



Town of Rowe
Board of Selectmen Minutes
Thursday, December 1, 2022–6:00 p.m.
Rowe Town Hall – Hearing Room 1
and Via Remote Participation

Board of Selectmen: Chair Charles Sokol, Vice-Chair Joanne Semanie, Selectman Silva
Present: Executive Secretary Janice Boudreau
Audience: Treasurer Green, Police Chief Shippee, Rick Williams

Call to Order: Chair Sokol called the meeting to order at 6:00 P.M.

Announcement of recording devices- One
Noteworthy Announcements- None

Appointment: 6:00 p.m. Board of Assessors

Assessors Chair Rick Williams presented two documents finalized for the Bear Swamp tax settlement agreement from our Attorney David Klebanoff. Attached are the Rowe-specific documents ready for your review/approval.

- 1) a *Tax Settlement Agreement* which addresses resolution of the FY19/FY20/FY22 tax years disputes by having Rowe abate back **\$170,000** in exchange for Bear Swamp withdrawal of the pending Appellate Tax Board (ATB) appeals cases, and
- 2) a *Payment in Lieu of Taxes (PILOT) agreement* which agrees to a reduced total valuation figure of \$425,000,000 for Bear Swamp for the next 5yrs (FY23 thru FY27). Rowe agrees to assess taxes based on **80%** of this value.

Florida has an identical set of documents to review/approve except that Florida will abate back **\$130,000** and Florida agrees to assess taxes based on **20%** of the new value.

Assessors Chair Rick Williams explained that the Florida Board of Assessors and Board of Selectmen agreed to finalize agreements; one tax agreement covers the prior years and the larger agreement or Payment in Lieu of Taxes (PILOT) agreement we settled on a 10% reduction in value for the next few years. The abatement of \$170,000 comes out of Assessors Overlay Account that has been built up over the last few years in the event a decision was made by the ATB.

There will be approximately about \$250,000.00 with Great River Hydro and National Grid which is minor. Great River Hydro case will most likely go away since it recently sold for double its value.

The *Tax Settlement Agreement* needs to be signed by the Board of Assessors only. The *PILOT* agreement needs to be signed by both the Board of Assessors and the Board of Selectmen. The *PILOT* agreement also has a certification statement to be signed by the Town Clerk(s) regarding the respective Special Town Meeting (STM) votes taken to authorize the BOA/BOS to negotiate and execute such agreements. Certified copies of the STM results are also to be provided by the Town Clerk(s).

Per the agreements: once all the documents have been signed, Bear Swamp will within 5 business days request formal withdrawal of the pending ATB appeals against the Town(s). Once notified by the ATB of formal dismissal of the appeals cases, the Town(s) will within 10 business days process payment for their respective abatement amounts to Bear Swamp.

MOTION TO SIGN: Following review, Chair Sokol made a motion to sign the 'Payment in Liew of Tax Agreement between the Town of Rowe and Bear Swamp Power Company LLC'. The motion, seconded by Vice-Chair Semanie, was unanimously accepted. (vote 3-0-0)

Chair Williams left the meeting at 6:22 p.m.

Minutes:

There was discussion about retaining the recording of the Board of Selectmen meeting until the Minutes are approved. Moving forward it was decided to have Executive Secretary retain the recording until the Minutes are approved. Executive Secretary asked the Board to provide more detail when submitting Agenda topics and they were sometimes too vague and should adequately explain the nature of the discussion for citizens to know.

Board of Selectmen Minutes of November 10, 2022:

MOTION TO ACCEPT: Chair Sokol made a motion to accept the Minutes of November 10, 2022 as written. The motion, seconded by Vice-Chair Semanie, was unanimously accepted. (vote: 3-0-0)

6:30 pm - Treasurer Terry I. Green- Follow-up discussion

Chair Sokol asked Treasurer about the status of the training of payroll to Administrative Assistant. Treasurer said she was providing a foundation in basic accounting. She said she would provide a plan of the training and milestones. If there were concerns about the length of time it is taking to train the procedures. There was discussion about the timesheets being filled out improperly by many employees. One department is continually filling out their timesheets incorrectly.

Treasurer reported the process she went through to obtain the municipal loan for the road projects. She started right after the Annual Town Meeting. She has the approval and all the documentation for the approval.

Terry explained the Compact Community Grant received from the State IT Grant for \$133,400.00. It was decided to review the paperwork in greater detail since it was just received and discuss at next meeting.

Ongoing Projects:

Policy Updates and Review:

- Police Policies Review Submissions

MOTION TO DELAY: Chair Sokol made a motion to delay approving the police policies until further review and editing. The motion, seconded by Vice-Chair Semanie, was unanimously accepted. (vote: 3-0-0)

7:00 pm – Police Chief – Follow-up discussion

Police Chief complained that Executive Secretary was providing information to the Board of Selectmen about contact with her officers and she did not feel it was appropriate. Executive Secretary explained that in the two instances she reported, she did not seek out the information, the officers had come to her and she thought it was information that was valuable to the Board.

BOARD OF SELECTMEN BUSINESS:

New Business:

Discussion about Pelham Lake and Mill Pond Dams: tabled until a later date

Fire Chief Succession Planning:

There was discussion about the meeting Vice-Chair Semanie and Executive Secretary had with Charlemont about the fact that Fire Chief was about to reach the mandatory retirement age of 65 and without a Selectmen and a Town Meeting vote to pass a Home Rule Legislation to request enactment of an exemption to continue employment. The difficulty is that it needs to be completed by May 2023 which does not provide adequate time. There is another meeting next week with Charlemont to continue discussion and possibly to speak with other area towns to attract a better candidate.

Old Business:

Wage & Salary for FY24 and COLA: tabled until a later date

Warrants/Contracts:

Review Warrants FY23W11, FY23PW11:

Vice-Chair Semanie reviewed and found they were to be in order.

Cultural Council MA Standard Contract Form:

MOTION TO SIGN: Chair Sokol made a motion to sign the Cultural Council MA Standard Contract Form for Local Cultural Council Grants for the amount of \$5,500.00 for FY23. The motion, seconded by Selectman Silva, was unanimously accepted. (vote: 3-0-0)

FRCOG – Professional Services Agreement for Ford Hill Rd. Bridge Replacement Bid:

MOTION TO SIGN: Chair Sokol made a motion to sign the Franklin Regional Council of Governments Professional Services Agreement for Ford Hill Road Bridge Replacement bid for the amount of \$1,200.00. The motion, seconded by Selectman Silva, was unanimously accepted. (vote: 3-0-0)

MEMA MA Standard Contract Form:

Fire Chief presented a MEMA Standard Contract Form for Fire Equipment Apparatus for the amount of \$2500.00.

MOTION TO SIGN: Chair Sokol made a motion to sign the MEMA Standard Contract Form for the grant amount of \$2,500.00 for FY23. The motion, seconded by Selectman Silva, was unanimously accepted. (vote: 3-0-0)

Executive Secretary/Administrative Assistant Updates:

Executive Secretary asked for assistance with getting some lighting issues resolved at Town Hall. There was a request for adding additional lighting across from the Library by requesting 2 streetlights be relit and it was agreed to do.

Citizen Comments: None

Correspondence Review: No action required

Future Meetings: Next meeting will occur on December 15, 2022.

Adjournment:

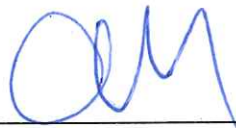
MOTION TO ADJOURN: Chair Sokol made a motion to adjourn the meeting at 8:55 p.m. The motion, seconded by Vice-Chair Semanie, was unanimously accepted. (vote: 3-0-0)

Respectfully Submitted,

Janice Boudreau, Executive Secretary

Approval Date: *DECEMBER 15, 2022*

Approved:



Chuck Sokol, Chair



Ed Silva, Selectman



Joanne Semanie, Vice-Chair

Documents:

1. Agenda December 1, 2022
2. Board of Selectmen Minutes of November 10, 2022
3. Tax Settlement Agreement Between the Town of Rowe and Bear Swamp Power Co., LLC
4. Pilot Agreement – Bear Swamp Power Co., LLC and the Town of Rowe
5. Email BOA Chair
6. Cultural Council MA Standard Contract Form
7. MA Standard Contract Form – Compact Community Grant
8. FRCOG – Professional Services Agreement for Ford Hill Rd. Bridge Replacement Bid
9. Mandatory Retirement Age for Firefighters in MA
10. Executive Secretary Updates