

# Rowley Municipal Lighting Plant



## March 13, 2019 Commissioner's Meeting

### 7:00 PM – Town Hall Selectman's Room

Commissioners Present: Robert Snow, Kevin Snow, Bryan DiPersia. Also in attendance was General Manager Matthew Brown, Office Manager Eric Grover

See attendance sheet for the public sign-in.

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Robert Snow opened the meeting at 7:00 PM

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#### **Citizen Query**

Nobody from the general public participated in this citizen's query.

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#### **Review and Approve Meeting Minutes**

After reading the minutes from the regular meeting session from February 13, 2019 provided, there were no corrections.

*Kevin Snow made the motion to accept the regular minutes from February 13, 2019. Bryan DiPersia seconded the motion. Everyone voted in favor at 7:01 PM.*

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#### **Rowley LLC Solar Update**

Bonnie Berkowitz gave a quick update on the solar project. There was a fire on the solar side of the project that didn't do any damage to cause a delay. General Manager Matt Brown said the contractors made changes to the pipe per RMLP specs and the wire has been scheduled to be run in. Bryan DiPersia asked when the estimated time to get the project up and running would be. Berkowitz said as soon as possible as there are only a few more things to be completed. Kevin Snow asked if the reclosure has been tested and Brown said they are waiting for the wire to be pulled in and then they will get PLM onsite to do all the testing.

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#### **Pilot Payment Article For Town Meeting**

Manager Brown presented a PILOT payment of \$29,042.30 to the Town of Rowley. A letter was read by Snow.

*Kevin Snow made the motion to accept the FY 2020 Pilot Payment to the town in an amount of \$29,042.30. DiPersia seconded the motion. All voted in favor at 8:05 PM. [Out of order]*

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## ***Personal Policy Changes***

Manager Brown presented the policy changes to the board and they were read aloud by Chairman Snow. After a brief discussion, it was decided to only pass one of the changes. This policy was the Mutual Aid policy changing the wording to *“The employee shall be paid time and a half during the work week portal to portal and double time on Sunday’s and holidays portal to portal”* This is industry standard and the board didn’t see have any problems with it.

*Kevin Snow made a motion to change the wording as “The employee shall be paid time and a half during the work week portal to portal and double time on Sunday’s and holidays portal to portal” shown above for the policy change of Mutual Aid. Bryan DiPersia seconded the motion. All voted in favor at 7:33 PM.*

There was discussion on:

- Annual clothing allowance increase
- Longevity increase
- Half day time off before holidays being Independence Day, Thanksgiving, Christmas, and New Year’s Day
- Clothing allowance to the office staff
- Change the half hour to cover the office from one half hour to a full hour

It was decided to keep these policy changes on hold for the time being. There was a full discussion from the board, but until after elections happen in May, there can be a discussion on this in future.

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## ***Letter from the Inspector General’s Office***

A letter was read from Chairman Snow from the Massachusetts Inspector General’s Office regarding sick time buyback to employees who are retiring. It has been on the states radar as a few departments in the state have received large buy back amounts, so they have looked into the policies off all 40 municipals across the state who have such a program. It was mentioned by Kevin Snow that Rowley is in good shape in this report considering other municipals have a more aggressive payout. Karen Summit, Town Treasure, gave a review of the RMLP policy and how it has changed in the last year showing a larger liability to the department. Chairman Snow said this would be addressed later on in the meeting. Summit said the town doesn’t have a sick time buyback policy and Matt Brown and she had a discussion on how personal use their sick time.

Member DiPersia read a list of 5 recommendations by the Inspector General’s report [see attached report] and felt we follow some of the guide lines but there could be three that merits looking into.

It was decided after a lengthy discussion to table this for now and revisit it when we have time to look at all the aspects of our sick time policy. We will be discussing our sick time policy in the last agenda item tonight.

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## ***Discuss Upcoming Mass DEP stakeholder meeting regarding Clean Energy Standards [CES] in Boston 3/19***

Bryan DiPersia said he brought this agenda item up because the Clean Energy Standard committee will be holding a meeting discussing how other municipal light departments have joined in on this cause. He said he planned on going and was wondering if Manager Brown would like to attend. Kevin Snow said he is excited Bryan has showed an interest in this, but he would like to take the MLP side of the committee for now.

*Robert Snow made a motion to give Bryan DiPersia the task of going to the Clean Energy Standard meeting on the 19<sup>th</sup> of March and to report back next month as an agenda item on his findings. Kevin Snow seconded the motion. All voted in favor at 7:54 PM.*

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***Discuss participation in Earth Day event at Dodge Reservation, hosted by Rowley Open Space Committee on 4/20***

Jenna Haag approached the board and gave a description of the event that will be held on April 20<sup>th</sup> at the YMCA Dodge Reservation in Rowley. She said there will be tables set up explaining energy savings to educate our community along with a live band. There is a scheduled time to do some trail cleaning up along our trail routes. It should be a fun day to meet other within the community and see the values Rowley has to offer. Be sure to see this month's bills for a flyer being sent out.

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***Dan Folding Sick Time Buyback***

Treasure Karen Summit started off the discussion stating she is responsible for the payroll and when something is out of the ordinary such as longevity, boot allowance, or sick time buyback, she and the town accountant look over the department policy to make sure what is there is what the policy states. On the last payroll, she noticed a buy back for sick time for a retiring employee and wanted to go over with the board what their interpretation of the policy was before we made this payout. Manager Brown looked over the policy and found saw there was a policy change within the last two years. Summit stated that the policy change was February of 2018 and she did go back and watch the two meetings to verify the change.

Robert Snow said the retiring manager of the department had a payout of \$12,772.10 in sick time buyback. At this time, he also looked over the 2008 policy and the 2018 policy change and watched the two meetings to verify this. Robert Snow said they received a verdict from K&P Law which described the situation in lawyer's language, and the outcome of the letter stated that the decision was in the realm of the board of commissioners. Kevin Snow asked from Daniel Folding a copy of the sick time policy for the RMLP in regard to the Inspector General report and he forwarded that over to him. After looking over the policy, he felt like the payout was correct with the most current up to date policy at which time he signed the payroll. At this time Summit contacted me, Kevin Snow, to take a look at the prior meetings because of the policy change and I looked at the January 10<sup>th</sup> and February 14<sup>th</sup> meetings. Kevin Snow said the prior policy stated for buyback you could only use four days and less to qualify for the buyback. When the new year came, it renewed itself to a new four-day cycle. He said that if was in an employee's shoes and followed the rules all these years, he would be expecting this policy would be in place. Because of the vagueness of the policy, Kevin Snow said he would interpret this as the change being from February 14<sup>th</sup> on with the new change from four to an overall buyback, but anything before that would be the four-day cutoff point. The whole problem is this policy change wasn't well defined.

Robert Snow said he agreed with Kevin because he also went back and looked over the meeting of February 14, 2018. He said it was his understanding being the same as Kevin's that the policy change was there forward. At his time, Robert Snow asked Summit what her interpretation of the policy was also. She echoed the same as Kevin and said there would have only been one-year Folding would have received buyback using the four-day policy. So, the issue here is that there isn't a delineation of where the old policy stopped and the new policy takes over, it was very vague when the motion was taken.

Bryan DiPersia said he understood it to be the same way as Robert and Kevin. Summit said there is only set of sick time. You have your sick time, then you have your buyback when you are eligible upon retirement. So, when we get down to the root of the policy, Robert Snow didn't agree with the payout to Folding. He asked Summit if she thought that was correct and she said it was up to the board to decide what policy they wanted to go with.

At this point, the board talked over what should have been done and handled. DiPersia said he looked over the K&P Law letter and said he was in the same agreement as Kevin Snow. He is also hung up on with what bucket the payback should be and when the policy should have been changed. Kevin Snow started to write up a motion so put forward so there could be a vote on this.

Summit asked Brown where there isn't a personnel officer at the RMLP, does this fall under him. Brown said yes he would serve as the person someone would come to. It was Summit's suggestion under the Inspector General's guidelines to maybe adopt and fall under the town personnel department as we are a small town and already have

something in effect. The policies within the town is updated and we do have some undefined changes in the RMLP system. Brown said he was comfortable with what we had and he just getting into the job and thanked Summit for her suggestion. Robert Snow said it would be nice to be under the same umbrella as the town, but that would be something to think about. Kevin Snow stated right now he is doing a full policy review of his stuff to see what needs to be reviewed and rewritten. There was some discussion of how prior to 2012 the policies within the department were handled, and Eric Grover said as they came into effect, an employee would receive the policy, sign it if needed, and then from there it was in effect. It wasn't until 2012 that the policy book came into effect at the RMLP with something more concrete and permanent to follow.

More general discussion was done with the group and it was determined the motion is would be:

*Kevin Snow made a motion to define the sick time eligible to buy back to include: Eligible buyback hours as of 1/1/2018, plus, all sick time accrued as defined by RMLP Policies 512, (P67, revised 2/14/2018) and 513 (effective date 6/10/2008. All eligible sick time prior to this date (1/1/2018) was accrued under RMLP Policies 511 (P63, effective 6/10/2008), 512 (P67, effective date 6/10/2008), and 513 (effective date 6/10/2008). Bryan DiPersia seconded. All voted in favor at 9:05 PM.*

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### **Adjournment**

*Bryan DiPersia made the motion to adjourn. Kevin Snow seconded. All voted in favor in favor at 9:06 PM.*

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Minutes submitted by Eric R. Grover

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Robert Snow, Chair

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Bryan DiPersia, Member

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Kevin Snow, Clerk

**\*Minutes were voted in at 7:02 on April 10<sup>th</sup>. They were voted and signed at the meeting. In the process, the minutes disappeared in the process. As of 5-15-19 Robert Snow isn't presently on the board and can't resign them. Any questions please view the Rowley Cable Media DVD to clarify any questions.**