

MINUTES OF THE BOARD OF SELECTMEN

January 24, 2022

Recorded from 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; Joseph Perry; David Petersen (Town Administrator Deborah Eagan, Assistant Town Administrator Amy Lydon)

CALL MEETING TO ORDER

Chairman Pierce called the meeting to order at 7:00 p.m. He read the following:

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law this meeting will be conducted by remote participation to the greatest extent possible. The remote meeting will be held pursuant to Governor Baker's March 12, 2020 Order, as extended on June 15, 2021, with the Governor's signing of Senate Bill #2475, suspending certain provisions of the Open Meeting Law. The public may not physically attend this meeting, but every effort will be made to allow the public to view and listen to the open session portion of the meeting in real time. Persons who wish to do so are invited to watch the open session portion of the meeting on Rowley Community Media TV / listen live on the RCM page on the Town's website at www.townofrowley.net or join the meeting from your computer, tablet or smartphone by using the link: <https://global.gotomeeting.com/join/317801589> and also dial in using your phone by calling [+1 \(646\) 749-3122](tel:+16467493122) and using access code 317-801-589. In the event that live transmission proves infeasible, an audio or video recording, transcript or other comprehensive record of the open session portion of the meeting will be made available on the Town's website as soon as possible.

Pierce said the reason we are meeting remotely is due to the recent surge in COVID cases, and he thinks this will only last for one or two more meetings. He said the COVID surge in this area has peaked and is expected to fall rapidly. Petersen said he would rather meet in person, the Town Hall and the Annex are open to the public, and there is room in the upstairs auditorium to spread out. He said he would like to return to in person meetings as soon as possible. Snow said one to two weeks ago we were all on edge about COVID increases which are now peaking, and he thinks we can meet in person next week. Perry said he agrees. Ziev said she is okay with tonight's meeting being online and many Town Hall employees were affected. She said returning to in person meetings next week works for her.

GENERAL BUSINESS

1. Request from Water Superintendent Robert Gray to appoint Ashley Brown to the position of Water Department Accountant

Bob Snow made a motion to appoint Ashley Brown to the position of Water Department Accountant, Deana Ziev second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

2. Letters of commendation issued by Police Chief Scott Dumas to: Communications Specialist Sheri David and Police Sergeant Matthew Ziev

Chairman Pierce read the following:

Chief Dumas has submitted letters of commendation that he would like the Board to read into the record. Letters are attached.

Pierce read the two commendation letters from Chief Dumas. He offered his congratulations to Communications Specialist Sheri David and Police Sergeant Matthew Ziev. Perry said this is outstanding. Snow said this is a great story. Petersen said he commends them both, dispatchers often get overlooked, and we should send them each a letter signed by each Board member.

Dave Petersen made a motion to send a letter to both employees, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Cliff Pierce – aye. Deana Ziev – ABSTAINED

3. Department of Agricultural Resources Annual Animal Control Officer designation
Chairman Pierce read the following:

Chairman Pierce read the following:

The State Department of Agricultural Resources has submitted the annual Animal Control Office Designation Form for the Board to review and approve.

The Board needs to vote to designate Reed Wilson as the Town's Animal Control Officer and to authorize Chairman Pierce to sign the 2022 ACO Designation Form.

Bob Snow made a motion to designate Reed Wilson as the Town's Animal Control Officer and to authorize Chairman Pierce to sign the 2022 ACO Designation Form, Joe Perry second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Authorize Fire Chief James Broderick to sign State Contract grants forms for FY 22 Firefighter Safety Equipment Grant Program

Chairman Pierce read the following:

Fire Chief James Broderick has applied and received a \$13,568.87 Firefighting Safety Equipment Grant from the Executive Office of Public Safety and Security and the Department of Fire Services.

The Board needs to vote to designate him as a Contractor Authorized Signatory for the grant paperwork and to authorize Chairman Pierce to sign the Authorized Signatory Form, on behalf of the Board.

Bob Snow made a motion to designate Chief Broderick as a Contractor Authorized Signatory for the grant paperwork and to authorize Chairman Pierce to sign the Authorized Signatory Form, on behalf of the Board, Deana Ziev second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

NEW BUSINESS

1. Review Earth Removal Application submitted by Concord Pastures LLC to remove 1,500 cubic yards of earth from 441 Main Street and set hearing date

Chairman Pierce said the hearing can be held on February 14th. Eagan said the applicant prefers the date of February 14th. Petersen said the meeting should be in person.

2. Request from Crown Castle to authorize DISH Network to install equipment at the wireless communications facility on Prospect Hill

Chairman Pierce read the following:

Crown Castle is requesting approval from the Board to issue a sublicense to DISH Network at the cell tower site on Prospect Hill. The Planning Board reviewed the request at their January 12, 2022 meeting and Town Planner Kirk Baker has referred Crown Castle to the Board of Selectmen. If the Board wishes to approve this request, the Board will need to vote to approve the request, and, to authorize Chairman Pierce to sign the consent authorization.

Petersen asked if we will get additional funds from DISH. Eagan said yes, they will be considered a new carrier.

Dave Petersen made a motion to approve the request, and, to authorize Chairman Pierce to sign the consent authorization, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

3. Request from Jeff Winn to have Rowley Municipal Lighting Plant install a street light on the pole at the corner of Rogers Way and 465 Main Street

Chairman Pierce read the following:

Mr. Winn is requesting a street light be placed on the light pole at the corner of Rogers Way and 465 Main Street.

Hello Selectmen

I would like approval, for RMPL to install a streetlight, on the pole at the corner of Rogers Way and 465 Main St.

It is very dark in this area, and a light would make it safer for us when entering or exiting Rogers way

This would make it safer for Guests, family members, delivery persons, and emergency,s

Thanks for your consideration

jeff winn

Town Planner/Limited Lighting Bylaw Enforcement Agent Kirk Baker has sent the following information:

Debbie

In regards that note #8 on that subdivision plan I forwarded, Roger's Way set up as a private way where the maintenance obligations are held in common. This is as opposed to a common driveway approved under ZBL Section 8.7 where there certainly are maintenance obligations held in common, but the status is that of a an access driveway rather than having to meet any roadway standards necessary for approval under the Subdivision Control Law.

So the big difference here is that a private way like Roger Way is created by the Planning Board under the Subdivision Control Law (Definitive Subdivision approval) rather than with Special Permit approval (via ZBL 8.7) so that two or more lots can share a common driveway.

On the Roger's Way subdivision plan, there is a utility easement at the corner of Roger's Way and Main Street. That would correspond well their request for a street light which I'm sure that Municipal Light would work with them on whatever agreements are needed to make that happen.

Probably would work in kind of the same way the Chickdee Farm light which is on a pole just beside their building. The town owns the pole and rents the light out to Chickadee Farm. In this case, it would be in the right of way and perhaps the municipal light would weigh in as to whether a light there is warranted.

Just FYI – The limited lighting enforcement doesn't apply to municipal lighting fixtures as they typically address public safety issues so I doubt Planning Board would need to be involved in whether a street light is installed.

Thanks

Kirk

Attached is a Google Maps print out of the location of Rogers Way. Also attached are the Planning Board's subdivision plans.

Does the Board wish to get feedback from any other Town Departments, such as the Light Department, Police Department, Highway Department prior to making a decision?

Petersen said we don't need to get other departments to get involved. He said he has been to the location at night and during the day and it is a dark area, but there is good visibility onto Route 1A. He said the Town has been installing new lights on corners and intersections of roads, and this request will open the door for further requests for lights in dark areas.

Jeff Winn said when he is driving north on 1A, it is hard to find his driveway at night, and he obstructs traffic when he slows down to look for it. He said he doesn't believe this is safe.

Snow said he served six years on the Rowley Municipal Light Board, and old lights are being replaced with led lights. He said we may be able to get a led light for this location and we should get background information from Matt Brown.

Winn said he spoke with Mark Anderson from the Light Department and he agreed that it is very dark, but if the Board of Selectmen doesn't grant this it is fine. Snow said we should get feedback from Matt Brown, but he understands what Dave Petersen is saying. Ziev said she agrees and we should get feedback.

Bob Snow made a motion to get feedback from the Light Department, Police Department and Highway Department on this request, Joe Perry second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Discuss request from the Ipswich-Rotary Club to hold a Flags for Heroes Program

Chairman Pierce read the following:

The Board has received a request from the Ipswich-Rowley Rotary Club to hold a "Flags for Heroes" program from June 18-July 9 on the Town Common.

The request from Julie Nelson and Dorothy Levesque is attached.

Pierce read the request.

Pierce continued:

Does the Board have any questions or concerns? Does the Board wish to invite Julie Nelson and Dorothy Levesque to an upcoming meeting to discuss this? If not, does the Board wish to grant the request?

Petersen said he is in favor of this and it should be coordinated through the Veterans Committee and Bob Breaker should oversee this. He said the flags should be placed near the Civil War Monument and the signs should be placed on the backstop. He said this sounds like a great idea.

Snow said he is a Rotarian and he is part of this project. He said he volunteered to install the flags and this has been very successful on the Ipswich Common. He said Ipswich had 100 flags last year and is increasing to 200 flags this year. He said he has spoken to Bob Breaker about this and about placing the flags near the Civil War Monument. He said we may need to do a dig safe because of the power used to light the monument. He said the flags will be in Ipswich from Memorial Day to June 18th and then will move to Rowley from June 18th until the weekend after the Fourth of July. He said this is a great way for the two communities to say thank-you to the Veterans.

Ziev said this is a great idea and asked if the flags are for specific Veterans. Snow said yes, people can donate and have a flag placed in the name of a Veteran. Pierce and Perry said this is a great idea.

Dave Petersen made a motion to approve the request, Deana Ziev second, all in favor, roll call vote—Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye. Bob Snow – ABSTAIN.

OLD BUSINESS

1. Update on Kid's Kingdom Playground Project

Chairman Pierce read the following:

The Kid's Kingdom Playground Project Team wants to upgrade some of the existing playground equipment, to expand the playground perimeter to accommodate spacing/setback requirements between equipment, and to implement measures to ensure the playground conforms with the American With Disabilities Act and the Massachusetts Architectural Access Board requirements.

The Team has identified the following items that need to be done:

- *removing the current swing set and replacing it with two separate swing sets – one for younger children and babies, and one for older children that includes a handicap swing;*
- *installing existing unused equipment;*
- *re-position existing equipment to provide adequate setbacks between equipment pieces, per ADA/MAAB requirements;*
- *creating handicap accessible routes to all of the pieces of equipment;*

- *replacing the existing wood chip surface with an ADA/MAAB compliant surface; and*
- *developing a surface storm drainage system, if necessary.*

We have obtained a proposal from Places Associates that provides for:

- *Project Set-up*
- *Base Plan: field survey and Office Survey and CADD Plan development*
- *Concept Plan Development*
- *Design Plan Development that include cost estimates*

The fee is \$9,300, excluding costs for reimbursable expenses, such prints, mileages, copies, etc. This will cover the first phase of the project. The second phase of the project will cover permitting, bidding, construction administration and close out. This phase is not covered under this proposal.

Places Associates was the site designer for the Police Station and Fire Station Project and has signification institutional knowledge of the site.

The Team is asking for the Board to approve the proposal and to authorize Debbie to sign the proposal on behalf of the Board.

Petersen said he is strongly in favor of this. He said Places Associates did the outside work at the Police and Fire Stations and they also did the recent asphalt paving behind the stations. He said there will be two handicap parking spaces next to the playground. He said the playground gets a lot of use, the ADA upgrades will be great for the Town and we need to do this right.

Dave Petersen made a motion to approve the proposal and to authorize Debbie to sign the proposal on behalf of the Board, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

5. Discuss Pine Grove School landlord-tenant agreement

Chairman Pierce read the following:

Joe Perry requested this agenda item. He will lead the discussion this topic.

Perry said he attended a remote meeting with Tracy Blais and Neil Harrington and the Superintendent and they are in agreement to increase the threshold. He said if the group decides to increase it from \$10,000 to \$20,000, it will come for a vote before the Board of Selectmen in February.

Pierce asked Perry if he can share a draft of the agreement. Perry said he will have it later on and will share it with Eagan.

Petersen said the alternative assessment group will meet on Wednesday afternoon and he hopes to provide an update at the next meeting. Perry said the District Communications Meeting will be held in Rowley on Thursday at 6:30 p.m. and will be an in person meeting.

ANNOUNCEMENT: There is a vacancy on the Council on Aging Board. Interested residents should send a letter of interest to the Board of Selectmen by February 4, 2022. For more information, please contact the Selectmen's Office.

MINUTES: January 10, 2022

Bob Snow made a motion to approve the minutes of January 10, 2022, Deana Ziev second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

ADJOURN

Bob Snow made a motion to adjourn, Deana Ziev second, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Meeting adjourned at 7:35 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Request from Water Superintendent Robert Gray to appoint Ashley Brown to the position of Water Department Accountant
2. Meeting memo regarding General Business #2: Letters of commendation issued by Police Chief Scott Dumas to: Communications Specialist Sheri David and Police Sergeant Matthew Ziev
3. Letter of commendation issued by Police Chief Scott Dumas to Communications Specialist Sheri David
4. Letter of commendation issued by Police Chief Scott Dumas to Police Sergeant Matthew Ziev
5. Meeting memo regarding General Business #3: Department of Agricultural Resources Annual Animal Control Officer designation
6. Letter from Massachusetts Department of Agricultural Resources Annual Animal Control Officer designation
7. Animal Control Officer Designation 2022 Form
8. Meeting memo regarding General Business #4: Authorize Fire Chief James Broderick to sign State Contract grants forms for FY 22 Firefighter Safety Equipment Grant Program

9. Letter from Fire Chief James Broderick regarding FY 22 Firefighter Safety Equipment Grant Program, including attached grant letter and paperwork
10. Meeting memo regarding New Business #1: Review Earth Removal Application submitted by Concord Pastures LLC to remove 1,500 cubic yards of earth from 441 Main Street and set hearing date
11. Earth Removal Application package submitted by Concord Pastures LLC to remove 1,500 cubic yards of earth from 441 Main Street
12. Meeting memo regarding New Business #2: Request from Crown Castle to authorize DISH Network to install equipment at the wireless communications facility on Prospect Hill
13. Request from Crown Castle to authorize DISH Network to install equipment at the wireless communications facility on Prospect Hill
14. Meeting memo regarding New Business #3: Request from Jeff Winn to have Rowley Municipal Lighting Plant install a street light on the pole at the corner of Rogers Way and 465 Main Street, including attachments
15. Request from Jeff Winn to have Rowley Municipal Lighting Plant install a street light on the pole at the corner of Rogers Way and 465 Main Street
16. Meeting memo regarding New Business #4: Discuss request from the Ipswich-Rotary Club to hold a Flags for Heroes Program
17. Request from the Ipswich-Rotary Club to hold a Flags for Heroes Program
18. Meeting memo regarding New Business #5: Discuss Pine Grove School landlord-tenant agreement
19. Meeting memo regarding Old Business #1: Update on Kid's Kingdom Playground Project
20. Proposal from Places Associates, Inc. for Eiras Park
21. Draft minutes of January 10, 2022