

## **MINUTES OF THE BOARD OF SELECTMEN MEETING**

October 7, 2013

Meeting held at Town Hall

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

**PUBLIC ATTENDEES:** Larry White - FINCOM, Stuart L. Dalzell Sr. – Water Commissioner, Brent Baeslack – Conservation Agent, John Rezza – Water Superintendent, Glenn F. Smith – Water Department, Tim Toomey – Water Commissioner

### **CALL MEETING TO ORDER**

Chairman Robert Snow called the meeting to order at 7:02 p.m. He said the meeting is being video and audio taped.

### **PLEDGE OF ALLEGIANCE**

Stuart L. Dalzell Sr. – Water Commissioner led the Pledge of Allegiance.

### **CHAIRMAN'S COMMENTS**

Chairman Snow said he met with Webelos Troop 15 this afternoon, which is the group of boys transitioning from Cub Scouts to Boy Scouts. He said the boys asked great questions about citizenship and they talked about everything from Town issues to dinosaurs. He said Chase Craveiro is a great troop leader and the time spent with the troop was a lot of fun.

Snow also said he read a newspaper article on Friday about Old Nancy and said Georgetown has a replica of Old Nancy and the original is in Rowley.

**7:00 p.m. APPOINTMENT** – Conservation Agent Brent Baeslack to discuss pictometry program

Conservation Agent Brent Baeslack said the Town has been utilizing the pictometry program for years through the Merrimack Valley Planning Commission (MVPC). He said pictometry provides imagery at an angle and provides measurements that can be used to determine things such as the height of structures or the square footage of a roof, and isn't just an image taken from above. He said MVPC is seeking a commitment from towns to see if there is enough interest in participating in a new flight to take updated images (MVPC letter attached), and Rowley's estimated cost to participate is \$8,934. He said it makes sense to update the imagery every two to three years to

capture changes due to development. He said multiple departments, such as Police, Fire, Health, ConCom and Planning have used these images. He said in the past the departments who use the images have shared the cost of them by using their expense lines. He said the various departments have the My Map software arranged through the Assessor's Office and some maps are also available online. Baeslack asked the Board to consider funding a general appropriation to pay for this expense, rather than using the department's expense lines, given the broad usage of the pictometry by multiple Town departments. He said this is not an annual expense and it is hard to budget for. He said MVPC is allowing municipalities to spread their payments over two or three fiscal years.

Snow said he recently spoke to Dennis DiZoglio, the Executive Director of the MVPC, who echoed what Baeslack just presented. He said the first payment would be due July 1, 2015, then the remaining one or two payments would be due in the following fiscal years. Cook said this a valuable tool and when he was a Water Commissioner, it was used to resolve an issue.

Dave Petersen made a motion to purchase the pictometry program through a general budget appropriation, with the first payment being due in fiscal year 2015, Jack Cook second, all in favor – aye (4-0). Bob Merry - ABSENT

#### **7:05 – 7:15 p.m. CITIZEN QUERY**

There were no Citizen's queries.

#### **7:15 p.m. JOINT MEETING**– Board of Water Commissioners to discuss FY 14 Budget and Special Town Meeting

Chairman Snow called for a motion to open the joint meeting. Jack Cook so moved, Joseph Perry second, all in favor – aye, roll call vote: Jack Cook - aye, Joseph Perry – aye, Robert Snow – aye, Dave Petersen – aye, Timothy Toomey – aye, Stuart L. Dalzell Sr. – aye. Roy Ricker – ABSENT. Robert Merry – ABSENT.

Joint meeting opened at 7:16 p.m.

Chairman Snow read the following:

*We need to look toward the future of the Water Department. With the departure of the business manager, now is the time to make the transition to outsourcing the financial end of the operation. Other nearby towns have contracts for services, such as Salisbury and Amesbury. Amesbury has a contract with Pennichuck Water Service Company for their billing and collections. We need to go forward in the same manner. This is the recommended plan.*

*Currently – If you don't already have department policies and procedures in place for the business side of the department, please have them prepared now and send a copy to us.*

Water Commission Chairman Tim Toomey said they do not have these policies and procedures, but will provide them to the Board once they are prepared.

Stuart L. Dalzell Sr. made a motion to request the Board of Selectmen to open the Town Meeting warrant for the purpose of transferring Water Department funds from the Business Manager's salary line to the expense account to outsource the accounting work of the water department, Joseph Perry second, all in favor – aye (6-0). Roy Ricker – ABSENT. Robert Merry – ABSENT.

Eagan said regarding the FY14 Business Manager salary line, there is approximately \$32,000 available that could be voted at Town Meeting, but the employee may have vacation time. She said the Business Manager's resignation is on the agenda. The Board took up this agenda item.

#### **GENERAL BUSINESS**

##### **4. Letter of resignation from Laura Hamilton**

Chairman Snow said, "Laura is resigning from her position as Water Department Business Manager. A letter of resignation is attached."

Snow read Laura's resignation letter (COPY ATTACHED).

Jack Cook made a motion to accept Laura Hamilton's resignation, with regrets, and to send a thank-you letter to Hamilton for her nineteen years of service to the Town, Joseph Perry second, all in favor – all in favor – aye (6-0). Roy Ricker – ABSENT. Robert Merry – ABSENT.

#### **7:15 p.m. JOINT MEETING Continued**– Board of Water Commissioners to discuss FY 14 Budget and Special Town Meeting

Stuart L. Dalzell Sr. clarified his original motion to have the Selectmen open the Town Meeting warrant for the purpose of transferring Water Department funds from the Business Manager's salary line to the expense account to outsource the accounting work of the water department in the amount of \$32,000, Tim Toomey second, all in favor aye, roll call vote: Timothy Toomey – aye, Stuart L. Dalzell Sr. – aye. Roy Ricker – ABSENT.

Jack Cook made a motion to open the Town Meeting warrant, accept an article from the Board of Water Commissioners to transfer \$32,000 from the Business Manager's salary line into the Water department expense line and to close the Town Meeting warrant, Joseph Perry second.

Petersen said before the vote is taken, he has concerns about the plan. Eagan said the immediate concern is to get an accounting type firm to help for a couple of hours per week with the accounting work such as posting entries to the accounting system, and to train the Administrative Assistant to do the bills and payroll, using the policies and procedures as written by the Business Manager as a guide. She said there will be the November 4, 2013 vote at Town Meeting, and a RFP for billing / collection services can be put out at any time subject to appropriation. Petersen asked if an accountant would be hired to take over Laura's position. Eagan said yes, on a short term basis, the accountant would be hired on a 1099 until a RFP is issued and a company is brought in to do the work. Snow said in the long term, the company would be used to permanently outsource the billing and collections like Amesbury does. Petersen asked if \$30,000 is enough to fill the accounting position from now until the end of the fiscal year and is money available for an RFP for billing / collections. Toomey said it makes sense to hire a contractor to fill the need of the duties of the business manager, but he is not sure how much it will cost. He said we need to look at this cost and if there is a shortfall, they may need to request additional funds at the Special Town Meeting in May 2014. Eagan said the customer service would still be taken care of in house.

Finance Committee Chairman Larry White asked if the Water Board intends to hire a new Business Manager. White said if it does, then if all the money from the Business Manager's salary line is transferred to the expense line, you won't be able to hire a Business Manager. Stuart L. Dalzell Sr. said it is not his intent to replace the Business Manager in house. Toomey said this needs to be looked at in light of where the Department is going and he thinks they will be replacing the Business Manager and/or having a subcontractor take care of these needs. White suggested instead of moving the entire Business Manager salary balance to move ten or fifteen thousand only so that there is a balance left in case they want to hire a replacement.

Petersen said the rest of fiscal year 2014 should be handled by an outside firm and the Business Manager position will not be re-hired. He said the Board of Water Commissioners can then decide in fiscal year 2015 to continue with the outside firm or to fund the Business Manager position, and the budget season for fiscal 2015 will put pressure on the Water Commissioners to make a decision. He said the employees of the Water Department need to know where things are going. He said it is up to the Water Board to decide, but he suggests using a temp for the rest of the fiscal year.

Toomey asked if the unused wages from the second Secondary Operator position, which has been unfilled for about four months, could be transferred to the Business Manager's salary line in case a replacement is found, and if the temp accounting firm's contract could be cut short if a replacement is found. White said the extra money in the wages line could be transferred to the expense line instead of moving the Business Manager's salary. Petersen said this money could be used in the expense line combined with half of the Business Manager's salary. Petersen said the Water Commissioners need to make a firm commitment to the route they are going to either further contract out services or do the work internally. Stuart L. Dalzell Sr. said with the

Board of Selectmen's support, he would like to put an article on the Spring Town Meeting warrant to see if it can be outsourced. Perry said we need to take a long and hard look at contracting out services.

Snow said from now until the next fiscal year, this work needs to be done and he thinks a temporary person funded with the \$30,000 from the Business Manager's salary line is the best course of action. He said in the spring, the Water Commissioners can decide to fund the old position or continue contracting out the work. Petersen recommended funding a temporary position until June 30, 2014, to provide stability for the Water Department until the next fiscal year. He said then the Water Commissioners can decide whether to hire someone or not. Toomey asked if they can have leeway in case the temp doesn't work out. Petersen said you need to take a leap for the rest of the fiscal year and then if you want to replace the Business Manager, you can in the next fiscal year. Toomey said the money from the Business Manager's line will not cover the expense of the subcontractor. Snow said we don't know that for sure and if it doesn't work with one subcontractor, we can move to another subcontractor. Toomey said he isn't sure \$32,000 is enough.

White said he isn't against a temp, but if a great Business Manager comes to light, we should have money available to hire them. White said we should use the leftover money in the wages line plus half of the Business Manager salary for the expense line and keep a balance in the Business Manager salary line in case someone comes along. Snow said if there is an article to fund the \$32,000 for the temporary accountant, then we won't be looking for a Business Manager. Petersen said the outside contract services will provide business and accounting services and he is not concerned that they won't be able to handle the work after a couple of weeks of training. Stuart L. Dalzell said the private companies can do as much or as little as we want them to do.

Petersen said there has been a lot of transition at the Water Department in the past year and it is important to hammer this position in place to solidify the operation and see how things go. Toomey said he wants to make sure there is enough money. Petersen said \$10,000 from the secondary operator wages can be added to the \$32,000 from the Business Manager and that should cover the cost through the May 2014 Town Meeting, and if more money is needed at that point, a transfer can be made at the Special Town Meeting in May 2014. Eagan said when the RFP is issued, we can pick and choose which services to outsource and the Administrative Assistant can handle the customer service tasks. Cook said Carol Soucy may be able help with the FY 13 end of year work, so the temp may not need to work the full forty hours per week. Cook said in the past the Water Department functioned without the Business Manager and this is a new position.

Water Superintendent John Rezza said the unused secondary operator wages may be need to fund the collective bargaining increases, since he estimates that the amount needed may be more than the \$5,000 allocated to the collective bargaining reserve budget line. Petersen said the collective bargaining contract has been approved. Eagan said all the other collective bargaining amounts are all set and we are waiting for

the Water Department amount. Rezza said the amount needed could be \$8,000. Eagan said there is only \$5,000 in the collective bargaining reserve line. Petersen said the excess wages from the secondary operator position can be used to fund this shortfall. Eagan said Rezza needs to provide her with the numbers needed after following the MOA and indicate how much needs to go to wages and how much needs to go to overtime.

Jack Cook made a motion to open the Town Meeting warrant, accept an article to transfer \$32,000 from the Business Manager's salary line into the Water department expense line and to close the Town Meeting warrant, Joseph Perry second, all in favor (4-0). Bob Merry – ABSENT

Eagan said she has concerns with the collective Bargaining Agreement Reserve into the overtime wages. She said in order for the adjustments to be made correctly, she thinks the money should be moved into the wages line. Petersen said there is approximately \$16,000 in excess wages from the unfilled secondary operator position to cover the increase in wages due to the collective bargaining agreement.

Dave Petersen made a motion to move the \$5,000 from the Collective bargaining reserve line into the overtime wages line, Jack Cook second, all in favor (4-0). Bob Merry – ABSENT

Snow said the long term plan needs to be explored. Toomey said he will provide the policies and procedures to the Board by the end of the week and asked Rezza to ask Laura Hamilton to write the policies and procedures. Perry asked who will work on the RFP.

Tim Toomey made a motion to do the RFP through the Town Administrator for billing and collection services and to get the RFP done in the next two weeks, Stuart L. Dalzell Sr. second, all in favor –aye (2-0) Roy Ricker - ABSENT

Jack Cook made a motion to endorse the previous vote by the Water Commissioners regarding the RFP, Joseph Perry second, all in favor –aye (4-0). Bob Merry – ABSENT.

Chairman Snow called for a motion to adjourn the joint meeting. Jack Cook so moved, Joseph Perry second, all in favor – aye, roll call vote: Jack Cook - aye, Joseph Perry – aye, Robert Snow – aye, Dave Petersen – aye, Timothy Toomey – aye, Stuart L. Dalzell Sr. – aye. Roy Ricker – ABSENT. Robert Merry – ABSENT.

Joint meeting adjourned at 8:17 p.m.

## **GENERAL BUSINESS**

1. Email letter from Isabella Lesinski re: grant application

Chairman Snow read the email letter from Bella Lesinski (COPY ATTACHED). Snow said Bella is the young lady who won the poem contest for the 9-11 Memorial. He said she is quite a young lady and he is very impressed with her. Larry White from the Finance Committee said Bella brought loads of veggies to the Council on Aging, she has done a marvelous job and the seniors really appreciate it. White commended Bella for a job well done and said she's a great person and it is a credit to her herself and her parents. Eagan said at some point she would like the Board of Selectmen, Council on Aging and the Agricultural Commission to get together with Bella to express our gratitude. Snow said we should send a letter inviting these groups in. Eagan said she discussed the account that the grant money should be deposited into with Bella's mother and the Agricultural Revolving Account is the most appropriate since it clearly allows donations and fees, whereas the Council on Aging Revolving fund is meant for the van use only.

Jack Cook made a motion to deposit the grant money into the Agricultural Revolving Account, Joseph Perry second, all in favor – aye (4-0). Bob Merry – ABSENT

Joseph Perry made a motion to send Bella a thank-you letter for her service to the Town, Jack Cook second, all in favor – aye (4-0). Bob Merry - ABSENT

2. Approve Heating Oil contract

Chairman Snow said, "Vote to approve the heating oil contract with Donald F. Knowles. Debbie will issue a purchase order."

Dave Petersen made a motion to approve the heating oil contract with Donald F. Knowles, Jack Cook second, all in favor – aye (4-0). Bob Merry - ABSENT

3. Road Opening Permit Request from National Grid to open 16 Central Street for new gas service

Chairman Snow said the permit request looks to be in order.

Dave Petersen made a motion to sign the Road Opening Permit Request from National Grid to open 16 Central Street for new gas service, Joseph Perry second, all in favor – aye (4-0). Bob Merry – ABSENT

The Selectmen signed the permit.

5. Road Opening Permit Request from K&R Construction Co. to open 743 Haverhill Street for new water service

Chairman Snow said the permit request looks to be in order.

Dave Petersen made a motion to sign the Road Opening Request from K&R Construction Co. to open 743 Haverhill Street for new water service, Jack Cook second, all in favor – aye (4-0). Bob Merry – ABSENT

The Selectmen signed the permit.

6. Road Opening Permit Request from Lederman Engineering to open 17 Wethersfield Street for new water service

Chairman Snow said the permit request looks to be in order.

Dave Petersen made a motion to sign the Road Opening Request Lederman Engineering to open 17 Wethersfield Street for new water service, Jack Cook second, all in favor – aye (4-0). Bob Merry – ABSENT

The Selectmen signed the permit.

**OLD BUSINESS**

1. Discuss Water Department budget and hydrant issues

Chairman Snow said, "Chairman Snow has submitted the attached pictures of two hydrants in town for the Board to review. The Selectmen have been receiving various inquiries from residents about the status of the hydrants. Many hydrants are covered in weeds and overgrowth. Another hydrant on Haverhill Street in front of Chrislar Farm has a bag over it. We've asked for the Police report, but have not received it yet (PICTURES ATTACHED). Chairman Snow is asking for an updated balance of all the sub-budget lines in the FY 14 Water Department Budget."

Petersen said he believes the hydrant in front of Chrislar Farm was fixed today. Glenn Smith, the Primary Water Operator for the Water Department said the hydrant on Haverhill Street was repaired today. Eagan said the Water Superintendent, John Rezza, indicated that hydrant had been hit, but she hasn't received the information yet that is needed to file an insurance claim. Petersen said if the Water Department doesn't provide the information needed, they will pay for the repair expenses.

Joseph Perry made a motion to send the hydrant pictures to the Board of Water Commissioners along with a letter requesting information about the hydrant that was hit for insurance purposes, as well as requesting an update on the status of the hydrants, Jack Cook second, all in favor – aye (4-0). Bob Merry – ABSENT

2. Review town meeting warrant



Chairman Snow said, "The Selectmen need to review the warrant. If all is acceptable, the Board can vote to approve the articles and vote to sign it on October 10th. The Finance Committee is meeting tomorrow and Debbie will need to add their recommendation votes."

Eagan said the amount to be inserted into Article 6 is \$31,952 and she will update Article 7 to put \$5,000 into overtime per tonight's discussion. Eagan asked where the new article from tonight regarding the Business Manager's salary should go. Petersen said at the end if that is easiest.

Dave Petersen made a motion to send accept the warrant as amended, Jack Cook second, all in favor – aye (4-0). Bob Merry – ABSENT

Eagan said after the votes of the Finance Committee are entered into the warrant after their meeting tomorrow night, the warrant will be sent to the copy company for printing, hopefully on Thursday.

## **NEW BUSINESS**

### **1. Town Administrator update**

Eagan said she has been exchanging voicemails with the acting Director of Parker River National Refuge regarding Stackyard Road and with the government's shutdown, he is now on furlough. She said this issue is on hold at this point. She said Tarr's office responded to her letter and either Tarr or his aide will be present at a meeting when this is discussed. She said she informed Mr. Grundstrom that this issue cannot be resolved until the furlough ends.

Eagan said there have been changes to Chapter 30 B laws which will require a revision and adoption by the Board of a new Town wide procurement policy.

## **ANNOUNCEMENTS**

- 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.
- The Town has the following vacant seats: Board of Library Trustees, Zoning Board of Appeals Associate 3 open seats; two fence viewer positions; and wood lumber bark inspector.
- Battery recycling box located at the Town Hall and Library
- Rowley Community Media is showing a video recording the Board of Health's Sept. 23, 2013 discussion with Dr. Curtis Ersing on Lyme disease
- Special Town Meeting - November 4, 2013 at 7:30 p.m. at the Pine Grove School

There being no further business before the Board, Chairman Snow called for a motion to adjourn. Jack Cook so moved, Dave Petersen second, all in favor – aye (4-0). Bob Merry - ABSENT

Open meeting adjourned at 8:43 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

ATTACHMENTS:

1. Letter from Merrimack Valley Planning Commission dated October 2, 2013 regarding pictometry program
2. Letter of resignation from Laura Hamilton
3. Email letter from Isabella Lesinski
4. Heating Oil Quote Form from Donald F. Knowles Inc.
5. Heating Oil Quote Form from Old Town Oil
6. Road Opening Permit Request from National Grid to open 16 Central Street for new gas service
7. Road Opening Permit Request from K&R Construction Co. to open 743 Haverhill Street for new water service
8. Road Opening Permit Request from Lederman Engineering to open 17 Wethersfield Street for new water service
9. Pictures of hydrants in town that are overgrown or out of service
10. Warrant for Special Town Meeting - Draft #4