

MINUTES OF THE BOARD OF SELECTMEN

March 20, 2023

Town Hall, 139 Main Street, Rowley, MA

6:00 p.m.

MEMBERS PRESENT: Chairman Robert Snow; Vice Chairman Joseph Perry; Clerk Deana M.P. Ziev; Christine Kneeland (Town Administrator Deborah Eagan; Assistant Town Administrator Amy Lydon) Cliff Pierce - ABSENT

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Ginny Merry led the Pledge of Allegiance,

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

There were no Public Comments.

6:05 p.m. APPOINTMENT Council on Aging Director Ellie Davis, Council on Aging Board Chair Geneva Merry, and Sara Bourque of Marshwind Landscape Design to discuss Town Hall Annex Council on Aging lawn project

This is a continued discussion on a proposed bocce court, garden beds, shed, fence, and patio project on the Annex back lawn.

UPDATE – 3/20/2023

CPA Administrator Karen O'Donnell has reviewed the eligibility of the COA bocce court and gardens project and has informed Debbie and COA Director Ellie Davis that it is not eligible under the CPA programs. The CPC will have to discuss this at their meeting tomorrow. Please see attached message from CPA Administrator Karen O'Donnell.

The COA Board voted this morning to support the project, before becoming aware of the project's eligibility status. COA Director Ellie Davis is still planning to attend tonight's meeting and will discuss the project. She is going to look at other funding options and she still has the \$25,000 earmark grant to be used toward the project.

The COA received a \$25,000 State Earmark Grant that they are using towards this project. The project costs are greater than the grant funds, so the COA Board, with the approval of the Board of Selectmen, would like to apply to the Community Preservation Committee for funding in the range of \$75,000-\$90,000 under the "Recreation" Category.

At last week's meeting the Board members had questions about the maintenance costs related to the project after it is complete. Some of the points of concern were:

- *Portable toilet (cost and maintenance)*

- *Watering the garden beds (what is the plan for this and the additional water usage costs)*
- *Electricity (is it part of the project and additional electrical usage cost)*
- *Moving patio furniture into the sheds (who will do this work)*

Ellie, Sara, and Ginny will provide an update to the Board.

The COA Board was planning to meet on Monday, March 20, 2023. The COA Board needs to approve of this project before the Board of Selectmen votes.

The Community Preservation Committee is meeting tomorrow (Tuesday March 21) at 5:00 p.m. to discuss and vote on the application

If the Board is in agreement with the project as presented, the Board will need to vote on the following:

- 1) Contract with Marshwind Landscape Design in accordance with the attached two proposals*
- 2) Authorize the COA to file an application to the Community Preservation Committee as shown on the attached*
- 3) Approve the State Ethics Commission form for Sara Bourque*

Eagan said the update on this topic has changed the status of the CPC application. She said we are here to discuss where we go from here and to discuss alternative funding. COA Director Ellie Davis said after the Selectmen's meeting, they asked the COA to vote on this. She said the COA Board voted to move forward with the concept of this project, depending on funding. She said they have \$25,000 of grant funds and are asking for additional funds from the CPC. Eagan said as she understands this, the the CPC Coalition reviewed this request and advised the CPA Administrator that since the Annex lawn is not a public park, like Eiras Park or Bradstreet, the project is not eligible for CPC funds. She said the COA Director is requesting that the Board authorize the contract with Marshwind, which can be done under the \$25,000 grant. She said the Board can also approve the State Ethics Commission form for Sara Bourque.

Deana Ziev made a motion to approve the contract with Marshwind Landscape Design, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Joe Perry made a motion to approve the continuation of the lawn project, including the walkways and raised beds, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Deana Ziev made a motion to approve the State Ethics Commission form for Sara Bourque, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

6:20 p.m. APPOINTMENT* Conservation Agent Brent Baeslack to discuss the following:

- Amendment to the Rowley MS4 Contract for Services with the Merrimack Valley Planning Commission
- United States Department of Interior Fish and Wildlife Service project to remove perennial pepperweed from the Great Marsh

Chairman Snow read the following:

Brent is here tonight to discuss these two items.

MVPC – MS4 Contract Amendment

The Amendment to the Rowley MS4 Contract for Services with the Merrimack Valley Commission requires the Board to vote to approve it and to authorize Chairman Snow to sign it. MVPC provides the Town with services in connection with the Town's obligation to comply with the Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) MS4 (Municipal Separate Storm Sewer Systems) Permit. MVPC provides the Town will assistance with various components of compliance, including education and outreach, listening sessions, site inspections, and compiling the MS4 Annual Report, which is filed with the EPA.(See attached MVPC Contract Amendment.)

US Dept. of Interior Pepperweed Removal Project

The U.S. Department of Interior has filed a Request to Determine Applicability under the Wetlands Protection Act and the Town's Wetlands Protection Bylaw for permission to enter the Town Landing area to remove pepperweed. Pepperweed is an invasive species. (See attached letter from Brent and the US Dept. of Interior.)

Conservation Agent Brent Baeslack handed out two brochures that are used for educational outreach as part of the MS4 requirements. He said MVPC provides invaluable service to him in managing the Town's stormwater compliance, and each year they help prepare a comprehensive permit to the EPA. He said the Light Department has helped with distributing the educational materials through the light bills, and the Town Clerk assists with the dog waste handout distribution.

Joe Perry made a motion to approve the amendment to the Rowley MS4 Contract for Services with the Merrimack Valley Planning Commission and to authorize Chairman Snow to sign it, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Baeslack said there is perennial pepperweed on Town land that in 2019 was identified and hand-pulled, and it hasn't come back. He said the US Department of Interior is requesting permission to enter Town property for an annual assessment. He said a lot of different groups have been involved in the removal of the pepperweed, and it needs to be removed to preserve the natural vegetation in the marsh.

Christine Kneeland made a motion to authorize the U.S. Department of Interior to enter the Town Landing area to remove pepperweed, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

6:30 p.m. APPOINTMENT Parks and Recreation Committee Chairman David Zizza to discuss a donation from the Hoysala Social and Sports Club to create a cricket field next to Veterans Field

Chairman Snow read the following:

UPDATE:

Attached is a map from David Zizza showing the layout of the concrete pad. David Zizza says this has been approved by the Parks & Recreation Committee. Regarding this, Zizza said the following:

Apologies for the late email. I just received this drawing of the layout for the cricket pitch (strip of pitching turf) as it relates to the fields. It is different than was explained to me at the site visit and different than what I relayed to Amy given the information I had as of this morning. I was told the strip would be installed just off the border of the soccer field and would run parallel (the long way) almost acting as a boundary between the all-purpose field and Gwynn field. When I asked them why it changed they told me that they returned to the site to watch the way the sun travels over the field and this orientation is the only way the sun would not be in the pitcher or hitters eyes. I checked with the Ipswich youth soccer group and their field dimensions as defined by the ECYSA are 55ft x 80ft. Given these dimensions we would have two options. We could place 2 soccer fields at either side of the strip or place a larger one (adult soccer size) perpendicular to the strip towards the back of the field. The cricket group will have to present this altered version to the Selectman on Monday.

Also, below are some questions that we asked David Zizza to be prepared to answer at the meeting, should the Board ask them, to provide more details about this project. This information will be helpful to the Board, the property abutters, and the public, in case there are concerns.

- 1. When will cricket league be using both fields (days and months)? Does this interfere with any other current user groups using the fields?*
- 2. How many people and cars are expected to come into Town when the cricket league is using the fields?*
- 3. Will the concrete/turf overlay require maintenance?*
- 4. What are the estimated user fees that will be brought in by this league?*
- 5. Are there other area cricket leagues who would want to use this field if this league no longer wants to?*
- 6. Who will be responsible for the removal of the concrete pad if the league no longer uses the fields?*
- 7. Are any Rowley residents part of the league that will be using the fields?*

8. How does this benefit the residents of the Town of Rowley?
 9. Does the new orientation of the concrete pad limit how the Town can use and lay out future fields on this parcel? Are the remaining locations of land around the concrete pad the ideal location for playing fields?
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Original meeting memo:

The Parks & Recreation Committee has been approached by a cricket league looking for field space. David Zizza met with representatives and have determined that the Town field next to Veterans Field which is not currently being used, would work for this group, if some modifications are made to it. The league has offered to make the necessary modifications as a donation to the Town. Zizza sent the following summary of his meeting with the league:

I did a walk through with a group this weekend, looking to find a field to have cricket games from spring through fall. The field requirements are a 400ft radius from the center so they would need to rent both the all-purpose field at pine grove and the yet undeveloped adjacent field. There are some grading issues on one of the fields that would require loam to be brought in and the field leveled in order to be considered a playable surface. They have a landscape contractor whom they have worked with in the past on town projects and have inquired whether it might be possible for them to pay the contractor directly? Their contractor would furnish all the commensurate insurances and liabilities required by the town and could send us an estimate of cost. I'm told the work will not surpass the \$10,000.00 threshold so 3 bids will be unnecessary? I figure in this way we can get a field put into serviceable shape with only supervisory requirements from our end. If this seems like an acceptable scenario I will approach the Parks & Rec committee for a vote in the next couple of weeks.

This cricket group has worked with other townships and I have requested references from the towns they have played in so I can get a sense of how it has gone.

Please let me know the feasibility of this request.

Zizza said the user fees from this group will “bring in a healthy monetary contribution to the Town that will more than defray the repair costs at season end.”

We asked Town Counsel Tom Mullen to outline any issues that we should be aware of regarding liability, procurement or prevailing wages for this proposed in-kind donation for this field work. Mullen's email response is attached, based on a scenario where the Town is not providing any funding for and is not managing the project. He doesn't feel this would be a Public Bidding Law Violation, prevailing wages would not apply, the Selectmen would need to vote to accept this donation, and the league cannot get preferential treatment. He outlined the risks and liability as follows:

4. Risks and Liability. Proceeding as outlined above is not without risks. The greater the entanglement between the Town, the donor group and the contractor, the greater is the risk that the Attorney General may conclude that prevailing wage should have been paid. Therefore it is important to avoid Town involvement in and oversight of the work. And that, in turn, could result in a project that is neither designed nor constructed as the Town would like. Also, the Inspector General warns in the above-referenced manual that the use of volunteers can mean that those working on the project are inexperienced or under-insured. You are already proposing to minimize this risk by having the group hire a contractor (as opposed to doing the work themselves) and to furnish the Town with an insurance certificate demonstrating that the employees are covered by workers' compensation insurance and also that there is liability insurance in which the Town is a named insured. As always with donations, there is a risk that the job may be abandoned short of completion, leaving the Town with a very public, potentially dangerous white elephant that must be either removed or completed using public funds. I can only advise that the Town not permit the project to be begun unless the Select Board is convinced that the sponsoring organization is prepared to finish it.

1. The Board should discuss the project with the league representatives and Parks & Recreation Committee representatives and ask the league to commit to finishing the project if this approved.

The league provided the attached estimate for work including installing soil to level the ground, compacting the ground, installing a concrete section and installing an astro turf mat on top of the concrete. Zizza has confirmed that the installation of the concrete pad will not impede other user groups from using this field. Zizza said, "The aforementioned strip is not an incumbrance for users. It is located in the boundary between the 2 fields. It is a concrete base with a turf overlayment. It is completely off the all purpose field and sits on the sidelines of the new field. It would occupy a space that would be an outside boundary. The turf surface renders it safe for other user groups and it's orientation would not interrupt field of play. I will get the dimensions of the strip and have a aerial view with each field delineated and each fields relation to the strip."

2. If the Board would like to move forward with this project, the Board needs to vote to authorize the following:
 - a. the cricket group and any contractors working for them to use the field next to Veterans Field to construct the field after they provide an insurance certificate that meets the Town's requirements, and
 - b. vote to accept the donation of the finished field under G.L. c. 44, s. 53A1/2

Parks and Recreation Committee Chairman David Zizza said the Town acquired the land next to the All Purpose Field at Pine Grove (the Gwynn land) with the intent to create a baseball field, but we weren't able to find water through a well and the land has been dormant. He said he received a call from the cricket league, who needs space with a 400-foot radius. He said the Gwynn land combined with the All Purpose Field gives them the space needed, but there is a slight pitch between the two field areas, that the cricket league is willing to make a donation to address by leveling the areas and repairing the areas to make it a playable surface. He said the pitch location was

originally planned to be placed on the boundary of the two parcels, but it needed to be relocated due to sun glare issues. He said this is a huge track of land and we can work around the new location for the pitch. He asked the league representatives to give the Board some background.

Vijayesh Nagu explained his role in the league, the reasons that the pitch needs to be constructed of concrete that is 3 inches to 4 inches thick with astro turf on top, and information about the game of cricket, including the different game lengths and number of people per team. Zizza said Town Counsel advised that the league can provide the services using their own vendor, with appropriate insurance coverage, and then donate the finished field to the Town. Snow asked if we can have soccer fields still laid out with the cricket field. Ziev said the parcel is large enough so there are a couple of options to add the soccer fields. Snow asked the following questions:

1. When will cricket league be using both fields (days and months)? Does this interfere with any other current user groups using the fields? Vijayesh Nagu responded from the last week of April until the end of September on Saturdays and Sundays.
2. How many people and cars are expected to come into Town when the cricket league is using the fields? Vijayesh Nagu responded worst case is 22 cars and a few spectators, with people coming from across Massachusetts and Rhode Island.
3. Will the concrete/turf overlay require maintenance? Vijayesh Nagu responded there is little maintenance required once it is put in, and the turf needs to be replaced every four years and they will take care of that.
4. What are the estimated user fees that will be brought in by this league? Vijayesh Nagu responded that they won't be able to use the field on Saturdays for quite a while since soccer will be using the field.
5. Are there other area cricket leagues who would want to use this field if this league no longer wants to? Vijayesh Nagu responded there are many leagues but they are the only one that uses a hardball instead of a tennis ball. He said colleges have this sport, and there are six franchises for major league cricket. He said this is the second largest sport in the world.
6. Who will be responsible for the removal of the concrete pad if the league no longer uses the fields? Vijayesh Nagu responded they hope this is a long term relationship. Eagan said we can look at options for this with Town Counsel.
7. Snow asked if they will need a scoreboard. Vijayesh Nagu responded it would be great to have a permanent scoreboard down the line but they have a traveling scoreboard to use.

8. Are any Rowley residents part of the league that will be using the fields? Zizza said he has heard adults expressing interest when they hear about this.
9. Does the new orientation of the concrete pad limit how the Town can use and lay out future fields on this parcel? Are the remaining locations of land around the concrete pad the ideal location for playing fields? Zizza said this is the only space that is available for this league to use.

Ziev asked how they found Rowley. Vijayesh Nagu responded they have worked with other towns in the past and used google maps to find potential areas to use.

Snow read the following:

1. *If the Board would like to move forward with this project, the Board needs to vote to authorize the following:*
 - a. *the cricket group and any contractors working for them to use the field next to Veterans Field to construct the field after they provide an insurance certificate that meets the Town's requirements, and*
 - b. *vote to accept the donation of the finished field under G.L. c. 44, s. 53A1/2*

Joe Perry made a motion to authorize the cricket group and any contractors working for them to use the field next to Veterans Field to construct the field after they provide an insurance certificate that meets the Town's requirements, and to accept the donation of the finished field under G.L. c. 44, s. 53A1/2, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

6:40 p.m. APPOINTMENT YMCA Director Chris Bevilacqua to discuss a Community Preservation Committee grant application for projects at YMCA – Rowley Campus

Chairman Snow read the following:

Chris Bevilacqua had surgery today, so Jamie McGrath, Vice President of Project Management will be discussing the Y's grant application to the CPC.

Attached is a copy of the CPA grant application.

McGrath thanked the Board and said they are looking to spend \$150,000 on repairs of the buildings. She said the art barn and shelter will total \$40,000 and the Brookside Cabin will total \$110,000 which also addresses structure issues such as rotting logs. She said they also plan to install drainage to avoid future issues. She said they are going before the CPC tomorrow. Eagan said the CPC is looking to see if the Board of Selectmen, as the landlord of this property, has no objections to this work. She said the CPC will review the project for applicability. Perry said the YMCA has done a great job with the property, and there are a lot of kids interested in going there. Snow said he

can't say enough about the YMCA and that he has belonged since he was seven years old.

Christine Kneeland made a motion to support this application to the CPC, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

GENERAL BUSINESS

1. Department of Agricultural Resources Annual Animal Inspector Nomination

Chairman Snow read the following:

We have received the annual nomination from the State Agriculture Division of Animal Health for the Town's Animal Inspector.

Debbie is working on an intermunicipal agreement between Rowley, Ipswich, Boxford, and Newbury for animal inspection work and animal control officer work. Ipswich will be the host community for these services and Megan Sousa, the Ipswich Animal Control Officer and Animal Inspector, will serve as the official "ACO" and "AI" for all four towns.

Under State Law, the Animal Inspector, must be nominated by the Board of Selectmen. The Division of Animal Health within the Department of Agricultural Resources makes the appointment. The Animal Inspector is responsible for inspecting all the barns in the Town each year. Rowley has approximately 80 barns. The Animal Inspector is also responsible for overseeing and processing the paperwork on animals who are placed in quarantine.

Debbie is asking the Board to vote to nominate Megan Sousa as "Animal Inspector."

Christine Kneeland made a motion to nominate Megan Sousa as Animal Inspector, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

OLD BUSINESS

1. Update on Town Hall HVAC system procurement status

Chairman Snow read the following:

General bids were received for the new Town Hall HVAC Installation project. There was only one bid submitted, in the amount of \$433,000. However, due to an error in the bid documents that was identified by a contractor after the bids were opened, Town Counsel has advised us that we need to reject the bid received and rebid the project.

The one bid received was \$200,000 over the estimated project cost. The project engineer, Crossfield Engineering, has told us that a large driver of the price is labor costs. The project installation timeline and costs are increased due to Town Hall being

located in a local historic district, which requires all of the piping to run through the basement. Equipment and material prices are also still higher than they were several years ago. For these reasons, it is unlikely that a re-bid will result in significantly lower bid pricing.

The funds that we have available for the project are:

Green Communities Designation Grant	\$80,223
Town Appropriation	\$178,574
<hr/> TOTAL	<hr/> \$258,797
PROJECT FUNDING SHORTFALL	\$174,203

We do not believe that the existing boiler will last through another heating season. It currently requires that water be added several times a day and it is increasingly harder to find replacement parts for necessary repairs.

How would the Selectmen like to proceed with the HVAC project? Two potential options are:

1. Re-bid the project with its existing scope of work. The Town does not have enough funds to cover a \$433,000 project cost, so we would either need to receive a significantly lower bid during the second round, which is unlikely, or request additional project funds at Town Meeting. We can try to reach out directly to some local companies to encourage them to bid.
2. Go back to the drawing board and look at other options for replacing the existing boiler. However, these alternatives would most likely not address the issues the building has with inconsistent heating and a lack of air conditioning.

Snow said he has spoken to Eagan about this issue, and several times a day she fills the boiler. He said the boiler is old and in terrible condition. He said he used to do this for the boiler in his family home and you have to be careful. He said we have to do something because the boiler is ancient and this needs to be addressed. Kneeland agreed and said the staff already has difficult jobs and to fill the boiler each day and on the weekends is unacceptable. Perry said they had two furnaces in his home and one needed to have coal put into it, and this is a tough situation. Eagan said it is so expensive to “go green” in a historic building when you cannot run any pipes outside of the building. She said the project only covers the first floor of the building. Snow asked if we should try to get a waiver from the Historic District Commission. Ziev asked if we should ask the HDC to reconsider. Eagan said the back of the building is considered historic because the driveway into Town Hall, named David E. Smith Memorial Drive, is a public way. She said HVAC contractors aren’t really interested in this project because of the amount of construction work involved. She said with the tight budget we are facing, she is not sure if additional funds will be available and we may need to request a

transfer from the capital stabilization fund. She said another option is to switch to a gas furnace without air conditioning. She said this is a big decision and this is a lot of money. Snow said when these units are installed in homes they can be affordable, but the work arounds needed for a historic building are leading to this enormous price. Ziev said it isn't reasonable to ask taxpayers for this amount of money to appease a restriction on the back of the building. Eagan said she isn't sure how the scope of work would change if the restriction wasn't in place and the specifications have already been written around this restriction. Kneeland said it is highly unlikely that the price will be cheaper.

Dave Petersen from Newbury Road said this is not a new subject. Petersen suggested using the stabilization account to fund this, which has a balance of \$1.2 or \$1.4 million. He said if this isn't addressed, we won't have a Town Hall and we are reaching a desperation level. He said this needs to be done soon and if the system fails in the middle of the winter Town Hall will have frozen pipes. He said this is an emergency and we need to ask taxpayers for money from the stabilization fund. Eagan said there is also about \$400,000 in the capital stabilization fund. Treasurer/Collector Karen Summit said there is \$460,000 in the capital stabilization fund, and said even when the system works, it is extremely loud, and this project needs to be done. Eagan said we have been using Green Communities money for this project so far, and if the Board switches to a gas system instead, she doesn't believe that we can use Green Communities money for it. She said we need about \$200,000 based on the bid we received.

Christine Kneeland made a motion to get additional funding for the mini split system at Town Meeting, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

2. Discuss FY 24 Town Budget and hiring freeze policy

Chairman Snow read the following:

Town Budget

We now have the final Triton budget. The total budget is \$49,727,804, which is a \$1.7 million increase over last year (3.64%).

Rowley's assessment is \$12,607,255, which is a \$991,965 increase (8.54%) over FY 23. The good news is that the assessment has come down from the original assessment by \$179,663. This reduction helps. We still have to grapple with the fact that our primary source of revenue is property taxes and the Triton assessment alone will use approximately 70% of our estimated FY 24 property tax revenue.

Property Tax Base = \$17,476,299

2.5% Levy = \$436,907

New Growth = \$292,399

Total Property Tax Revenue net of prior debt/general overrides =
\$18,205,605.

Property Tax \$18,205,605 – Assessment \$12,607,255 = \$5,598,350 of property taxes left to run the Town and fund the other two school budgets.

Debbie recommends that as we process all the line item budgets, the Selectmen approve budgets that meet the guidelines (cost-of-living and step increases, etc. for union and non-union employees and level funded expenses), and to hold off any further funding requests, provided that they are not connected to “fixed costs” or mandatory increases per State requirements. If we receive budgets with additional funding factored into the wages lines and expenses lines, the Board should vote to approve budgets, but not include the additional funds. We need to see what funds are available at the end of the budgeting process that could be used for operating requests as requested in the Issues and Options forms and for capital requests. Until Debbie tallies up the final budget number of all the line item budgets, net of any additional requests, we will not know how much we have left to spend.

Hiring Freeze

Last week the Board voted to implement a hiring freeze. Debbie is asking the Board for guidance on the freeze.

Currently, we have a few positions open that are funded in FY 23 budgets. The positions have been posted prior to the freeze. We have applicants for the positions and we are in various stages of the hiring process, such as conducting interviews, running reference and background checks, and selecting a finalist. **Does the newly implemented hiring freeze pertain to these positions? If it does, then does the Board want the Personnel Department to inform the department head and the applicants that the positions will not be filled? Furthermore, should the department head carry the funding for that position in its FY 24 budget?**

We have positions that were posted prior to the hiring freeze that we currently have no applicants for. Some of these positions include: Call Firefighter, Election Worker, Reserve Police Officer, and Reserve Dispatcher. Call Firefighters, Reserve Police Officers, and Reserve Dispatchers are “on call” positions and there are no benefits attached to these positions. These positions offset overtime costs to fill open shifts with full-time staff. Additionally, the Election Workers provide needed assistance to operation of the election. These positions are also, non-benefited positions and are not scheduled to work regular weekly shifts. **Could positions that are classified as temporary, on-call, or who do not work on a weekly basis for the Town be exempt from the hiring freeze?**

We have positions posted that are funded through the Water Department Enterprise Fund, rather than through the Town’s omnibus budget. These positions are crucial to the operation of the Water Department. **Could Water Department positions be exempt from the hiring freeze?**

*Any currently funded position that becomes vacant, effective on March 14, 2023, the day after the Board voted on the hiring freeze, will then be “frozen.” Under the previous hiring freeze implemented by the Board several years ago, the department head would have to file a request to the Board of Selectmen requesting the hiring freeze be lifted so that a vacant staff position could be posted. The Board would discuss it at public meeting and have to vote to approve or deny the request before the Personnel Department could post the position. **Will this be the policy now for all new openings?***

Eagan said regarding the budget process, we are getting a lot of requests beyond level funded with explanations being provided in the Issues and Options form. She said she would like to keep track of the additional funding requests (as B budgets) and if there are requested increases, that the Board put these on hold and only approve what meets the guidelines (wage increases and COLAs, with level funded expenses - as A budgets). She said once we have all of the additional requests and we know what money is available, the B budget requests can be prioritized.

Eagan said regarding the hiring freeze, we are looking for clarification from the Board. She said we have positions that are in various stages of the hiring process, and we are finalizing the hiring of a Firefighter. Ziev said if we are in the middle of the hiring or towards the end of the process that the process should move forward. Eagan said there are positions that are now vacant and asked if these positions should be funded in the FY24 budget, and if they would be cut in the FY25 budget. Snow said they would be cut in FY25. Perry said if the process has been started and the interviews have been completed, the process should continue. Eagan asked what if we have held off on interviewing someone since the freeze was put in place, but we have applicants. She said these are for budgeted positions that are vacant, such as the Assistant Tax Collector and the Highway Secretary.

Deana Ziev made a motion to move forward in the hiring process for positions that have already been posted and have applicants, but not to post any additional positions that open up, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Eagan asked if the freeze applies to on-call positions that don't have benefits, and without them, there is overtime required by the full-time employees. She said an example are the Election Workers that are needed for the upcoming election.

Deana Ziev made a motion that the hiring freeze does not apply to the Election Worker positions, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Eagan said we have recent vacancies in Library positions, which are funded, and asked if these vacancies should be posted. Snow said these should be kept frozen.

Eagan said the Water Department has their own budget outside of the Town's budget and asked if the Water Department positions are subject to the hiring freeze.

Joe Perry made a motion to exempt the other on-call positions from the hiring freeze, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Christine Kneeland made a motion to exempt the Water Department positions from the hiring freeze, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Larry White, the Chairman of the Finance Committee reminded everyone of the elephant in the room. He said the Town has \$18 million and \$12.6 million is going to Triton. He said the Triton budget has been finalized, but the Town hasn't been able to finalize its budget. He said we have the power to reject the Triton budget so that we don't have to implement a hiring freeze and so we have funds for the HVAC system. He said Triton is hiring 20 more people while the Town is freezing its hiring. He said something has to give, and Rowley can go bankrupt and have freezing pipes in Town Hall for the school. He said when the school budget comes up, the Board should remember this and act as they see fit. Snow said this is a tough pill to swallow.

FY 24 BUDGETS

- Assessors

Principal Assessor Sean McFadden said the wages and salaries are within the guidelines with COLA increases and increases under the AFSCME contract. He said he will prepare a B budget with three increases: increases in the cost of the Vision software, increase in the web hosting fee and an increase in the cost of mapping through the MVPC. Snow said the total increase is 3.31%.

Deana Ziev made a motion to approve the budget with only wage and salary increases, and level funded expenses of \$16,238, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Treasurer/Collector

Treasurer/Collector Karen Summit said the wages and salaries are within the guidelines. She said the expenses have been increasing in areas because of the growth in the Town and the resulting increase in the number of bills and postage. She said she was able to keep the expenses level funded by shifting things around in the sub-budgets.

Joe Perry made a motion to approve the Treasurer/Collector FY24 budget, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Fire Department

Chief Emery said the letter explains what he is looking for and he re-did the expenses after the last Board of Selectmen's meeting. He said the Fire Department is one of the largest departments in Town, with 25 Call Firefighters and 9 Full-time Firefighters. He said the clerical work is out of hand and it is all he does with the bills, payroll and scheduling appointments. He said he is hoping to find a way to fund a clerical position, and he is the only department in Town without clerical help. He outlines the other increases in wages and said the SAFER grant expires on February 9, 2024, after which time the Town has to pay the wages for two of the Firefighters. He said if these employees are laid off, we will have to pay the State back.

Snow said we know he needs clerical help, but he doesn't know how we can fund this in FY24. Emery said the Full-time Firefighters are helping, but he needs someone to help that is there Monday – Friday. Emery said for capital, the Tahoe is 11 to 12 years old and they were told at the last safety inspection that it probably won't pass the next one.

Joe Perry made a motion to approve the Fire Department FY24 budget with level funded expenses and no Administrative Assistant position, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Emergency Management

Chief Emery said this budget is level funded.

Christine Kneeland made a motion to approve the Emergency Management FY24 budget, Deana Ziev second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Street Lighting

Ziev said the increase is \$1,900. Eagan said this is an assessment and we can't do anything about this unless we turn off the street lights.

Christine Kneeland made a motion to approve the Street Lighting FY24 budget, Joe Perry second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Cemetery

Cemetery Commissioner David Petersen said they have level funded expenses and the wages increased for the two full-time AFSCME employees. He said he is unsure if they will be able to hire summer help. He said they need more money for the overtime budget which covers weekend burials, but he is checking with the Town Accountant to see if they can use money from the revolving account to cover this. He said he will resubmit the budget with level funded amounts. Eagan asked if they are cutting the seasonal employees, and the Board hasn't cut anything yet but instituted a hiring

freeze, which the Board could decide to lift. Petersen said they will try to use the revolving account and use a landscaper to help the two full-time employees and see how it goes.

Joe Perry made a motion to approve the Cemetery FY24 budget without any Issues or Options, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Library

Eagan said the Issues and Options submitted with this budget provides a lot of detail, and certain spending is required in order to get State money.

Joe Perry made a motion to approve the budget, the vote wasn't completed. Eagan said the Town has to increase spending annually under the State MAR and if we don't the Library is no longer in the regional network of the Merrimack Valley Library Consortium. Snow said we need to remain in this network. He said expenses have increased by 15% and 15% of the operating budget is spent on Library materials.

Deana Ziev made a motion to approve the Library FY24 budget as presented, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Bradstreet & Dodge Properties

Snow said this is level funded.

Deana Ziev made a motion to approve the Bradstreet and Dodge Properties FY24 budget, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

- Triton Regional School District

Snow read the FY23 and FY24 Triton budget numbers and said the increase is 8.52% which totals \$994,848. Ziev said she is abstaining from this discussion as she is an employee of Triton. Kneeland said to disapprove the budget, two of the three towns in the district need to not approve it. Eagan said Triton places their budget into our omnibus via a letter, and the Finance Committee makes a recommendation on it. Snow said if this is rejected at Town Meeting, we need another town to reject it. Eagan said if we are the only Town to reject it, we will need to have another Town Meeting in June to approve it since the other two towns did. Perry said he is glad to see that the number has come down \$179,000, but he is disappointed that it is as high as it is. He said at the District Communications Meeting, Salisbury and Newbury representatives said they think the budget is high, but he doesn't think they will reject it. Snow said we have thirty more students in Rowley due to the new developments in Town and this raises the Town's assessment, but Triton hired 20 new people in the budget. He said five of the

hires were through grants, but after time, grants get depleted and these will become permanent Triton expenses. He said we are trying to figure out how to make our budget work. He said he understands that we need to educate the children, but we also need to take care of the roads and maintain Town buildings. He said he has been on the Board for 15 years, it is Groundhog's Day with the Triton budget, and this is very frustrating as a member of a Town Board. He said it seems that there is no understanding from the people at the school. He said School Committee member Paul Lees said he was elected to provide the best education for the children, and he understands this, but there are certain things the Town can't afford. He said people make decisions in their households about what home repairs they can afford, and this doesn't seem to be understood by Triton. He said this budget is difficult, knowing that they hired twenty people.

Perry asked how can the Board address this budget. Snow said he doesn't want to ask the taxpayers for an override, who are looking at health insurance increases, and many of them are on fixed incomes. Perry said we can reject it and Triton can change their numbers like they did five years ago. Eagan said Triton puts their budget into the Town's budget and the Selectmen doesn't say if they recommend it or not, the Finance Committee does. She said the Town has to put into the warrant what Triton provides, but the Selectmen can make a statement here or at Town Meeting about this. She said we can't change what is on Triton's certified letter for the budget. She said we need to think about working around the Triton number as much as possible, and we may need to talk about an override for next year.

Larry White said he is the Chairman of the Finance Committee. He said we can't assume that Triton will do nothing if we and another Town rejects it. He said if this goes to the State, we can't assume that the State will side with the school. He said we are in dire straights and drowning and his opinion is that we can't wait until next year to tell them that we can't afford this. He said his recommendation will be that the Finance Committee can't support the budget. He said the other Town budgets are being scrutinized and we will have A and B budgets, and we will have to chose what we can afford. Snow said Triton's budget is eating all of the Town's new tax growth plus 2.5% increase, plus more. He said 12 years ago he brought the Department Heads to a meeting and told them they needed to cut their budgets 2.5% in order to run the Town because of Triton's budget. Perry said that is when he ran for Selectman the first time, he was sitting in the audience, and he was told he just took a 2.5% pay cut. White said we are taking money away from major Town departments, and we are already cutting on the Town side, for example by not funding an Administrative Assistant for the Fire Chief. He said at the same time, Triton is saying they have 30 new students so they need 20 extra teachers.

Christine Kneeland made a motion to not approve the Triton FY24 budget, Joe Perry second, all in favor – aye (3-0). Cliff Pierce – ABSENT Deana Ziev – ABSTAINED

Ziev said this budget is increasing way too much, it is unreasonable, and if she voted she would say she doesn't approve it.

- Essex North Shore Agricultural & Technical School District

Snow said this budget is increasing. Eagan said Rowley students are allowed to attend the Agricultural programs. She said there is a lottery system, and an estimate is prepared based on a estimated number of students attending. She said this number can change, and hopefully it will go down. She said we get the bill for this in the fall.

Deana Ziev made a motion to approve the Essex North Shore Agricultural & Technical School District FY24 budget, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

ANNOUNCEMENTS

1. Motorcycle Safety Awareness Period runs from March 25-April 30, 2023. This period of time is a reminder for drivers of automobiles, trucks, motorcycles, bicycles and pedestrians who use our streets and highways to be mindful of traffic rules for the safety of all. Drivers of all vehicles are asked to "Check Twice – Save a Life, Motorcycles are Everywhere."
2. The Board of Selectmen announces that a textile recycling bin has been placed in the rear parking lot of the Town Hall Annex at 39 Central Street. Residents can drop off clothing, shoes, linens, sheets, pillows, blankets, hats, duffle bags, belts, gloves, towels, draperies, handbags, tablecloths, bathrobes, and stuffed animals. All items must be dry, bagged, and placed into the bin. Please do not leave items on the ground.
3. The Town has the following board vacancies:
 - **Conservation Commission**
 - **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

Deana Ziev made a motion to adjourn, Christine Kneeland second, all in favor – aye (4-0). Cliff Pierce – ABSENT

Meeting adjourned at 8:38 p.m.

Attachments:

1. Updated meeting memo for 6:05 p.m. Appointment: Council on Aging Director Ellie Davis, Council on Aging Board Chair Geneva Merry, and Sara Bourque of Marshwind Landscape Design to discuss Town Hall Annex Council on Aging lawn project
2. Email from Karen O'Donnell regarding COA Bocce Court
3. Original meeting memo for 6:05 p.m. Appointment: Council on Aging Director Ellie Davis, Council on Aging Board Chair Geneva Merry, and Sara Bourque of Marshwind Landscape Design to discuss Town Hall Annex Council on Aging lawn project
4. March 13, 2023 meeting memo for 6:05 p.m. Appointment: Council on Aging Director Ellie Davis, Council on Aging Board Chair Geneva Merry, and Sara Bourque of Marshwind Landscape Design to discuss Town Hall Annex Council on Aging lawn project
5. Application to the Community Preservation Committee for Town Hall Annex Council on Aging lawn project
6. Proposal for landscape design services for design development, construction documents and written specifications from Marshwind Landscape Design
7. Proposal for landscape design services for design schematics and design development drawings from Marshwind Landscape Design
8. State Ethics Commission disclosure form for Sara Bourque
9. Meeting memo for 6:20 p.m. Appointment: Conservation Agent Brent Baeslack to discuss the following: Amendment to the Rowley MS4 Contract for Services with the Merrimack Valley Planning Commission; United States Department of Interior Fish and Wildlife Service project to remove perennial pepperweed from the Great Marsh
10. Flyers handed out by Brent Baeslack regarding "What Not to Flush" and "Scoop it!"
11. Letter from Brent Baeslack regarding Request for Land Owner Permission to control Perennial Pepperweed at the Town Landing at 100 Warehouse Lane
12. Mass Audubon information sheet on Perennial Pepperweed
13. Amendment #1 to the Rowley MS4 Contract for Services with the Merrimack Valley Planning Commission
14. Great Marsh Perennial Pepperweed Control Project
15. Letter from the United States Department of Interior Fish and Wildlife Service regarding project to remove perennial pepperweed from the Great Marsh, and enclosed Determination of Applicability

16. Updated meeting memo for 6:30 p.m. Appointment: Parks and Recreation Committee Chairman David Zizza to discuss a donation from the Hoysala Social and Sports Club to create a cricket field next to Veterans Field
17. Email from David Zizza regarding Cricket pitch update, including attached layout of cricket pitch
18. Email from Tom Mullen regarding Donation Question
19. Quote from JC Deleaon Landscaping & Irrigation, Masonry Inc.
20. Certificate of Liability Insurance from Hoysala Social and Sports Club Inc.
21. Meeting memo for 6:40 p.m. Appointment: YMCA Director Chris Bevilacqua to discuss a Community Preservation Committee grant application for projects at YMCA – Rowley Campus
22. Community Preservation Committee grant application from YMCA of the North Shore
23. Meeting memo regarding General Business #1: Department of Agricultural Resources Annual Animal Inspector Nomination
24. Department of Agricultural Resources Annual Animal Inspector Nomination form
25. Meeting memo regarding Old Business #1: Update on Town Hall HVAC system procurement status
26. Meeting memo regarding Old Business #2: Discuss FY 24 Town Budget and hiring freeze policy
27. FY 24 Budget for Assessors
28. FY 24 Budget for Treasurer/Collector
29. FY 24 Budget for Fire Department
30. FY 24 Budget for Emergency Management
31. FY 24 Budget for Street Lighting
32. FY 24 Budget for Cemetery
33. FY 24 Budget for Library
34. FY 24 Budget for Bradstreet & Dodge Properties
35. FY 24 Budget for Triton Regional School District
36. FY 24 Budget for Essex North Shore Agricultural & Technical School District