

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

March 20, 2017

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

7:00 p.m.

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

**PUBLIC ATTENDEES:** Henry F. Rolfe; Andrew Kay; James Kay; George Pacenka; Mary Bright; Brienne Walsh; Brent Baeslack - Conservation Agent; Larry White- Finance Committee; Pamela Jacobson - Library Director; Carolyn Bartlett - Library Trustee; Nerissa Wallen

### **CALL MEETING TO ORDER**

Chairman Perry called meeting to order at 7:02 p.m.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**7:00 p.m. APPOINTMENT** - Troop 15 Scoutmaster George Pacenka and James Patrick Kay for Eagle Scout Proclamation

Chairman Perry read the letter from George Pacenka. Perry read the proclamation.

Bob Snow made a motion to issue and sign the proclamation, Dave Petersen second, all in favor - aye (5-0).

Snow asked how many Eagle Scouts there have been under Pacenka. Pacenka said sixty-eight. The Selectmen congratulated James Kay for this achievement. Pacenka said the achievement of Eagle Scout still holds a lot of weight in college applications and he wished James Kay good luck in his future endeavors.

### **NEW BUSINESS**

1. Letter from Open Space Committee regarding Special Municipal Status

Chairman Perry read the letter from the Open Space Committee.

Dave Petersen made a motion to designate the Open Space Committee members to have Special Municipal Employee status under the Conflict of Interest Law G.L. c. 268A, Bob Snow second, all in favor - aye (5-0).

### **7:10 – 7:15 p.m. CITIZEN QUERY**

Larry White from 108 Central Street and the Finance Committee Chairman said he is dismayed by the latest Triton budget. He distributed a hand out to the Board. He reviewed his hand out of suggested Triton budget savings totaling \$919,005. He said the budget is supposedly a necessity budget, but it doesn't look like anything has been cut back.

### **7:15 p.m. APPOINTMENT**

Conservation Agent Brent Baeslack to discuss the following:

- Notice of Intent Filing Fee Account allocation request
- Acceptance of a gift land from Gateway II Trust of 1997 off Newburyport Turnpike near Batchelder as shown on Assessors Map 14 Parcels 21 and 23

Chairman Perry read the Notice of Intent Filing Fee Account allocation request. Conservation Agent Brent Baeslack said the re-staffing of the Conservation Department started in the last budget year, and they committed to using Notice of Intent (NOI) funds to pay the wages of the Secretary, Deborah Cunningham. He said Cunningham also works in the Conservation Department in the Town of Essex, and we are showing fiscal responsibility with the Town by using NOI funds towards the payment of the salary of the Secretary.

Dave Petersen made a motion to approve the utilization of \$5,200 from the NOI account to be used to support the staffing of the Secretary position, Bob Snow second, all in favor - aye (5-0).

Chairman Perry read the letter from Brent Baeslack regarding the acceptance of a gift land from Gateway II Trust of 1997 off Newburyport Turnpike near Batchelder as shown on Assessors Map 14 Parcels 21 and 23. Baeslack said the dotted line on the map are the power transmission lines. He said at the north top of the map, there is parcel 14-19, which was transferred to the ConCom under Article 97 as part of the mitigation of the erection of the cell tower on Smith Lane. He said Gateway Trust contacted the Conservation Commission over a year ago, but Town Counsel found that the survey and boundary was not accurate for either parcel, which held up further action. He said Gateway is doing the survey which is underway, and the ConCom has already voted to accept these parcels. He said a deed will be reviewed by Town Counsel. Perry said it is very important to know where the boundary is. Baeslack said the land is on the brook corridor, and is an important wildlife habitat, and will help protect the Town's drinking supply. Petersen asked if these parcels are land locked. Baeslack said yes, and the white parcels on the plan depict the wetlands and floodplain. Petersen asked if the rest of the land is developable. Baeslack said the access is difficult and the land is not developable. Petersen asked if this requires a Town Meeting article. Baeslack said he

doesn't think so, it just requires the approval of the Board of Selectmen and the Conservation Commission.

Dave Petersen made a motion to accept this gift land, Cliff Pierce second. The vote was not completed.

Henry Rolfe asked how many acres there are under protection. Baeslack asked if he could get back to Rolfe, since with the recent gift, he hasn't tallied the acres yet. Petersen said a couple years back on Open Space and Conservation land, the total was over 4,000 acres of protected land, including State and Federal land.

Dave Petersen made a motion to accept this gift land, Cliff Pierce second, all in favor - aye (5-0).

### **7:30 p.m. APPOINTMENT**

Council on Aging Director Brienne Walsh and Council on Aging Board Chairwoman Mary Bright to discuss FY 18 proposed Council on Aging Budget

Chairman Perry read the memo from Brienne Walsh into the record. Perry said as a senior and participant in the activities sponsored by the COA, these activities are vital for the seniors since it keeps them active and gets them up. Brienne Walsh thanked the Board for seeing her today. She said she thinks it is her job and responsibility to provide these services to the seniors, whether they are homebound or active, and she is requesting an increase in the budget to be used for additional programming. She said this year they have hosted presentations, speakers, exercise classes, wellness activities, movies, they have done a tour of the State House and have gone to the Boston Pops and Cirque de Soliel. She said new Outreach Coordinator Laura DiPersia has done outreach and visits to seniors, many who were previously unknown to the COA. She said part-time van driver Steven Prendergast has enabled many seniors to attend their weekly lunch and go to appointments. Dennis Donahue, alternate van driver, helps staff the van when Steven is unavailable. She said they have added new programs this year including zumba, magic shows, book club, spaghetti lunches, ice cream socials, monthly crafting groups and weekly cribbage games. She said she really enjoys what she does. Perry said Walsh has provided many activities, and he thinks she does a great job. Petersen said tough times are coming with the Federal budget cuts, which will affect the State and the Town. He said we should do what we can to increase this budget, and this is a small increase. He thanked Walsh for the presentation.

Dave Petersen made a motion to approve the COA FY18 budget, Bob Snow second, all in favor - aye (5-0).

**7:45 p.m. APPOINTMENT**

Library Director Pam Jacobson to discuss FY 18 proposed Library Budget

Jacobson said there are a couple of increases in the proposed budget. She said increases in the expenses are small and standard. She said the Merrimack Valley Library Consortium assessment is based on network assessment, is done annually, and is based on the previous year's use. She said 16% of their budget must be spent on materials. She said she incorporated the COLA and step increases. She said they have an open position due to the resignation of Anna McGrath, and they would like to expand the position from a very part-time 7 hour per week position to 15 hours per week. She said the Library is open 44 hours per week, and the Children's Associate works for 28 hours per week, so there is a need for additional staff. She said they would like to do more for the teen population at the Library. Snow asked how much the usage is. Jacobson said the monthly data they look at show that usage is increasing in the double digits. She said they serve as the libraries for the Clark School and the North Shore Montessorri School.

Dave Petersen made a motion to approve the Library FY18 budget, Bob Snow second, all in favor - aye (5-0).

**NEW BUSINESS**

2. Massachusetts Department of Agricultural Resources Annual Nomination of Animal Inspector

Chairman Perry read the following:

*We have received the annual nomination form from the State Department of Agricultural Resources of the Town's animal inspector.*

*The Board needs to vote to nominate Reed Wilson as the Town's animal inspector. Once he has been nominated he will sign the attached form in the witness of a notary and we will mail the form in to the Department of Agricultural Resources.*

Cliff Pierce made a motion to nominate Reed Wilson as the Animal Inspector, Bob Snow second, all in favor - aye (5-0).

3. Discuss Town Hall Auditorium heating system

Chairman Perry read the memo from Amy Lydon regarding the quotes to replace Town Hall Auditorium heating system. Eagan said we have a couple of quotes, and at this

point the upstairs auditorium cannot be used since there is no heating. She said the system is original to the building, we have two quotes, and it is expensive.

Petersen said Breen & Sullivan's quote to replace the existing boiler is \$75,000. He said their second option is for a ductless system that would include air conditioning for \$10,000 more. He said since the room isn't used much, maybe the air conditioning can be eliminated as an option. Snow said for \$10,000 more, the Selectmen's meetings could be held upstairs. Petersen said the upstairs acoustics are bad. Pierce said the upstairs is not the best meeting room. Petersen said they are looking at a capital bonding of \$175,000 including the \$75,000 for the system. Snow said there is money in the cable budget to wire the upstairs room. Eagan said there may be historical conditions to consider to use ductless wall units. Petersen said there would be six units, and he is in favor of saving money. He said it would cost money to heat and cool the upstairs room.

Henry Rolfe said if the room is not minimally heated, the room will deteriorate. The Board reviewed the quote from Dry Air Systems for \$54,000. Petersen said we should authorize an amount to borrow for this project and then do more research. Eagan said we should include a 5% or 10% contingency amount. Merry said there may be asbestos involved. Petersen said the decision needs to be made to replace the heating system only or to add air conditioning.

Larry White said if the system isn't going to be used, the system won't work in a few years. Snow said the Selectmen are crowded at the one table in the Selectmen's Office, which is actually an office. He said the acoustics upstairs could be addressed with a BOSE system, and that is used and works at Our Lady of Hope Church. Perry said if we invest the money into this, it needs to be used per White's point. White said other towns such as Salisbury, Ipswich and Middleton meet in nice rooms, and this room doesn't lend itself to the decorum of a Selectmen's meeting. Perry agreed and said the meetings of others towns that he has attended are rooms more similar to the upstairs auditorium.

Pierce said he thinks the current room is useful for an ordinary meeting, and he isn't buying into this at all. Perry agreed that we need to have a contingency. Petersen said he recommends \$100,000 to include the contingency. Pierce said he doesn't think there are many days where the air conditioning would be used, he thinks it is extravagant, and thinks it should be limited to a heating system. Merry said maybe we should ask for a quote for a gas system since it is more economical and the gas company can kick money it to convert the system. He said the newer boiler can stay and the new boiler can be gas, and if and when the older boiler goes, it could be converted to gas. He said the fuel will be less money than for oil. White said he has a

lot of experience with rental properties. He said he has switched most of them over to gas, because with oil there can be a puff back that can leave an oily film over everything. He said items can be cleaned, but there is a cost for irreparable items.

Dave Petersen made a motion to borrow \$100,000 from the bonding authority and to more closely look at the options for air conditioning, switching to gas, and looking into a variety of systems, Bob Snow second, all in favor - aye (5-0).

## **OLD BUSINESS**

### 1. Pine Grove School Building Project Update

Chairman Perry read the following:

- *Community Engagement Meeting – March 30, 2017 at 7:00 p.m., Pine Grove School*
- *Project Cost needs to finalized at next week's Selectmen's meeting*

Chairman Perry said there is a meeting tomorrow afternoon to discuss the costs. He said there will be a presentation at the Community Engagement Meeting. He said a video has been filmed showing the current conditions of the school with the help of Rowley Community Media.

### 2. Review Town Meeting warrant articles

Chairman Perry read the following:

*This is a brief synopsis of some of the Town Meeting articles.*

### ***Annual Town Meeting Articles***

- *Revolving Fund Bylaw – required now under State law – Debbie is finalizing the language with Judy Pickett*
- *Amendment to the Denial, Revocation, Suspension of Licenses and/or Permits (deleting the wording “for not less than a twelve month period”) – Treasurer*
- *Amendment to Shellfish Bylaw so that persons holding commercial permits from other towns cannot obtain a non-commercial permit in Rowley – Shellfish Commissioners*
- *Cable Revenue Revolving Fund – Required now under State law*
- *Purchase of Gwinn Property – CPA*
- *Funds for the Elevator – Phase 1 - CPA*
- *Article to supplement prior borrowing votes – Treasurer*
- *Capital Borrowing – sheet is attached.*
- *PGS article*

- *Water Department Articles*

**Special Town Meeting Articles (Warrant is still open)**

- *Zoning Bylaws amendments*
- *Misc. transfers*
- *Veterans Assessment payment for prior fiscal year (Bob Snow will discuss this.)*
- *Transfer tax title parcel to ConCom*

Snow said there was a mistake a few years ago on the Veterans assessment number due to the population number, and the assessment was off by approximately \$10,000. He said we need to pay for this difference. Eagan said this will be a 9/10s vote at Town Meeting since it is for a prior fiscal year. She said there will be another article for an adjustment for the FY17 assessment.

**FY 18 BUDGETS**

Town Clerk, Elections, Registrar of Voters, Constable, Inspection Department, Animal Inspector, Animal Control, Harbormaster, Schools – Triton and Whittier Vocational-Technical, Cemetery Commission, Shellfish Constable, Shellfish Commission, Unemployment, Blanket Insurance and Retirement

- Town Clerk, Registrar of Voters, Constable

Bob Snow made a motion to approve the FY 18 Town Clerk, Registrar of Voters, and Constable budgets, Cliff Pierce second, all in favor - aye (5-0).

- Inspection Department

Dave Petersen made a motion to approve the FY 18 Inspection Department budget, Cliff Pierce second, all in favor - aye (5-0).

- Animal Inspector

Bob Snow made a motion to approve the FY 18 Animal Inspector budget, Cliff Pierce second, all in favor - aye (5-0).

- Animal Control

Cliff Pierce made a motion to approve the FY 18 Animal Control budget, Bob Snow second, all in favor - aye (5-0).

- Harbormaster

Cliff Pierce made a motion to approve the FY 18 Harbormaster budget, Bob Snow second, all in favor - aye (5-0).

- Schools – Triton and Whittier Vocational-Technical

Perry said the budget voted for Triton last week was approximately \$32,000 less than the figure we were originally received, for an increase of \$423,230 over last year's budget.

Dave Petersen made a motion to approve the FY 18 Triton budget, Cliff Pierce second, all in favor - aye (5-0).

Dave Petersen made a motion to approve the FY 18 Whittier Vocational-Technical budget, Cliff Pierce second, all in favor - aye (5-0).

- Cemetery Commission

Bob Merry passed out a revised budget. Perry said the expenses have increased. Eagan said water usage was not accounted for previously, and today they got better data for the cost of gas, supplies and equipment. Merry said last year there was no water at the Cemetery and there was a water ban, so they didn't have any water bills to estimate the budget off of. He said he called Pennichuck and looked at the bills from 2015 and 2016. He said they added \$800.00 to the budget for the water costs, and if this isn't enough they may need to do a transfer at some point.

Petersen said he has no problem with the budget, but he would like to see how the revolving funds and perpetual care funds are intertwined with the budget. He said maybe with the new employee we can get that information. Merry said the perpetual care is used for graves that are not being taken care of. He said interest from that account is used for this purpose. He said the revolving account was being used for wages at one point in time, and he will check with the Town Accountant to see what is in that account.

Dave Petersen made a motion to approve the FY 18 Cemetery Commission budget, Bob Snow second, all in favor - aye (4-0). Bob Merry – RECUSED.

- Shellfish Commission

Bob Snow made a motion to approve the FY 18 Shellfish Commission budget, Dave Petersen second, all in favor - aye (5-0).

- Shellfish Constable

Bob Snow made a motion to approve the FY 18 Shellfish Constable budget, Cliff Pierce second, all in favor - aye (5-0).

- Unemployment, Blanket Insurance and Retirement

Dave Petersen made a motion to approve the FY 18 Unemployment, Blanket Insurance and Retirement budget, Cliff Pierce second, all in favor - aye (4-0). Bob Merry – RECUSED.

## **MINUTES**

- January 30, 2017 Executive Session

Dave Petersen made a motion to approve the January 30, 2017 Executive Session minutes, Cliff Pierce second, all in favor - aye (4-0). Bob Snow – RECUSED.

- February 27, 2017

Cliff Pierce made a motion to approve the February 27, 2017 minutes, Dave Petersen second, all in favor - aye (4-0). Bob Snow – ABSENT.

## **ANNOUNCEMENTS**

- Annual and Special Town Meeting is scheduled for 7:00 p.m. May 1, 2017 at the Pine Grove School. Please note that the start time of the Town Meeting is at 7:00 p.m. this year, not 7:30 p.m.
- Town Election is scheduled for May 9, 2017 from noon to 8:00 p.m. in Saint Mary's Church Hall
- The Water Department and the Great American Rain Barrel Company are offering rain barrels to residents as part of a community wide conservation and sustainability program. For more information, go to the Water Department's webpage at [www.rowleywater.com](http://www.rowleywater.com)
- Information on the Pine Grove School project is available on the Town's website at [www.townofrowley.net](http://www.townofrowley.net).
- The Town has the following vacancies:
  1. **Fence Viewer** – three positions;
  2. **Wood, Lumber & Bark Inspector**;
  3. **Zoning Board of Appeals Associate** – two seats
  4. **Parks and Recreation Committee** – one seat;
  5. **Deputy Shellfish Constables** – two positionsFor 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, Cliff Pierce second, all in favor - aye (5-0).

Open meeting adjourned at 8:44 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

## **ATTACHMENTS:**

1. Meeting memo regarding 7:00 p.m. Appointment: Troop 15 Scoutmaster George Pacenka and James Patrick Kay for Eagle Scout Proclamation
2. Letter from Troop 15 Scoutmaster George Pacenka and James Patrick Kay for Eagle Scout Proclamation
3. Proclamation issued to James Patrick Kay for Eagle Scout achievement
4. Letter from Open Space Committee regarding Special Municipal Status
5. Triton School Budget Considerations submitted by Larry White at Citizen Query
6. Notice of Intent Filing Fee Account allocation request from Arthur Page, Conservation Commission Chairman
7. Letter from Conservation Agent Brent Baeslack regarding acceptance of a gift land from Gateway II Trust of 1997 off Newburyport Turnpike near Batchelder as shown on Assessors Map 14 Parcels 21 and 23, including map
8. FY 18 proposed Council on Aging Budget
9. FY 18 proposed Library Budget
10. Meeting Memo regarding New Business #2: Massachusetts Department of Agricultural Resources Annual Nomination of Animal Inspector
11. Massachusetts Department of Agricultural Resources letter regarding Annual Nomination of Animal Inspector
12. Memo from Amy Lydon regarding Quotes to replace Town Hall Auditorium heating system, including two quotes
13. Meeting memo regarding Old Business #1: Pine Grove School Building Project Update
14. Meeting memo regarding Old Business #2: Review Town Meeting warrant articles
15. FY 18 Capital Borrowing spreadsheet
16. FY18 budget for Town Clerk
17. FY18 budget for Elections

18. FY18 budget for Registrar of Voters
19. FY18 budget for Constable .
20. FY18 budget for Inspection Department
21. FY18 budget for Animal Inspector
22. FY18 budget for Animal Control
23. FY18 budget for Harbormaster
24. FY18 budget for Schools – Triton and Whittier Vocational-Technical
25. FY18 budget for Cemetery Commission
26. FY18 budget for Shellfish Constable
27. FY18 budget for Shellfish Commission
28. FY18 budget for Unemployment, Blanket Insurance and Retirement
29. Draft minutes for February 27, 2017