

MINUTES OF THE BOARD OF SELECTMEN

August 8, 2022

Town Hall Annex, 39 Central Street, Rowley, MA

5:45 p.m.

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

CALL MEETING TO ORDER

Chairman Snow called the meeting to order at 5:45 p.m. He said the meeting is being audio and video recorded by Rowley Community Media.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was not recited.

A Moment of Silence was observed for Louise Mehaffey who passed away. Snow said she was a lovely woman who used to work in the Selectmen's Office. He offered condolences to the Mehaffey family.

EXECUTIVE SESSION

- To conduct strategy sessions in preparation for negotiations with nonunion personnel, Mark Emery, and to conduct contract negotiations – G.L.c.30A §21(a)(2)

Chairman Snow called for a motion to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, Mark Emery, and to conduct contract negotiations pursuant to State Open Meeting Law G.L.c.30A §21(a)(2), and to return to open session.

Christine Kneeland so moved, Deana Ziev second, all in favor – roll call vote: Bob Snow – aye, Christine Kneeland – aye, Deana Ziev – aye.
Joe Perry – ABSENT Cliff Pierce – ABSENT

Executive Session opened at 5:46 p.m. and adjourned at 5:57 p.m. Open Session resumed at 6:01 p.m.

6:00 p.m. TO 6:05 p.m. PUBLIC COMMENT

There were no public comments.

GENERAL BUSINESS

1. Road Opening Permit Application from National Grid to open 57 Meadows Lane for a gas leak repair

Chairman Snow read the following:

This has been reviewed and signed off by staff. There is no action needed by the Board.

Does the Board have any questions or concerns?

There were no questions or concerns.

2. Water Use Restriction Notice issued by the Rowley Water Department

Chairman Snow read the news release and the poster from the Rowley Water Department.

3. Request from Denzil Rice to be appointed to the Historic District Commission/Historical Commission and letter from Historic District Commission/Historical Commission endorsing the appointment of Denzil Rice to a vacant seat on the Historic District Commission/Historical Commission

Chairman Snow read the following:

Denzil Rice has submitted his name for consideration for the open seat on the Historic District Commission/Historical Commission. He has met with the Historic District Commission/Historical Commission. We have received a letter from Commission Chair Frank Todd and Clerk Sara Bourque recommending Denzil Rice's appointment to the Historic District Commission/Historical Commission.

If the Board is in agreement, please vote to appoint Denzil Rice to the Historic District Commission and Historical Commission for a term ending June 30, 2023.

Deana Ziev made a motion to appoint Denzil Rice to the Historic District Commission and Historical Commission for a term ending June 30, 2023, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

4. Request from Priscilla Serafin to be appointed to the Historic District Commission/Historical Commission Alternate Member and letter from Historic District Commission/Historical Commission endorsing the appointment of Priscilla Serafin to a vacant alternate seat on the Historic District Commission/Historical Commission

Chairman Snow read the following:

Priscilla Serafin has submitted her name for consideration for the vacant alternate seat on the Historic District Commission/Historical Commission. She has met with the Historic District Commission/Historical Commission. We have received a letter from Commission Chair Frank Todd and Clerk Sara Bourque recommending Priscilla's appointment to the Historic District Commission/Historical Commission.

If the Board is in agreement, please vote to appoint Priscilla Serafin to the Historic District Commission and Historical Commission as an Alternate Member for a term ending June 30, 2023.

Christine Kneeland made a motion to appoint Priscilla Serafin to the Historic District Commission and Historical Commission as an Alternate Member for a term ending June 30, 2023, Deana Ziev second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

6:05 p.m. APPOINTMENT Treasurer/Collector Karen Summit for the signing of borrowing forms for the Highway dump truck and Police Department and Fire Department Communications Facility

Chairman Snow read the following:

The May 2, 2022 Town Meeting authorized the borrowing of a Highway Department dump truck with plow and sander and a Police Department and Fire Department radio communications facility. Treasurer/Collector Karen Summit has prepared the borrowing paperwork for the Board to vote to sign.

Summit joined the Selectmen's table. She said this is a State House 5 year note with an interest rate of 3.99% for a total of \$580,295 for these two projects. She said there are five copies that need to be signed by the Board.

Christine Kneeland made a motion to sign the paperwork as presented by the Treasurer/Collector, Deana Ziev second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

The Board signed the paperwork and the Town Clerk stamped the documents.

GENERAL BUSINESS

5. Notification of retirement from Police Sergeant David MacMullen

Chairman Snow read the following:

Police Sergeant David MacMullen has notified the Board of his intent to retire from the Police Department effective August 29, 2022. Sergeant MacMullen began working for the Town in 1997 as a Patrolman. He was promoted to Sergeant in 2015.

The Board needs to vote to accept Sergeant MacMullen's notice of retirement effective August 29, 2022 and to send a thank you to David for his many years of service to the Town.

Christine Kneeland made a motion to accept Sergeant MacMullen's retirement and to send him a thank-you letter, Deana Ziev second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Snow wished MacMullen a happy retirement.

6. Request from Essex County Greenbelt for annual Tour de Greenbelt road cycling event

Chairman Snow read the following:

The Essex County Greenbelt is holding an annual road cycling event on Saturday, September 17, 2022. The cycling course will pass through Rowley. The Greenbelt organizers anticipate between 150 to 200 cyclists at this event. The Greenbelt is asking permission from the Board of Selectmen to have the course route go through Rowley. An insurance certificate has been provided.

The request has been reviewed by the following department heads and their comments are listed below.

Police Chief Scott Dumas

Hi Debbie,

The route stays along route 1A and is pretty thinned out as it comes through Town. The police department has no issues or concerns.

Scott A. Dumas /Chief of Police

Fire Chief Mark Emery

Hi Debbie

The fire dept. has no issues with this annual event.

Mark Emery

Fire chief

Highway Surveyor Patrick Snow

Hi Amy

The Highway Department has no comments or concerns.

Patrick Snow

Highway Surveyor/Tree Warden

Health Director Frank Marchegiani

Hi Amy,

The Health Department does not have any comments or concerns.

Does the Board wish to vote to approve this request?

Deana Ziev made a motion to approve this request, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

6:15 p.m. APPOINTMENT Town Clerk Catie McClenaghan to discuss September Primary Election Early Voting Schedule

Chairman Snow read the following:

Town Clerk Catie McClenaghan is here to discuss the Early Voting Schedule for the State Primary.

The Board will need to vote to authorize the Town Clerk's proposed Early Voting hours, which are:

<i>Saturday, Aug 27, 2022</i>	<i>9:00 am – 5:00 pm</i>
<i>Monday, Aug 29, 2022</i>	<i>9:00 am – 4:00 pm</i>
<i>Tuesday, Aug 30, 2022</i>	<i>9:00 am – 2:00 pm</i>
<i>Wednesday, Aug 31, 2022</i>	<i>9:00 am – 4:00 pm</i>
<i>Thursday, Sept 1, 2022</i>	<i>9:00 am – 2:00 pm</i>
<i>Friday, Sept 2, 2022</i>	<i>8:30am – 11:30 am</i>

McClenaghan showed the Board members a photo of the new voting booths and said they take up less space and she can lift them herself. Eagan said the early voting will take place in the hallway of Town Hall so that the Town Clerk's office can stay open. McClenaghan said there will be two booths between the door and the bathroom, two between the basement door and the Town Clerk's Office and one where the table currently is as well as a handicap booth. She said the check-out table will be near the Assessor's office. Snow said there are 20 new booths, they are red, white and blue, and are different than the old ones. McClenaghan said they are able to keep the six booths set up at Town Hall and set up the other booths at St. Mary's for voting day. Snow read the early voting hours again.

Deana Ziev made a motion to approve the early voting hours, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

NEW BUSINESS

1. Request from the Open Space Committee for a letter of support for the Revised 2021 Open Space and Recreation Plan

Chairman Snow read the following:

Each member of the Board has received a copy of the 2021 Rowley Open Space and Recreation Plan. The Open Space Committee and Conservation Agent Brent Baeslack have been working on updating this plan for the past few years. This plan provides the Town with an excellent reference tool for looking at open space and recreational areas in the Town.

The State Executive Office of Energy and Environmental Affairs has given conditional approval of the plan. The State is also requesting a letter of review and support from the Board of Selectmen to be included with the Plan. A letter has been drafted for the Board's approval. (See attached.) The Board needs to vote to issue the letter and authorize Chairman Snow to sign it.

Deana Ziev made a motion to issue the letter and authorize Bob Snow to sign it, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

2. Review Haley and Ward Landfill Monitoring Proposal

Chairman Snow read the following:

We have received a quote from Haley Ward, Inc. for the Fall 2022 and Spring 2023 landfill monitoring services. These bi-annual testings are required under the Town's MassDEP post-closure landfill permit.

The total cost for the FY 23 landfill monitoring services is \$21,000, which reflects a \$1,000 increase over FY 22. We have \$20,000 appropriated for this contract in FY 23. Debbie is recommending that we cover the shortfall through the Selectmen's expense and budget transfers next spring.

If the Board is in agreement, please authorize Town Administrator Debbie Eagan to sign the purchase order.

Christine Kneeland made a motion to authorize Town Administrator Debbie Eagan to sign the purchase order, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

3. Authorize the filing of the Massachusetts Clean Water Trust Community Septic Loan Application

Chairman Snow read the following:

The Board of Health is applying for a new disbursement of septic loan funds from the Massachusetts Clean Water Trust. The May 2, 2022 Annual Town Meeting Warrant authorized the borrowing of \$200,000 from the Clean Water Trust to be used by the Town to provide low interest septic betterment loans to Rowley property owners. The Board needs to vote to approve the application and to authorize Chairman Robert Snow to sign the loan application form on behalf of the Town.

Deana Ziev made a motion to approve the application and authorize Bob Snow to sign it, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

OLD BUSINESS

1. Award contract for Veterans Memorial Restoration Project

Chairman Snow read the following:

Working with Rowley Veterans Committee Chair Bob Breaker and Sara Bourque, from Marshwind Landscape Design, we released a Request for Price Quotes to install new walkways and landscaping for the Veterans Memorials located at the front of Town Hall. One response to the Request for Price Quotes was received from MJS Construction, in the amount of \$34,420. Assistant Town Administrator Natalie Lovett called MJS Construction's references, which all gave positive feedback.

Please vote to authorize Town Administrator Debbie Eagan to sign the purchase order for MJS Construction in the amount of \$34,420.

Ziev said this will look great.

Deana Ziev made a motion to authorize Town Administrator Debbie Eagan to sign the purchase order for MJS Construction in the amount of \$34,420, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

MINUTES

- July 11, 2022 Executive Session

Deana Ziev made a motion to approve the July 11, 2022 Executive Session minutes, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

- July 25, 2022 Executive Session

Deana Ziev made a motion to approve the July 25, 2022 Executive Session minutes, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Eagan said regarding the 6:25 Appointment, Harbormaster Bill DiMento is on the way, but is caught in traffic.

ANNOUNCEMENTS

1. The Board of Selectmen announces that a textile recycling bin has been placed in the rear parking lot of the Town Hall Annex at 39 Central Street. Residents can drop off clothing, shoes, linens, sheets, pillows, blankets, hats, duffle bags, belts, gloves, towels, draperies, handbags, tablecloths, bathrobes, and stuffed animals. All items must be dry, bagged, and placed into the bin. Please do not leave items on the ground.
2. The pool at the YMCA Camp Cedar Mill at 390 Wethersfield Street is open to Rowley residents on Tuesdays and Thursdays from 3:30 p.m. to 6:00 p.m. and 10:00 a.m. to 4:00 p.m. on Saturdays and Sundays, weather permitting.
3. The Rowley Water Department reminds residents that the Dodge Road Water Main Replacement project is underway. Contractor Granese and Sons, Inc., of Salem, will

work Monday-Friday, 7 a.m. to 3:30 p.m., through about Oct. 19. Residents of Dodge Road, Daniels Road, and Emily Lane, and emergency vehicles will have full access during the project. Roads will not be closed, though motorists may expect delays in the area. The Water Department expects minimal interruption of water service, and will notify homeowners in advance of any scheduled outage. For more information, call the Rowley Water Department at 978-948-2640.

4. The Board of Selectmen wishes to remind residents now that the warm weather is upon us, that dog owners must restrain their dogs from running at large outside of their own private property.

5. The Town has the following board vacancies:

- **Affordable Housing Trust**
- **Council on Aging**
- **Conservation Commission**
- **Open Space Committee**
- **Rowley Cultural Council**

Interested residents should send a letter of interest to the Board of Selectmen. Positions are open until filled.

6. The Northeast Mosquito Control and Wetlands Management District will conduct helicopter applications of the biological larvicide, VectoBac12AS to control mosquito larvae over the Rowley salt marsh and in neighboring towns. Applications will take place during daylight hours from August 8 – August 14, 2022. Residents need not take any special precautions due to the safety of VectoBAC12AS and because the application will occur directly over the wetlands.

6:25 p.m. APPOINTMENT Harbormaster Bill DiMento to discuss Landing Parking Lot expansion project

Chairman Snow read the following:

Harbormaster Bill DiMento and Selectmen Bob Snow and Cliff Pierce have been working on the Town Landing Parking Lot Expansion project over the past year. The May 3, 2021 Town Meeting appropriated \$15,000 for the first phase of the expansion project. The Town Landing Parking Lot is on Town Conservation Land. Last spring, the Board of Selectmen contracted with Rimmer Environmental Consulting, LLC for \$12,850 for wetland resources delineation, environmental permitting, and surveying work. Bill has been attending Conservation Commission meetings and working with Conservation Agent Brent Baeslack on this project.

Rimmer has informed Bill that additional funds are needed because the scope of the project has increased. Rimmer has submitted a proposal for an additional \$4,000 for the expansion of the parking area, additional unanticipated meetings, and review of traffic

data. The proposal also includes \$750 for a stone property boundary marker. The cost breakout is as follows:

1. \$3,250.00: Additional existing conditions field survey (original estimate included survey of 2 acres, actual required survey area was 6.9 acres)
2. \$ 750.00: Traffic data analysis and coordination with client
3. \$ 750.00: Survey, excavate & set granite bound

TOTAL ADDITIONAL SERVICES = \$4,750.00

DiMento said this is a large project and they weren't sure of the amount of wetlands delineation needed to map out the additional parking area. He said there is a high dry area that would work best for the parking near the wetlands so this area needs to be delineated. He said they also need to look at the existing parking area for stormwater run-off abatement. He said 6.9 acres need to be delineated rather than the 2 acres originally estimated. He said there used to be a boundary marker to show the bounds of the Town's land, Warehouse Lane and Perley's. He said this has broken off over the years and he strongly feels it needs to be replaced and a survey is needed to do this.

Snow said we do not have enough money to do this work. DiMento said after the first contract with Rimmer they will have \$2,150 left. He said not including the boundary, they would have a shortfall of \$1,850. DiMento said they can possibly pay for the boundary out of the Municipal Waterways funds. He said he doesn't anticipate additional expenses beyond this. Eagan said we can't do a 44 33 B transfer at this time of the fiscal year. She said we can't do a Reserve Fund transfer because the project funds are in an article and are not in an appropriation. DiMento said this additional work is in part due to stormwater remediation, plus the survey work. Eagan said there is a stormwater budget for compliance with the NPDES, and the funds are being used for a project behind the Highway and Light departments, which are municipal properties. She said Brent has observed stormwater issues in this parking lot area, so the stormwater budget might be able to be used for this, but it could create a shortfall for the other project underway. She said we can try to reach Brent who is out on a medical leave to see if we can squeeze \$1,850 from the stormwater budget and ask Rimmer to provide a price for the stormwater related work to make sure this is justified.

Deana Ziev made a motion to table this item and review it on August 22, 2022, Christine Kneeland second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Eagan said DiMento should check to see if his budget can cover the \$750 for the boundary marker and she will reach out to Brent.

ANNOUNCEMENTS

7. The MBTA has announced that there are new commuter rail, subway, and bus summer service schedule changes. Please go to mbta.com/schedules for more information.
8. The Rowley Board of Health would like to remind residents and employees that although COVID-19 cases are minimal right now, some towns have seen outbreaks in populations where close contact is inevitable. We recommend that residents continue to be cautious in resuming their day-to-day activities.

ADJOURN

Christine Kneeland made a motion to adjourn, Deana Ziev second, all in favor - aye (3-0). Joe Perry – ABSENT Cliff Pierce – ABSENT

Meeting adjourned at 6:43 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Written Executive Session motion
2. Meeting memo regarding General Business #1: Road Opening Permit Application from National Grid to open 57 Meadows Lane for a gas leak repair
3. Road Opening Permit Application from National Grid to open 57 Meadows Lane for a gas leak repair
4. Meeting memo regarding General Business #2: Water Use Restriction Notice issued by the Rowley Water Department
5. Water Use Restriction Notice issued by the Rowley Water Department
6. Meeting memo regarding General Business #3: Request from Denzil Rice to be appointed to the Historic District Commission/Historical Commission and letter from Historic District Commission/Historical Commission endorsing the appointment of Denzil Rice to a vacant seat on the Historic District Commission/Historical Commission
7. Letter from Historic District Commission/Historical Commission endorsing the appointment of Denzil Rice to a vacant seat on the Historic District Commission/Historical Commission
8. Request from Denzil Rice to be appointed to the Historic District Commission/Historical Commission
9. Notice of Historic District Commission / Historical Commission Member Vacancies
10. Meeting memo regarding General Business #4: Request from Priscilla Serafin to be appointed to the Historic District Commission/Historical Commission Alternate Member and letter from Historic District Commission/Historical Commission endorsing the appointment of Priscilla Serafin to a vacant alternate seat on the Historic District Commission/Historical Commission

11. Letter from Historic District Commission/Historical Commission endorsing the appointment of Priscilla Serafin to a vacant alternate seat on the Historic District Commission/Historical Commission
12. Request from Priscilla Serafin to be appointed to the Historic District Commission/Historical Commission Alternate Member
13. Notice of Historic District Commission / Historical Commission Member Vacancies
14. Meeting memo regarding 6:05 p.m. Appointment: Treasurer/Collector Karen Summit for the signing of borrowing forms for the Highway dump truck and Police Department and Fire Department Communications Facility
15. Excerpt from May 2, 2022 Annual Town Meeting Warrant regarding borrowing for dump truck and communications infrastructure
16. Bond paperwork presented by Karen Summit to Board at meeting
17. Meeting memo regarding General Business #5: Notification of retirement from Police Sergeant David MacMullen
18. Notification of retirement from Police Sergeant David MacMullen
19. Meeting memo regarding General Business #6: Request from Essex County Greenbelt for annual Tour de Greenbelt road cycling event
20. Request from Essex County Greenbelt for annual Tour de Greenbelt road cycling event, including map route and certificate of insurance
21. Comments from Police Chief on bike event request
22. Comments from Fire Chief on bike event request
23. Comments from Highway Surveyor on bike event request
24. Comments from Health Director on bike event request
25. Email from Amy Lydon to department heads requesting review of bike event request
26. Meeting memo regarding 6:15 p.m. Appointment: Town Clerk Catie McClenaghan to discuss September Primary Election Early Voting Schedule
27. Memo from Assistant Town Clerk Janet Peabody requesting approval of Early Voting hours
28. Meeting memo regarding New Business #1: Request from the Open Space Committee for a letter of support for the Revised 2021 Open Space and Recreation Plan
29. Draft letter of support for the Revised 2021 Open Space and Recreation Plan
30. Email from Brooke Ten Eyck requesting Letter of Review from Board of Selectmen
31. Cover page of Open Space and Recreation Plan 2021 Update
32. Meeting memo regarding New Business #2: Review Haley and Ward Landfill Monitoring Proposal
33. Purchase Order for Haley and Ward Landfill Monitoring
34. Haley and Ward Landfill Monitoring Proposal
35. Meeting memo regarding New Business #3: Authorize the filing of the Massachusetts Clean Water Trust Community Septic Loan Application
36. Excerpt from May 2, 2022 Annual Town Meeting Warrant regarding septic loan authorization

37. Memo from Health Director Frank Marchegiani regarding Septic Loan Borrowing Application
38. Application for Financial Assistance State Revolving Fund
39. Meeting memo regarding Old Business #1: Award contract for Veterans Memorial Restoration Project
40. Purchase Order for MJS Construction in the amount of \$34,420, including attachments
41. Updated meeting memo regarding 6:25 p.m. Appointment: Harbormaster Bill DiMento to discuss Landing Parking Lot expansion project
42. New proposal for additional work from Rimmer Environmental Consulting, LLC
43. Excerpt from May 2, 2022 Annual Town Meeting Warrant regarding funding for Landing Parking Lot expansion project
44. Current contract with Rimmer Environmental Consulting, LLC and MacRitchie, LLC