

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

February 2, 2015  
Meeting held at Town Hall

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

**PUBLIC ATTENDEES:** Karen Summit (Town Treasurer)

### **CALL MEETING TO ORDER**

Chairman Robert Merry called the meeting to order at 7:05 p.m.

### **PLEDGE OF ALLEGIANCE**

Karen Summit (Town Treasurer) led the Pledge of Allegiance.

### **Jan. 26, 2015 Emergency Meeting on Historic Blizzard**

- Ratify State of Emergency Declaration

Chairman Merry stated that the Board of Selectmen declared a State of Emergency from 5pm January 26, 2015 until 12am on January 28, 2015 due to the blizzard. They need to ratify that vote.

Bob Snow made a motion to ratify the vote declaring a State of Emergency. Joe Perry second, all in favor – aye (5-0).

- Ratify closing of Town Hall, Annex and Library

Chairman Merry stated the Board of Selectmen closed the Town Hall, Annex, and Library and there would be no work done from 5 p.m. on January 26, 2015 to 12 a.m. on January 28, 2015. The vote needs to be ratified.

Bob Snow made a motion to ratify the vote to close Town Hall, Annex, and the Library from 5 p.m. on January 26, 2015 to 12 a.m. on January 28, 2015. Joe Perry seconded, all in favor – aye (5-0).

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

Chairman Merry said that Citizen Query will open at 7:05 and will run until 7:15 p.m.

## **APPOINTMENT**

7:15 p.m. Joint Meeting – Board of Water Commissioners to discuss:

- Pennichuck contract
- Prospect Hill access road

Deborah Eagan stated that there would be no joint meeting with the Board of Water Commissioners. Water Board Chairman Roy Ricker informed Doreen Glowik that he could not make the meeting tonight. Debbie spoke with Vice Chairman Dalzell and he is working this evening so he also could not attend.

The discussion was tabled until 7:15 p.m.

## **GENERAL BUSINESS**

1. Request from Pine Grove School PTA re: social request for 2<sup>nd</sup> Annual Spring Social

Chairman Merry read the following:

*The Pine Grove School PTA is asking for a donation of an experience with the Board of Selectmen to be auctioned off at the 2<sup>nd</sup> Annual Spring Social.*

Chairman Merry asked if any of the Selectmen have ideas for an experience they could donate. He stated that the PTA provided him with an example of an experience where the Fire Department would give someone a ride to school in the Fire Truck. He suggested that there could be a Junior Selectmen for a day.

Ms. Eagan added that the Junior Selectmen could sit with the Selectmen for a portion of one of their regular meetings. The Selectmen also could hold that meeting in the Town Hall auditorium.

Chairman Merry stated that the auction will be held on March 21<sup>st</sup> at Governor Dummer Academy. He suggested that the Selectmen give it some more thought over the next few weeks.

2. 2015 IRS mileage reimbursement rate

Chairman Merry read the following:

*The IRS mileage reimbursement rate has increased from .56 to .575 effective January 1, 2015.*

*The Board needs to vote to approve the new rate.*

David Petersen made a motion to approve the new rate. Bob Snow second, all in favor - aye (5-0).

3. Request from Friends of the COA to use Annex parking lot and lawn for Annual Yard and Bake Sale on May 16, with a raindate of May 17

Petersen made a motion to approve the request. Bob Snow seconded, all in favor - aye (5-0).

**7:05 – 7:15 p.m. CITIZEN QUERY**

Chairman Merry stated that the Citizen Query was closed.

**APPOINTMENT**

7:15 p.m. Joint Meeting – Board of Water Commissioners to discuss:

- Pennichuck contract
- Prospect Hill access road

There was not a quorum of the Water Commissioners present to discuss this agenda item.

- Pennichuck contract

Deborah Eagan stated that the contract with Pennichuck expires on February 11, 2015. She has had discussions with Bernie Russo (Pennichuck Vice President) regarding the start up of the system and establishing the customer service database. She stated that over the past year, the Town has requested additional services from Pennichuck, related to setting up accounts receivable reports and data analysis, than is included in their basic services. Eagan stated that she believes it would be prudent for the Town to continue its contract with Pennichuck. She continued to state that Pennichuck's services include billing, collections, and customer service. Their call center is available from 7:30a.m. – 5 p.m. Monday through Thursday. Eagan stated that records are kept on every customer call, and they also retain customer usage information.

Eagan stated that the new contract agreement would be for \$58,000; the base contract would be \$50,000 and \$8,000 for the additional work necessary to keep up with the current level of services. She added that the Board has a copy of a letter from the Water Superintendent testifying that she has been on the phone with the Pennichuck finance manager constantly, including weekends and evenings.

Karen Summit, Town Treasurer, described the additional services being provided by Pennichuck. She stated that because the Water Department didn't have a Superintendent for a while, there is no one who has historical data for the past year. She stated that Pennichuck needs to extract that data for the Town out of their entire customer database. She added that Tara King, from Pennichuck, has been working with

Marybeth Wiser on a tier analysis, which will help the Water Department with their budget for this year. She stated that Pennichuck is also working with them on a rate study, helping with liens, and monitoring collections. Summit added that this is time consuming work.

Dave Petersen made a motion to renew the contract with Pennichuck, effective February 11, 2015. Bob Snow seconded, all in favor – aye (5-0)

The Selectmen signed the contract.

- Prospect Hill access road

Chairman Merry stated that this is the access road for the Town's water tanks. He stated that there are also cell phone telecommunication towers located there and the Town's communication system for the Police, Fire, and Light Departments go through the same facility on the tower. He continued that the access road is in terrible shape and the Board of Selectmen has received reports from both the Fire Department and the Conservation Agent that the road is currently impassible. He continued that it is an important site and there needs to be access. Merry stated that he would like to speak with the Water Commissioners to see if there is something they can do to make that site passable. He asked Deborah Eagan if she had any additional information.

Eagan stated that a collaborative approach would be best; using General Fund and Water Enterprise Fund sources to cover costs to improve the road and reduce the run-off. She stated that in December, the Water Superintendent reached out to several contractors to get some estimates. Eagan stated that the work cannot begin until after the winter.

Bob Snow gave the Selectmen a summary of his visit to the site with Captain Emery. He stated that they had planned to go up the entire road, however the road was washed out at the gate and they did not make it the whole way. He stated that if it had been necessary, a 4-wheel drive vehicle may have been able to make it up the hill. Snow continued that most of the damage appears to be from the old water tank down to the road and suggested that putting down some large size aggregate from the old towers down to the road may solve some of the problems. He also suggested that the road width be reduced. Petersen added that they could re-grade the road so the run-off goes off to the sides.

Chairman Merry stated that they should reschedule the Joint Meeting with the Water Board.

Deborah Eagan stated that Stuart L. Dalzell Sr. suggested the Joint Meeting be rescheduled for Monday, February 9<sup>th</sup>. Chairman Merry agreed that they should try to schedule the meeting for that date.

## **NEW BUSINESS**

1. Letter from Town Planner Kirk Baker re: Wild Pastures Estates Subdivision As-Built plan

Chairman Merry read the following:

*The Planning Board is working with the developer of Wild Pasture Estates in the first steps of the road acceptance process.*

*The Planning Board first needs to approve the as-built and make sure that all the Town departments are satisfied that the work by the developer has been done correctly and to their satisfaction. Once the Planning Board makes that determination and they feel that the road is ready to be accepted, they will notify the Board of Selectmen in writing that the road is ready to be accepted and to request the Board of Selectmen to hold a street layout hearing.*

*Debbie will then request that the developer's attorney provide her with a street layout plan and a deed containing the metes and bounds of the property. Debbie and the Town's attorney will review those documents. The Board of Selectmen will then hold a street layout hearing. Debbie will also work on the town meeting warrant article.*

*The Board of Selectmen needs to review the As-Built plan this evening. If there are any comments, the Board needs to vote to send them to the Planning Board by Wednesday, February 11, 2015.*

Chairman Merry asked Bob Snow if he has any comments on the plans, given his experience on Planning Board. Snow stated that there are a number of families on Spencer Knoll with small children. Merry stated that the utilities need to be looked at and signed off on by the Electric, Light, Water, and Highway Departments. Snow stated that he believes most of the homes have been constructed. Snow asked if the Town Planner, Kirk Baker, had found any issues with the plans. Merry responded that Baker did not note any issues in his letter.

Petersen stated that there is an ongoing flooding issue with the residence at the bottom of the hill. He stated that the culvert that goes under the street is not sufficient and the drainage ditches fill up during very heavy rains. Snow stated that if you change that culvert, from there all the way down to the river would need to be addressed. Merry stated that the drainage sounds like a Conservation Commission issue.

Cook noted that the areas are clearly designated. He stated that Conservation Commission signs are posted, the cut for Spencer Knowles still has jersey barriers and there is another jersey barrier at the back. Petersen noted that plowing that area is going to be difficult, given the design.

2. Discuss FY 16 Preliminary Budget guidelines

Chairman Merry read the following:

*Until we have some clear indication on whether or not State aid will be cut, level-funded or increased, and what we should expect for increases from Triton, Whittier and Essex Agricultural School, we should plan to have expense budgets level funded and wage increases as stipulated in the collective bargaining.*

*The Board needs to vote on the following preliminary guidelines:*

***I. EXPENSES***

*Level fund department expense budgets. However, departments needing operational increases need to clearly identify the reasons why the increase is needed. The Board of Selectmen anticipates that some department expense budgets may need increases in fiscal 2015 to cover utility expenses, etc.*

***II. WAGES***

*Union Employees*

*For employees covered under ratified collective bargaining agreements, please provide for employee wage changes as stipulated in the agreement.*

*Non-Union*

*The Board needs to approve the attached FY 16 Compensation Schedule which reflects a 1 percent cost-of-living increase.*

Dave Petersen made a motion to approve the preliminary guidelines for expenses and wages. Joseph Perry seconded, all in favor - aye (5-0).

3. Discuss Triton District Communications Committee Meeting scheduled for Feb. 12

Joseph Perry stated that the Triton School Committee requested that the Boards of Selectmen in each of the three towns vote to post a meeting for Thursday, February 12 for the District Communications meeting located at the Triton Library. He stated that they will discuss the school renovation and the stadium project at the meeting.

Merry clarified that they would like the full Board to attend the meeting, therefore the meeting notice would be posted in case there is a quorum of Selectmen present. Perry responded in the affirmative.

Perry stated that present at the last meeting was a representative from the Newbury Finance and one Selectman; a Selectman from Salisbury; and Peter Censullo, Dennis Roy, and himself were present from Rowley. He stated that Brian Forget is hopeful that they will be able to get some donations to reduce the cost of the project to the 3 towns. Perry stated that the group present at the last meeting supported going back to the towns to request a 20-year bond rather than a 15-year bond which would reduce the annual payments from \$93,000 to approximately \$73,000. He continued that because this is budget season they have already held a preliminary budget workshop. Perry stated that they will need to know whether the towns plan to fund the project through an override, or if they have other intentions. He stated that the project is all or none.

Snow asked if there is a sense of whether the other towns will have overrides. Perry responded that he didn't hear any direct indication of how the other towns would fund the project. He stated that each town has other large construction priorities that they are also considering.

Petersen stated that all three towns are in favor of the concept because without the project, they can't do anything to the field given that the stands have been condemned. He stated that it is just a matter of how the project is funded.

Perry stated that the stadium could be run at almost no cost to the towns if the field is rented out and the proceeds are put into a revolving fund for the stadium. He continued that the fund could cover the yearly maintenance cost and the future turf replacement, but not the initial cost.

Petersen expressed his concern that there will be competition for the rental groups, because there are other turf fields being installed in the area. He stated that there may be an override on the warrant for the Pine Grove School. He stated that he is not sure this project can be funded out the existing budget; it may also need an override.

Eagan confirmed that the time of the District Communications meeting is 7:00p.m. She stated that she will post the agenda.

## **OLD BUSINESS**

### **1. Town Administrator Update**

Deborah Eagan updated the Board on the following:

- One of the Highway Department's plows on the front of a truck was damaged, which means they are now short a plow truck. She instructed the Highway Surveyor to purchase a new plow. The Highway Surveyor was concerned with how their budget would absorb the additional cost. Eagan told them it was an

emergency and unforeseen expense. The cost of the plow was \$7500. Petersen stated that if needed the expense could come out of the snow and ice budget.

- The bids were opened for Town Hall floor project.
- The new Town Hall windows have been installed. The budget allowed for three additional windows to be added into the scope of work. Those windows have been ordered.
- Eagan stated she is working with Harbormaster Bill DiMento on the Wharf project. The bid will be released on February 4<sup>th</sup>. She reminded the Board that this project was part of the FY15 Capital Plan.
- Harbormaster Bill DiMento reached out to low bidder for the dock purchase in order to get additional details on the manufacturing of dock materials. He hasn't heard back from the company yet.
- Eagan stated they are moving forward on the Request for Proposals (RFP) for the public safety facility study. There will be an evaluation of proposals and a study will be released. The finalists will be brought forward to the Selectmen.

## **MINUTES**

- November 24, 2014

Approval of these minutes was tabled since a copy of the minutes was missing from the Board's packets.

- November 24, 2014 Executive Session

Dave Petersen made a motion to approve the Executive Session minutes of November 24, 2014. Bob Snow second, all in favor - aye (5-0).

- December 1, 2014

Joe Perry made a motion to approve the minutes of December 1, 2014. Bob Snow second, all in favor - aye (4-0). Jack Cook - ABSTAIN

- December 22, 2014

Joe Perry made a motion to approve the minutes of December 22, 2014. Bob Snow second, all in favor - aye (5-0).

- January 12, 2015



Joe Perry made a motion to approve the minutes of January 12, 2015. Bob Snow second, all in favor - aye (5-0).

### **ANNOUNCEMENTS**

- The Public Hearing on the Proposed Reconstruction of Central Street with Highway Surveyor Patrick Snow and Norman Grown of Bayside Engineering has been re-scheduled to Monday, February 23, 2015 at 7:30p.m. at Town Hall
- The Town has the following vacancies:
  - a) **Fence Viewer**— three positions;
  - b) **Wood, Lumber & Bark Inspector**;
  - c) **Zoning Board of Appeals Associate** – two open seats
  - d) **Historical Commission-Historic District Commission** - two seats
  - e) **Parks and Recreation Committee** - two seats; and
  - f) **Open Space Committee** is seeking membersFor 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.
- The Board of Selectmen and the Water Department is requesting that residents who are able, please shovel out the fire hydrants in front of their houses. The hydrant should be visible, preferably with a 3 foot radius cleared.

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

Open meeting adjourned at 8:04 p.m.

Respectfully submitted,  
Natalie Lovett  
Assistant Town Administrator

### **ATTACHMENTS:**

1. Meeting memo regarding General Business # 1: Request from Pine Grove School PTA re: social request for 2nd Annual Spring Social
2. Email correspondence with Nerissa Wallen regarding Request from Pine Grove School PTA re: social request for 2nd Annual Spring Social
4. Meeting memo regarding General Business #2: 2015 IRS mileage reimbursement rate
5. IRS Standard Mileage Rates webpage printout
6. Flyer for Friend's of the Rowley COA Yard Sale and Baked Goods Sale
7. Meeting memo regarding 7:15 Appointment
8. Letter dated January 16, 2015 from Pennichuck Re: Contract for Water Department Customer Service, Billing and Collection Services

9. Agreement with Pennichuck for year two of contract
10. Email from Karen Summit dated January 30, 2015 re: Pennichuck Contract
11. Rowley Water Department Income Statement ending June 30, 2015
12. Memo from Water Superintendent MaryBeth Wiser to Board of Selectmen and Board of Water Commissioners regarding renewing contract with Pennichuck
13. Explanation of the Rowley Usage by Increment Report Dated 1/19/15
14. Meeting memo regarding New Business #1: Letter from Town Planner Kirk Baker re: Wild Pastures Estates Subdivision As-Built plan
15. Letter from Town Planner Kirk Baker dated January 22, 2015 re: Request for Review of As-Built Plan and Street Acceptance Plans for Streets located in Wild Pastures Estates Subdivision As-Built plan
16. Meeting memo regarding New Business #2: Discuss FY 16 Preliminary Budget guidelines
17. FY16 Non-Union Compensation Schedule
18. Meeting memo regarding New Business #3: Discuss Triton District Communications Committee Meeting scheduled for Feb. 12
19. Meeting memo regarding Old Business #1: Town Administrator Update
20. Draft minutes December 1, 2014
21. Draft minutes December 22, 2014
22. Draft minutes January 12, 2015