

MINUTES OF THE BOARD OF SELECTMEN

October 3, 2022

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; Cliff Pierce; Christine Kneeland (Town Administrator Deborah Eagan; Assistant Town Administrator Amy Lydon)

CALL MEETING TO ORDER

Chairman Snow called the meeting to order at 6:00 p.m. He said the meeting is being audio and video recorded by Rowley Community Media.

PLEDGE OF ALLEGIANCE

Karen Summit led the Pledge of Allegiance.

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

There were no public comments.

GENERAL BUSINESS

1. Letter from Karla Chaffee requesting to be appointed to the vacancy on the Zoning Board of Appeals and letter from Zoning Board of Appeals Chairman Tom Heidgerd recommending that Karla Chaffee be appointed to the vacant seat

Chairman Snow read the following:

With the recent resignation of long-term ZBA member Donald Thurston, there is a vacancy on the ZBA. We have received one letter of interest in filling this seat from Karla Chaffee. Karla has been serving as an Associate ZBA member. ZBA Chairman Tom Heidgerd also submitted a letter to the Board of Selectmen requesting that Karla be appointed to the vacant seat.

If the Board is in agreement, then the Board needs to vote to appoint Karla to the unexpired vacant seat on the Zoning Board of Appeals. Karla will serve until June 30, 2023 and then be re-appointed to a five-year term.

The ZBA has also voted to designate Karla as their representative to the Zoning Review Committee. She will also be taking Don's place on this committee.

Deana Ziev made a motion to appoint Karla Chaffee to the vacant seat on the Zoning Board of Appeals until June 30, 2023, Christine Kneeland second, all in favor - aye (5-0).

2. Authorize early voting hours in Town Hall for the November 8, 2022 State Election

Chairman Snow read the following:

The Board needs to vote to approve the Early Voting Hours in the Town Hall for the November 8, 2022 Election:

| | | |
|------------------|-------------------------|----------------------------|
| <i>Saturday</i> | <i>October 22, 2022</i> | <i>9:00 am to 3:00 pm</i> |
| <i>Monday</i> | <i>October 24, 2022</i> | <i>9:00 am to 4:00 pm</i> |
| <i>Tuesday</i> | <i>October 25, 2022</i> | <i>9:00 am to 2:00 pm</i> |
| <i>Wednesday</i> | <i>October 26, 2022</i> | <i>9:00 am to 4:00 pm</i> |
| <i>Thursday</i> | <i>October 27, 2022</i> | <i>9:00 am to 2:00 pm</i> |
| <i>Friday</i> | <i>October 28, 2022</i> | <i>8:30 am to 11:30 am</i> |
| <i>Saturday</i> | <i>October 29, 2022</i> | <i>9:00 am to 5:00 pm</i> |
| <i>Monday</i> | <i>October 31, 2022</i> | <i>8:30 am to 4:30 pm</i> |
| <i>Tuesday</i> | <i>November 1, 2022</i> | <i>8:30 am to 2:30 pm</i> |
| <i>Wednesday</i> | <i>November 2, 2022</i> | <i>8:30 am to 4:30 pm</i> |
| <i>Thursday</i> | <i>November 3, 2022</i> | <i>8:30 am to 2:30 pm</i> |
| <i>Friday</i> | <i>November 4, 2022</i> | <i>8:00 am to Noon</i> |

Cliff Pierce made a motion to approve the early voting hours, Deana Ziev second, all in favor - aye (5-0).

6:05 p.m. APPOINTMENT Treasurer/Collector Karen Summit for approval and signing of Massachusetts Clean Water Trust interim borrowing documents for the Town's septic loan program

Chairman Snow read the following:

The borrowing paperwork needs to be signed for the Town to continue participating in the State Clean Water Trust Septic Loan program.

Treasurer/Collector Karen Summit will provide the Board with an overview of what the Board needs to sign as part of this borrowing packet.

Summit said the Clerk needs to read the vote of the Board of Selectmen that needs to be approved and signed. She said there is also an interim loan note and certification that the full Board needs to sign and the Town Clerk will sign and seal.

Snow continued:

The first step will be for Clerk Deana Ziev to read the "VOTE OF THE BOARD OF SELECTMEN" document into the meeting record. After she reads it, Chairman Robert Snow will call for a motion to approve it, and a second, and the Board needs to vote. Clerk Deana Ziev will then sign the document in duplicate.

The full Board will also need to sign the following two documents during the meeting.

- 1. \$200,000 Community Septic Management Program Interim Loan Note*
- 2. Town of Rowley Interim Loan Note*

These documents will also be signed by Treasurer/Collector Karen Summit and Town Clerk Catie McClenaghan will also put the Town seal on them.

Clerk Deana Ziev read the Vote of the Board of Selectmen. Cliff Pierce so moved, Christine Kneeland second, all in favor - aye (5-0).

Ziev signed the two originals. The Board signed the other documents and the Town Clerk signed and sealed them.

6:15 p.m. JOINT MEETING with the Rowley Housing Authority to fill a vacancy on the Rowley Housing Authority Board

- Request from Michelene Shinnick to be appointed to the vacant seat on the Rowley Housing Authority

There was no Joint Meeting because a quorum of the Rowley Housing Authority was not present. Eagan said the Board of Selectmen can still vote on this and she will get a clarification if this is sufficient from Town Counsel Tom Mullen under Chapter 41.

Michelene Shinnick said she lives at 64 Pleasant Street. She said she previously ran for the position, and with this opening she would like to step up and serve. Perry said he remembers Michelene coming to several meetings when there was not an opening and expressing her interest. He said he is pleased that she is requesting to be appointed.

Joe Perry made a motion to appoint Michelene Shinnick to the Rowley Housing Authority, Deana Ziev second, all in favor - aye (5-0).

Snow said the term runs until the next election in May 2023.

NEW BUSINESS

1. Review Disclosure by Non-Elected Municipal Employee of Financial Interest and Appearance of Conflict of Interest State Law Chapter 268A Section 23(b)(3) and Chapter 268A Section 19 filed by Police Chief Scott Dumas

Chairman Snow read the following:

Police Chief Scott Dumas has filed a State Conflict of Interest Disclosure form with the Board in accordance with G.L. c. 268A §23(b)(3). The Board needs to review Chief Dumas' attached memo and disclosure form. After reviewing the disclosure, the Board, as the appointing authority, must make a determination pursuant to G.L. c. 268A §19 that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. The Board must vote on the determination and authorize Chairman Snow to sign the Disclosure Form on behalf of the Board.

Attached are:

- 1) Memo from Chief Dumas*
- 2) State Ethics Disclosure Form G.L. c. 268A §19 signed by Chief Dumas*
- 3) Proposals submitted by three vendors for the assessment center and examination*
- 4) Copies of G.L. c. 268A §19 and G.L. c. 268A §23(b)(3) (for the Board's reference)*

Snow read the memo from Chief Dumas. Eagan said the Board needs to make a determination based on the information provided that the conflict is not so substantial that Dumas can't perform the work and work with the vendor. Pierce said he doesn't think it is substantial and it is very common for Police Chiefs to sit on these assessment centers.

Cliff Pierce made a motion to determine that the conflict is not so substantial that Dumas can't perform the work and work with the vendor, and to authorize Chairman Snow to sign the disclosure form, Christine Kneeland second, all in favor - aye (4-0). Deana Ziev – ABSTAINED.

2. Approve Merrimack Valley Planning Commission Memorandum of Agreement for the 2022-2024 Housing Production Plan

Snow read the following:

MVPC is in the process of updating the Housing Production Plan and has submitted the attached MOA. Town Planner Kirk Baker will be working with the MVPC on the plan updates. In order to continue working with MVPC on the Housing Production Plan, the Board of Selectmen needs to vote to approve the 2022-2024 Merrimack Valley Housing Production Plan Memorandum of Agreement and to authorize Chairman Snow to sign it on behalf of the Board of Selectmen. (It will be signed after the meeting.)

Christine Kneeland made a motion to approve the 2022-2024 Merrimack Valley Housing Production Plan Memorandum of Agreement and to authorize Chairman Snow to sign it, Deana Ziev second, all in favor - aye (5-0).

OLD BUSINESS

1. Review and approve Green Community Annual Report

Snow read the following:

We have to file our first Green Community Annual Report. Natalie has been working on this report for the past few weeks. The Board needs to vote to approve the report and authorize Chairman Robert Snow to sign it.

Cliff Pierce made a motion to approve the Green Community Annual Report and to authorize Chairman Snow to sign it, Christine Kneeland second, all in favor - aye (5-0).

ANNOUNCEMENTS

1. The Open Space Committee is holding a fall trail maintenance work event at the Dodge Reservation on Saturday, October 15, 2022 from 9:00 a.m. to 11:00 a.m. Volunteers are needed to help with fixing/installing trail markers on trees and improving a crossing at trail #5. Assistance is also needed with removing invasive plant species and trail widening and pruning back overgrowth. Volunteers should meet at rear of Eiras Park side of the Dodge Reservation at Smith Lane Trail gate. Volunteers should bring work gloves and tools, such as hammers, pruning shears, loppers, and battery operated drills and post hole diggers or digging bar. Snacks and water will be provided. Rain date is Sunday, October 15, 2022 from 9:00 a.m. to 11:00 a.m.
2. The Town of Rowley Veterans Committee is sponsoring a Wreaths Across America event on December 17, 2022 at 10:00 a.m. in the Rowley Cemetery in which remembrance wreaths will be laid on the graves of approximately 700 veterans. Volunteers are needed. For more information on the event please go to the News and Notices section on the homepage on the Town's website, www.townofrowley.net
3. The Town is in a Level 3 Critical Drought. Outdoor water use of any kind is prohibited, except for the production food or maintenance of livestock. Please contact the Rowley Water Department at 978-948-2640 for more information.
4. 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.
5. The Town has the following board vacancies:
 - **Council on Aging**
 - **Conservation Commission**
 - **Open Space Committee**
 - **Rowley Cultural Council**

Interested residents should send a letter of interest to the Board of Selectmen.
Positions are open until filled.

ADJOURN

Christine Kneeland made a motion to adjourn, Joe Perry second, all in favor - aye (5-0).

Meeting adjourned at 6:28 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding General Business #1: Letter from Karla Chaffee requesting to be appointed to the vacancy on the Zoning Board of Appeals and letter from Zoning Board of Appeals Chairman Tom Heidgerd recommending that Karla Chaffee be appointed to the vacant seat
2. Letter from Karla Chaffee requesting to be appointed to the vacancy on the Zoning Board of Appeals
3. Letter from Zoning Board of Appeals Chairman Tom Heidgerd recommending that Karla Chaffee be appointed to the vacant seat
4. Vacancy Notice for Zoning Board of Appeals
5. Meeting memo regarding General Business #2: Authorize early voting hours in Town Hall for the November 8, 2022 State Election
6. Meeting memo for 6:05 p.m. Appointment: Treasurer/Collector Karen Summit for approval and signing of Massachusetts Clean Water Trust interim borrowing documents for the Town's septic loan program
7. Vote of the Board of Selectmen borrowing document
8. \$200,000 Community Septic Management Program Interim Loan Note
9. Town of Rowley Interim Loan Note
10. Letter from Locke Lord regarding Massachusetts Clean Water Trust Interim Loan
11. Terms and Conditions to the Massachusetts Clean Water Trust Financing Agreement
12. Meeting memo for 6:15 p.m. Joint Meeting with the Rowley Housing Authority to fill a vacancy on the Rowley Housing Authority Board: Request from Michelene Shinnick to be appointed to the vacant seat on the Rowley Housing Authority
13. Request from Michelene Shinnick to be appointed to the vacant seat on the Rowley Housing Authority
14. Resume of Michelene Shinnick
15. Meeting memo regarding New Business #1: Review Disclosure by Non-Elected Municipal Employee of Financial Interest and Appearance of Conflict of Interest State Law Chapter 268A Section 23(b)(3) and Chapter 268A Section 19 filed by Police Chief Scott Dumas
16. Memo from Chief Dumas
17. State Ethics Disclosure Form G.L. c. 268A §19 signed by Chief Dumas

18. Proposals submitted by three vendors for the assessment center and examination
19. Copies of G.L. c. 268A §19 and G.L. c. 268A §23(b)(3)
20. Meeting memo regarding New Business #2: Approve Merrimack Valley Planning Commission Memorandum of Agreement for the 2022-2024 Housing Production Plan
21. Merrimack Valley Planning Commission Memorandum of Agreement for the 2022-2024 Housing Production Plan
22. Meeting memo regarding New Business #1: Review and approve Green Community Annual Report
23. Draft Green Community Annual Report