

MINUTES OF THE BOARD OF SELECTMEN

April 6, 2020

Remote Participation Meeting Town Hall, 139 Main Street, Rowley, MA
1:00 p.m.

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

PUBLIC ATTENDEES: Karen Summit – Treasurer/Collector; Lawrence White – Finance Committee; Bernard Cullen – 283 Wethersfield Street

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 and banning gatherings of more than 10 people, 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 meeting in real time. Persons who wish to do so are invited to watch 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/475915389> or you can also dial in using your phone by calling [1\(571\) 317-3112](tel:15713173112) and using access code 475-915-389 In the event that live transmission proves infeasible, an audio or video recording, transcript or other comprehensive record of the meeting will be made available on the Town's website as soon as possible.

GENERAL BUSINESS

1. Request from the American Diabetes Association to re-schedule the Annual Tour de Cure bike race, which was previously approved for May 17, 2020 to August 16, 2020.

Bob Snow made a motion to approve this date change, Joe Perry second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

Snow said in order to move the meeting forward quicker, he can second each vote. Pierce said sure.

NEW BUSINESS

1. Discuss internal borrowing for fire truck

Chairman Pierce read the following:

The May 6, 2019 Annual Town Meeting approved the appropriation of \$600,000 for the purchase of a new 1500-gallon pumper truck.

A copy of the article is attached.

The original plan for this purchase was to appropriate \$300,000 in FY 20 from available funds to borrow the balance of the purchase which is \$291,283.10. However, we were thinking that we may have available Free Cash that we could use to pay off the balance rather than borrow it.

However, we are now concerned with the direction our economy is taking due to the COVID-19 pandemic. The Board may want to follow the initial plan to borrow the balance, \$291,283.10. Interest rates are very low and this will allow us to hold on to these funds and pay off the balance gradually through bond payments.

See attach memo from Treasurer Karen Summit. The Board needs to make a decision on this at today's meeting because the deadline to finalize the borrowing details is today.

Karen Summit said we decided last September that instead of borrowing the money for this, we would borrow this money internally, and figure out in the spring if we would use free cash or borrow the money. She said she needs to roll the bans for the Pine Grove School project and we need to decide whether or not to include this in the borrowing, or pay for this with free cash. She said the borrowing would be for a six month period of time, due in December, and at that point the Pine Grove School project would be finished and we would do a permanent borrowing. Petersen said he suggests borrowing the money as the Treasurer explained. He said he thinks we should spend as little free cash as possible since the revenue we receive from the State and meals taxes will be reduced. Pierce said we need to hold onto as much cash as possible since this is an unprecedented position. Perry agreed.

Dave Petersen made a motion to borrow the money for the fire truck as outlined by the Treasurer, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

2. FY 21 MIIA Property & Casualty & Worker's Compensation Insurance Premium

Chairman Pierce read the following:

Debbie is working on the Town's insurance policy renewals. She is asking the Board of Selectmen to authorize her to renew the policies for the upcoming fiscal year.

The Board needs to vote by a roll call vote to authorize Debbie to renew the policies.

Bob Snow made a motion to authorize Debbie to renew the policies, Joe Perry second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

3. Discuss Annual Town Election date

Chairman Pierce read the following:

The Annual Town Election is scheduled for Tuesday, May 12, 2020.

Due to the COVID-19 crisis, the State is allowing towns to change the date of their Annual Town Elections by a vote of the Board of Selectmen. The State is allowing the ballots to have the original election dates on them.

Under the Triton Regional School District Agreement, the Annual Town Elections of the three Towns in the district are held on the same date. The Newbury Board of Selectmen just voted to hold their Annual Town Election on June 16, 2020. Debbie understands that Salisbury is planning to do the same.

Tom Mullen has reviewed this and says that all incumbents will have their terms extended until their successors are elected and qualified and that the three Towns in the district can move their elections to a later date than what is specified in the District Agreement.

Does the Board wish to move the date of the Annual Town Election to Tuesday, June 16, 2020? If so, you need to vote by a roll call vote.

Dave Petersen made a motion to move the date of the Annual Town Election to Tuesday, June 16, 2020, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

6. Discuss Abutter Notification for Town Property abutting 185 Leslie Road on an application filed by Sean R. Connolly for a Stormwater permit application

Chairman Pierce read the following:

The Board of Selectmen was notified that the owner of 185 Leslie Road has applied for a Stormwater Permit with the Conservation Commission and plans to build a single family home and a driveway.

According to the Assessors' records the Town-owned property that directly abuts 185 Leslie Road is the Linebrook Cemetery. The other Town-owned parcel that is near this site is the Historic Pulpit Rock parcel on the corner of Leslie Road and Meetinghouse Road.

Attached is the Assessors' Map and parcel cards. I forwarded this information to the Cemetery Department to review. The construction of the driveway will require grading at the site. The Board will want to make sure that the burial ground and Pulpit Rock site are not affected by this construction.

Does the Board have any concerns that you wish to submit to the Conservation Commission regarding the issuance of the permit? If so, vote by a roll call vote.

Petersen said this application is for a new single family home being built on a number of acres, two sides of which abuts a burial ground that is one acre in size. He said he doesn't see a problem with the construction assuming that the Conservation Commission takes care of any drainage issues. He said he believes the driveway will come off of Leslie Road. Pierce said his concern is if the driveway is planned off of Meetinghouse Road, and he doesn't know the condition of this road. Petersen said the condition of Meetinghouse Road is not good, and the Town does not plow it. He said he will check on this, but he believes the driveway is off of Leslie Road. Pierce said if the driveway is accessed from Meetinghouse Road, we should have Town Counsel Tom Mullen review this since this road is involved in litigation. Eagan said she will see if she can get a plan from the Conservation Commission and will send it to the Board.

Dave Petersen made a motion to report to the Conservation Commission that the Board has no concerns about this application if the driveway access is from Leslie Road, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

Ziev asked if New Business #4 and #5 have been taken up. Eagan said no.

4. Award contracts for Highway road materials and services

Chairman Pierce read the following:

Dear Board of Selectmen,

I'm requesting the Board of Selectmen award contracts to the following contractors for the following items:

Item 1-1A Bituminous Concrete (In Place)-Bituminous Concrete Berm Curb – BitCon Corporation

Item 2 Bituminous Concrete (FOB) At Plant – Brox Industries

Item 3 Bituminous Concrete Disposal – Brox Industries

Item 4 Bituminous Excavation by Cold Planer – P.J. Albert, Inc.

Item 5 Roadway Reclamation – Murray Paving & Reclamation, Inc.

Item 6 Crack Sealing – Superior Sealcoat Inc.

Item 7 Adjustment, Rebuild and Remodeling of Structures – BitCon Corporation

Thank you

*Patrick Snow
Highway Surveyor / Tree Warden
Town of Rowley, MA
Ph: 978-948-2441
Cell: 978-479-3530
Fax: 978-948-6081*

Dave Petersen made a motion to award the contracts as presented, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

5. Discuss postponing Memorial Day Parade and Independence Day Celebration on the Town Common

Chairman Pierce asked if we are going to pick replacement dates. Snow said we should just postpone these for now as we don't know what the future holds. He said we should wait until after May 4th or until we have a better national picture on the coronavirus situation. Snow said he has spoken to surrounding towns who have also postponed these events. He said maybe we can do something for Veterans Day.

Joe Perry made a motion to postpone the Memorial Day Parade and the Independence Day Celebration on the Town Common, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

OLD BUSINESS

1. Ratify vote of the Board of Selectmen Emergency Meeting on March 23, 2020 to Declare a State of Emergency for the Town of Rowley due to the COVID-19 Pandemic

Bob Snow made a motion to ratify the vote of March 23 on the emergency declaration, Joe Perry second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

2. Ratify Metropolitan Planning Area Planning Council Agreement for Disbursement and Use of Emergency COVID-19 Funding

Chairman Pierce read the following:

Under an Executive Order issued by Governor Baker on March 19, 2020, the Board of Health was provided with \$5,000 in emergency COVID-19 funds. The forms to receive these funds needed to be filed on March 24, 2020. Debbie submitted the forms to receive the State funds on behalf of the Town through a disbursement agreement set up under the Executive Order through the Metropolitan Area Planning Council.

Debbie is asking the Board of Selectmen to ratify the Agreement between the Town and Metropolitan Area Planning Council.

Bob Snow made a motion to ratify the Agreement between the Town and Metropolitan Area Planning Council, Joe Perry second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev - aye

3. Memorandum of Agreement with Massachusetts Coalition of Police Local 360

Chairman Pierce read the following:

The Memorandum of Agreement with the police union is ready to be approved by the Board of Selectmen. (See attached.)

The Board needs to vote to approve it and to sign it by a roll call vote.

Joe Perry made a motion to approve and sign the MOA with the Massachusetts Coalition of Police Local 360, Bob Snow second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Deana Ziev - ABSTAINED

Pierce said the Board already discussed the terms of this agreement and this is just a formality.

MINUTES: February 24, 2020; February 24, 2020 Executive Session; March 2, 2020; and March 9, 2020

Joe Perry made a motion to approve the minutes of February 24, 2020, Dave Petersen second, all in favor – aye roll call vote – Deana Ziev – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Bob Snow - ABSTAINED

Dave Petersen made a motion to approve the minutes of February 24, 2020 Executive Session, Joe Perry second, all in favor – aye roll call vote – Deana Ziev – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Bob Snow - ABSTAINED

Joe Perry made a motion to approve the minutes of March 2, 2020, Dave Petersen second, all in favor – aye roll call vote – Deana Ziev – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Bob Snow - ABSTAINED

Joe Perry made a motion to approve the minutes of March 9, 2020, Dave Petersen second, all in favor – aye roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye. Deana Ziev - ABSTAINED

ADJOURN

Chairman Pierce called for a motion to adjourn. Dave Petersen so moved, Bob Snow 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 1:26 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding General Business #1: Request from the American Diabetes Association to re-schedule the Annual Tour de Cure bike race, which was previously approved for May 17, 2020 to August 16, 2020
2. Request from the American Diabetes Association to re-schedule the Annual Tour de Cure bike race, which was previously approved for May 17, 2020 to August 16, 2020
3. Meeting memo regarding New Business #1: Discuss internal borrowing for fire truck
4. Email from Karen Summit regarding Internal Borrowing Fire Truck
5. Article 27 of Annual Town Meeting Warrant – May 6, 2019
6. Meeting memo regarding New Business #2: FY 21 MIIA Property & Casualty & Worker's Compensation Insurance Premium
7. Letter from MIIA regarding FY 2021 Renewal Proposal
8. Meeting memo regarding New Business #3: Discuss Annual Town Election date
9. Email from Tom Mullen regarding Town Election
10. Chapter 45 of the Acts of 2020
11. Meeting memo regarding New Business #4: Award contracts for Highway road materials and services
12. Email from Patrick Snow regarding Contract Awards for Road Construction Bid
13. Bid results for Road Materials and Services Bid
14. Meeting memo regarding New Business #5: Discuss postponing Memorial Day Parade and Independence Day Celebration on the Town Common
15. Meeting memo regarding New Business #6: Discuss Abutter Notification for Town Property abutting 185 Leslie Road on an application filed by Sean R. Connolly for a Stormwater permit application
16. Assessors map and parcel cards for 185 Leslie Road
17. Abutter Notification for Town Property abutting 185 Leslie Road on an application filed by Sean R. Connolly for a Stormwater permit application
18. Meeting memo regarding Old Business #1: Ratify vote of the Board of Selectmen Emergency Meeting on March 23, 2020 to Declare a State of Emergency for the Town of Rowley due to the COVID-19 Pandemic
19. Declaration of a State of Emergency for the Town of Rowley due to the COVID-19 Pandemic

20. Meeting agenda for Board of Selectmen's meeting of March 23, 2020 at 10:00 a.m.
21. Meeting memo regarding Old Business #2: Ratify Metropolitan Planning Area Planning Council Agreement for Disbursement and Use of Emergency COVID-19 Funding
22. Metropolitan Planning Area Planning Council Agreement for Disbursement and Use of Emergency COVID-19 Funding
23. Meeting memo regarding Old Business #3: Memorandum of Agreement with Massachusetts Coalition of Police Local 360
24. Memorandum of Agreement with Massachusetts Coalition of Police Local 360
25. Draft minutes of February 24, 2020
26. Draft minutes of March 2, 2020
27. Draft minutes of March 9, 2020