

MINUTES OF THE BOARD OF SELECTMEN

January 8, 2024

Town Hall, 139 Main Street, Rowley

6:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Christine Kneeland, Clerk Deana Ziev, Sheri David, Bob Snow (Town Administrator Deborah Eagan)

MEETING ATTENDEES: Bernie Cullen, 283 Wethersfield St; Tristan Ashlock, Ipswich Local News; Mark Emery, Fire Chief; Pam Jacobson, Library Director; T. Glen Blakney, Board of Library Trustees Chair; Maggie Lemelin, Board of Library Trustees; David Baker, Fire Department

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

Water Commissioner Bernie Cullen lead the pledge of allegiance.

GENERAL BUSINESS

1. Approve donation to the Police Department

Bob Snow made a motion to approve the donation to the Police Department, Christine Kneeland second, all in favor – aye (4-0). Deana Ziev – ABSTAIN

2. Approve donation to the Council on Aging

Bob Snow made a motion to approve the donation to the Council on Aging, Sheri David second, all in favor – aye (5-0).

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

Sheri David said she would like to thank Pat Snow in the Highway Department and Fire Chief Mark Emery for their work during the storm this week. She said they did a great job.

6:05 p.m. APPOINTMENT* Library Board Chair T. Glenn Blakney and Library Director Pamela Jacobson to discuss the consequences of closing the Rowley Public Library due to possible budget cuts

Library Board Chair T. Glenn Blakney spoke to the Board about what it would mean if the Library was closed due to possible budget cuts resulting from the Whittier project. He said closing the Library would result in the loss of certification for the state aid program. He said this would mean that the Library wouldn't receive any state aid – which is significant. He said they would also lose reciprocal services, small library programs services, would not be able to apply for funds under the libraries construction program, and would not be able to apply for grants. Blakney said the biggest loss would be reciprocal funding. He said that, if the library were closed, it would be a 3-year process to have it recertified – after being closed, the library would need to operate for a year under certain regulations, then re-apply for certification which can take up to a year. He said the Library currently has approximately 4,000 items that are lent out each month, there are 3,000 in-person visits per month, over 50,000 items in the collection. He said the meeting and study rooms are used 800 times a year and there are 200 programs for youth per year. He then read a portion of the letter that was sent to the Board of Selectmen. Blakney said that the Library is more than a place to borrow books - people go to the Library to hang out, work, and meet people. He asked the Board if they have any comments.

Pierce said he was probably responsible for most of the comments related to closing the Library to pay for Whittier. Pierce said that he felt, and still feels, that the public needs to be alerted to the potential consequences of the proposal should it pass. He said plans have not been made to close the Library. He said the Library is very much the community of Rowley and he appreciates the comments. Pierce said the epidemic of loneliness is a problem. Blakney said the Rowley Library is not a “shush” library, it is very active. Ziev and David agreed. David said no one wants to close the Library; they don't know what to expect with Whittier and the Town doesn't have a way to pay for the project. Blakney thanked the Board for allowing him to present this information to them.

Pierce reminded the public that the Whittier Vote will take place on January 23, 2024. Pierce said that, if the Whittier project is approved, the budget cut will not need to take place until FY26.

Library Trustee Maggie Lemelin, 22 Bennet Hill Road, added that she hopes the Board sees the Library as a resource and a way to soften the blow of any cuts that have to take place – there are many ways you can save money by using the Library.

Library Director Pam Jacobson, said that it was good to have this conversation. She said the Library has had stable budgets for many years, so they haven't needed to

discuss the State Aid program in a long time. She said there are a lot of pieces to the State aid program and the library needs to meet the benchmarks in order to participate in the program. David asked if there is a minimum number of hours the library needs to be open to receive funding. Jacobson said it is based on population; for Rowley it is 25 hours. Snow said the Board has a fiduciary responsibility to the Town and it is helpful for residents to understand the potential consequences of the Whittier project. He said that 10 years ago the Town budget had to be cut 2% across the Board due to the Triton budget and it was very difficult.

6:20 p.m. APPOINTMENT Fire Chief Mark Emery to discuss new lock box program

Chief Emery asked the Board of Selectmen to accept a donation of 13 lock boxes from the Rowley Volunteer Fire Protection Association. He said he has been working with Debbie to put together a policy and application for the lock box program. He said that anyone who is housebound can apply to get one of the lock boxes. He said the lock box is mounted over the door and the Fire Department has a master key to the lock box so that they can get a key for the door rather than break it down to enter the home. He said the project was started by Chief Broderick before the Covid pandemic. Firefighter David Baker then took over work on the program. Ziev asked what the cost of each lock box is. Emery said he is not sure, the boxes were donated. Pierce asked if the lock boxes were primarily for night time. Emery said they are for night and day, whenever someone isn't able to come to the door.

Pierce asked Emery if he would speak to the Town's night time coverage for the Fire Department. Emery said that there was another night time fire the other night, during a snow storm. He said luckily he had 5 people on duty at the time and they were able to respond to the garage fire within 5 minutes. Emery said that Engine 2 got the call and were there in 5 minutes. Emery was at home, in Rowley, when he got the call and it took him 12 minutes to get to the fire. He said Engine 1, which was the call firefighters, didn't get there for 15 minutes. He said that if there hadn't been people still on duty it would have taken 10 extra minutes for an engine to get to the fire. He said a fire can double in size every minute. Pierce asked if Emery feels there is a need for additional firefighters to respond to night time calls. Emery responded absolutely. Emery said there are only a couple full-time firefighters who live in Town, so at night most of the call firefighters are coming from at least 12 minutes away. David asked Emery what hours the fire station is currently unmanned. Emery said it is 6pm to 6am. Pierce said that if the Whittier project passes, it will have impacts on the Town's ability to add firefighters.

Firefighter Baker joined the meeting at that time and showed the Board a sample of the lock boxes. He said the project was rekindled after he attended a training. He said often seniors that are housebound want to lock their doors at night to stay safe, but aren't able to get to the door quickly if there is an emergency. Baker said that Salisbury and

some other area Towns have similar programs. He said he worked with the RVFA to get funding from area businesses to purchase 14 lock boxes. Emery said the master key is kept in the trucks and the firefighters need to enter a personalized code to get the key. David asked for clarification that only the Fire Department has access to the key; not the Police or Water or other Town department. Emery responded yes, only the Fire Department.

Deana Ziev made a motion to accept the donation of 14 lock boxes from the Rowley Volunteer Fire Protections Association, Bob Snow second, all in favor – aye (5-0).

Christine Kneeland made a motion to authorize the lock box program to be overseen by Fire Chief Mark Emery, Sherry David second, all in favor – aye (5-0).

Bernie Cullen, 283 Wethersfield Road, asked if Chief Emery can come back in the future to tell everyone how many lock boxes are being used. Emery said yes, he will give an update at a future meeting.

OLD BUSINESS

1. Discuss Whittier Regional Vocational Technical High School Building Project and January 23, 2024 Election
 - sending a letter to the editors of the local newspapers
 - setting up message boards about January 23, 2024 election
 - reaching out to Town boards and committee chairs about consequences of Yes vote

Chairman Pierce said that he has drafted a Letter to the Editor that he intends to send to the Ipswich Local News and Newburyport Daily News. He said he hopes the other members of the Board will sign it. He asked the members of the Board if they had feedback on the draft letter. Kneeland said she thought it was well written. Ziev said she didn't see any changes. Snow said that Whittier came to the Board in 2010 asking for a new roof. He said that at that time they were just coming off the 2008 financial crisis, so it was a big deal when Whittier presented to the Town the \$3 million plus budget for the new roof. He said that would be the equivalent of \$5.3 million today. Pierce said that if the new project passes, the entire school will be demolished including that roof. He said that is not how things should be done.

Deana Ziev made a motion approve the Letter to the Editor as presented and to have it published, Christine Kneeland second, all in favor – aye (5-0).

Bernie Cullen, 283 Wethersfield Street, asked if the letter can also be sent to the Lawrence Eagle Tribune. Pierce said yes.

Chairman Pierce then read the letter.

Chairman Pierce said that he would also like to discuss how to get the word out about the election. He suggested the 2 electronic message boards could be used. He asked for a motion to ask to use the message boards. He said it would not be to tell people to vote no, just to let them know where and when the election is being held. He said Town funds cannot be used to encourage a specific vote.

Deana Ziev made a motion to ask the Departments to use their message boards to advertise the date and time of the election, Christine Kneeland second, all in favor – aye (5-0).

Chief Emery said it is difficult to put the message boards in the snow. He asked where the Board wants the message boards. Pierce said ideally on Route 133, but he will leave it to the Departments' discretion to find the best location.

Chairman Pierce asked for a vote to send a message to the Boards and Commissions about the consequences a yes vote would have on the Town. Deana Ziev made a motion for Chairman Pierce to send a memo to the Boards and Committees about the consequences of a yes vote, Sherry David second, all in favor – aye (5-0).

Pierce said the City of Newburyport is having an informational session on the vote. He said that he and Kneeland are planning to attend.

Pierce said that he would like to start the Boards January 22 meeting with a public open discussion on Whittier. He said it would be an opportunity for people to come and ask questions on the project. Bob Snow made a motion to hold a public open discussion on the Whittier project at the January 22 meeting and to invite the Finance Committee, Deana Ziev second, all in favor – aye (5-0).

Bernie Cullen, 283 Wethersfield Rd, said that there are shorter voting hours and there are absentee ballots, but no early voting.

Craig Copland, 265 Dodge Rd, asked the Board if it has worked out how much Rowley could afford. Pierce said the Town hasn't worked out any numbers; there are many different variables in putting together the annual budget. Copland asked if the Board heard back from the Haverhill Building Department. Eagan said she hasn't requested the documents, she would need to put in a public records request. Copland said that he reached out to them and can send the Board the information. He then gave the Board copies of a response from the architect that updates the 2014 renovation costs. Copland said that in May the Board of Selectmen also expressed concerns about the Triton budget increases and said that services would need to be cut. He said that he

hopes that isn't how the Board deals with budget issues by making threats. Ziev said that the amount of money the Town has to work with each year is very tight. She said that the Town cannot come up with money from thin air to pay for Whittier. She said that she would vote for the project if it was a reasonable renovation, but the way Whittier has gone ahead with the project and election is unethical. She said she does not appreciate Copland's assertion that the Board is not representing the whole Town. Copland said the Board said services were going to be cut in May because of the Triton budget. Ziev responded that the Triton budget is also going to bankrupt the community. Pierce said that the Board was now going to move on to other business.

2. Discuss Merrimack Valley Transit (MEVA) paratransit service program to Bedford Veterans Administration Hospital

Chairman Pierce read the following:

Selectman Bob Snow is on the Board of Directors of MEVA and has been involved in enhancing public transportation options for Rowley veterans and seniors. He will provide an update on a new paratransit program to the VA hospital in Bedford.

Snow said that it is 45 minutes – 1.5 hours to get to the Bedford Veterans Hospital. He said MEVA is operating the bus, Monday through Friday. He said Veterans can call 7-14 days in advance of their appointment to schedule a ride. He said the VA has changed over the years and specializes in the services Veterans need, like post-traumatic stress. He said he will keep the Board updated on this bus service and any future expansions.

GENERAL BUSINESS

3. Request from Highway Surveyor Patrick Snow to lift the hiring freeze for the position of Unskilled Laborer

Chairman Pierce read the following:

Highway Surveyor Patrick Snow is requesting the Board to lift the hiring freeze so that the position of Unskilled Laborer can be posted. Samuel Spinhirn recently moved to the position of Water Department Maintenance Laborer, leaving a vacancy in the Highway Department. This position supports the Highway Department operations.

If the Board is in agreement, it will need to vote to lift the hiring freeze.

Sherry David made a motion to lift the hiring freeze, Bob Snow second, all in favor – aye (5-0).

4. Request from James Pike to lift the hiring freeze for the position of Alternate Building Inspector

Chairman Pierce read the following:

Building Inspector James Pike is requesting the Board to lift the hiring freeze so that the position of Alternate Building Inspector can be posted. James Pike previously held the position of Alternate Building Inspector. On December 27th Board appointed James to the position of Building Inspector. The Alternate Building Inspector serves in the absence of the Building Inspector. Just recently, James was covering the Inspection Department Office on a regular basis as the Alternate from December 11th until December 27th.

If the Board is in agreement, it will need to vote to lift the hiring freeze.

Christine Kneeland made a motion to life the hiring freeze, Bob Snow second, all in favor – aye (5-0).

5. Ratify Internal Revenue Service 2024 mileage reimbursement rate

Chairman Pierce read the following:

The Internal Revenue Service has set the 2024 mileage reimbursement rate as \$.67, up 1.5 cents from 2023. The 2023 rate was \$.655. The Board needs to vote to accept the 2024 rate.

Christine Kneeland made a motion to accept the 2024 mileage reimbursement rate, Deana Ziev second, all in favor – aye (5-0).

6. Approve Massachusetts Department of Agricultural Resources Annual Animal Inspector Nomination

Chairman Pierce read the following:

Each year the Board is required to vote to nominate the Town's Animal Inspector, per State Law.

Debbie is asking the Board to vote to nominate Megan Sousa as the Town's Animal Inspector.

Sherry David made a motion to appoint Megan Sousa as the Town's Animal Inspector, Bob Snow second, all in favor – aye (5-0).

NEW BUSINESS

1. Discuss Aquaculture License Application filed by Daniel Terry

Chairman Pierce read the following:

The Board has received an aquaculture permit license application from Daniel Terry of 13 Jellison Road. He is seeking to set up a shellfish farm project in Mud Creek. He proposes to plant, transplant, and grow a variety of shellfish, including oysters, scallops, mussels, and quahog. Mr. Terry has been meeting with the Board of Shellfish Commissioners and they have submitted a letter to the Selectmen indicating their approval of the application.

Aquaculture permitting falls under G.L. Chapter 130, and the Board of Selectmen is the permitting authority. Once an application is filed with the Board, the Board has 60 days to approve or deny the application following an advertised public hearing. Mr. Terry filed his application on December 14, 2023. Debbie has been in contact with Mr. Terry and explained that the hearing would have to be on either Jan. 22 or Feb. 5. Mr. Terry requested the February 5th date.

Debbie will set up the public hearing for Monday, February 5, 2023 at 6:15 p.m., if the Board is in agreement.

Debbie will send the application to Shellfish Constable Travis Kneeland, Harbormaster Bill DiMento and Conservation Agent Brent Baeslack for review and comments.

Pierce asked if Eagan needs a vote from the Board. Eagan said she doesn't think so, so just wanted to make sure the Board agreed. Pierce and Ziev said it seemed fine.

2. Memo from Personnel Advisory Committee regarding Fire Department Administrative Assistant position

Chairman Pierce read the following:

The Personnel Advisory Committee has sent the Board the attached memo requesting the Board to approve the Fire Department Administrative Assistant position and to authorize the lifting of the hiring freeze so that it can be posted.

This position was created last year and was not funded in the FY 24 budget, due to lack of funding. The memo explains that there are surplus funds in the FY 24 Call Firefighter Wages line due to a lack of active call firefighters. Fire Chief Mark Emery is in great need for clerical assistance and support. This position was originally planned for 20

hours per week, but the PAC recommends that it be set at 16 hours per week. The anticipated FY 24 cost if the position was filled the first week of February is \$7,765.

How does the Board wish to proceed?

Kneeland said that she thinks the Board needs to lift the hiring freeze. She said that Chief Emery has no administrative help and is doing it all himself. David said that, unlike the Police Department, the second in command at the Fire Department does not do administrative work. Chief Emery said that the second and third in charge are shift commanders.

Christine Kneeland made a motion to lift the hiring freeze, Deana Ziev second, all in favor – aye (5-0).

MINUTES

- December 4, 2023

Deana Ziev made a motion to approve the December 4, 2023 minutes, Sherry David second, all in favor – aye (4-0). Christine Kneeland - ABSTAIN

- December 18, 2023

Deana Ziev made a motion to approve the December 18, 2023 minutes, Christine Kneeland second, all in favor – aye (4-0). Bob Snow - ABSTAIN

- December 27, 2023

Deana Ziev made a motion to approve the December 27, 2023 minutes, Christine Kneeland second, all in favor – aye (4-0). Bob Snow - ABSTAIN

ANNOUNCEMENTS

1. Whittier School District Special Election for the Whittier School Project - Tuesday, January 23, 2024 from 11:00 a.m. to 7:00 p.m. at St. Mary's Church Hall rear entry, 196 Main Street
2. Christmas Tree Drop Off for Rowley residents – Residents can drop off their live Christmas trees at Eiras Park until February 16, 2023. Please remove all lights and decorations. Only trees can be disposed of – no wreaths, greens, or objects containing metal.
3. The Town has the following board vacancies:
 - **Conservation Commission**
 - **Housing Partnership Committee – Five members**
 - **Open Space Committee**

- **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

Bob Snow made a motion to adjourn, Sherry David second, all in favor – aye (5-0).

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Natalie Lovett
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo for 6:05 p.m. Appointment
2. Letter from the Board of Library Trustees to the Board of Selectmen re: Recent comments about closing the Library
3. Meeting memo for 6:20 p.m. Appointment
4. Letter from Chief Mark Emery to Chairman Pierce dated January 3, 2024
5. Draft application for Lockbox Program
6. Press release for Lockbox Program
7. Meeting memo for Old Business #1
8. Letter to the Editor from the Rowley Board of Selectmen dated January 8, 2024
9. Flyer for Newburyport Information Night on Whittier project
10. Estimated Pro Rata Share of Dept Service for Town of Rowley
11. Meeting memo for Old Business #2
12. Meeting memo for General Business #1
13. Letter from Chief Scott Dumas to Board of Selectmen dated December 27, 2023
14. Meeting memo for General Business #2
15. Letter from COA Director Ellie Davis
16. Meeting memo for General Business #3
17. Email from Highway Surveyor Patrick Snow to Debbie Eagan re: Sam Spinhirn
18. Meeting memo for General Business #4
19. Email from Building Inspector James Pike to Debbie Eagan re: hiring freeze
20. Meeting memo for General Business #5
21. IRS notification of mileage rate for 2024
22. Meeting memo for General Business #6
23. Nomination of Inspector of Animals form

24. Meeting memo for New Business #1
25. Aquaculture Permit Application filed by Daniel Terry
26. Letter from Shellfish Commission Chair Ronald Kneeland to Board of Selectmen re: Mud Creek Shellfish Company, LLC
27. Letter from Essex County Greenbelt Director of Stewardship David Rimmer dated November 13, 2023
28. Meeting memo for New Business #2
29. Letter from Debbie Eagan to Board of Selectmen re: Fire Department Administrative Assistant Position w/ enclosures