Commissioner is working twenty hours per week, so maybe a Secretary is needed. Snow said the groups need to meet to come up with a solution. Roy said he is confident that the Task Force can come up with a plan so the Department functions within the budget without exorbitant costs. Petersen said with the legal opinion we don't need to have Town Counsel present at the joint meeting, he would hate to pay Town Counsel to be here. He said this is a political decision more than a legal decision. Snow said he thinks it would be helpful to have Town Counsel present if there are legal questions about the proposed solution. Merry said there was a Town Meeting vote that passed in the 1950s/early 1960s and the Cemetery Commissioners are hung on that. He said the 1963 legal opinion was challenged in 1983 and the court unfortunately didn't address the issue, but said the wrong individual brought the case. Summit said the Supreme Judicial Court decision was about whether or not the Treasurer has the authority to withhold a payment, but the Treasurer doesn't, only the Town Accountant and Board of Selectmen do. Merry said a violation of the conflict of interest law is just the appearance of wrong doing, and working a twenty-six hour work day appears wrong. Roy said another issue is using the revolving account to pay the salaries, which can't be done according to Pickett's legal opinion. White said the benefit of having Town Counsel present at the joint meeting is if there are questions on the 1983 Supreme Court ruling, it would help to hear the explanation from Town Counsel, rather than from a Town employee.

Joseph Perry made a motion to send a letter to the Cemetery Commissioners requesting a joint meeting on March 28, 2016, Dave Petersen second, all in favor - aye (3-0). Cliff Pierce - ABSENT. Bob Snow - ABSTAINED

Joseph Perry made a motion to adjourn the Joint Meeting with the Cemetery Task Force to order by a roll call vote, Dave Petersen second, all in favor, roll call vote:

Robert Merry - aye, Joseph Perry - aye, David Petersen -aye; Dennis Roy - aye; Karen Summit - aye; Robert Snow - aye. Cliff Pierce -ABSENT

Joint meeting adjourned at 7:15 p.m.
Bob Snow returned to the Selectmen's table.

CITIZEN QUERY 7:10 p.m. – 7:15 p.m.

There were no Citizens queries.

APPOINTMENT 7:00 p.m.– Council on Aging Director Brienne Walsh to discuss FY 17 Council on Aging Budget

Chairman Merry read the letter from Council on Aging Director Brienne Walsh. Petersen said the Senior Center is formally known as the Council on Aging. Walsh said the name was changed before she started to better reflect the services provided. Eagan said the COA bylaw is the authorization for the Department, and the bylaw would need to be changed in order to formally change the name to the Senior Center. Petersen said this should be addressed after budget season.

Henry Rolfe asked how much spending is available for each senior. Walsh said she doesn't have that breakdown with her, but the formula grant breaks this down and she can look back at that. Perry asked what the Driver's wage rate was based on. Walsh said it is based on the Alternate Driver's rate.

Eagan said the Council on Aging provides many services for a wide spectrum of seniors, starting at age 60. She said services range from activities and trips to offering counseling. She said the Selectmen's Office receives calls for assistance with transportation, and this need isn't surprising given the number of elderly in the Town. Merry said they run great programs. Walsh said they try to run as many programs as they can within their means. She said many call for rides are from those who don't have family in the area, or who have a spouse that works. Petersen asked if the Driver would be on call, or have hours that vary week to week. Walsh said they are looking for ten hours per week and there are enough calls for appointments and shopping trips, etc. to use those ten hours. Snow said they greatly use the small facility that they have, and do a great job. Walsh said the staff and volunteers are wonderful, and it is not just her. Snow said the seniors built this Town. Walsh said she heard at a meeting that according to a state statistic that at the end of this year, there will be more seniors in the population than those under the age of 20 across the country.

Petersen asked where the funds will come from to pay this. Eagan said there are bargaining unit employees in the Department and there is no increase provided for them

in this budget. Petersen said this would have to come from free cash. Perry said he thinks this is a good idea and is needed. Merry agreed.

Joseph Perry made a motion to support the COA budget and the addition of a Van Driver position, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

APPOINTMENT 7:15 p.m.— Conservation Agent Brent Baeslack to discuss acceptance of land by Conservation Commission for Open Space

Conservation Agent Brent Baeslack said they have received a request for a donation of land from Four Twenty Newburyport Turnpike, the owners of Ipswich Bay Glass Sandy Patrican and his son Ryan. He said the Conservation Commission received the offer and has acted favorably on it, and asked him to pursue the acquisition with the requested restrictions. He said the property directly abuts the Dodge Reservation and includes 90% of the Batchelder Brook stream not included in the Girl Scout property acquisition. He said this land was previously owned privately, and less than desirable activities were taking place in the stream. He said wildlife habitat corridors along rivers are the most desirable with open space on either side. He said a small portion of the land abutting the stream is owned by Conservation Commissioner Curt Turner and there are no private properties adjacent to the camp area. He said this area would be allowed to re-naturalize by not allowing the public to access it. He said Town Counsel advised that an article will need to be placed on the Annual Town Meeting Warrant and a 2/3 vote at Town Meeting is needed to accept this land. He said he is requesting the Board of Selectmen's support of this.

Perry said there are lots of positives and this is a great piece of land to acquire. Baeslack said Four Twenty Newburyport Turnpike will also be removing the pavement from the former residences and will re-loam and re-seed the area.

Dave Petersen made a motion to put an article on the Annual Town Meeting Warrant to accept this land donation, Joseph Perry second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Perry thanked Four Twenty Newburyport Turnpike for this donation.

NEW BUSINESS

1. Discuss Town Meeting Warrant articles – Prospect Hill Road construction; Cross-Connection Bylaw; Water Use Restriction Bylaw Amendment; Intervale Circle Street Acceptance; Fire trucks; and Whittier Regional School District stabilization article

Eagan said she needs guidance on these items:

- The Cross Connection bylaw in the packet is fourteen pages long and has been reviewed by Town Counsel. She asked the Board if they would like this in the Annual or Special Town Meeting and where within either. She said customarily, by-law changes are at the end of the ATM. Petersen said he doesn't expect that there will be a lot of opposition. Merry asked if the Board of Water Commissioners will be presenting the article. Eagan said the Board of Health is holding an informational hearing on April 19th and the DEP requires the Town to have a cross-connection bylaw or regulation. Snow said this should be in the ATM. Petersen said it could be in the STM since that will be done first and people will be fresh. The consensus was to include it in the STM.
- Eagan said funds are needed for the Prospect Hill Project. She said a stormwater permit is needed for this project, and the low bid was \$143,900. She said money is needed to cover the shortfall in the budget and to perform construction monitoring. She said an estimated \$57,000 is needed, and this will be on the STM.
- Eagan said the water use restriction bylaw needs to be amended due to an erroneous reference to Chapter 49, 69B.
- Eagan said the Intervale Circle Street acceptance will be on the STM. She said Town Counsel has been working on this, the plans came in today, and the street layout hearing will be held on April 4, 2016.
- Eagan said the Whittier Regional School District is trying to create a stabilization fund which requires approval from all member Towns. She said this is on the ATM.
- Eagan said the Fire Chief requested \$16,410 for the cost of the corrosion warranty on Engine 1 and \$9,000 for new turnout gear. She said this is on the STM. Petersen asked if the Chief clarified the Forestry Truck issues. Eagan said not on the communication that she received. Snow said he has spoken with the Chief who clarified that the Association has donated quite a few items over the years, including renovating the building for the new ladder truck and uniforms.

GENERAL BUSINESS

1. Rowley Veterans Association Change of Officers/Directors Liquor License Application

Chairman Merry read the following:

The Rowley Veterans Association has submitted a Change of Officers/Directors Application. Jim Edwards has been working on this application with the ABCC and Amy. The application is in order and the Board of Selectmen needs to vote to sign it, so that Amy can send it to the ABCC for approval.

Dave Petersen made a motion to sign Form 43 for this application, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

2. Letter from William Vitkosky regarding his interest in serving on the Historical Commission and the Historic District Commission and letter from Sara Bourque requesting William Vitkosky be appointed to the Historical Commission and Historic District Commission

Chairman Merry read the email from William Vitkosky and the letter from Sara Bourque.

Dave Petersen made a motion to appoint William Vitkosky to the Historical Commission and Historic District Commission through June 30, 2016, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

3. Letter from Barbara Breaker regarding her interest in serving on the Historical Commission and the Historic District Commission and letter from Sara Bourque requesting Barbara Breaker be appointed to the Historical Commission and Historic District Commission

Chairman Merry read the email from Barbara Breaker and the letter from Sara Bourque.

Joseph Perry made a motion to appoint Barbara Breaker to the Historical Commission and Historic District Commission through June 30, 2016, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

4. Letter from Laurence Kendall requesting to be appointed to the Open Space Committee

Chairman Merry read the following:

Rowley resident Laurence Kendall has submitted a request to be appointed to the Open Space Committee. Last week, the Board filled the only vacancy on this committee by appointing Brooke Ten Eyck. There are openings on the Recreation Committee and Zoning Board of Appeals. Do the Selectmen wish to approach Mr. Kendall and ask him if he is interested in serving on either of these boards?

Also, the Library Board of Trustees may also have an opening for an elected seat.

Laurence Kendall said he is interested in the Parks & Recreation Committee and is glad to be involved.

Joseph Perry made a motion to appoint Laurence Kendall to the Parks & Recreation Committee, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Eagan said we will contact Ryan Gallant and Tim Southall and ask them to show Kendall the ropes.

5. Letter from Henry F. Rolfe regarding parking at the Town Hall and Rowley Public Library

Chairman Merry read the letter from Henry F. Rolfe regarding parking at the Town Hall and Rowley Public Library. Rolfe said there is a historical wall behind the Library and the parking should be banned there, as well as in the front of Town Hall. Merry said we can mention this to the Fire Chief to see what he thinks. Petersen said as long as there is a legal distance from the fire hydrant, there isn't a problem. He said there is plenty of parking across the street and in front of the Library down to the Post Office. He said he isn't sure what can be done and there are occasionally meetings with many attendees.

6. Request from the Alzheimer's Association to hold a "Ride to End Alzheimer's" bike race on June 11, 2016

Chairman Merry read the following:

The Alzheimer's Association has requested to hold a "Ride to End Alzheimer's" bike race through Rowley on June 11, 2016 from 9:00 a.m. through 11:30 a.m. They expect about 75 cyclists to come through Rowley, and they will not be stopping in Rowley. The race will enter the town on Route 1A (Main Street) and will follow the following route:

<i>Main Street to Cross Street</i>	<i>2.9 miles</i>
<i>Cross Street to Central Street</i>	<i>1.1 miles</i>
<i>Central Street to Rte 1</i>	<i>1.6 miles</i>
<i>Rt. 1/Glen Street to Hillside St.</i>	<i>.5 miles</i>
<i>Hillside St. to Wethersfield St.</i>	<i>1.5 miles</i>
<i>Wethersfield St. to Jewett St. Georgetown</i>	<i>.9 Miles</i>

The Highway Surveyor and Health Agent did not have any comments or concerns about this event. Representatives from the Police and Fire Departments met with the event organizer and Action Ambulance to discuss their concerns about this event.

Per Chief Broderick,

"After the meeting all agreed that there would be a need for Police details at Glen Street/Central Street at Route 1 and a detail at Glen Street and Hillside. Rowley

Emergency Management would set up the message board trailer on the route a day before the race to help inform motorists of the race. All agreed that the plan that the race committee had in place were well thought out and detailed and all questions were addressed to all of our satisfaction. The race organizers will have 4-5 "pace cars" following the riders on the 100 mile route that will monitor the rider's safety. The race officials will have contact with the race organizers, and will be able to call 911 in the event of an emergency requiring assistance from Rowley Public Safety Agencies. The race organizers were instructed to inform the race officials that if they need to call 911 that they inform the 911 dispatcher as to what town they were in so that the appropriate town would be notified as most cell phones go through the Essex County Regional Communications Center (RECC). Action EMS has present at the meeting and is aware of the race and is willing to assist the race in any way that they can."

A copy of the Incident Action Plan is on file with the Police and Fire Departments.

Bernie Cullen asked who pays for the Police details. Petersen said the event coordinator does.

Dave Petersen made a motion to approve this event, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

OLD BUSINESS

1. Discuss the following:

- FY 17 Triton Budget Update and
- Pine Grove School Project and School Building Committee

Joseph Perry said the bids for the stadium project have been opened, so information should be coming on this project. He said there is a District Communications Meeting on Wednesday to discuss the FY17 budget, with a School Committee Meeting right after. He said regarding the Pine Grove School Project, he has been in touch with various people to try to come up with a figure for the study, and he should have a reasonable figure for next week. Eagan said the final number is needed so that bond counsel can review the article. Perry said Forget suggested \$1,000,000, but he recommends \$800,000. Eagan said she will write up the article and get it reviewed by bond counsel, and next week the Board can vote on this.

Eagan said there was confusion regarding the make-up of the School Building Committee and she read an email from Brian Forget. Perry said there should be one PTA member, and one School Council member.

Joseph Perry made a motion to confirm with Forget that there should be one PTA member and one School Council member on the School Building Committee , Dave Petersen second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

2. Discuss Public Safety Building Project

Chairman Merry said, "Debbie needs to know how much the Board is seeking for this project. She is working on articles and ballot questions."

Petersen said the last time he spoke with the architect, he mentioned that the cost of construction may be higher than expected, and we should estimate \$11.2 million. He said we should probably increase that so there isn't a shortfall in funds for the project. He said he recommends \$11.7 million for purposes of the article, and hopefully the actual cost will be less. Snow said material costs are increasing.

Petersen presented the following histories of each of the buildings.

Police Station: Prior to 1985, the Police Station was located in the Town Clerk's Office. He said the current cement block building cost \$175,000 and was funded at the December 5, 1983 Special Town Meeting. He said the project broke ground in August of 1984, and the building was put into use in 1985. Merry said in 1973, the Police Station was located in the closet of the Town Administrator's office at Town Hall. Petersen said we have gotten full use out of this building. In 2002 office trailers and equipment storage were added as a temporary measure. In the summer of 2005, the Police Chief used grant money and confiscated drug funds totaling \$185,000 and constructed and outfitted the current modular buildings at no cost to the Town. He said the rent for these modular buildings is \$24,000 per year and over sixteen years, the Town has paid over \$400,000 in rent. He said these modular buildings are poorly insulated and have electric heating and cooling which is expensive. He said they are at the end of their life expectancy. Perry said he believes the roof is leaking as well.

Fire Station: According to the Assessor's records, this building was constructed in 1880 and was used as a barber shop and pool hall. Merry said the barber shop was next door. Petersen said in 1934 or 1935, the third bay was added for Engine 2 and in 1963 the building was donated to the Rowley Fire Department at no cost. He said there have been a couple of renovations to the building since then and the Town is currently leasing the building at \$9,000 per year which is an inadequate building. He said this \$9,000 along with the \$24,000 for the Police Station can be used to fund payments for the new structure. He said we are in desperate need of these buildings and encourage people to watch the video tours of the buildings. Snow said there is \$3,000,000 worth of equipment in the Fire Station, and the last time we tried to fund a new building, it cost \$5,000,000, and the cost has now doubled.

MINUTES: March 7, 2016

Joseph Perry made a motion to approve the minutes from March 7, 2016 , Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

FY 17 Budgets

Selectmen:

Eagan said this budget includes a new stipend for the Conservation Agent for his work on the National Pollutant Discharge Elimination System (NPDES). She said he is the ideal person on staff to do this, and he has provided assistance and has attended training seminars. She said he has spent a significant amount of time on this, and the next phase is implementation, which someone will have to deal with the outfall. Merry said it would cost a lot more to hire an engineer to do this work. Perry said this is a good idea.

Dave Petersen made a motion to approve the Selectmen's FY17 budget , Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Personnel Board:

Dave Petersen made a motion to approve the Personnel Board's FY17 budget , Joseph Perry second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Town Hall:

Dave Petersen made a motion to approve the Town Hall FY17 budget , Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Annex:

Dave Petersen made a motion to approve the Annex FY17 budget , Joseph Perry second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Town Clerk, Elections, Board of Registrars, Constable:

Bob Snow made a motion to approve the Town Clerk, Elections, Board of Registrars and Constable FY17 budgets, Dave Petersen second, all in favor - aye (3-0). Cliff Pierce - ABSENT. Bob Merry - ABSTAINED.

Health Department:

Eagan said she has been working with Board of Health Chairman Charles Costello and Frank Marchegiani to reallocate hours from the Sanitary Health Agent to the Administrative Assistant. She said the Sanitary Health Agent wants to reduce his hours from 18.5 to 8 per week. She said the Administrative Assistant's hours will increase to 40 from 23.5. She said currently there are part-time office hours from 8:30 – 12:30 Monday – Thursday and there is a greater need for public access. She said the job descriptions have been re-written and updated, and the office may stay open late one day per week. Petersen said the Personnel Board agrees with these changes. He said the Public Health Nurse was given a stipend of \$2,000 in the past, but she is no longer an employee, so the Town needs to give her a salary of \$5,000. He said the Town is growing.

Dave Petersen made a motion to approve the Board of Health FY17 budget, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Recycling:

Dave Petersen made a motion to approve the Recycling FY17 budget, Joseph Perry second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Street Lights:

Eagan said the Light Department provides this and this can be voted next week.

Hydrants:

Petersen said he is upset about the increase in this budget item and researched it. He said according to old Town Reports, this budget and what the Town charged the Water Department for Accounting and Treasurer support services is as follows:

FY07: Hydrants: \$23,775	Charge to Water Department for support: \$11,198
FY15: Hydrants: \$35,600	Charge to Water Department for support: \$11,198
FY16: Hydrants: \$53,400	Charge to Water Department for support: \$10,142
FY17: Hydrants: \$72,900	Charge to Water Department for support: \$10,142

Petersen said the Hydrant cost has increased \$20,000 in the last two fiscal years, but the amount charged to the Water Department has been level funded. He said he understands the Town has to pay a nominal amount, but for the last three years there have been huge increases and this is no longer a nominal amount. He said the fee is

for visually inspecting the hydrants, lubricating and flushing them, and also for the water used during the flushing. He said the Town should look to increase the fees to the Water Department. He said the increases in the past three years are a disgrace while the Town has charged the same amount as ten years ago. He said budgets are tight, hydrants benefit all, and he doesn't think the increases are justified. Merry said they are basically opening the hydrant but calling it different things. Petersen said he will go to the next Board of Water Commissioners meeting and present these arguments. Merry said we should get a rebate for an un-operable hydrant. Bernie Cullen of Wethersfield Street said he thinks this is unreasonable, and they are trying to generate revenue through the hydrants. He said most of the costs are for labor and they already have the staff. He said it is a problem to charge for labor costs and this is part of the Water Department's mission statement.

Dave Petersen made a motion to reluctantly approve the Hydrant FY17 budget, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Eagan said she has requested a build-up of how this fee is calculated, but we don't have that yet.

Recreation:

Joseph Perry made a motion to approve the Recreation FY17 budget, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Memorial Day/Veterans Day:

Joseph Perry made a motion to approve the Memorial Day / Veterans Day FY17 budget, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Bradstreet Property and Dodge Reservation:

Bob Snow made a motion to approve the Bradstreet Property and Dodge Reservation FY17 budgets, Joseph Perry second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

Petersen said extra money was added for a septic system repair. Merry said one system needs work and we have money already to use for that. Petersen said in the next ten years they will need major work and we should put aside \$10,000 to \$20,000 per year to build up money for this work. Merry said the systems passed the title five inspection.

Harbormaster:

Joseph Perry made a motion to approve the Harbormaster FY17 budget, Bob Snow second, all in favor - aye (4-0). Cliff Pierce - ABSENT.

ANNOUNCEMENTS

- The Water Department will be conducting flow tests of the fire hydrants on March 23. During this time, customers may experience dirty water. For more information contact the Water Department at 800-553-5191 or go to the Water Department website at www.rowleywater.com
- Annual Town Meeting is May 2 and Annual Town Election: Tuesday, May 10th
- Last day and hour to return completed Nomination papers is 5 PM Tuesday, March 22nd.
- The Rowley Water Department 2015 Annual Water Quality Report is available online at www.rowleywater.com. If you would like a copy of the report mailed to you contact Customer Service at 800-553-5191 or stop by the Water Department Office at 401 Central Street or Town Hall at 139 Main Street
- The Town has the following vacancies:
 - a. **Shellfish Commissioners** – one seat
 - b. **Fence Viewer** – three positions;
 - c. **Wood, Lumber & Bark Inspector**;
 - d. **Zoning Board of Appeals Associate** - three seats
 - e. **Parks and Recreation Committee** – two seats; andFor more information on these positions, please contact the Selectmen's Office at 948-2372.
- Rowley Food Pantry is in need of donations. The Food Pantry is open Tuesdays from 10:00 a.m. to 12:00 p.m. and Thursdays from 5:30 p.m. to 7:00 p.m.

EXECUTIVE SESSION

- To discuss collective bargaining strategy AFSCME Local 2905

The Executive Session was cancelled.

ADJOURN

There being no further business before the Board, Chairman Merry called for a motion to adjourn. Joseph Perry so moved, Dave Petersen second, all in favor - aye (4-0). Cliff Pierce - ABSENT

Open meeting adjourned at 9:14 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding Joint Meeting 6:30 p.m. – Cemetery Task Force to discuss Town Counsel legal opinion
2. Memo from Judith Pickett regarding Legal Opinion on Board of Cemetery Commissioners
3. Cemetery Bylaw
4. Memo from COA Director Brienne Walsh regarding Addendum to FY 2017 Budget Proposal
5. COA FY 2017 Budget packet
6. Memo from Conservation Agent Brent Baeslack regarding Request Approval for Acceptance of Land by Conservation Commission for Open Space
7. Land Conveyance Proposal from Four Twenty Newburyport Turnpike, LLC to The Town of Rowley
8. Memo from Judith Pickett regarding Gift of Land (Newburyport Turnpike)
9. Map from Meridian Associates for Land Donation - Rear Newburyport Tnpk, 340 & 344 Wethersfield Street
10. Rowley MIMAP Land Donation off Wethersfield Street
11. Meeting memo regarding New Business #1: Discuss Town Meeting Warrant articles – Prospect Hill Road construction; Cross-Connection Bylaw; Water Use Restriction Bylaw Amendment; Intervale Circle Street Acceptance; Fire trucks; and Whittier Regional School District stabilization article
12. Town of Rowley Cross Connection Control Program Bylaw
13. Fire Chief's engine article
14. Whittier Regional School District stabilization article
15. Meeting memo regarding General Business #1: Rowley Veterans Association Change of Officers/Directors Liquor License Application
16. Rowley Veterans Association Change of Officers/Directors Liquor License Application
17. Email letter from William Vitkosky regarding his interest in serving on the Historical Commission and the Historic District Commission and letter from Sara Bourque requesting William Vitkosky be appointed to the Historical Commission and Historic District Commission
18. Email letter from Barbara Breaker regarding her interest in serving on the Historical Commission and the Historic District Commission and letter from Sara Bourque requesting Barbara Breaker be appointed to the Historical Commission and Historic District Commission
19. Meeting memo regarding General Business #4: Letter from Laurence Kendall requesting to be appointed to the Open Space Committee
20. Letter from Laurence Kendall requesting to be appointed to the Open Space Committee
21. Letter from Henry F. Rolfe regarding parking at the Town Hall and Rowley Public Library
22. Meeting memo regarding General Business #6: Request from the Alzheimer's Association to hold a "Ride to End Alzheimer's" bike race on June 11, 2016
23. Meeting memo regarding Old Business #1: Discuss the following:
 - FY 17 Triton Budget Update and

- Pine Grove School Project and School Building Committee
24. Email from Brian Forget to Debbie Eagan regarding Follow up
 25. Triton District Communications Meeting Agenda March 23, 2016 including March 1, 2016 meeting notes
 26. Triton School Committee Meeting Agenda March 23, 2016
 27. Meeting memo regarding Old Business #2: Discuss Public Safety Building Project
 28. Draft March 7, 2016 meeting minutes
 29. FY 17 Budgets:
 - Selectmen; Personnel Board; Town Hall; Annex; Town Clerk; Elections; Board of Registrars; Constable; Health Department; Recycling; Street Lights, Hydrants; Recreation; Memorial Day/Veterans Day; Bradstreet Property; Dodge Reservation; Harbormaster
 30. Meeting Memo regarding Executive Session