

MINUTES OF THE BOARD OF SELECTMEN

August 9, 2021

Town Hall, 139 Main Street, Rowley, MA

7:00 p.m.

MEMBERS PRESENT: Chairman Cliff Pierce; Vice Chairman Deana M. P. Ziev; Clerk Robert Snow; David Petersen (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon) Joe Perry - ABSENT

PUBLIC ATTENDEES: Larry White – Finance Committee; Tom Ewing; Laurence White – Rowley Fire Department; Fire Chief Broderick; Catie McClenaghan – Town Clerk; Robert Breaker – Rowley Veterans Committee; Police Chief Scott Dumas; Tom Summit; Bernard Cullen – 283 Wethersfield Street; James Valeriani – representative for Tom Summit of Farma Gardens

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 7:00 p.m. He said the meeting is being video recorded and will be televised by Rowley Community Media.

7:00 p.m. APPOINTMENT Fire Chief James Broderick to present the following individual for appointment as a Call Firefighter:

- Laurence White

Fire Chief Broderick introduced Laurence White, and said he started in Ipswich, is certified as a Firefighter I/II and has a lot of experience in Groveland, where he also wrote grants. White said he was born and raised in Ipswich and joined Groveland nine years ago after helping fight a fire near his home. He said he moved to Rowley about five years ago and misses the firefighting work.

Dave Petersen made a motion to appoint Laurence White as a Call Firefighter, Bob Snow seconded, all in favor – aye (4-0). Joe Perry – ABSENT

7:05 P.M. TO 7:10 P.M. PUBLIC COMMENT

There were no public comments.

GENERAL BUSINESS

1. Road Opening Permit Application from National Grid to open 22 Ice Pond Drive to repair a gas leak

The Board did not have any comments on this.

2. Authorize Fire Chief/Rowley Emergency Management Director James Broderick to sign the Massachusetts Emergency Management Agency State Contract packet for the Federal Emergency Management Agency COVID-19 federal funds

Chairman Pierce read the following:

Chief Broderick has received the paperwork from FEMA and MEMA for the Town's COVID-19 funds. The Town will be receiving a total of \$10,317.65 from FEMA. The Board needs to vote to make James Broderick the authorized signatory on the State contract paperwork and to authorize Chairman Pierce to sign the Contractor Authorized Signatory Form.

Bob Snow made a motion to make James Broderick the authorized signatory on the State contract paperwork and to authorize Chairman Pierce to sign the Contractor Authorized Signatory Form, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

3. Letter from Dorothy M. Tobin regarding intent to retire from the position of Police Chief's Executive Assistant and to approve Dorothy Tobin remaining in the position on a temporary part-time basis

Dave Petersen made a motion to accept Dorothy Tobin's retirement from the position and to approve her to remain in the position on a temporary part-time basis, Bob Snow seconded, all in favor – aye (3-0). Joe Perry – ABSENT Deana Ziev - ABSTAINED

4. Request from Police Chief Scott Dumas to lift the hiring freeze for the position of Executive Assistant

Bob Snow made a motion to lift the hiring freeze for the position of Executive Assistant, Dave Petersen seconded, all in favor – aye (3-0). Joe Perry – ABSENT Deana Ziev - ABSTAINED

5. Request from Police Chief Scott Dumas to appoint Dorothy Tobin to the position of Reserve Dispatcher/Per Diem Communications Specialist

Dave Petersen made a motion to appoint Dorothy Tobin to the position of Reserve Dispatcher/Per Diem Communications Specialist, Bob Snow seconded, all in favor – aye (3-0). Joe Perry – ABSENT Deana Ziev - ABSTAINED

6. Request from Highway Surveyor Patrick Snow to appoint Anton Keene to the position of Highway Truck Driver/Skilled Laborer

Bob Snow made a motion to appoint Anton Keene to the position of Highway Truck Driver/Skilled Laborer, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

7. Request from Water Superintendent Robert Gray to appoint Keith Monahan to the position of Distribution Utility Maintenance Laborer

Bob Snow made a motion to appoint Keith Monahan to the position of Distribution Utility Maintenance Laborer, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

7:10 p.m. APPOINTMENT Town Clerk Catie McClenaghan to discuss the establishment of two voting precincts

Town Clerk Catie McClenaghan said we have received notice from the State that Rowley has outgrown the ability to have one voting precinct after the Federal Census. She said we have no choice and we need to move to two voting precincts because our population exceeds 6200 people, not 6200 voters. She said both precincts could be run out of Saint Mary's Church, or we will need a second location, but in either case, more Constables and Election Workers will be needed. She said the State will lead us about how to do this, but has asked the Town to form a committee for this. She said she would like the group to include herself, Town Planner Kirk Baker, Warden Joan Petersen and a representative of the Board of Selectmen. She showed the Board a map of the proposed split of the Town and said it divides the Town between east and west pretty much along Route 1. She said when the census numbers are final, the map will be finalized and she will ask Kirk to review the map for street accuracy.

Eagan said the group should be referred to as a team, which can be established by Catie and operate through staff meetings, rather than the more formal process that would need to be followed by a Committee established by the Board of Selectmen. Ziev volunteered to serve on the team as the Selectmen's representative.

Petersen asked if this needs to be implemented for the Town election in May, if more money will be needed and if we will be replacing the old wooden voting booths. Catie said this does need to be implemented for the Town election, she is hoping that she can make it work at Saint Mary's even with the remaining COVID considerations. She said she would like to replace the voting booths, but she didn't prepare this year's budget and there is no funding for this.

Bernie Cullen asked what the governing legislation is that dictates this change. Catie said it is based on population, she doesn't know the legislation off the top of her head, but she will look it up and get back to him.

Dave Petersen made a motion to authorize Deana Ziev to serve as the Selectmen's representative for the establishment of two voting precincts, Bob Snow seconded, all in favor – aye (4-0). Joe Perry – ABSENT

GENERAL BUSINESS

8. Notification from Library Trustee Chair Janet Peabody of a vacant seat on the Board of Library Trustees

Chairman Pierce read the following:

Janet Peabody sent the attached notification to the Board of Selectmen that a vacancy exists on the Board of Library Trustees. The process to fill vacant elected seats is outlined under G.L. c.41 §11.

Section 11: Appointment to fill vacancy in town office

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

Debbie recommends that we post a notice of the vacancy at Town Hall, on the Town website, and at the Library requesting interested individuals to submit letters of interest to the Board of Selectmen by August 27, 2021. This date will give people enough time to see the notice because many people are away on vacation in August. Interested individuals will need to discuss the responsibilities of the Trustees and the time commitment that is required to be on this Board with Janet Peabody. Sometime in September the Board of Selectmen and Board of Library Trustees will meet jointly to appoint someone to the seat. The term will run until the next Annual Town Election, which is May 10, 2022.

Eagan said we just received the notice from the Board of Library Trustees, but the vacancy has been unfilled since the last election. She said the candidates should talk to the Chairperson so that when we have a joint meeting they are fully aware of the expectations.

NEW BUSINESS

1. Request from the Planning Department and the Historic District Commission to use Merrimack Valley Planning Commission Local Technical Assistance hours for GIS mapping layers of parcels in the Downtown and Glen Street Historic Districts

Chairman Pierce read the following:

Town Planner Kirk Baker has submitted the attached request to use five MVPC Local Technical Assistance hours for a project he is working on with Sara Bourque of the Historic District Commission. MVPC Representative Bob Snow has reviewed the request. Bob has confirmed that the Town has 35 LTA hours available this fiscal year. Bob can provide further details. The LTA form is attached.

Snow said each fiscal year we receive 35 hours of Local Technical Assistance from the Merrimack Valley Planning Commission, and the hours that they are requesting are available.

Deana Ziev made a motion to approve this request, Dave Petersen seconded, all in favor – aye (4-0). Joe Perry – ABSENT

2. Review Personnel Plan updates

Chairman Pierce read the following from Eagan's memo:

The Personnel Advisory Committee (PAC) has approved language changes to section B2-0 STIPENDS, LICENSES, UNIFORM REIMBURSEMENTS AND OVERTIME, and B4-0 VACATION LEAVE of the Town's Personnel Plan. The changes are as follows:

B2-0 STIPENDS, LICENSES, UNIFORM REIMBURSEMENTS AND OVERTIME

These changes are being made to the subsection on Non-union Dispatchers and Non-Union Sworn Ranking Officers.

The first set of changes are to subsections a, b, and c. Language has been added clarifying that the stipends are paid on a quarterly basis.

The second change to this section is the addition of a new subsection "f" which provides for the payment of overtime for non-union, sworn, ranking officers of the Police Department under certain circumstances as authorized by the Police Chief. This section was reviewed by the Labor Counsel.

B4-0 VACATION LEAVE

The third change is the addition of a new subsection B4-11. This language addresses vacation accrual situations in which current employees who are eligible for vacation have their weekly work hours increased through the budgetary process. This language reflects what has been done in practice by the Accounting Department.

The PAC seeks your approval of these changes to the Personnel Plan.

Bob Snow made a motion to approve these changes, Dave Petersen seconded, all in favor – aye (3-0). Joe Perry – ABSENT Deana Ziev - ABSTAINED

7:30 p.m. APPOINTMENT Veterans Committee Chairman Bob Breaker to discuss the following:

- establishing auxiliary members to the Veterans Committee;
- establishing a seventh permanent seat on the Veterans Committee; and
- Town Hall War Memorial project update

Bob Breaker said that the Committee is requesting the ability to add auxiliary members, who would be community members who may or may not be veterans who demonstrate a willingness to serve and have a commitment to veterans. He said they have two people in mind, Tammy Garron and her husband, who are working on the Wreaths Across America effort. He said this will give them ownership and representation on the Committee, and auxiliary members will not have a vote.

Breaker said they are also looking to add a seventh member, who would be a veteran, so they have a better chance of having a quorum for meetings and an odd number of members. He said a couple people have expressed interest in joining.

Dave Petersen made a motion to authorize auxiliary members for the Town of Rowley Veterans Committee, Bob Snow seconded, all in favor – aye (4-0). Joe Perry – ABSENT

Dave Petersen made a motion to authorize a seventh permanent seat on the Town of Rowley Veterans Committee, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

Breaker said there will be four phases for the Town Hall War Memorial project, and the first phase is to remove the 4 evergreen trees. He showed the Board the drawings and said that the grant requires that we report our progress at the end of the year. He said once the evergreens are removed, they will clean up the area and mulch it.

He said then they will put the stone work out to bid, which includes moving two stones, all names will be on the front of the new stones, and the existing Vietnam stone will be repurposed for a future memorial. He said then the walkways will be installed.

Breaker said he spoke with Patrick Snow and Mark Anderson and they are willing to take the evergreens down, so this work can be done in house. He said the Grover stone will be moved near the Star Garden for now. Ziev said she thinks this will look great and she loves the plan. Petersen said this project is overdue and everything is overgrown. Breaker said he will post about this project on social media so people know what is going on.

3. Discuss traffic situation at the intersection of Route 1 and Wethersfield Street

Chairman Pierce read the following:

We have received a letter from Rowley resident Sieglinde Aigner-Crooks, which was originally sent to Representative Brad Hill concerning a motor vehicle accident on July 31 at the intersection of Route 1 and Wethersfield Street. (Attached.)

This intersection has been a concern for the Board for many years due to the number of accidents, including fatal accidents in this area. Approximately 15 years ago, the Board requested the Massachusetts Department of Transportation to reduce the speed limit in

the area following a fatal accident, and the State conducted a traffic study and determined that it was not necessary. Selectman Bob Snow was on the Board at the time and would like to provide a brief history of the attempts by the Board to make the area around the intersection safer. Bob has also been in contact with various officials at the State level concerning this latest motor vehicle accident. Bob wants the Board to consider sending a request to the State requesting the speed limit be lowered at this stretch of Route 1.

Snow said on Thursday he received the email Debbie sent regarding the accident. He said he knows Sieglinde and he called her to ask about her daughter, and it was good to hear that she only had slight injuries. He said he then called Representative Brad Hill and then Paul Steadman, who leads District 4 of MassDOT. He said he reached Frank Sazinski of MassDOT and told him about the accident. He said he then drove both ways on Route 1 near this intersection about six times to get a feel for it, and people wanted to pass him when he was going either way. He said we need to talk about enforcement in this area. He said there is a traffic sign that estimates your speed in the area, but trees are overgrown around it and Sazinski said he would address this, and this has been done and the sign is now operating. He said when his father taught him how to drive, he taught him to drive like others don't know how to drive. He said he thinks the Board should send a letter to Paul Steadman requesting a reduction of the speed limit in that area. He said the letter will go to Brad Hill, and it is a difficult process that needs to be followed through the State. He said there was a deadly accident there 15 years ago before the flashing light was installed, and we need enforcement there to send the message to people to slow down.

Petersen said the last time the State went there they changed the lights to led and it made a difference. He said we should ask the State to install updated speed radar signs with led and flashing lights, which will record the speed of cars so that it can be periodically monitored. He said it is a horrible set-up there and we need turning lanes there. Pierce said the main problem is that cars stop in the middle of the road and cars go around them. Petersen said with the new homes going in, it will be worse. Pierce said his wife was at the stop sign at this intersection and a car was pushed into her by another car. Snow said since the pandemic, people are driving faster than they did before. He asked people at home to talk to the young people in their lives about speeding and how dangerous that intersection is. He said two people have been killed there. Petersen said there have been two fatalities there, a motorcycle accident recent where he believes the driver lost his leg. He said he had to cross the intersection when he was a bus driver, and it is horrible.

Bernie Cullen said he heard about the accident with Sieglinde's daughter, there is no left turn lane there, and it is mayhem. He said visible lines for the breakdown lane would be helpful. Snow said we can ask them to redesign the intersection with turnoffs. Petersen said the State will require a certain amount of space, and he doesn't think people will avoid the breakdown lanes if the lines are more visible.

Chief Dumas said these are all good suggestions, but it will be an uphill battle with the flashing light and signs already there. He said they will enforce the area more heavily. He said the turn lane idea will introduce another problem and there is plenty sight line there. He said the accidents are due to driver inattention, and maybe the State will drop the speed limit to 45 miles per hour, but enforcement is the strongest tool.

Snow said maybe signs saying “dangerous intersection” can be installed. Petersen said the flashing signs purchased by the Town are great. Eagan asked the Board to review what they would like in the letter. The Board agreed that the letter should request a reduction in the speed limit, new led signs with flashing lights, and discuss how the traffic count is higher than it was 15 years ago with the YMCA Camp and the Flacon Ridge development. Pierce said we would like a traffic light, but we should ask them to do whatever they can do to improve the intersection until we can get a light. He said a light costs a couple million dollars.

Dave Petersen made a motion to send a letter to the State, Bob Snow seconded, all in favor – aye (4-0). Joe Perry – ABSENT

7:45 p.m. APPOINTMENT Board of Health Chairman Charles Costello to provide an update on COVID-19

Board of Health Chairman Charles Costello updated the Board as follows:

- Rowley is 65% vaccinated and is increasing at a higher rate each month
- Over the whole period, Rowley has had 490 documented COVID cases
- In the last 6 months, Rowley’s cases went down, to zero for many weeks
- In July there was a quick bump up to 9 cases, contact tracing was done through the Health Department, several of these cases were the delta variant
- The delta variant is more transmissible, and is being seen around the country
- The Board of Health made a recommendation last week that all persons should wear a mask in public places indoors
- One delta case came from a person who was vaccinated which is troubling
- With school starting soon, the State will be forced to come up with stronger guidelines
- The CDC has yet to come up with requirements, guidelines or instructions to stock up on vaccines for booster shots, but he thinks this is coming for this fall or winter
- Connelly’s Drug Store has vaccines expiring on the shelf, which is sad when there are other areas that desperately need the vaccine
- It will be a huge effort to get other countries vaccinated, and there are no vaccines available in the nearby Caribbean
- He said variants are created when the virus gets into a person, replicates and then there is a genetic screw- up, and we will have constant variants
- The schools are reviewing and considering everything, including masks
- All military people will be required to get the vaccine, and this might flow into State and local governments

Petersen said this is a health issue and not a political issue and people used to have to get vaccines to go to school. He told Charlie that they are doing a great job, said congratulations on all the work that has been done, and said the remaining people need to get vaccinated. Costello said the delta variant hurts kids more than adults. He said he saw the manager of Market Basket today and they plan to enforce masks for workers. Eagan said the Board of Health has recommended that all people wear masks in indoor public spaces and asked if the Board of Selectmen is contemplating masks being worn by everyone in public meetings, in the Library or in public buildings, or just to keep it for unvaccinated people. Costello said the Selectmen should consider and vote on this and put it into effect within two weeks in agreement with the Health Department.

Ziev asked how many cases there are in Rowley, and said she knows it was nine at some point. Costello said there are four current cases and the test for the variant is different. Petersen said he is hesitant to jump into this too quickly, and he would like to see the schools do this or the State to mandate it. He said with minimal cases we could get blow back about this, and we could always have an emergency meeting if needed. Eagan said she can get the updated poster from the Board of Health and send it to the department heads and ask them to post it in the buildings. The consensus of the Board was to agree with this plan.

Petersen said the young kids are totally vulnerable. Ziev said the kids are the most cooperative with the masks, and it is the adults who are outraged.

Bernie Cullen said if there are vaccines expiring, there should be messaging done to remind or alert people about this. Ziev said it isn't common knowledge that you can go into CVS and get the vaccine, and people need to go to the website to find this out. Costello said the word is out but we need to eliminate the obstacles such as getting vaccines approved by the FDA and CDC and misinformation in the different types of news outlets. He said when kids start getting hospitalized with the delta variant, maybe it will shame the 35% of people not already vaccinated to get the vaccine. He said everyone will need a booster in the fall or winter.

8:00 p.m. APPOINTMENT Tom Summit to discuss proposed marijuana cultivation microbusiness at 118 Central Street

Chairman Pierce read the following:

Tom Summit has asked to meet with the Board of Selectmen to discuss his proposed marijuana cultivation microbusiness at 118 Central Street.

The May 3, 2021 Special Town Meeting voted to approve a zoning bylaw amendment to section 4.4.3 of the Town's Zoning Bylaws which provides for outdoor cultivation of marijuana on parcels four acres or larger with approval of a special permit from the Planning Board. (Copy of zoning amendment is attached.) The Attorney General has not yet approved of the zoning change.

Mr. Summit has provided the Board with copies of his business plan, security plan, and draft Host Community Agreement.

Mr. Summit provided Chief Dumas with a copy of the security plan to review. Chief Dumas sent Debbie the following email message:

Good morning Debbie,

I understand the BoS will be discussing Farma Gardens at their next meeting. Tom Summit has sent me a copy of the plan and asked that I relay to the BoS that I have received it. As you know, the mandates of the security requirements are laid out by the State through the CCC. It appears he has addressed those requirements in his plan. Nothing outlined in the plan, to my knowledge, has been put in place other than perimeter fencing of the grow area. As stated the State is the signatory on the requirements listed.

Scott A. Dumas

*Scott A. Dumas /Chief of Police
Rowley, Massachusetts*

Police Chief Scott Dumas said he has no objections to the plan, there were a lot of requirements that he didn't see implemented, but the State will make sure they are done. He said he just saw the perimeter.

Tom Summit said he has resided in Rowley for 20 years and has raised kids who graduated from Triton. He said this business will be a transition for him from his role as an executive recruiter for software companies. He said he is from Indiana, and he has always planned to do something with gardening when he stops his nine to five job. He said this is a great business opportunity and the microbusiness license allows smaller individuals and companies to participate. He said he will be the first cannabis business person from Town and he would like to get the local community involved in the business and help out people who use cannabis. He said he will have a 50 foot by 100 foot garden, which isn't huge, and is equivalent to 1/10th of an acre. He said everything will be located on the same property for cultivation, storage, processing and manufacturing. Pierce said the by-law is for cultivation not manufacturing. Summit said the State regulation includes manufacturing, such as making gummies. He said they would be using alcohol and ice water to extract from cannabis, and not using any dangerous processing methods. He said this won't happen for the first few years and this is a highly regulated business. Pierce asked if they will be making deliveries. Summit said there wasn't a request to not make deliveries in the zoning amendment, but this will be a wholesale business and the public will not be involved. He said they will use a third party for transport.

Petersen asked what the timetable is for the first plants to be in the ground. Summit said they would love to start next May. He said it takes a lot of time to go through the process, so it could be more than a year. Snow asked how many crops there will be. Summit said the plan said two, but the growing season is between May and October, so

there could be more than one. He said they won't be using pesticides, chemical fertilizers or lighting. He said this is his residence and his community. He said his driveway is ¼ mile long. Ziev said he will be growing at home and selling to dispensaries, with no customers coming to his home. Summit said yes. Summit said a 1% impact fee has been agreed to with other wholesale businesses. He said he doesn't see a huge community impact, he will hire within the community and make presentations to seniors and youth.

Eagan asked if the Board would like to send this to Town Counsel or wait for the bylaw to be approved and Summit starts the process with the Planning Board. She said if it is sent to Town Counsel there would be a draft for the Board to review at a future meeting. Jim Valeriani said he represents Tom Summit and it would be quicker if this could be sent to Town Counsel, and they could do their community outreach sooner.

OLD BUSINESS

2. Discuss State requirements for a Heavy Commercial Vehicle Exclusion

Chairman Pierce read the following:

Several months ago, the Board discussed the process for restricting large commercial vehicles on the westerly side of Wethersfield Street. The process is outlined in G.L. c.90 §18. Town Counsel Tom Mullen outlined the process in the statute as follows:

The Selectmen may vote to forbid trucks over 5,000 pounds, but before the signs can be erected, the Town would need to get written certification of the Massachusetts Department of Transportation that the prohibition is consistent with the public interests and notice of the prohibition would have to be published in a newspaper of general circulation in the Town. This would not be a public hearing, it would be a notice of the regulation after it is adopted by the Board. The signs would be placed at locations jointly determined by MDOT and the 5

At the time, the Board requested Rep. Brad Hill to confirm the process. He recommended that we reach out to MDOT District 4. Highway Surveyor Patrick Snow did contact MDOT and we received the following communication regarding additional things that need to be done in order to have MDOT agreed to certify this action. Please see message below from MDOT Traffic Operations Engineer and attachment.

From: Gregg, John E. (DOT) <john.gregg@state.ma.us>

Sent: Monday, July 26, 2021 3:07 PM

To: Rowley Highway Department <highway@townofrowley.org>

Cc: Debbie Eagan <debbie@townofrowley.org>; Amy Lydon <amy.lydon@townofrowley.org>; Stedman, Paul D. (DOT) <paul.stedman@state.ma.us>

Subject: Re: Truck Restriction

Hello Patrick,

Please see the attached pdf that explains the requirements for Heavy Commercial Vehicle Exclusions (HCVE).

If you have any questions, please let me know.

Regards,

John Gregg, P.E./Traffic Operations Engineer/MassDOT/Highway Division/District 4

519 Appleton Street/Arlington, MA 02476/p.(857)368-

4060/John.Gregg@dot.state.ma.us/www.mass.gov/massdot

We have received a complaint from a resident on this section of Wethersfield Street. When we looked into it last year we found that trucks cannot be excluded if they are making deliveries, going to construction sites or are making street repairs. After the Board reviews the requirements under the MDOT regulations Section 10A-9, how does the Board wish to proceed? Should we reach out to Merrimack Valley Planning Commission for assistance?

Pierce said it is a complicated issue to exclude trucks and you can't exclude trucks in the neighborhood for business. He said a resident made a complaint about a truck using the road as a cut-through, but he doesn't know how the person knows that. Police Chief Scott Dumas said it is hard to determine, with the development going in and the log trucks for Herrick's Farm. He said this will be a problem for a while to come. He said the State Police Truck Team is willing to monitor this, and they can pull a truck over just for being a truck and do an inspection. He said with their presence, it will be a deterrent to trucks using this as a cut through. Pierce said we would have to establish that 5% of the traffic is trucks using this road as a cut through. Dumas said this would require a survey to count the number of vehicles, which has a cost associated with it, and then we would have to determine what trucks are traveling the road for an allowed purpose. Petersen said the trucks he sees when he travels that route daily are for the housing development, and he doesn't see large 18 wheelers. He said we should monitor this and see what happens. Ziev agreed. Bernie Cullen said with the 30 mile per hour limit, there is no incentive for trucks to use this road as a cut through. Dumas said he will continue to monitor this. The Board agreed to table this.

1. Review updated plans submitted by Jim Decoulas on the Danielsville Road Open Space Residential Development to the Planning Board

Chairman Pierce read the following:

Town Planner Kirk Baker has distributed copies of a revised plan for the Danielsville Road development. Kirk describes the changes in the attached email. It appears that these revisions were made in response to concerns from various Town departments with the original plan.

Does the Board have any comments that they would like to send to the Planning Board concerning the revised plan? The Planning Board will discuss this during their August 11 meeting.

Pierce said he doesn't see that their previous concern has been addressed, which was that we can't accept a road if the residents have an easement for the road and can dig it

up for a septic system. Pierce read this from Kirk Baker's email, "They are proposing that the HOA will seek to have some easements rights under the roadway so that is a new feature of this revised plan." The Board agreed to send a comment back that if in fact there will be easement rights in the portion given to the Town, the Town might be unable to accept the road because we won't want to see it being dug up to put a septic system in.

MINUTES: July 12, 2021 and July 26, 2021

Bob Snow made a motion to approve the minutes of July 12, 2021, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

Bob Snow made a motion to approve the minutes of July 26, 2021, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

ADJOURN

Bob Snow made a motion to adjourn, Deana Ziev seconded, all in favor – aye (4-0). Joe Perry – ABSENT

Meeting adjourned at 8:49 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Request from Fire Chief James Broderick to appoint Laurence White as a Call Firefighter
2. Meeting memo regarding General Business #1: Road Opening Permit Application from National Grid to open 22 Ice Pond Drive to repair a gas leak
3. Road Opening Permit Application from National Grid to open 22 Ice Pond Drive to repair a gas leak
4. Meeting memo regarding General Business #2: Authorize Fire Chief/Rowley Emergency Management Director James Broderick to sign the Massachusetts Emergency Management Agency State Contract packet for the Federal Emergency Management Agency COVID-19 federal funds
5. Letter from Chief Broderick regarding FEMA DR-4496 Covid-19 documents, including attached FEMA/MEMA paperwork for the Town's COVID-19 funds
6. Letter from Dorothy M. Tobin regarding intent to retire from the position of Police Chief's Executive Assistant
7. Request from Police Chief Scott Dumas to allow Dorothy Tobin to remain in the position of Police Chief's Executive Assistant on a temporary part-time basis
8. Meeting memo regarding General Business #4: Request from Police Chief Scott Dumas to lift the hiring freeze for the position of Executive Assistant

9. Request from Police Chief Scott Dumas to appoint Dorothy Tobin to the position of Reserve Dispatcher/Per Diem Communications Specialist
10. Request from Highway Surveyor Patrick Snow to appoint Anton Keene to the position of Highway Truck Driver/Skilled Laborer
11. Meeting memo regarding General Business #7: Request from Water Superintendent Robert Gray to appoint Keith Monahan to the position of Distribution Utility Maintenance Laborer
12. Request from Water Superintendent Robert Gray to appoint Keith Monahan to the position of Distribution Utility Maintenance Laborer
13. Letter from Town Clerk Catie McClenaghan regarding Town of Rowley Reprecincting
14. Email from Census Division of Secretary of State's Office regarding Next Steps for Reprecincting Process
15. Meeting memo regarding General Business #8: Notification from Library Trustee Chair Janet Peabody of a vacant seat on the Board of Library Trustees
16. Email notification from Library Trustee Chair Janet Peabody of a vacant seat on the Board of Library Trustees
17. Meeting memo regarding New Business #1: Request from the Planning Department and the Historic District Commission to use Merrimack Valley Planning Commission Local Technical Assistance hours for GIS mapping layers of parcels in the Downtown and Glen Street Historic Districts
18. Completed Merrimack Valley Planning Commission Local Technical Assistance hours request form
19. Memo from Deb Eagan regarding Personnel Plan Revisions
20. Letter from Veterans Committee Chairman Bob Breaker requesting establishing auxiliary members to the Veterans Committee and establishing a seventh permanent seat on the Veterans Committee
21. Meeting memo regarding New Business #3: Discuss traffic situation at the intersection of Route 1 and Wethersfield Street
22. Letter from Sieglinde Aigner-Crooks dated August 5, 2021 concerning a motor vehicle accident on July 31 at the intersection of Route 1 and Wethersfield Street
23. Photo of radar speed sign on Route 1 near Wethersfield Street intersection
24. Meeting memo regarding 7:45 p.m. Appointment: Board of Health Chairman Charles Costello to provide an update on COVID-19
25. Meeting memo regarding 8:00 p.m. Appointment: Tom Summit to discuss proposed marijuana cultivation microbusiness at 118 Central Street
26. Pending amendment to section 4.4.3 of the Town's Zoning Bylaws which provides for outdoor cultivation of marijuana on parcels four acres or larger with approval of a special permit from the Planning Board
27. Email from Tom Summit regarding Farma Gardens documents for Aug 9th HCA meeting Board of Selectmen, including attached Security Plan, Narrative and draft Host Community Agreement
28. Meeting memo regarding Old Business #2: Discuss State requirements for a Heavy Commercial Vehicle Exclusion
29. Document from the State regarding requirements for Heavy Commercial Vehicle Exclusions

30. Massachusetts General Law Chapter 90 Section 18
31. Meeting memo regarding Old Business #1: Review updated plans submitted by Jim Decoulas on the Danielsville Road Open Space Residential Development to the Planning Board
32. Email from Kirk Baker regarding Danielsville Road OSRD Plan Revisions
33. Updated plans submitted by Jim Decoulas on the Danielsville Road Open Space Residential Development to the Planning Board
34. Draft minutes of July 12, 2021
35. Draft minutes of July 26, 2021