

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

March 5, 2018

Meeting held at Town Hall, 139 Main Street, Rowley, MA

7:00 p.m.

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

**PUBLIC ATTENDEES:** Lawrence White – Finance Committee; Seglinde Aigner-Crooks; Henry F. Rolfe – Plantation; Bernard Cullen – 283 Wethersfield Street; Brent Baeslack – Conservation Department; Margaret Lemelin – 22 Bennett Hill & Library Trustee; Pam Jacobson – Library Director

### **CALL MEETING TO ORDER**

Chairman Perry called the meeting to order at 7:00 p.m. Perry announced that the meeting is being video and audio recorded and televised live by Rowley Community Media.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **Update on March 2-3 Northeaster Storm and Power Outage**

Chairman Perry said most residents lost power at approximately 8:00 p.m. on Friday, and it remained out until Saturday afternoon at about 3:00. He said as a Housing Authority Board member, there were issues at Plantation, but they got a space heater for the All Purpose Room for the residents to keep warm. Eagan said the outage was caused by a transmitter in Groveland, which was surrounded by wetlands and was difficult to get the tree trucks in the area to fix the problem. She said the Town called Representative Hill who called National Grid, and they brought swamp mats in which allowed them to reach the repair area. Perry said National Grid is responsible for the outage, not Rowley Municipal Light Department. He thanked Representative Hill and Senator Tarr for reaching out to National Grid. Bernie Cullen said a bigger concern was not having telecommunications. He said it was unnerving to not be able to communicate if you didn't have a landline since the cell phones were not working. Eagan said Fios and Comcast are not on analog lines and they have a battery back-up, but it will only last a few hours. Petersen said portable phones won't work, and whether or not your cell phone worked depends on your cell phone carrier. Perry said our server was down, so we couldn't post information on the webpage, but we did a reverse 911 call. Eagan said residents can enter their home and cell phone numbers into

Blackboard Connect, and you will get a message on your cell phone. She said the Police Captain sent the reverse 911 call, and several follow-up messages. Petersen said residents can enter their phone numbers and email addresses into Blackboard Connect on the Town of Rowley website.

**7:10 p.m. APPOINTMENT\*** Seglinde Aigner-Crooks to discuss signs and sidewalk concerns

Seglinde said she lives at 10 Lessard Terrace. She said she walks her dogs a lot, and sees trash that people dump along the roads, especially liquor bottles. She said she is asking for signs to be posted around Town warning of fines for littering. She showed the Board photos on her phone of examples of signs. She said she would like to see signs posted that appeal to people's pride, with slogans such as, "Show your pride, keep trash inside."

Chairman Perry read the following:

*We reached out to Police Chief Scott Dumas, Highway Surveyor Patrick Snow and Health Services Coordinator Frank Marchegiani for a recommendation on Ms. Aigner-Crooks concerns with trash thrown out of car windows onto the side of Town roads.*

*The consensus of this group was not to place additional signs on the roadways. They are recommending that Patrick Snow request the Office of Community Corrections to provide the Town with trash clean-up crews.*

Perry said the corrections trash-clean-ups have worked to our advantage, but it can't hurt to have a sign or two.

Perry read the following:

*Highway Surveyor Patrick Snow says regarding the sidewalk in the area of 121 Wethersfield Street, once the hot top plants open he can try to overlay that section in between the tree rooted area to help with the drainage, but a complete resurface of the sidewalks would be a capital improvement which he has not budgeted for and it is not in the immediate future in the pavement management program.*

Seglinde said there are 20 to 30 yards of sidewalk that gets flooded in front of the Montessori School. Eagan said the hot top plants will open in about one month, and Patrick Snow thinks he can try to add material to the area that he thinks will help with the drainage.

Bernie Cullen asked if there is a bylaw for fines for littering, and he sees many bottles near his home on Wethersfield. Petersen said he is not sure if we have a littering bylaw. He suggested that Seglinde contact Rowley Community Media to run a short public announcement on the local channels. Eagan said the Conservation Agent also

spearheads clean-ups on Earth Day. She asked Seglinde to email us the graphic and we can create flyers and post it to the webpage. Cullen said he suspects younger people are littering and suggested getting this word out to schools. Henry Rolfe said he has already picked up two times in front of the Plantation. Maggie Lemelin said the larger concern is that people are driving under the influence of alcohol. Petersen said Seglinde can also contact the Light Department manager to request the flyer be included with the light bills.

#### **7:05 – 7:10 p.m. PUBLIC COMMENT**

There were no public comments.

**7:20 APPOINTMENT** Treasurer/Collector Karen Summit to discuss FY 19 Treasurer/Collector Budget; FY 19 Information Services Budget; and FY 19 Debt Budget

- FY 19 Treasurer/Collector Budget

Karen Summit said the expenses are level funded and the salary increases are in line with the guidelines, except for a few extra hours for the Administrative Assistant to allow her to cover the office when the other two employees are out of the office. She said at the end, on the Issues and Options form, she has brought up her concerns about insufficient wages and benefits for the employees. She said this needs to be addressed for the whole town, and this could be funded through an optional meals tax. Petersen said he went through the information on the meals tax that Summit provided, and noticed that Rowley is one of a few towns that doesn't have a meals tax. He said the numbers are surprising, for example Georgetown collects \$78,360 on meals tax, but \$0 on hotel tax. He said Rowley has an upscale hotel coming to Town. He said these taxes could bring in a substantial amount of revenue, and we definitely need to look into the salaries and benefits for Town employees. He said we have held the line on this for so long, and the school gives out raises and benefits, but the Town employees take what is doled out to them. He said as a member of the Personnel Advisory Committee, we are finding it difficult to hire employees because the insurance benefits and salaries are low. Summit said employees with the Town sponsored insurance are going backwards because the increase in insurance premiums is higher than the increase in their salary. Petersen said this needs to be looked at in the next fiscal year.

- FY 19 Information Services Budget

Summit said this budget is level funded. She said the budget depends on what equipment breaks, and what needs to be replaced. Petersen said the capital budget funds hardware replacements and software purchases. Summit said this budget covers

mostly labor. She said the capital plan is working well and all computers are on the schedule.

Petersen said the Police Department has a Facebook page, which has to be monitored and archived for public records requests. He said the IS budget won't cover this expense. Eagan said she suggests that one company take care of all the Town's archiving and maintenance in accordance with Chapter 66. She said the Police Department is looking for funds to do this.

- FY 19 Debt Budget

Summit said the PGS Renovation and Police and Fire project are new items on the Debt Budget. She said in FY18, \$10 million was borrowed for phase one of these projects, and the debt service on this for FY19 is new on this budget. She said the way the debt is structured, we are paying more interest than principal. She said there is also a capital equipment borrowing in FY19. She said the effect of the \$10 million borrowing in FY18 on the FY19 tax bill is \$.56 per \$1,000, so \$240 for the average resident. She said the borrowing for these projects is about 1/3<sup>rd</sup> complete, and the plan is not to borrow again until FY 19, but we will do it sooner if needed. She said some debt is coming off, and she reviewed the final payment column. Cullen asked what amount the \$10 million is versus the entire cost of the projects. Perry said the total is approximately \$50 million. Summit said part of the school project will be reimbursed by the MSBA. She said hopefully towards the end, we will have a big chunk back from the MSBA. Bernie Cullen asked what effect the total borrowing will have on the tax rate, and if it would be \$2 per \$1000. Summit said it depends on the interest rates and what happens in the market, and she thinks \$2 is high. Petersen said the rate will be substantially higher once all the borrowing is done, but the tax rate alone doesn't dictate the amount that is paid for taxes. Cullen said the taxes will increase by 15%. Petersen said that could be, the Town needs both projects and the taxpayers voted for them.

Dave Petersen made a motion to approve the FY 19 Treasurer/Collector Budget, the FY 19 Information Services Budget, and the FY 19 Debt Budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

**7:30 p.m. APPOINTMENT** Town Clerk Susan Hazen to discuss FY 19 Town Clerk Budget; FY 19 Elections Budget; FY 19 Board of Registrars Budget; FY 19 Constable Budget

Susan Hazen said her budgets are basically level funded except for postage, due to the increase in stamp prices, and there will also be three elections in FY19, not just one election like in FY18. She said there will be a State Primary, a State Election and a Town Election. She said for the State Elections, they require a 13 hour day and five

days for early voting, which she has to budget for. She said last year, 1/3 of the voting was done early, and the State has not paid for any of this.

Dave Petersen made a motion to approve the FY 19 Town Clerk Budget, the FY 19 Elections Budget, the FY 19 Board of Registrars Budget, and the FY 19 Constable Budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

Hazen said last year due to a new law, she was appointed the Records Access Officer, which is a job her office has never had before. She said she is the gatekeeper for all of the Town's public records requests. She said last year, she asked for a \$2,500 stipend, and the Selectmen approved \$1,500 and asked her to report back on the number of requests. She said in 2017, there were 68 public records requests and one dozen appeals. She said she thinks \$2,500 is a reasonable stipend given the amount of work required. Petersen asked if this is in the Selectmen's budget. Eagan said yes, since the position is appointed by the Board of Selectmen. Petersen said we will look at this when the Selectmen's budget is reviewed. Larry White asked what the stipend is for each member of the Board of Registrars. Hazen said it is the total divided by four. Bernie Cullen asked if there is a State policy for the fee for public records. Hazen said it is frowned upon, but the Town can charge \$.05 per page and the cost of the lowest paid person in the office capable of doing the research. Cullen asked if her stipend could be included as a flat fee to each request. Eagan said the RAO created a revolving fund last year to collect fees that could be given back to the departments that incurred the costs, rather than the fee going back into the general fund. Hazen said she doesn't think they have charged for a request since that fund was created.

**7:40 p.m. APPOINTMENT** Conservation Agent Brent Baeslack to discuss FY 19 Conservation Budget

Chairman Perry said the expenses are level funded, and the wages and salaries are within the guidelines. Baeslack said yes, and he will be submitting a request to appropriate Notice of Intent funds to continue funding six hours per week for the Secretarial position for the dedicated administration and enforcement of wetlands laws, not Rowley's bylaws.

Dave Petersen made a motion to approve the FY 19 Conservation Budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

**7:50 p.m. APPOINTMENT** Library Director Pam Jacobson to discuss FY 19 Library Budget

Pam Jacobson said the calculation for the municipal appropriation requirement is calculated annually to make sure it is met, and it is an increase of 2.5% above the average for the last three years. She said the wages and salaries reflect the 1% cost of living and step increases, plus longevity increases. She said there are unavoidable cost

increases including the 2% increase for the network assessment for the Merrimack Valley Library Consortium. She said another increase is on material expenditures, which they are required to spend a certain percentage of the budget on. She said normally based on the population size of the Town, we are required to spend 19%, but since the Library is open 40 hours per week, the requirement is reduced to 16%. She said the State aid is a monetary award, and the certification is the basis for the reciprocal borrowing program in Massachusetts.

Petersen said last year funding was approved for the electronic doors. Jacobson said they are working on finding a vendor for this work, and she will let the Board know if more money is needed. She said there have been other unexpected building expenses in FY 18 which she thinks she will do an Article on the Special Town Meeting or a Finance Committee transfer to cover. She said these items will affect the MAR. Eagan said the maintenance issues will be addressed through a transfer from an article. She said the HVAC system at the Library is 14 years old, and there have been some issues with it.

Dave Petersen made a motion to approve the FY 19 Library Budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

**8:00 p.m. APPOINTMENT** Animal Control Officer Reed Wilson to discuss vehicle issues

Chairman Perry read the following:

*The Animal Control Officer, Reed Wilson, does not currently have access to a vehicle. We contacted the other Town departments, however no one has a space vehicle for him to use. We have looked into prices to purchase a new truck off of the State contract. Attached are two truck options:*

- 1. Nissan Frontier – King Cab S 2WD = \$17,995*
- 2. Ford F150 – Regular Cab XL 2WD = \$19,453*

*Reed will also have tools and equipment that will need to be stored in the truck. A fiberglass cap for the truck bed can be added through the State contract. Exact pricing for the cap was not available on the CommBuys or Nissan website, but can be obtained through a formal request for quote. A search on Ebay showed new fiberglass caps being sold for between 1,500-\$2,200.*

*If the Selectmen are supportive of purchasing one of these trucks, you will need to consider whether to make a reserve fund transfer to the Animal Control budget or put an article on the Special Town Meeting warrant.*

Petersen said he met with the Animal Control Officer today to discuss this situation. He said Alternate Animal Control Officer Carol LaRoque has been driving Reed around as

needed, and he needs a vehicle on a long term basis. He said Reed always gives 120% when needed, he makes a small salary, and he has been using his own vehicle to transport dead or stray animals. He said most towns provide a vehicle for the ACO, it is time for Rowley to bite the bullet, and we cannot wait until Town Meeting as this is too much to expect for Carol to cover until then. He said we looked at the State Contracts, and we have gotten two prices. He said the Nissan has extra cab space, and is better on gas than the Ford is. He said this will go before the Finance Committee tomorrow as an emergency expenditure. He said the vehicle will be used under the Town's vehicle use policy, and it will be lettered to show it is the town's ACO vehicle. Wilson said it needs to have the lights on top. Petersen said the cost is \$17,995, plus \$3,000 for the cap and lights, for a total of \$20,995. Wilson said that the cap that folds up is sufficient. Petersen said the unspent amount will be given back to the Finance Committee, and the lettering can be permanent or we can use a magnetic sign. He said the ACO expense line will need an extra \$500 / year for maintenance and gas.

Dave Petersen made a motion to approve the request of \$21,000 for a reserve fund transfer from the Finance Committee, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

Eagan said the ACO FY 19 budget is level funded and the salary falls within the guidelines. She said she can add \$500 into the expense line if the Selectmen wish. She said Reed will use the truck as the Animal Inspector as well.

Dave Petersen made a motion to approve the ACO and Animal Inspector FY19 budgets as amended, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

## **NEW BUSINESS**

1. Review Zoning Board of Appeals Special Permit Application filed by Steve Pierro of the American Barbeque for expansion or change of non-conformant use and set back requirements

Chairman Perry read the publication from the ZBA. Petersen said it is a nice looking addition, is an asset to the neighborhood, and he doesn't have any objections. Merry said it is fine with him.

There were no issues to communicate to the ZBA.

2. Discuss 2017 Town Report Cover photo

Chairman Perry read the memo from Amy Lydon regarding the Town Report cover photo. Perry said he likes the photo.

Dave Petersen made a motion to approve the cover photo, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

### **OLD BUSINESS**

#### 1. Update on Rowley Veterans Association Liquor License State Approval

Chairman Perry read the following:

*The ABCC has approved the Change of Manager and Change of Beneficial Ownership application submitted by the RVA.*

*This change was originally approved by the Board of Selectmen on November 6, 2017. The ABCC did not approve this application because the Articles of Incorporation submitted by the RVA with their application were not correct, and the ABCC requested that the RVA update them. The updated documents were mailed to the ABCC on December 4, 2017, and we received notice of the ABCC approval via email on February 28, 2018.*

*No further action is needed.*

#### 2. Update on the Pine Grove School Project

Chairman Perry read the following:

*Sub-bids were received and opened last Thursday for a number of the trade contracts. The OPM is currently reviewing these bids and will be providing us with a list of bidders.*

Perry said the bid opening took two hours. He said there were 16 sub-trades with 3 to 5 bidders per sub-trade. He said on Thursday, the School Building Committee should get an idea of the results.

#### 3. Update on Fire Station and Police Station Addition Project

Chairman Perry read the following:

*The contractor has been working to get the gas main moved at the Police Station so that he can begin working on the foundation for the addition. National Grid stopped by the site last Thursday to discuss the project.*

*Also, the contractor has been working on securing the construction site. There was a concern that the public could get into the back of the site. Measures are being taken to extend the fence around the back portion of the site.*



Petersen said the fence is up totally around the site. He said the playground is closed since there is no access to it, and it will reopen after April 1<sup>st</sup> when the temporary road opens. He said residents are requested not to bring children over there now. He said the contractor reported on a couple of occasions that unauthorized townspeople have been in the project area. He said no one is allowed in the fenced in area, and the contractor can be fined \$10,000 by OSHA for unauthorized people being in the work area. He said the project is coming along well, and they are pounding the ledge.

#### 4. Update on the FY 19 Triton Budget Assessment

Chairman Perry reviewed the agenda on the School Committee Meeting scheduled for March 7<sup>th</sup>, and said the School Committee will not accept comments from the public on the FY 19 budget, and the final budget will be approved March 14, 2018. Cullen asked if the Board had heard of any substantial changes to the budget. Perry said no. Petersen said they won't talk about it until this week's meeting.

### **FY 19 BUDGETS**

- Town Moderator

Dave Petersen recused himself. The approval of this budget was tabled.

- Zoning Board of Appeals

Dave Petersen made a motion to approve the Zoning Board of Appeals FY19 budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

- Board of Selectmen

This budget was not ready for approval.

- Personnel Advisory Committee

Dave Petersen made a motion to approve the Personnel Advisory Committee FY19 budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

- Animal Inspector – approved under 8:00 p.m. Appointment
- Animal Control Officer – approved under 8:00 p.m. Appointment
- Fire Hydrants

Perry said the amount has been reduced from \$39,000 in FY 18 to \$14,400 in FY 19. Petersen said for the last two to three years he has been a vocal opponent to the increases in the hydrant rates. Perry said we greatly appreciate this decrease.

Dave Petersen made a motion to approve the Fire Hydrants FY19 budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

- Bradstreet Property and Dodge Reservation

Dave Petersen made a motion to approve the Bradstreet Property and Dodge Reservation FY19 budget, Bob Merry second, all in favor - aye (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

## **ANNOUNCEMENTS**

- The Friends of the Council on Aging is sponsoring a Shoe Drive during the month of April at the Town Hall Annex, 39 Central Street. Paired footwear, such as the following may be deposited in the container at the Annex Parking lot: shoes, boots, work boots, sandals, slippers, flip flops, heels, sneakers, pocket books, purses, backpacks and belts.
- The All-Scout Paper Drive schedule is March 10, May 12, July 14, September 8 and November 10 from 9:00 a.m. to noon behind the First Congregational Church on Main Street. Non-perishable items, such as diapers, paper towels, tissues and toilet paper, will be collected by the Scouts for the Rowley Food Pantry.
- Information on the Pine Grove School project is available on the Town's website at [www.townofrowley.net](http://www.townofrowley.net).
- Town Meeting is scheduled for Monday, April 30, 2018 at 7:00 p.m. in the Pine Grove School Gymnasium.
- Treasurer/Collector announces that the motor vehicle excise tax bills were mailed on February 2, 2018.
- The Town has the following vacancies:
  - a. **Fence Viewer** – three positions;
  - b. **Wood, Lumber & Bark Inspector**;
  - c. **Zoning Board of Appeals Associate** – three seats;
  - d. **Parks and Recreation Committee** – one seat; and
  - e. **Deputy Shellfish Constables** – two positions.For more information on these positions, please contact the Selectmen's Office at 948-2372.
- The Rowley Food Pantry is in need of donations. Donations can be left at the Rowley Public Library. The Food Pantry is open on Tuesdays from 10:00 a.m. to 12:00 p.m. and on Thursdays from 5:30 p.m. to 7:00 p.m.

## **ADJOURN**

There being no further business before the Board, Chairman Perry called for a motion to adjourn. Dave Petersen so moved, Bob Merry second, all in favor - (3-0). Bob Snow – ABSENT Cliff Pierce – ABSENT

Open meeting adjourned at 8:24 p.m.

Respectfully submitted,

Amy Lydon

Assistant Town Administrator

**ATTACHMENTS**

1. Meeting memo regarding 7:10 p.m. Appointment: Seglinde Aigner-Crooks to discuss signs and sidewalk concerns
2. Emails from Seglinde Aigner-Crooks regarding getting on Selectmen agenda
3. Board of Selectmen Public Comment Policy for Public Meetings
4. FY 19 Treasurer/Collector Budget
5. FY 19 Information Services Budget
6. FY 19 Debt Budget
7. FY 19 Town Clerk Budget
8. FY 19 Elections Budget
9. FY 19 Board of Registrars Budget
10. FY 19 Constable Budget
11. FY 19 Conservation Budget
12. FY 19 Library Budget  
Meeting memo regarding 8:00 p.m. Appointment: Animal Control Officer Reed Wilson to discuss vehicle issues
13. Pricing information for new ACO truck
14. FY 19 Animal Inspector Budget
15. FY 19 Animal Control Officer Budget
16. Zoning Board of Appeals Special Permit Application filed by Steve Pierro of the American Barbeque for expansion or change of non-conformant use and set back requirements
17. Memo from Amy Lydon regarding 2017 Town Report Cover photo, with attached photo
18. Meeting memo regarding Old Business #1: Update on Rowley Veterans Association Liquor License State Approval
19. Email from ABCC regarding RVA approval, including attached Application Summary Review marked Approved
20. Meeting memo regarding Old Business #2: Update on the Pine Grove School Project
21. Meeting memo regarding Old Business #3: Update on Fire Station and Police Station Addition Project
22. March 7, 2018 School Committee meeting agenda
23. Town Moderator FY 19 Budget
24. Zoning Board of Appeals FY 19 Budget
25. Memo regarding Board of Selectmen budget not being ready
26. Personnel Advisory Committee FY 19 Budget
27. Fire Hydrants FY 19 Budget
28. Bradstreet Property and Dodge Reservation FY 19 Budget