

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

April 3, 2017

Meeting held at Town Hall, 139 Main Street, Rowley, MA

7:00 p.m.

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

**PUBLIC ATTENDEES:** Larry White - Finance Committee; Henry F. Rolfe; Bernie Cullen - Water Commissioner; Karen Summit - Treasurer/Collector; Susan Hazen - Town Clerk; MaryBeth Wisner - Water Department

### **CALL MEETING TO ORDER**

Chairman Perry called meeting to order at 7:01 p.m.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **GENERAL BUSINESS**

1. Request for Board of Cemetery Commissioners to lift hiring freeze for seasonal labor

Chairman Perry read the following:

*The Board of Cemetery Commissioners is requesting the Board of Selectmen to lift the freeze for the seasonal laborer position. This is an annual request.*

Dave Petersen made a motion to lift the hiring freeze, Bob Snow second, all in favor - aye (4-0). Bob Merry - RECUSED

2. Letter from the Friends of the Rowley Public Library regarding signs on Town property promoting the annual library Book Sale

Chairman Perry read the letter. Merry said the placement of the signs on the islands cannot block sight distances at the intersections. Perry said that is very important.

Bob Snow made a motion to approve the placement of the signs as requested, as long as the signs placed on the traffic islands do not block driver visibility at the intersections, Cliff Pierce second, all in favor - aye (5-0).

3. Send thank you letter to Chris Trotta for organizing and directing Boy Scouts in the construction and assembly of a new trail kiosk at the Dodge Reservation Conservation Area

Chairman Perry read the following:

*For his Eagle Service Project, Scout Chris Trotta organized and directed his fellow scouts, from Troop 15, in the construction and assembly of a new trail kiosk located at the public access point to the Dodge Reservation. The five foot wide by ten foot tall kiosk was installed in December 2016.*

*Chris subsequently applied linseed oil preservative to the existing kiosks located at Hunsley Hills Conservation Area and Pingree Farm Conservation Area in order to extend their service life.*

*The project provided an important bulletin board to display public safety and property use information.*

*Does the Board wish to send a thank-you to Chris Trotta for his time spent to organize and direct the construction and assembly of the new trail kiosk and to maintain the existing kiosks?*

Bob Snow made a motion to send a thank-you letter to Chris Trotta for the time he spent on this project, Cliff Pierce second, all in favor - aye (5-0).

### **7:10 – 7:15 p.m. CITIZEN QUERY**

There were no citizen queries.

### **NEW BUSINESS**

1. Letter from Alan Aulson regarding grazing areas for sheep

Chairman Perry read the letter. Perry said sheep go after the poison ivy. Snow asked if goats are the animals that eat poison ivy. Pierce said he thinks a lot of animals eat poison ivy.

2. Request from Mary Lavigne for a brighter street light near 582 Wethersfield Street

Chairman Perry read the email request from Mary Lavigne. Petersen said we should notify the Light Department and ask them to handle this since the Selectmen don't decide how bright a light should be. Merry said the Selectmen approves new lights

going up. Eagan said this was referred to us by Eric Grover. Petersen said the Selectmen don't determine what type of bulb goes into the fixture, and the Light Manager can decide this. Perry said as far as we know, this is not a new light, they just want to make it brighter.

3. Email letter from Joan Schleeweis Connor regarding placing a "Right Turn Only" sign at the new medical facility/daycare on Route 133

Petersen said this is a long written request and asked for it not to be read. He said it is regarding requiring a right hand turn only at the exit of the newly built medical center on Route 133. He said the Planning Board looked at this plan and at the traffic study done at this site and this wasn't a recommendation. He said if this is mandated for this building, it would also need to be done for the painting company, dentist office and the Agawam Diner. He said if this was done, all traffic from these businesses would be forced to go through the intersection, and would then be looking for a place to turn around to head back on 133 towards Georgetown. Pierce said they could take a right hand turn and then pull into the strip mall to turn around, but he doesn't know if that is a situation we would want. Petersen said this would make the situation worse, and will increase the traffic back-up heading on 133 towards the center of Rowley. Pierce said he commends her for her interest. Petersen said we can request the Planning Board to look into this, but we should explain that we don't want all of the traffic going through the intersection and turning around in others' parking lots. Pierce said there was a traffic engineer involved, and he did not recommend this. Petersen said since the lights have been replaced, the traffic is moving much better through the intersection.

**7:15 p.m. APPOINTMENT** - Treasurer/Collector Karen Summit for the signing of bond documents for the Police Station addition and Fire Station project

Treasurer/Collector Karen Summit said they sold a \$1,000,000 ban for the Police and Fire Station project since we will need money to start paying bills from this project. She said it will mature at the end of September and coincides with other Town bans. She said Eastern Bank and Century Bank submitted bids, and Eastern purchased the debt at a net interest cost of about 1.25%. She said the Board needs to sign the paperwork associated with this.

Cliff Pierce read the written vote of the Board of Selectmen. Dave Petersen made a motion to authorize Clerk Cliff Pierce to sign the written vote, Bob Snow second, all in favor - aye (5-0). Pierce signed three copies of the written vote.

The appropriate parties signed the following documents: Note; Signature, No Litigation and Official Statement Certificate; Significant Events Disclosure Certificate and Tax Certificate

**7:30p.m. APPOINTMENT** - Water Superintendent MaryBeth Wisner and Water Commissioner Bernard Cullen to discuss FY 18 Water Budget

Superintendent Wisner asked the Board if there were questions on the FY 18 Water Budget. Petersen said there is an article requesting an additional \$80,000 for the dehumidification system, and asked if the bids were higher than the existing project funding. Wisner said yes, they were higher than the money available. Wisner asked if the memo she submitted with the budget is sufficient. Petersen said yes, thank-you. Cullen said next year, they will re-format the budget so that the paper size and orientation is standardized. Petersen said there is a lot of information in the budget. Cullen said they will hopefully standardize it in the next couple years, and the zeros in the lines needed now as placeholders will be eliminated. Eagan said the vote stands with the prior approval of the budget with the \$100,000 reduction, and she asked the Board if there will be a new vote on this budget.

Dave Petersen made a motion to approve the revised FY 18 Water Department budget, Bob Snow second, all in favor - aye (5-0).

**NEW BUSINESS**

4. Review Zoning Board of Appeals Special Permit Application submitted by Donald Thurston to restore front steps/portico at 237 Main Street

Petersen, Snow and Pierce said they have no problem with this application. Merry said this needs to be fixed, and it is very close to the street. The Selectmen had no comments for the ZBA on this application.

5. Review Planning Board Site Plan Application submitted by Michael Young for the replacement and expansion of an existing storage shed slab in the floodplain area at 759 Main Street

Merry said this has been there for many years, at one time they tried to make this an antique store, and then it became storage. Perry said they are replacing a 18' by 15' shed with a 24' x 24' New England style storage shed. The Board had no questions or comments on this Planning Board application.

6. Request from the Town Administrator to assign "Special Municipal Employee" status under the state Conflict of Interest law, G.L. c.268A, to "outside consultants" engaged by the Board of Selectmen

Chairman Perry read the memo from Deborah Eagan.

Cliff Pierce made a motion to assign Special Municipal Employee status under G.L. c. 268A to outside consultants used by the Board of Selectmen, Bob Snow second, all in favor - aye (5-0).

### **FY 18 BUDGETS**

- Collective Bargaining budget

Eagan said this budget is part of the overall Selectmen's budget. She said we are still in union negotiations, and we need funding for FY18. She said she suggests \$55,000.

Cliff Pierce made a motion to approve the FY 18 Collective Bargaining budget, Bob Snow second, all in favor - aye (5-0).

- Debt

Eagan said the Treasurer executed the bond documents on the funding for the Police and Fire Station project and it came in lower what she initially planned. She said the budget has been revised to reflect the actual cost of \$9,556 from the initial estimate of \$11,000.

Dave Petersen made a motion to approve the revised FY 18 Debt budget, Cliff Pierce second, all in favor - aye (5-0).

### **OLD BUSINESS**

1. Pine Grove School Building Project Update

Chairman Perry said there was a Community Engagement Meeting on Thursday night. He said presentations were made on the project, including presentations from teaching staff and the Principal. He said there were many people there asking questions, and it went fairly well. He said they voted on the final budget request which will be on the Town Meeting warrant. Pierce said we are getting an extra 2% from the MSBA, and this has been confirmed by the MSBA. Perry said yes, the reimbursement is now 50.46% or \$18,000,000, up from 48.47% or \$16,000,000. Snow said the Town's cost will be about \$21,700,000 to 21,800,000.

2. Review Town Meeting warrant articles and ballot question

Chairman Perry read the following:

*We have a draft of the ATM and STM warrant ready.*

*The article and ballot were approved by the MSBA today. The MSBA told Debbie, Town Counsel Tom Mullen and Bond Counsel Claudia Matzko that we cannot put a dollar amount on the debt exclusion override question. They have approved the question as shown below:*

*Question 1.*

- 1. Shall the Town of Rowley be allowed to exempt from the provisions of proposition two-and-one-half, so called, the amounts required to pay for the bond issued in order to pay costs of repairing, replacing and constructing various major systems and building components at the Pine Grove Elementary School?*

*The Board needs to vote on the wording of this article so that it can be submitted to the Town Clerk tomorrow morning for the Election ballot.*

Dave Petersen made a motion to approve the wording, Bob Snow second. The vote was not completed.

Pierce asked why there is no money amount listed in the ballot question. Eagan said the MSBA has a strict interpretation of the statute for debt exclusion overrides. She said Town Meeting will authorize the amount, and we cannot add an explanatory note to the ballot question. She said the MSBA attorneys will not allow this. Pierce said this is unfortunate. Eagan said we have permission to include the amount in the article, but not the article. Bernie Cullen asked if there will be a presentation at Town Meeting with the impact on the tax rate. Eagan said yes. She said the article will detail the total amount being authorized to borrow, with the estimated shares for the Town and State.

Dave Petersen made a motion to approve the wording of the ballot and article for the Pine Grove School renovation project, Bob Snow second, all in favor - aye (5-0).

The Selectmen reviewed the working drafts of the Annual and Special Town Meeting warrants. Pierce said in Article 18 of the STM, the words "two acres" need to be underlined. Eagan said regarding the Pine Grove School article, we cannot change the wording of the article, but the wording of the explanatory note can be changed. Perry said the Town's estimated share number is incorrect. Eagan said that is a typo. Petersen said there was an irate man at the Community Engagement meeting last week who said he hadn't heard about the school project. He said he is not sure what else we can do, and there have been meetings, newspaper articles and public hearings about this. Perry said under the State Ethics Law, we cannot send material out about the project. Snow said there was also the Informational Hearing on the warrants upstairs.

### 3. Discuss Prospect Hill Road Project

Chairman Perry read the following:

*The storm over the weekend caused some washout at the upper slope of the Prospect Hill Roadway just past the abandoned tanks. We think it is from melting snow.*

*The contractor was on site today installing more erosion control systems, such as a silt fence, hay bales and erosion control rolls.*

*Debbie is meeting with the engineer and contractor tomorrow.*

Eagan said she has had conversations with the engineer, Ryan Neyland, from Tata & Howard. She said the project was stopped over the winter and the plan was to resume work in a couple of weeks. She said the project was not complete and the contractor still needed to put fine gravel on as a top coat, and grade the sides of the road where the water would run off into the woods. She said the erosion control measures previously requested by the DEP had been installed, and at the Special Town Meeting we need to seek funds for additional erosion controls and storm water remediation.

Dave Petersen made a motion to open the Special Town Meeting warrant, Bob Snow second, all in favor - aye (5-0).

Dave Petersen made a motion to allow the Town Administrator to place a funding article for erosion control for Prospect Hill on the Special Town Meeting warrant, amount to be determined by Eagan, Bob Snow second, all in favor - aye (5-0).

Dave Petersen made a motion to close the Special Town Meeting warrant, Bob Snow second, all in favor - aye (5-0).

Petersen said it is a good thing we are catching this in time to get it on the warrant.

Perry said we are getting heavy rain tomorrow and Friday.

### **MINUTES**

- March 6, 2017

Dave Petersen made a motion to approve the March 6, 2017 minutes, Cliff Pierce second, all in favor - aye (4-0). Bob Merry – RECUSED since he was absent from meeting.

## **ANNOUNCEMENTS**

- Annual and Special Town Meeting is scheduled for May 1, 2017 at the Pine Grove School. The meeting starts at 7:00 p.m.
- Informational hearing on the Town Meeting Warrant is scheduled for Monday, April 24, 2017 at 7:00 p.m. at Town Hall
- Town Election is scheduled for May 9, 2017 from noon to 8:00 p.m. in Saint Mary's Church Hall
- The Water Department and the Great American Rain Barrel Company are offering rain barrels to residents as part of a community wide conservation and sustainability program. For more information, go to the Water Department's webpage at [www.rowleywater.com](http://www.rowleywater.com)
- Information on the Pine Grove School project is available on the Town's website at [www.townofrowley.net](http://www.townofrowley.net).
- The Town has the following vacancies:
  1. **Fence Viewer** – three positions;
  2. **Wood, Lumber & Bark Inspector**;
  3. **Zoning Board of Appeals Associate** – two seats
  4. **Parks and Recreation Committee** – one seat;
  5. **Deputy Shellfish Constables** – two positionsFor more information on these positions, please contact the Selectmen's Office at 948-2372.
- The Rowley Food Pantry is in need of donations. Donations can be left at the Rowley Public Library. The Food Pantry is open on Tuesdays from 10:00 a.m. to 12:00 p.m. and on Thursdays from 5:30 p.m. to 7:00 p.m.

## **ADJOURN**

There being no further business before the Board, Chairman Perry called for a motion to adjourn. Bob Snow so moved, Cliff Pierce second, all in favor - aye (5-0).

Open meeting adjourned at 8:07 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS:**

1. Meeting memo regarding General Business #1: Request for Board of Cemetery Commissioners to lift hiring freeze for seasonal labor
2. Letter from the Friends of the Rowley Public Library regarding signs on Town property promoting the annual library Book Sale

3. Meeting memo regarding General Business #3: Send thank you letter to Chris Trotta for organizing and directing Boy Scouts in the construction and assembly of a new trail kiosk at the Dodge Reservation Conservation Area
4. Email correspondence regarding Scout Chris Trotta's Eagle Service Project at the Dodge Reservation Conservation Area
5. Letter from Alan Aulson regarding grazing areas for sheep
6. Request from Mary Lavigne for a brighter street light near 582 Wethersfield Street
7. Email letter from Joan Schleeweis Connor regarding placing a "Right Turn Only" sign at the new medical facility/daycare on Route 133
8. Signed Note for \$1,000,000 bond for Police Station addition and Fire Station project
9. Signed Vote of the Board of Selectmen for \$1,000,000 bond for Police Station addition and Fire Station project
10. Signed Signature, No Litigation and Official Statement Certificate for \$1,000,000 bond for Police Station addition and Fire Station project
11. Signed Significant Events Disclosure Certificate and Tax Certificate for \$1,000,000 bond for Police Station addition and Fire Station project
12. Signed Tax Certificate for \$1,000,000 bond for Police Station addition and Fire Station project
13. Water Department revised FY 18 budget package
14. Request from the Town Administrator to assign "Special Municipal Employee" status under the state Conflict of Interest law, G.L. c.268A, to "outside consultants" engaged by the Board of Selectmen
15. Board of Selectmen FY 18 budget
16. Revised Debt FY 18 budget
17. Meeting memo regarding Old Business #1: Pine Grove School Building Project Update
18. Meeting memo regarding Old Business #2: Review Town Meeting warrant articles and ballot question
19. Email correspondence regarding Rowley Article, Motion and Ballot Question
20. Draft # 8 Annual Town Meeting Warrant
21. Draft # 2 Special Town Meeting Warrant
22. Working draft Fiscal Year 2018 Omnibus Budget
23. Meeting memo regarding Old Business #3: Discuss Prospect Hill Road Project
24. Draft minutes for March 6, 2017