

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

January 27, 2014  
Meeting held at Town Hall

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

**PUBLIC ATTENDEES:** Lawrence White – FINCOM; Richard Hydren - Chamber of Commerce; Peter Phippen - MassBays Program

### **CALL MEETING TO ORDER**

Vice Chairman Robert Merry called the meeting to order at 7:01 p.m. He said the meeting is being audio and video recorded digitally.

### **PLEDGE OF ALLEGIANCE**

Richard Hydren - Chamber of Commerce led the Pledge of Allegiance.

### **CHAIRMAN'S COMMENTS**

None.

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

There were no Citizen's Queries.

### **GENERAL BUSINESS**

#### **1. Internal Revenue Service mileage rate reimbursement change**

Vice Chairman Merry said. "The Board of Selectmen needs to vote to set the IRS mileage reimbursement rate at \$.56 effective January 1, 2014. The rate has gone down from \$.565, which was set by the IRS on January 1, 2013."

Dave Petersen made a motion to set the IRS mileage reimbursement rate at \$.56 effective January 1, 2014, Jack Cook second, all in favor – aye (4-0). Robert Snow - ABSENT

#### **2. Announcement from the North East Mass. Mosquito Control & Wetlands District on pesticide exclusion requests**

Vice Chairman Merry said, "The Northeast Massachusetts Mosquito Control and Wetlands Management District has notified us that there is a process that residents can follow if they choose to have their property excluded from public area-wide application of pesticides." Merry read the notice from The Northeast Massachusetts Mosquito Control and Wetlands Management District (COPY ATTACHED).

3. Letter from Board of Health re: Appointment of Donald Russo as a Limited Health Agent

Vice Chairman Merry read letter from Health Services Coordinator Frank Marchegiani (COPY ATTACHED).

Joseph Perry made a motion to appoint Donald Russo as a Limited Health Agent, Jack Cook second. The vote was not completed.

Eagan said the Board of Health has made this appointment and they are just informing the Board of Selectmen of this appointment.

4. Employment Agreement - Library Director

Vice Chairman Merry said, "The employment agreement between Library Director Pam Jacobson and the Board of Selectmen is in order. The Board of Selectmen needs to vote to sign the agreement. There are two originals."

Petersen said this is a standard contract.

Dave Petersen made a motion to sign the employment agreement for the Library Director, Jack Cook second, all in favor – aye (4-0). Robert Snow - ABSENT

The Selectmen signed the two original contracts.

5. Request from Opportunity Works to hang a banner on the Town Common backstop publicizing the Annual "Lend a Hand" Auction scheduled for February 22, 2014.

Vice Chairman Merry said, "Opportunity Works is seeking the Board's permission to hang a banner on the Town Common backstop publicizing their 30<sup>th</sup> Annual Lend-A-Hand Auction. The selectmen have granted permission for them to do so in the past. Please see attached letter."

Merry read the request letter from Opportunity Works (COPY ATTACHED).

Joseph Perry made a motion to approve the request from Opportunity Works to hang a banner on the Town Common backstop publicizing the Annual Lend a Hand Auction scheduled for February 22, 2014, the banner will be hung starting February 5, 2014 until February 24, 2014, Jack Cook second, all in favor – aye (4-0). Robert Snow - ABSENT

Merry asked that we make sure we have the contact phone number in case something happens to the banner.

**7:15 p.m.** Appointment Rick Hydren to discuss the following:

- Great Marsh Revitalization Task Force
- The application for funds from the Hurricane Sandy Coastal Resiliency Program
- Letter of support

Peter Phippen from the Merrimack Valley Planning Commission and the MassBays Program distributed a hand-out titled: Community Risk Reduction through Comprehensive Resiliency Enhancement for the Great Marsh Ecosystem - North Shore Massachusetts (COPY ATTACHED). Phippen said the National Fish and Wildlife Foundation is offering Hurricane Sandy Coastal Resiliency grants totaling \$100 million to be used in coastal areas from Virginia to New Hampshire and as far inland as Ohio. He said many groups working on the Great Marsh came together to form the Great Marsh Resiliency Partnership with a goal to help restore the marsh. He said if they receive the grant, it will be used holistically to protect the marsh's infrastructure and bolster the natural wildlife in the marsh. Phippen reviewed the project components with the Board as detailed on the hand-out.

Phippen said this is a \$3.2 million dollar proposal and there is \$2.25 million dollars worth of matching funds in place. He said the National Wildlife Federation will be the applicant, and the application is due on January 31, 2014. He said fifty to sixty support letters have been sent to Senator Tarr, Representative Hill, Senator Warren, the Green Belt and other organizations. He said Northeast Mosquito Control is giving \$150,000 in matching funds. He said there are many players in this project, and there is a lot of support. He said Rowley will benefit from the planning component of the project, including invasive species control, barriers to flow and hydrodynamic modeling. He said they should hear the status of the grant award in April.

Merry asked if the project will include addressing the green crab problem. Phippen said they have an initial grant to look at that problem. He said he will team up with Senator Tarr and Jack Grundstrom. He said they believe there is a new strain of green crabs that doesn't go dormant, and they have sent crabs to Brown University for DNA testing. Merry said clamming is a source of revenues for some residents, so he is concerned about the green crabs. Petersen said this is a super ambitious project, he hopes they

get funding, and asked them to keep the Board informed and let the Board know if they need further assistance with it.

Perry asked how students will be involved in the project. Phippen said the Mass Audubon will take the students into the marsh, teach them about safety, and do pepperweed pulling. He said University of New Hampshire and Boston University will work on dune restoration by collecting data and doing modeling. He said part of the program is to train students and foster environmentalism.

Merry said, "Due to the tight time frame in which the Great Marsh Revitalization Task Force needed the Town's letter, Chairman Bob Snow sent the letter before he left. The Board of Selectmen now needs to vote to ratify its support of the letter."

Jack Cook made a motion to ratify support of the letter sent by Chairman Snow to the National Fish and Wildlife Foundation for this project, Joseph Perry second, all in favor – aye (4-0). Robert Snow – ABSENT

Eagan said Hydren is filming documentaries on the Great Marsh that are being shown on the local access channels. Hydren said over the past year he has been working on developing short documentaries on fragmities. He said there are eleven films and included is a project being done with children through Mass Audubon. He said mosquito control has been filmed mowing and spraying. He said Frank Draukowski, the National Wildlife Refuge Manager has been interviewed, as well as Walker, a Selectman in Newbury. He said eight are on Utube and can be viewed by going to [dangerinthereeds.com](http://dangerinthereeds.com). He said the videos will be used as part of the grant application and invited the Board and other Town Boards to come to a presentation of the videos at the refuge.

## **GENERAL BUSINESS**

### **6. Discuss letter of support for Edward Desjardins for preservation award**

Vice Chairman Merry said Desjardins used to live in Rowley and is now on the Georgetown Historical Society who is sponsoring him for an award from the Massachusetts Historical Commission. Merry said Desjardins asked him to write a recommendation letter for him and Eagan said it would be great if the Board of Selectmen could endorse the letter. Merry read the draft letter to the Massachusetts Historical Commission (COPY ATTACHED).

Merry said Desjardins was involved in many projects in Rowley. He said he looked into using the Center School as a library, and when that wasn't possible due to stringent codes, he was part of the volunteer group that got the Town Hall Annex up and running at the Center School. He said Desjardins was involved in a project to raise money to purchase land owned by the church and put a conservation restriction on it so that it wouldn't be developed, while providing the church with needed funding. He said

Desjardins was involved in setting up the tradition of the annual project done by third grade Pine Grove students, where they report on a historical building or site in Rowley which is reviewed by the Historical Commission and then read by the students to their parents. Merry said Desjardins is very deserving of this award.

Joseph Perry made a motion to sign and send the letter of support for Desjardins, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

Petersen said this is well deserved. The Selectmen signed the letter.

## **OLD BUSINESS**

### **1. Update on 112 Central Street**

Vice Chairman Merry read the following:

*Town Counsel Judy Pickett has gotten back to Debbie on 112 Central Street. Attorney Pickett is advising the Board of Selectmen to hold off and wait. She has been in contact with Attorney Peter Ross, the attorney doing the probate work on this property.*

*Attorney Ross told Judy that while there are significant title issues concerning the ownership of the property, he is in the process of filing documents to cure the problem. There is a purchase and sales agreement on the property and the buyer had hired a contractor to demolish the building once the title clears and the property is sold.*

Petersen said this approach sounds satisfactory and will save work and money. Merry said hopefully the title issues will be resolved soon.

### **2. Sign Mass. Fisheries & Wildlife documents for the sale of salt marsh land**

Vice Chairman Merry read the following:

*The Mass. Fisheries & Wildlife Option to Purchase salt marsh land document is ready for the Board of Selectmen to sign. Town Counsel Judy Pickett has worked on this document with the attorney for the Division of Fisheries and Wildlife. It is now ready for the Board to sign.*

*Sean McFadden will notarize the Board's signatures.*

*There are two originals for the Board to sign.*

Dave Petersen made a motion to sign the Option to Purchase document (COPY ATTACHED), Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

The Selectmen signed the documents and Sean McFadden notarized the signatures.

### 3. Girl Scouts land purchase update

Vice Chairman Merry read the following:

*Bob Merry, Dave Petersen, Conservation Agent Brent Baeslack and Debbie have been meeting on a regular basis with David Santomenna of Essex County Greenbelt Association. We are now at the stage where we need to conduct our own appraisal of the property and are seeking authorization to hire Landvest for a not to exceed amount of \$6,500.00*

*We will be using the funds from the fall special town meeting article.*

Petersen said Conservation Agent Baeslack has been looking at the wetlands and to move forward with the project, we need to do an appraisal of the property which is required under law. He said the price given by Landvest was up to \$6,500 and the article approved at Town Meeting has \$10,000. Eagan said Baeslack has been doing many site visits and we are benefiting from his expertise and we are grateful to have his assistance.

Dave Petersen made a motion to hire Landvest for up to \$6,500 to do an appraisal on the Girl Scout property, Joseph Perry second, all in favor – aye (4-0). Robert Snow – ABSENT

### 4. Town Administrator update

Vice Chairman Merry read the following:

*Debbie offers the following updates:*

- *Proposals for the Water Dept. Billing, Collection and Customer Services are due on Wednesday, Jan. 29*
- *Filed sub-bids for the painting portion of the Annex project are due on Wednesday, Feb. 5*
- *General bids for the remaining portion of the Annex project are due on Wednesday, Feb. 12*
- *Debbie, Amy and Joe Perry went to the Mass. Municipal Association meeting last week. House Speaker Robert DeLeo spoke about the state budget. Speaker DeLeo indicated that the House would produce a budget that would not level fund state aid to cities and towns.*

Perry said DeLeo received great applause at the conference when he said he was not pleased with the Governor's budget and said the House will do better.

## **NEW BUSINESS**

### **1. Town Procurement Policy Update**

Vice Chairman Merry read the following:

*Debbie will be re-issuing the Town's procurement policy to reflect changes to Mass. General Laws Chapter 30B.*

*Purchases less than \$10,000 require the use of "sound business practices." Sound business practices are defined as "ensuring the receipt of a favorable price by periodically soliciting price lists or quotes."*

*This is a change from "less than \$5,000."*

*Debbie is asking for the Board's authorization to re-issue the procurement policy reflecting the changes.*

Joseph Perry asked if this goes out to all Town Departments, Merry said yes.

Joseph Perry made a motion to authorize the re-issue of the updated procurement policy, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

### **2. FY 15 Northeast Mass. Mosquito Control & Wetlands Management District assessment**

Vice Chairman Merry read the following:

*The State Reclamation and Mosquito Control Board has sent the Board of Selectmen a "Declaration of Support or No Support of Mosquito Control Funding for FY 15"*

*If the Board of Selectmen wishes to continue with services from the Northeast Mass. Mosquito Control District in FY 15, the Board must vote to "Support" the funding and Vice Chairman Merry must sign as the chief executive officer of the Town.*

*The Town's assessment will not be increasing –*

*FY 14 = \$54,321*

*FY 15 = \$54,321*

*The assessment is paid through a deduction off the Town's "Cherry Sheet" aid.*

Merry said we do this every year and with West Nile and EEE, we can't afford not to stay in the project.

Dave Petersen made a motion to support the funding and have Merry sign the form, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

3. Request from Zoning Board of Appeals Administrative Assistant Lisa Lozzi to designate position of Zoning Board of Appeals administrative assistant as a "Special Municipal Employee" pursuant to Mass. General Laws Chapter 268A

Vice Chairman Merry read the request letter from Lisa Lozzi (COPY ATTACHED).

Dave Petersen made a motion to designate the position of Zoning Board of Appeals administrative assistant as a "Special Municipal Employee" pursuant to Mass. General Laws Chapter 268A, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

4. FY 15 Budget Guidelines

Vice Chairman Merry read the following:

*The Board of Selectmen is proposing the following guidelines:*

*Departments submit budgets according to the following guidelines:*

*For the wage portion of the budget, please provide for any wage changes pursuant to collective bargaining agreements.*

*For the non-union employees, the wages should reflect increases as follows:*

- *One percent cost-of-living increase*
- *Step increases in accordance with the new personnel system.*

*The Personnel Board has approved a one percent cost of living adjustment to the current non-union compensation schedule.*

*For the expense portion of the budget, please level fund if possible. However, departments needing operational increases need to clearly identify the reasons why, such as increased fuel costs, etc., and show the specific costs related to the increase.*

*All the capital expense requests have already been submitted and are currently under review.*

*Budgets must be submitted by February 11, 2014.*



Petersen said non-union employees with satisfactory performance will get a 1.25% increase and a cost of living increase of 1% for a total increase of 2.25% for FY 15. He said the union contracts have increases pretty much the same as this.

Joseph Perry made a motion to set the FY 15 Budget Guidelines as outlined by Merry, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

Petersen said he, Bob Merry and Deb Eagan have been meeting to review the capital requests. He said they are fairly large when put all together and they are trying to assess and weigh them. He said they anticipate using a five year bond to fund them. He said capital expenditures are being looked at a lot now, and have been ignored the past several years.

## **MINUTES**

- December 9, 2013

Joseph Perry made a motion to approve the minutes from December 9, 2013, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

- December 9, 2013 Executive Session

Joseph Perry made a motion to approve the minutes from December 9, 2013 Executive Session, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

- December 16, 2013

Jack Cook made a motion to approve the minutes from December 16, 2013, Joseph Perry second, all in favor – aye (4-0). Robert Snow – ABSENT

- December 16, 2013 Executive Session

Jack Cook made a motion to approve the minutes from December 16, 2013 Executive Session, Dave Petersen second, all in favor – aye (4-0). Robert Snow – ABSENT

- December 23, 2013

Joseph Perry made a motion to approve the minutes from December 23, 2013, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

- December 23, 2013 Executive Session

Joseph Perry made a motion to approve the minutes from December 23, 2013 Executive Session, Jack Cook second, all in favor – aye (4-0). Robert Snow – ABSENT

## **ANNOUNCEMENTS**

- The Town has the following vacancies:
  - **Conservation Commission** – one seat;
  - **Finance Committee** – one seat;
  - **Fence Viewer**– two positions;
  - **Wood, Lumber & Bark Inspector**; and
  - **Zoning Board of Appeals Associate** – two open seatsFor more information on these positions, please contact the Selectmen's Office at 948-2372
- Battery recycling box located at the Town Hall and Library
- 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.

Vice Chairman Merry called for a motion to go into Executive Session for the purpose of discussing strategies with respect to litigation and union contract negotiations because an open meeting may have a detrimental effect on the litigating and negotiating positions of the Town and to not return to open session. Joseph Perry so moved, Jack Cook second, all in favor – roll call vote: Robert Merry – aye, David Petersen – aye, Jack Cook – aye, Joseph Perry – aye. Robert Snow – ABSENT

Open meeting adjourned at 8:14 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS:**

1. Email from Doreen Glowik
2. IRS webpage printout regarding 2014 standard mileage rates
3. Letter from Health Services Coordinator Frank Marchegiani
4. Letter from David Roberts from F.S. Roberts and Son Funeral Home
5. Employment Agreement for the Library Director
6. Letter from Opportunity Works
7. Document titled Community Risk Reduction through Comprehensive Resiliency Enhancement for the Great Marsh Ecosystem - North Shore Massachusetts
8. Letter of support for the Great Marsh Resiliency Program
9. Sample letter of support for the Great Marsh Resiliency Program
10. Article from Salem News dated January 20, 2014

11. Letter to the Massachusetts Historical Commission
12. Mass. Fisheries & Wildlife Option to Buy documents for the sale of salt marsh land
13. Request letter from Zoning Board of Appeals Administrative Assistant Lisa Lozzi to designate position of Zoning Board of Appeals administrative assistant as a "Special Municipal Employee"