

## **MINUTES OF THE BOARD OF SELECTMEN**

April 26, 2021

Recorded from Town Hall, 139 Main Street, Rowley, MA

1:00 p.m.

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

### **CALL MEETING TO ORDER**

Chairman Pierce 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 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](http://www.townofrowley.net) or join the meeting from your computer, tablet or smartphone by using the link: <https://global.gotomeeting.com/join/484006605> or also dial in using your phone by calling +1 (786) 535-3211 and using access code 484-006-605. 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.

Chairman Pierce called the meeting to order at 1:03 p.m.

### **MOMENT OF SILENCE** – Susan Leach

Chairman Pierce said we learned this morning that Susan Leach passed away suddenly of a heart attack. He said Susan was a long term resident and worked for many years in the Town Clerk's office. A Moment of Silence was observed.

**1:00 p.m. APPOINTMENT** Treasurer/Collector Karen Summit to discuss final permanent borrowing for the Pine Grove School project

Chairman Pierce read the following:

*On April 22, 2021, the Town of Rowley sold \$3,020,000 of bonds. \$269,000 was to permanently borrow the balance of the fire rescue pumper truck and \$2,751,000 to permanently borrow for the Pine Grove School renovation.*

*In addition, \$1,669,363 in BANs due October 14, 2021, were rolled for the balance of the Pine Grove School renovation. This amount will be permanently borrowed once the MSBA audit is complete and the Town receives its final reimbursement.*

*The Board needs to vote to authorize the sale of the bonds after the Clerk reads the Vote. The members of the Board will need to come to Town Hall to sign the necessary documents at their earliest convenience.*

Treasurer/Collector Karen Summit said we did very well with an interest rate of 1.766%. She said we borrowed money for 20 years for under 2%. Pierce asked when the school project will be closed. Summit said it is on the June calendar for the MSBA.

Joe Perry made a motion to authorize Deana Ziev to sign the paperwork, the vote wasn't completed.

Deana Ziev made a motion per the written Vote of the Board of Selectmen, Joe Perry seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

**1:15 p.m. APPOINTMENT** Council on Aging Board Chairwoman Joan Lyons and Council on Aging Director Eleanor Davis to discuss request to place tent on the Annex grounds for Council on Aging programs

Chairman Pierce read the following:

*The COA Board is requesting to set up a 40-foot by 20-foot tent on the grounds of the Town Hall Annex. The tent will provide the COA with a location to hold programs outdoors between the months of May through October. The COA is purchasing the tent with grant funds and the cost is \$32,000. Many area COAs are using tents now to provide seniors with in-person programming. The COA is also asking the Board to allow the COA program attendees access to the Annex first floor restroom during events. See attached letter for specific information concerning the tent.*

*The request has been reviewed by the Health Department, Building Inspector, Fire Chief, and Police Chief. The comments are below:*

#### **INSPECTION**

*The Building Inspector has provided the COA with a list of inspection requirements. Ken Ward and COA staff will be conducting regular inspections of the tent.*

#### **HEALTH**

*The Health Department will be providing COVID parameters to the COA on a regular basis.*

#### **FIRE**

*Ellie:*

*With the sides open there should be no issues from the FD. I would suggest though the when you use the tent that the ground is firm, and that if there are any rope and pins securing the tent in place that they are marked so that they can easily be seen. We do not want anyone tripping over them.*

Jim Broderick

**POLICE**

*Good morning Ellie,*

*The police department has no concerns.*

*Scott A. Dumas*

*Debbie is recommending that the tent be placed on the Town's property insurance schedule because of the cost (\$32,000) as well as under the Town's liability policy.*

*Does the Board wish to grant the request to authorize the COA to place the tent on the Annex lawn, and if so, what conditions would the Board like to add? If the Board wishes to grant the request, the Board will also need to vote to authorize the COA to provide access to the Annex first floor restroom to COA program attendees? All votes need to be by roll call.*

Petersen said he has concerns about purchasing a \$32,000 tent. COA Director Ellie Davis said the cost is \$3,200, and it is cheaper to buy the tent than to rent it. Petersen said the tent size is large at 20' by 40' and it should be erected by a company that specializes in this, rather than by the Highway Department. He said the tent is too big for the Highway Department to be responsible for putting it up, taking down, and putting it in the cellar at the Annex. Pierce said these are legitimate concerns. Snow asked where it will be stored. Davis said in the Annex basement. She said the company that they are purchasing the tent from doesn't set them up, but there are other companies that do set them up. Petersen said he would feel more comfortable, especially during windy days given the tent size if a professional company sets the tent up. Perry agreed and said it needs to be installed properly given its size.

Dave Petersen made a motion to authorize the COA to place the tent on the Annex lawn, with the conditions that it be professionally installed and they comply with the conditions from the Department Heads, Joe Perry seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Deana Ziev made a motion to authorize the COA to provide access to the Annex first floor restroom to COA program attendees, Dave Petersen seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Davis thanked the Board and said this will make it much easier for people to access COA programming in real time, in addition to the programming via Zoom.

**GENERAL BUSINESS**

1. Approve donations to the Council on Aging

Chairman Pierce read the following:

*COA Director Ellie Davis has provided the Board with the attached list of donations, which consists of monetary donations to support the COA programs. In accordance with State Law, State law, G.L. c.44 §53A, the Board needs to vote by roll call to approve these donations.*

Pierce read the list of donations.

Dave Petersen made a motion to accept the donations, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

2. Request from Library Director Pamela Jacobson to lift the hiring freeze for the position of Library Technician

Chairman Pierce read the following:

*Library Technician Heather Karp has resigned and Library Director Pamela Jacobson is requesting the Board of Selectmen to lift the hiring freeze.*

*On April 14, Debbie informed Personnel Advisory Committee Chairman Dave Petersen that she needs to post the position due to the urgency of getting the position filled. Debbie is requesting the Board of Selectmen vote by roll call to lift the freeze effective April 14, 2021.*

Joe Perry made a motion to lift the hiring freeze effective April 14, 2021 for this position, Dave Petersen seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

3. Ratify State Council on Aging Formula Grant authorized signatory COA Director Eleanor Davis

Chairman Pierce read the following:

*The COA State Formula grant needed to be signed by the COA Director on April 14. Chairman Pierce completed the State Contractor Authorized Signatory Form and listed Council on Aging Director Eleanor Davis as an Authorized Signatory for the State Formula Grant.*

*The Board of Selectmen needs to ratify Chairman Pierce's authorization on April 14 by voting by roll call to authorize Council on Aging Director Eleanor Davis as an authorized signatory for the State Formula Grant and to authorize Chairman Pierce to sign the State Contractor Authorized Signatory Listing on behalf of the Town.*

Dave Petersen made a motion to ratify Chairman Pierce's authorization on April 14 to authorize Council on Aging Director Eleanor Davis as an authorized signatory for the

State Formula Grant and to authorize Chairman Pierce to sign the State Contractor Authorized Signatory Listing on behalf of the Town, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Letter of resignation from Firefighter Robert O’Leary

Joe Perry made a motion to accept this resignation with regrets, Bob Snow seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Eagan said this is a grant funded position, so it has been posted since lifting the hiring freeze doesn’t apply.

5. Request from Fire Chief James Broderick to appoint Robert O’Leary as a Call Firefighter

Bob Snow made a motion to appoint Robert O’Leary as a Call Firefighter, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

6. Letter of resignation from Call Firefighter Matthew Ross

Chairman Pierce read a portion of the resignation letter from Matthew Ross that said he has moved away “too far to make myself a useful asset to the town of Rowley.”

Bob Snow made a motion to accept this resignation with regrets, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

7. Memo from Police Chief Scott Dumas regarding Massachusetts Police Accreditation Commission Assessment

Dave Petersen read the memo from Police Chief Scott Dumas. Petersen said the Rowley Police Department is one of the first departments to become accredited, they should be proud of the new station and show it off in the process of re-accreditation. Perry said he would like to attend this event.

**NEW BUSINESS**

1. Authorize Town Clerk to sign License Agreement with the Archbishop of Boston to use St. Mary’s Church Hall for Annual Town Election on May 11, 2021

Dave Petersen made a motion to authorize the Town Clerk to sign the License Agreement with the Archbishop of Boston to use St. Mary’s Church Hall for Annual Town Election on May 11, 2021, Joe Perry seconded, all in favor, roll call vote– Bob

Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

### **GENERAL BUSINESS**

8. Request from Rowley Historical Society to use the Margaret Scott Green on Saturday, May 15 from 7:00 a.m. to 4:00 p.m. for Annual Plant Sale

Dave Petersen made a motion to authorize the Rowley Historical Society to use the Margaret Scott Green on Saturday May 15, 2021 from 7:00 a.m. to 4:00 p.m. for the Annual Plant Sale, Joe Perry seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

### **NEW BUSINESS**

2. Discuss flagpole at the September 11, 2001 Memorial on Cross Street

Chairman Pierce read the following:

*The flagpole at this location fell down after a recent windstorm. The Highway Department was able to re-set it and it is up. A resident picked up the flag and brought it into the office.*

*Selectmen Bob Snow and Dave Petersen requested that the Board discuss the flagpole at this location. While the existing pole has been re-set, they are concerned that the pole is not strong enough to withhold future wind storms. This is an important year because it is the 20<sup>th</sup> anniversary of the September 11, 2001 terrorist attacks.*

Petersen said this Memorial is under the purview of the Board of Selectmen and the Ipswich Rotary does a fine job with the plantings and upkeep. He said the flagpole there is like a homeowner's pole, and he would like to see if there is money at the end of the year to put up a permanent pole to support the flag. He said this is an important piece of history. Snow said the current pole is shabby, and asked if we want a 3X5 or 4X6 flag at this location. He said we can buy a new pole and install it ourselves for \$500 to \$1,000. He said we don't want a three piece aluminum pole, we want a permanent pole that looks good and will last for years to come. Petersen said Bob Breaker recently purchased a flag from a store in Beverly, and maybe we can check if they sell poles and what the cost would be. Snow said he would like to help Bob Breaker with this. He said he did some cleanup at the Memorial last weekend. Pierce asked for further information on the costs, and asked Snow to come back to the Board with this information.

3. FY 22 MIIA Property & Casualty & Worker's Compensation Insurance Premium Renewal

Chairman Pierce read the following:

*Debbie is working on the Town's insurance policy renewals. She is asking the Board of Selectmen to authorize her to renew the policies for the upcoming fiscal year.*

*The Board needs to vote by a roll call vote to authorize Debbie to renew the policies.*

Dave Petersen made a motion to authorize Debbie to renew the FY 22 MIIA Property & Casualty & Worker's Compensation Insurance policies, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

4. Discuss creating handicap parking spaces near the Town Common

Chairman Pierce read the following:

*Selectman Deana Ziev requested this item be placed on the agenda. She would like to discuss creating handicap parking spaces adjacent to the Town Common.*

Ziev said with the recent approvals by the Board for events on the Town Common with no parking on Route 1A, she has been thinking about if there are handicap parking spaces at the Town Common. Petersen said as far as he knows there are no marked parking spaces at the Town Common. He said his concern is that the sidewalk needs to be accessible, but the curbing is terrible and the sidewalk is bumpy and lumpy. He said this is a good idea, but the project will be bigger than just signage for the handicap spaces. Ziev asked if the sidewalk touches the Common at Summer Street. Petersen said the sidewalk is only along Summer Street and there is no sidewalk along Route 1A or in front of the funeral home. Ziev said she envisioned having two parking spaces on the Summer Street side, but there is no sidewalk connecting from Summer Street. Petersen said he isn't sure of the legalities, and suggested that Ziev speak with Patrick Snow. He said the sidewalk needs to be redone with the proper curbing, and this will require a fair amount of funding. Ziev said she will touch base with Patrick Snow and bring this back up in the future.

5. Accept donation from IBEW for scoreboard sign at Eiras Park and authorize David Ayotte and Associates to supply and install scoreboard

Chairman Pierce read the following:

*This item is not ready for the Board to take up. Debbie is requesting that this item be tabled.*

6. Authorize David Ayotte and Associates to supply and install a batting cage at Eiras Park

Chairman Pierce read the following:

*The company that we were planning to purchase and install the batting cage for the ballfield at Eiras Park, Dave Ayotte & Associates, has not provided the Town with a certificate of insurance for the installation as we have requested.*

*We require the following:*

- 1. Certificate of general comprehensive liability insurance naming the Town of Rowley as Additional Insured with a \$1,000,000 coverage limit per occurrence, \$2,000,000 general aggregate.*
- 2. Workmen's Compensation*

*Worker's Compensation is required by law. If he or one of his employees got hurt in the process of the installation, the Town could be liable to pay the claim or be named in a claim. The response that we have received from Ayotte & Associates is that they have moved to New Hampshire and haven't been able to get a policy written yet.*

*Because of this situation, the Parks and Recreation Committee is requesting the authorization to just purchase the batting cage only from Ayotte and to find another business to install it.*

*Debbie has requested Dave Ayotte & Associates for a copy of the warranty information. In order to keep this project moving, Debbie is asking the Board to approve the purchase only of the batting cage from Dave Ayotte & Associates in the amount of \$5,181, pending the submittal of the warranty information and the approval of the warranty language from the Parks and Recreation Committee project leaders, Chairman Joe Haley, Vice Chairman Tim Southall, and David Zizza.*

*Additionally, this project is funded from a Community Preservation appropriation in the amount of \$6,500. These funds will not cover the full cost of this project. After consulting with Dave Petersen, it was agreed that the \$1,600 site work cost will be paid from the Parks & Recreation revolving account balance. The batting cage cost is \$5,181, which leaves \$1,319.00 for installation. This amount won't be sufficient to cover installation costs, which require prevailing wage rates. We will need to use the Revolving Account to pay for the balance of the installation costs, but we don't know what that cost is at this time.*

*If the Board is in agreement, we are asking for the following vote by roll call:*

*To authorize the purchase and shipping of the batting cage from Dave Ayotte & Associates in the amount of \$5,181, per the attached proposal, pending the submittal of the equipment warranty language from Ayotte & Associates and the approval of the warranty language from the Parks and Recreation Committee project leaders, Chairman Joe Haley, Vice Chairman Tim Southall, and David Zizza.*

*Bob Snow made a motion to authorize the purchase and shipping of the batting cage from Dave Ayotte & Associates in the amount of \$5,181, per the attached proposal, pending the submittal of the equipment warranty language from Ayotte & Associates*



and the approval of the warranty language from the Parks and Recreation Committee project leaders, Chairman Joe Haley, Vice Chairman Tim Southall, and David Zizza, Dave Petersen seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Pierce continued:

*If the Board approves the purchase, the next step is for Debbie, Amy, and Natalie to work with the Parks and Rec project leaders in obtaining pricing from companies capable of installing the batting cage and who have the proper insurance coverages and requirements.*

7. Discuss safety improvement around backstop at ballfield at Eiras Park

Chairman Pierce read the following:

*The Parks and Recreation Committee has informed us that the sand behind the backstop at Field #1 blows into the players' faces during games creating the need to delay the game until the wind has subsided. Field #1 is directly behind the Police Station. This is a safety issue that needs to be addressed.*

*The Parks and Recreation Committee voted to recommend that the sand behind the backstop, from dugout to dugout, be removed and replaced with a recycled asphalt product (RAP) that is crushed to a diameter of 1.6" or smaller. The area to be replaced is approximately 8'x130'.*

*The Committee received a quote from TW Excavating to complete this work in the amount of \$1,725.00.*

*If the Board supports this safety improvement, it should vote by roll call to authorize a purchase order for this work to be issued to TW Excavating and that the work be paid for out of the Parks and Recreation Revolving Account budget.*

Petersen said he and Debbie met an engineer to look at improving the back parking lot for the Police and Fire Stations. He said it is very sandy / dusty and this crushed material is solid and works well.

Dave Petersen made a motion to authorize a purchase order for this work to be issued to TW Excavating and that the work be paid for out of the Parks and Recreation Revolving Account budget, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

8. Request from Parks and Recreation Committee to extend contract with TruGreen

Chairman Pierce read the following:

*Parks & Recreation Chairman Joe Haley has sent the attached email requesting to extend the Town's Turf Maintenance Contract with TruGreen Limited Partnership for a second period. The contract price for the second period is \$10,040, which is the same amount for the initial term.*

*The Board of Selectmen needs to vote via roll call to exercise its option to extend the current contract for an additional season, which runs through November 30, 2021. Debbie will send a notice to TruGreen Limited informing them the Board exercised its option to extend the current contract for the second period.*

Joe Perry made a motion to exercise its option to extend the current contract with TruGreen for an additional season, which runs through November 30, 2021, Dave Petersen seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

9. Vacation Carry-over request from Town Administrator Deborah Eagan

Chairman Pierce read the following:

*Debbie is requesting to carry over 304.5 hours of accrued vacation time. Please see attached memo. The Board will need to vote by roll call to approve the carry-over request and to sign the authorization.*

Bob Snow made a motion to approve this vacation carry over request, Deana Ziev seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

10. Discuss Town Hall copier lease agreement

Chairman Pierce read the following:

*The Town Hall copier lease has expired. Natalie received two quotes for new 60 month lease contracts from the State Contract list:*

- 1. Budget Business Machines: \$121.55/month with a .006 maintenance base charge*
- 2. Konica Minolta: \$108.65/month with a .008 maintenance base charge*

*While the monthly charge from Konica Minolta is lower, the reduced maintenance base charge from Budget Business Machines will result in an overall lower monthly operating cost for the copy machine. These quotes are off the State Contract list. The Selectmen can approve a 60-month lease because we are purchasing from the State Contract.*

*Please vote by roll call to award the 60-month copier contract to Budget Business Machines.*

Dave Petersen made a motion to award the 60-month copier contract to Budget Business Machines, Joe Perry seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

11. Review Earth Removal Permit Application filed by T.W. Excavating for 293 Wethersfield Street. Request – **UPDATE** Request from T.W. Excavating to withdraw the application

Chairman Pierce said we heard today that T.W. Excavating withdrew this application since it was insufficient, and this item will be tabled.

12. Review Zoning Board of Appeals Application filed by Jay Stanley for a Special Permit for an expanded business at 600 Newburyport Turnpike

Chairman Pierce read the following:

*The Zoning Board of Appeals has a public hearing scheduled on this application for Wednesday, May 19 at 4:00 p.m.*

*Does the Board have any comments on this application that they would like to submit to the ZBA for this hearing?*

Pierce said we need to comment and he doesn't want to interfere with a small business. He said the property has too many trucks on a tiny lot, they back out onto Route 1 which stops traffic and they park in the breakdown lane, which creates a dangerous situation. Perry agreed with Pierce and said this is a very dangerous situation at times.

Joe Perry made a motion to send these comments to the ZBA, Bob Snow seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

### **OLD BUSINESS**

1. Discuss motions for the May 3, 2021 Annual Town Meeting Warrant and the May 3, 2021 Special Town Meeting Warrant

Chairman Pierce read the following:

*We are setting up the Triton High School Auditorium in the same way that we did last year to follow COVID social distancing requirements.*

*Last year, to minimize passing around microphones, the Chairman and Vice Chairman made all the Town Meeting motions. We have 22 articles on the ATM and 25 on the STM (47 motions, plus adjournment and suspension of the reading makes it approximately 50).*

*Does the Board wish to follow that practice or, does the Board want all the Selectmen to participate in making motions and allow Town Boards, such as Water, Planning, etc. to make motion? Debbie needs to know today how the Board wants to handle this.*

Snow said the way this was done last year was efficient.

Bob Snow made a motion to have the Chairman and Vice Chairman make all the Town Meeting motions like last year, Joe Perry seconded, all in favor, roll call vote— Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

## 2. Discuss Old Planters of Cape Ann, Inc. Community Impact Grant and Gift Account

Chairman Pierce read the following:

*At the last meeting, the Board voted to set up a Grant and Gift Account for the Purpose of Mitigating Community Impacts and to accept the gift of \$16,937.03 in accordance with G.L. c. 44 s.53A. Town Counsel Tom Mullen recommended this because the Host Community Agreement characterizes these funds as a "gift." However, Town Accountant Sue Bailey pointed out that the Department of Revenue has noted that a donor must have a "Donative Intent" in order to be considered a gift.*

*Tom Mullen agrees with this.*

*Debbie:*

*I believe we've had the same issue with OSRD payments: whether to treat as a "gift" money that is actually paid to the Town in consideration of an exercise of discretion by a local board. I proposed treating the marijuana money as a gift only because the host community agreement characterizes it as such (and because it would result in a convenient fund for use by the Selectmen). Sue is right, though, about the absence of "donative intent," so I am OK with depositing the money in the general fund. We can always identify the source when we ask future Town Meetings to appropriate it for one or more purposes that might be associated with the marijuana establishment.*

*Tom*

*The Board needs to vote to rescind the April 12, 2021 vote creating the Grant and Gift Account for the Purpose of Mitigating Community Impacts and to accept the gift of \$16,937.03 from Old Planters of Cape Ann.*

*The Board needs to vote to deposit the \$16,937.03 and all future Community Impact Grant payments to the General Fund.*

Joe Perry made a motion to rescind their April 12, 2021 vote creating the Grant and Gift Account for the Purpose of Mitigating Community Impacts and to accept the gift of \$16,937.03 from Old Planters of Cape Ann, and to deposit the \$16,937.03 and all future Community Impact Grant payments to the General Fund, Deana Ziev seconded, all in

favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

3. Update on the intersection of Route 1 and Central Street and Glen Street

Bob Snow said the transportation improvement plan was reviewed by the Merrimack Valley Planning Commission, and the timeline was moved from 2025 to 2023. He said with money coming from the Federal Government for infrastructure improvements, he is hopeful that the project will be moved into 2022. He said he will keep the Board updated. Perry said it is disappointing to wait all this time for something to happen. Snow said you can call the State Representative or Senator to try to move this forward.

4. Letter from Blake Mensing of the Mensing Group LLC regarding Confirmation of Local Compliance for JWTC Wick LLC of 264 Newburyport Turnpike for the State Cannabis Control Commission

Chairman Pierce read the following:

*We have received a letter from JWTC Wick LLC's attorney, Blake Mensing, informed the Board that his client has obtained a Building Permit and plans to start construction prior to May 1, 2021 in accordance with the terms of the Special Permit.*

*We previously informed the CCC that JWTC Wick LLC was not in compliance because they had not obtained the building permit.*

*The Board needs to vote to inform the CCC that JWTC Wick LLC is in compliance with municipal bylaws and to authorize Chairman Pierce to sign the Municipal Response Form.*

Dave Petersen made a motion to inform the CCC that JWTC Wick LLC is in compliance with municipal bylaws and to authorize Chairman Pierce to sign the Municipal Response Form, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

5. Authorize release of Invitation for Bid documents for basketball court construction

Chairman Pierce read the following:

*We are working with Huntress Associates Inc. on getting the basketball court construction bid documents finalized. We sent the draft documents to Town Counsel Tom Mullen to review. He got back to us on Friday. We want to incorporate Tom's changes and release the bids as soon as possible. We are asking for the Board's authorization to release the bid documents as soon as they are ready.*

*Could the Board please vote by ROLL CALL to authorize the staff to release the bid documents with Town Counsel's recommended changes for this project?*

Dave Petersen made a motion to authorize the staff to release the bid documents with Town Counsel's recommended changes for this project, Bob Snow seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

### **MINUTES** April 12, 2021

Joe Perry made a motion to approve the April 12, 2021 minutes, Deana Ziev seconded, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

### **ANNOUNCEMENTS**

- The May 3, 2021 Town Meeting will be held at Triton Regional High School Auditorium, 112 Elm Street, Byfield at 6:30 p.m.

### **ADJOURN**

Chairman Pierce called for a motion to adjourn. Joe Perry so moved, Bob Snow second, all in favor – aye- roll call vote – Bob Snow – aye; Cliff Pierce – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye.

Meeting adjourned at 2:02 p.m.

Respectfully submitted,  
Amy Lydon  
Assistant Town Administrator

### **ATTACHMENTS:**

1. Meeting memo regarding 1:00 p.m. Appointment: Treasurer/Collector Karen Summit to discuss final permanent borrowing for the Pine Grove School project
2. Vote of the Board of Selectmen for permanent borrowing
3. Meeting memo regarding 1:15 p.m. Appointment: Council on Aging Board Chairwoman Joan Lyons and Council on Aging Director Eleanor Davis to discuss request to place tent on the Annex grounds for Council on Aging programs
4. Request from COA to place tent on the Annex grounds for Council on Aging programs
5. Meeting memo regarding General Business #1: Approve donations to the Council on Aging
6. List of donations to the Council on Aging
7. Meeting memo regarding General Business #2: Request from Library Director Pamela Jacobson to lift the hiring freeze for the position of Library Technician

8. Meeting memo regarding General Business #3: Ratify State Council on Aging Formula Grant authorized signatory COA Director Eleanor Davis
9. State forms for Council on Aging Formula Grant authorized signatory COA Director Eleanor Davis
10. Letter of resignation from Firefighter Robert O'Leary
11. Request from Fire Chief James Broderick to appoint Robert O'Leary as a Call Firefighter
12. Letter of resignation from Call Firefighter Matthew Ross
13. Memo from Police Chief Scott Dumas regarding Massachusetts Police Accreditation Commission Assessment
14. Request from Rowley Historical Society to use the Margaret Scott Green on Saturday, May 15 from 7:00 a.m. to 4:00 p.m. for Annual Plant Sale
15. Meeting memo regarding New Business #1: Authorize Town Clerk to sign License Agreement with the Archbishop of Boston to use St. Mary's Church Hall for Annual Town Election on May 11, 2021
16. License Agreement with the Archbishop of Boston to use St. Mary's Church Hall for Annual Town Election on May 11, 2021
17. Meeting memo regarding New Business #2: Discuss flagpole at the September 11, 2001 Memorial on Cross Street
18. Meeting memo regarding New Business #3: FY 22 MIIA Property & Casualty & Worker's Compensation Insurance Premium Renewal
19. FY 22 MIIA Property & Casualty & Worker's Compensation Insurance Premium Renewal Proposal
20. Meeting memo regarding New Business #4: Discuss creating handicap parking spaces near the Town Common
21. Meeting memo regarding New Business #5: Accept donation from IBEW for scoreboard sign at Eiras Park and authorize David Ayotte and Associates to supply and install scoreboard
22. Meeting memo regarding New Business #6: Authorize David Ayotte and Associates to supply and install a batting cage at Eiras Park
23. Proposal from David Ayotte and Associates to supply and install a batting cage at Eiras Park
24. Email from David Ayotte regarding Town of Rowley Batting Cage
25. Meeting memo regarding New Business #7: Discuss safety improvement around backstop at ballfield at Eiras Park
26. Meeting memo regarding New Business #8: Request from Parks and Recreation Committee to extend contract with TruGreen
27. Request from Parks and Recreation Committee to extend contract with TruGreen
28. Contract with TruGreen dated May 28, 2020
29. Meeting memo regarding New Business #9: Vacation Carry-over request from Town Administrator Deborah Eagan
30. Vacation Carry-over request from Town Administrator Deborah Eagan
31. Meeting memo regarding New Business #10: Discuss Town Hall copier lease agreement
32. Quote for Town Hall copier lease

33. Revised meeting memo regarding New Business #11: Review Earth Removal Permit Application filed by T.W. Excavating for 293 Wethersfield Street. Request – **UPDATE** Request from T.W. Excavating to withdraw the application
34. Email from Jaime Warren regarding application withdrawal
35. Meeting memo regarding New Business #11: Review Earth Removal Permit Application filed by T.W. Excavating for 293 Wethersfield Street.
36. Memo from Amy Lydon to Board of Selectmen regarding Earth Removal Application from T.W. Excavating for 293 Wethersfield Street, including attachments
37. Meeting memo regarding New Business #12: Review Zoning Board of Appeals Application filed by Jay Stanley for a Special Permit for an expanded business at 600 Newburyport Turnpike
38. Zoning Board of Appeals Application filed by Jay Stanley for a Special Permit for an expanded business at 600 Newburyport Turnpike
39. Meeting memo regarding Old Business #1: Discuss motions for the May 3, 2021 Annual Town Meeting Warrant and the May 3, 2021 Special Town Meeting Warrant
40. May 3, 2021 Annual Town Meeting Warrant and May 3, 2021 Special Town Meeting Warrant
41. Meeting memo regarding Old Business #2: Discuss Old Planters of Cape Ann, Inc. Community Impact Grant and Gift Account
42. Meeting memo regarding Old Business #3: Update on the intersection of Route 1 and Central Street and Glen Street
43. Meeting memo regarding Old Business #4: Letter from Blake Mensing of the Mensing Group LLC regarding Confirmation of Local Compliance for JWTC Wick LLC of 264 Newburyport Turnpike for the State Cannabis Control Commission
44. Email and attached letter from the Mensing Group LLC regarding Confirmation of Local Compliance for JWTC Wick LLC of 264 Newburyport Turnpike for the State Cannabis Control Commission
45. Municipal Response Form for Local Compliance for JWTC Wick LLC of 264 Newburyport Turnpike dated April 23, 2021
46. Completed Municipal Response Form for Local Compliance for JWTC Wick LLC of 264 Newburyport Turnpike dated January 28, 2021
47. Building permit issued for 264 Newburyport Turnpike
48. Meeting memo regarding Old Business #5: Authorize release of Invitation for Bid documents for basketball court construction
49. Email from Tom Mullen regarding Basketball Court Bid Documents
50. Email from Amy Lydon to Chris Huntress regarding Specifications – Renovation and Expansion of Basketball Court in Rowley MA
51. Tom Mullen's edits to Basketball Court Bid Documents
52. Inserts for Basketball Court Bid Documents prepared by Tom Mullen