

**MINUTES OF THE BOARD OF SELECTMEN**

Town Hall, 139 Main Street, Rowley

January 22, 2024

6:00 p.m.

**MEMBERS PRESENT:** Chairman Cliff Pierce, Vice Chair Christine Kneeland, Sheri David, Bob Snow (Town Administrator Debbie Eagan)

**MEETING ATTENDEES:** William Mehaffey, 185 Newbury Rd; Mark Emery, Fire Chief; Bernie Cullen, 283 Wethersfield St; Tristan Ashlock, Ipswich Local News; Chris Harlow, 22 Dodge Rd

**CALL MEETING TO ORDER**

Chairman Pierce called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

Sheri David led the pledge of allegiance.

**MOMENT OF SILENCE** for former Town Constable Richard MacDonald

**6:00 p.m. TO 6:05 p.m. PUBLIC COMMENT\***

There was no public comment.

**6:05 p.m. APPOINTMENT\*** Fire Chief Mark Emery to discuss goals and five-year plan for the Fire Department

Fire Chief Mark Emery read his 5-year strategic plan.

He said he has Breen and Sullivan replacing the HVAC unit tomorrow at a cost of \$12,900. He said the quote for the secondary heating system for the ladies room will be a little over \$2,000. David asked what will be installed in the ladies bathroom. Emery said it will be a backup baseboard heater. Pierce asked why the system has seized. Emery said he was told it is cheaper to replace the unit than to take it apart and replace the compressor. Snow asked the brand of the equipment. Emery said Haier. He said that on Debbie's suggestion, he looked into changing to a different brand, but he was told it would take a lot longer to get the parts and they would need to replace all of the proprietary parts. Pierce asked if the unit is still under warranty. Emery said he didn't think anything in the building was still under warranty; everything is over 5 years old.

Kneeland asked if the Fire Department has a mission statement. Emery said there was one, but he doesn't know where it is. Kneeland said she would like to see a mission statement for the Department and the goals aligning to the mission. Pierce agreed.

Snow said he is very concerned about the units. Pierce asked if they have done the annual maintenance. Emery said they come in twice a year. He said there are a lot of issues with the units. Eagan said that Emery will need to go out to bid for the bigger project. He said that they are installing the new unit tomorrow. Pierce asked for a guarantee that the warrantee has passed. Eagan told Emery she had talked to him about the electric heater, but the bigger repair project will need a solicitation because it is a building project. Emery said it is an emergency, he can't cancel it now. Eagan said he needs to get three quotes and include prevailing wage. She said there is no exemption for that under the statute. Emery read the quote for the Haier repair.

David said she is concerned with the Department staffing and response times. She said she would like to see a survey for the Town that shows priorities. She asked what the priority for the Department is. Emery said staffing is a priority. He said they have had 88 calls already this year. He gave a couple of examples of how it takes almost 3 times as long to respond to events off hours versus during the day when there are staff on duty. Snow said the Town needs to have round the clock coverage; it is essential. Pierce said if the Town joined the regional dispatch, there may be some savings that could be applied to the Fire Department staffing.

David asked what the cost is to hire new firefighters. She said she would like to know what the plan is for recruitment and retention. Emery said that the most recent firefighter that left was reluctant to leave but he went to Newburyport because they have 24-hour shifts and cheaper health insurance. Emery said that right now they require new hires to have a minimum of one year on a call force. David asked if Emery thought the voters would be hesitant to vote for up to 8 new firefighters. Emery said he will do whatever the voters see as priorities. He said right now he is talking about doubling the number of firefighters to get around the clock coverage because you are doubling the amount of coverage time. He said he would be looking to hire 2 more Lieutenants and 4 more firefighters. He said he needs to have 3 firefighters at a call and the additional firefighter is to cover vacation, sick, and leaves. He said without the additional firefighters he would have to pay overtime. Snow asked what the cost is for the additional firefighters versus paying overtime. Emery said when he last looked at it, he was able to hire two new firefighters for \$30,000 more than paying overtime.

David asked Emery why he thinks the Call Firefighters aren't responding to the calls. Emery said they get around 6 after hours calls per week. He said this is a lot for the few Call Firefighters that are responding. He said they all have jobs and companies that they need to go to during the day. Kneeland suggested that Emery come back in a few weeks with a mission statement for the Department and 5-6 goals that meet that mission. David said she would like to know the cost to onboard new firefighters. Kneeland said those numbers need to be clear in the budget, so the public and Board

and see those costs. Pierce suggested that a few Selectmen could work with the Chief to work through some of these ideas. David and Snow said they would like to work with the Chief. David said that she and Kneeland will be touring the regional dispatch center on the 26<sup>th</sup>. She said it is just for fact finding. She said they haven't talked about their tour because they don't want the dispatchers to start worrying. Pierce said moving to a regional dispatch center would involve union negotiations. Eagan suggested that the Board could set a vision, mission statement, and goals and objectives that apply to this mission during this meeting. She said a few Selectmen could then work with the Chief to come up with a phasing plan.

Christine Kneeland made a motion to have Sheri David and Bob Snow work with the Chief on the mission, vision, and goals, Bob Snow second, all in favor – AYE (4-0).

### **NEW BUSINESS**

1. Discuss Whittier Vocational Technical High School proposed building project Cease and Desist Letter from Kevin Mulvey.

Chairman Pierce read the following:

*The Board of Selectmen received a Cease and Desist letter from Kevin Mulvey of Reading, MA. The letter demands the Board cease and desist from publicly debating and voting on a letter to the editor concerning the Whittier School Building Vote. Mr. Mulvey does not state in the letter who he represents, but it is important to note that Reading is not the Whittier District.*

*Town Counsel Tom Mullen responded to Mr. Mulvey with a rebuttal.*

Chairman Pierce then read the response from Town Counsel Tom Mullen.

Chairman Pierce said that, as noted by Town Counsel, he wants to assure the residents of Rowley that not even a stamp was used to mail the letters to the editor. He said, in contrast, the Yes for Whittier campaign has bombarded Rowley residents with mass mailings in the last week. He noted that the printing and mailing costs must have been costly. He said the Yes for Whittier campaign is being financed in part by local unions and the contractor for the project, Consigli Construction.

Bernie Cullen, 283 Wethersfield St, said the attorney that sent the cease and desist letter is associated with the Yes for Whittier campaign.

### **GENERAL BUSINESS**

1. Approve donations to the Library

Chairman Pierce read the following:

*Library Director Pam Jacobson has informed us that the Library received two donations totaling \$75.*

*In accordance with State law, G.L. c.44 §53A, the Board needs to vote to approve this donation.*

Christine Kneeland made a motion to accept the donation, Bob Snow second, all in favor – AYE (4-0).

2. Approve donation to the Police Department

Chairman Pierce read the following:

*Police Chief Scott Dumas has informed us that the Police Department has received a \$1,000 donation.*

*In accordance with State law, G.L. c.44 §53A, the Board needs to vote to approve this donation.*

Christine Kneeland made a motion to accept the donation, Bob Snow second, all in favor – AYE (4-0).

3. Letter of resignation from Police Sergeant Matthew Ziev

Sheri David read the resignation letter from Matt Ziev. David said that she was one of the people that said “I’m so glad it’s you” to Ziev when her husband had a medical emergency.

Pierce agreed, he said that Ziev has always been dependable and trustworthy and he is sorry to see him leave.

Sheri David made a motion to accept the resignation with regrets, Bob Snow second, all in favor – AYE (4-0).

4. Authorize REMA Director/Fire Chief Mark Emery to be the Contractor Authorized Signatory on the Massachusetts Emergency Management Grant

Chairman Pierce read the following:

*We received a \$2,640 grant from the State to equipment the Fire Department trucks with major trauma kits.*

*The Board needs to vote to authorize Mark Emery to be the contractor authorized signatory for the grant forms and to authorize Debbie to sign the State online contractor authorized signatory designation form on behalf of the Board.*

Bob Snow made a motion to authorize Fire Chief Mark Emery to be the Contractor Authorized Signatory on the Massachusetts Emergency Management Grant, Sheri David second, all in favor – AYE (4-0).

## **NEW BUSINESS**

2. Discuss Health Insurance

Chairman Pierce read the following:

*We are expecting a significant increase (6-10%) to our group health insurance plan in FY 25. Debbie and Karen reached out to MIIA to explore plan options. We were provided with a level 1 benchmark plan as a potential option. Most Towns in the area are on benchmark plans. Our current plan is a “grandfathered” plan and is no longer offered through our carrier. MIIA provided us with a benchmark 1 alternative plan based on this fiscal year’s costs. (See attached.) There is potential for savings. Debbie and Karen would like to have the MIIA health insurance representative meet with the Town employees to discuss differences between the current HMO Blue Enhanced Plan versus the HMO Blue Benchmark 1 Plan. If the employees indicate after this meeting that there is interest in changing to the Benchmark 1 Plan, Debbie and Karen will bring that back to the Board for further discussion.*

Bob Snow made a motion to authorize Town Administrator Debbie Eagan to have the MIIA insurance representative meet with Town employees to discuss health insurance plan options, Christine Kneeland second, all in favor – AYE (4-0).

3. Discuss tentative FY 25 budget guidelines

Chairman Pierce read the following:

*We are in the very early stages of the budgeting process. The Triton Superintendent recently released the FY 25 Triton Budget which shows an increase of \$2.6 million over last year, making the Triton budget approximately \$52 million. The Triton School District is still in the early stages of working on their budget, and we don’t know yet what the Town’s FY 25 assessment will be. The Town’s FY 24 assessment was \$12,607,255, which included an increase of \$991,965 over FY 23.*

*Debbie is asking the Board to approve preliminary department budget guidelines for FY 25 as follows:*

- *Expenses – level fund. Any requested operational increases must be clearly outlined and detailed in the “Issues and Options Form.*
- *Wages – The Town’s three unions have a FY 25 two percent cost-of-living increase provided for in their contracts. Debbie recommends that we set the cost-of-living increase for non-union employees at two percent as well, on a preliminary basis, with the support of the Personnel Advisory Committee.*

*This will allow Debbie to start developing a preliminary budget, despite not having firm numbers on the FY 25 Triton assessment. Budget adjustments may have to be made as we get more firm numbers in.*

Kneeland said that she and David will be attending the DCC meeting Thursday evening and will have more information to report back to the Board.

Christine Kneeland made a motion to approve the preliminary Department budget guidelines for FY25, Bob Snow second, all in favor – AYE (4-0).

#### 4. Review Powers & Sullivan Auditors Engagement Letter

Chairman Pierce read the following:

*The Town’s auditing firm, Powers & Sullivan, is merging with Marcum Accounts and Advisors and needs to have a new Engagement Letter signed for continued services for FY 24 and FY 25. These fees are consistent with the previous quote of \$21,000 for FY 24 and \$22,000 for FY 25, and \$5,000 for federally-required single audits.*

*Debbie is asking the Board to authorize her to sign the engagement letter with the Powers & Sullivan.*

Christine Kneeland made a motion to authorize Debbie Eagan to sign the engagement letter, Sheri David second, all in favor – AYE (4-0).

Sheri David asked Chairman Pierce if she could speak to General Business 4. She said that when the Town submitted the FOIA report, the City of Haverhill responded that there were no violation letters on file. She said she thinks that is important information to know

## **OLD BUSINESS**

1. Discuss Police Station anti-freeze sprinkler system project

Chairman Pierce read the following:

*We have been working on converting the Police Station's sprinkler system to an anti-freeze based system. We have had three + sprinkler system bursts in the old section of the facility during very cold temperatures. Last summer, we had estimated the construction work to be approximately \$30,000. Unfortunately, that is not the case. The lowest price for this work is \$45,740. On August 31, 2023, the Board approved spending \$40,000 of the unallocated ARPA funds for this project.*

*Debbie considers that this project is necessary and urgent because of the continued issues concerning the sprinkler pipe bursts during severely cold temperatures in the old section of the Police Station. The mini-split HVAC system is not able to adequately heat the elevated areas of the old section of the Police Station, where the fire sprinkler heads are located.*

*Due to the urgency of getting this project completed soon because we are in the middle of winter, Debbie recommends that the Board vote to use \$15,740 of the unallocated ARPA funds for this project. We have \$74,823 in unallocated funds that we are holding for HVAC projects, such as the Town Hall if needed, Library, and Annex, and other infrastructure projects. Debbie is also asking the Board to authorize the Police Chief to contract with E. Amanti & Sons, Inc. of Salem, MA. (Memo from Chief Dumas is attached and Amanti quote.)*

Engineering Design & Construction Administration =	\$7,500
Construction (labor prevailing wages + materials) =	\$45,740
Contingency for unforeseen costs =	<u>\$2,500</u>
TOTAL =	\$55,740

Bob Snow made a motion to authorize a contract with E. Amanti & Sons, Sheri David second, all in favor – AYE (4-0).

2. Update on Accounting Office transition

Chairman Pierce read the following:

*On July 1, 2023, our Town Accountant and Assistant Town Account positions were vacant. We were able to have Sue Bailey and Carrie Kennedy provide assistance over the summer and the early fall in keeping up with the processing of the bills and payroll. However, there were many other Accounting Office tasks that were not being done during this time. Linda Cook was appointed Assistant Town Accountant on September*

26, 2023 and Amy Lydon was appointed Town Accountant on October 3, 2023. Sue has continued to provide assistance in reconciling FY 23 accounts and helping to get reports completed. Additionally, we switched to a new accounting system program in FY 23, which has complicated the transition. This is our first year-end closeout using VADAR. Debbie needs to file a Reserve Fund transfer request for funds to pay Sue to continue providing accounting services. Amy has provided a memo (attached) and a detailed spreadsheet listing the items that we are working on now. We are estimating that we need Sue's services for approximately 10 hours per week through June 30, 2024, which comes out to \$14,500. Debbie is asking the Board to approve this transition plan.

Kneeland said that the Accounting Office has been working diligently these past few months. She said the Selectmen's Office staff has also been working hard to keep everything moving forward.

Christine Kneeland made a motion to approve the transitioning plan, Bob Snow second, all in favor – AYE (4-0).

## **ANNOUNCEMENTS**

1. Whittier School District Special Election for the Whittier School Project - Tuesday, January 23, 2024 from 11:00 a.m. to 7:00 p.m. at St. Mary's Church Hall rear entry, 196 Main Street
2. Housing Production Plan Forum, January 24, 2024 from 6:00 p.m. to 8:00 p.m. in the Town Hall Auditorium. RSVP to: event.mvpc.org/RowleyHousing.
3. Christmas Tree Drop Off for Rowley residents – Residents can drop off their live Christmas trees at Eiras Park until February 16, 2023. Please remove all lights and decorations. Only trees can be disposed of – no wreaths, greens, or objects containing metal.
4. The Town has the following board vacancies:
  - **Conservation Commission**
  - **Housing Partnership Committee – Five members**
  - **Open Space Committee**
  - **Rowley Cultural Council**
  - **Zoning Board of Appeals – Alternate member**Interested residents should send a letter of interest to the Board of Selectmen. Positions are open until filled.

## **ADJOURN**

Chairman Pierce called for a motion to adjourn. Bob Snow made a motion to adjourn, Christine Kneeland second, all in favor – AYE (4-0).

Respectfully submitted,

Natalie Lovett  
Assistant Town Administrator

**ATTACHMENTS:**

1. Meeting memo for 6:05 p.m. Appointment
2. Letter from Fire Chief Mark Emery dated January 18, 2024
3. Copy of Employee Performance Appraisal Form
4. Copy of meeting memo for December 4, 2023 6:05 p.m. Appointment – Fire Chief Mark Emery to discuss goals
5. Excerpt from PAC memo dated December 19, 2022
6. Mark Emery employment contract
7. Meeting memo for General Business #1
8. Email from Library Director Pam Jacobson re: item for 1/22 agenda please – library donations
9. Meeting memo for General Business #2
10. Letter from Police Chief Scott Dumas re: Donation from Yankee Pine Corporation
11. Meeting memo for General Business #3
12. Letter of resignation from Matthew Ziev
13. Meeting memo for General Business #4
14. Commonwealth of Massachusetts Standard Contract Form
15. Meeting memo for New Business #1
16. Letter for Town Counsel Tom Mullen to Kevin Mulvey dated January 17, 2024
17. Cease and Desist Letter from Kevin Mulvey
18. Email from City of Haverhill Inspection Services Deputy Director Bonnie Dufresne to Deborah Eagan re: Request#2024-0182: Response to your Request
19. Meeting memo for New Business #2
20. Town of Rowley FY24 HMO Health Plan Alternative
21. Meeting memo for New Business #3
22. Meeting memo for New Business #4
23. Engagement letter with Powers and Sullivan
24. Meeting memo for Old Business #1
25. Letter from Police Chief Scott Dumas re: Anti-freeze system for old part of the building
26. Meeting memo for August 21, 2023 New Business #6
27. EPM Proposal dated August 7, 2023
28. Meeting memo for Old Business #2
29. Memo from Town Accountant Amy Lydon re: Reserve fund transfer request