

MINUTES OF THE BOARD OF SELECTMEN

November 9, 2020

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 called the meeting to order at 1:03 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 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/197004413> can also dial in using your phone by calling [+1 \(571\) 317-3122](tel:+15713173122) and using access code 197-004-413. 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.

1:00 p.m. APPOINTMENT Presentation of Proclamation to Town Health Nurse and former Council on Aging Director Maryellen Mighill for many years of dedicated service to the Town

Chairman Pierce read the following:

The Board of Selectmen recently voted to accept the notice of retirement from Town Health Nurse Maryellen Mighill. Maryellen has worked for many years as the Town's Public Health Nurse and the former Council on Aging Director. We are all very grateful to her service to the Town.

Therefore, the Board of Selectmen is issuing a proclamation in honor of Maryellen. Chairman Pierce will read the proclamation into the record. After he reads the proclamation, he will call for a motion to sign and present the proclamation to Maryellen.

Pierce read the proclamation, and congratulated Maryellen.

Bob Snow moved to authorize Pierce to sign the proclamation, Dave Petersen second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

Petersen said he has known Maryellen for many years and her service to the Town is unblemished. He said the Town Health Nurse position is underpaid and overused with the COVID pandemic, and Maryellen responded day in and day out in an exemplary manner. He said she also served the Town as the Director of the Council on Aging and he wished her good luck and a happy retirement. Maryellen said thank-you, she appreciates the warm feelings. Ziev thanked Maryellen and said she hopes people follow Maryellen's example in serving the Town. Snow said Maryellen is one in a million, we were lucky to have her, and thanked her for her service. Frank Marchegiani said he has had a great working relationship with Maryellen over the years, she is a dedicated professional, who quickly and accurately responds to residents. He said they are sad to lose her, but happy that she can finally enjoy retirement. Maryellen said it has been a pleasure to work with Frank. Petersen said he would also like to recognize that Maryellen is a poll worker, and it is a credit to her, Town Clerk Susan Hazen and the other election workers that the election was run successfully. Maryellen said that Hazen worked tirelessly, and they all felt safe at the election. Perry gave his best wishes to Maryellen and said he hopes she enjoys her retirement. Pierce thanked Maryellen again and said she deserves it.

1:10 p.m. APPOINTMENT Board of Health Chairman Charles Costello and Health Director Frank Marchegiani to provide COVID-19 update

Chairman Pierce read the following:

Governor Baker recently issued new COVID-19 emergency executive orders last week due to rising numbers of COVID cases. Chairman Pierce will call upon Board of Health Chairman Charles Costello and Health Director Frank Marchegiani to provide the Board with an update.

Health Director Frank Marchegiani provided the following update:

- Rowley has 8 active cases, and 83 total cases. He said the 8 active cases are within two families, and is contained within their homes and are not townwide.
- He speaks with the Nurse daily and are staying on top of this the best they can.
- The State changed the way they display the metrics to be more accurate based on population size. Rowley is included in the under 10,000 population category. They are still using the same color coding system, and Rowley is still coded gray. They are also using asterisks to note when there is something causing the community number to be skewed, such as a nursing facility.
- They are working with the Triton district and the Health Directors from the other two towns for the schools. He said using COVID CARES Funds they hired a coordinator to work with the schools, nurses, Superintendent and Town Health

officials. They have six tracers available to help if the town nurses get overwhelmed.

- The Governor issued three new orders as follows:
 - Order # 53: Early closures of businesses and alcohol sales. Businesses need to close between 9 p.m. and 5 a.m., patrons cannot be served after 9:30 p.m., and must exit by 10:00 p.m. Employees can remain after to clean.
 - Order # 54: Indoor and Outdoor gatherings in the State. 6 foot social distancing. Gatherings in residences are maxed at 10 people for indoor and 25 people outdoor. Gatherings in public venues are maxed at 25 people for indoor and 100 people outdoor, since Rowley is a low risk community. Gatherings are required to end at 9:30 p.m. except political or religious gatherings.
 - Order # 55: Face Coverings. All people over the age of 5 are required to wear face coverings in all public locations indoors or outdoors, with some exceptions.
- There was activity in MAVEN last night and this morning, they are working through this, and there are changes hourly.

Pierce asked if the revised mask order applies if people are not near you. Marchegiani said yes, before a mask wasn't needed if you could social distance. He said there is a \$300 per violation fine, and their approach is first to educate. Ziev said when she is in Market Basket, it feels crowded. She asked if they should still be counting customers to make sure they are under the 225 capacity limit. Marchegiani said they are allowed to have 50% capacity, and there has been some slips ups, but he has spoken to them. He said the occupancy is posted on the door, and they limit the number of carts. He said with the holiday season coming, they will work closer with them. Ziev said she realizes they are doing their best, but wants to make sure they are still following the capacity limits. Marchegiani said he will follow up with them, and they have been told that someone needs to be at the door, especially during peak hours.

1:20 p.m. APPOINTMENT Thomas Starr, Professor, Department of Art and Design, Northeastern University, to discuss Remembrance of Climate Futures Public Installation Project

Chairman Pierce read the following:

Professor Starr has asked to make a presentation to the Board of Selectmen on a project he is working with communities in Essex County on climate change.

His presentation is included in the meeting packets and will be shown on the monitor.

Starr said he is a resident of Wenham, and this application is being done as a county wide installation, and he would like to have Rowley participate if possible. He said the project tries to get people engaged with climate issues, and the Town has climate issues, particularly with the marsh. He showed slides of his past projects. He said he

would be using historical markers to chronicle events that have already happened and projected to happen under the Great Marsh Adaptation Plan. He said each marker has a code that you can scan with a phone to get more information. He said he is working with Newburyport, Essex and Salem on this project. He said he is hoping to know by the end of the year if Rowley would like to participate. He said there is no fund match required by the Town. He said he met with the Planning Board and David Jaquith said he would be happy to work with him on this. He said he would work with the Town on the placement of the markers. Pierce asked if they would have an opportunity to review the markers in advance. Starr said yes, and the Town could reject or modify the markers. Pierce asked how many sites Starr envisions for marker placement. Starr said he thinks 8, and they like to locate them where there is pedestrian activity. Ziev asked how the locations are determined, and does he look over the data and then present the proposed sites? Starr said yes, they try to use existing poles and signs, and he can walk the sites with the Board if they would like. He said the application for funding is due in January, so he would like to get approval if possible by the end of the year.

Eagan said Conservation Agent Brent Baeslack is on the call, and he may have insights on where to place the markers since he worked on the Great March Adaptation Plan. Baeslack said he participated in at least one session. He said not a lot of the Town's infrastructure will be impacted in the future, unlike in Essex, but areas like the Town Landing and the Railroad depot are potential sites. He said anything to raise awareness of what is in store for the future is a good thing.

Pierce said this is an intriguing concept, and he is interested to see where these would be placed. Snow said he is hesitant on the markers for hypothetical impacts, and the Town has a number of places where impacts have already happened, such as from the Mother's Day storms. He said the Mother's Day storms impact resonates with all the townspeople since the west side of Town was completely cut off. Starr said it is a good point to memorialize past events, and then add ways we can plan for the future. He said to apply for funding, he will need a letter from the Board of Selectmen in early to late December, with a rough idea of the number of markers, between six and eight. He said then we can take time to decide where to place them once we have the funding. He said the funds would be available in March of 2021, then we would have two years to spend the money.

Pierce said he thinks this is a great idea, and he would like to see a mix of past events and projected future events. Petersen said this is a great idea, and with global warming this will only get worse. He said Rowley is protected a little from the Great Marsh, but he thinks we should do this since we have nothing to lose. Pierce said let's take this up at a future November meeting to give the Board a chance to read the materials.

1:30 p.m. APPOINTMENT - Conservation Agent Brent Baeslack to discuss proposal from CEI to provide outfall screening services as required under the Massachusetts MS4 General Permit as part of the National Pollution Discharge Elimination System

Chairman Pierce read the following:

Brent has been working on completing the Town's requirements for compliance under the MS4 Permit. The Town is required under the Permit to screen storm drainage outfalls.

The Merrimack Valley Planning Commission obtained proposals from qualified companies that provide this service to North Shore communities. Brent will discuss this proposal with the Board. He is seeking approval from the Board to hire Comprehensive Environmental Incorporated (CEI) under Option 1, whereby CEI will complete all tasks necessary to screen the Town's 75 outfalls that fall under the MS4 Urbanized Area under the National Pollution Discharge Elimination System. The contract amount is \$9,375.00

If the Board agrees to authorize Brent to hire CEI and sign the Proposal, the Board must vote by ROLL CALL. This contract will be funded through the Town's FY 21 Stormwater Compliance Budget, which has a current balance of \$27,500.

Dave Petersen made a motion to authorize Brent to hire CEI and sign the Proposal. The vote wasn't completed. Brent Baeslack said through assistance of the Merrimack Valley Planning Commission, two firms were asked for quotes for this service. He said the work involves looking at the systems in place in Rowley and determining if they are performing okay, or if they are inadvertently picking up contaminants which are flowing into the wetlands. He said he appreciates the support and the ability to work with CEI.

Dave Petersen made a motion to authorize Brent to hire CEI and sign the Proposal, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

GENERAL BUSINESS

1. Road Opening Permit Application from TW Excavating Corporation to open 74 Long Hill Road for electric service

Chairman Pierce said, "Does the Board have any questions or comments on this Road Opening Permit? It has been signed off by the appropriate department heads."

There were no questions or comments from the Board on this Road Opening Permit.

2. Road Opening Permit Application from TW Excavating Corporation to open 152 Glen Street for water service

Chairman Pierce said, "Does the Board have any questions or comments on this Road Opening Permit? It has been signed off by the appropriate department heads."

There were no questions or comments from the Board on this Road Opening Permit.

3. Request from Jane Koopman White to hold outdoor Girl Scout Events on Town property

Chairman Pierce read the following:

The Rowley Girl Scouts are interested in having a few events in Town. Girl Scouts Leader Jane Koopman White sent the following request:

Hi Deb! The Girl Scouts are planning a few little activities for families this fall. This week, we are planning a letterboxing activity downtown, with small plastic boxes hidden (containing rubber stamps) at various locations. The boxes would be in place from Friday, 11/6, through Monday, 11/23. We'd like to place three on town property:

- * at the gazebo on the Town Common*
- * at the base of the status on the north end of the Common*
- * at the base of the War Memorial in front of Town Hall*

Please advise if this isn't possible.

We assume that Caroling on the Common will not be possible this year, so we're exploring the possibility of having troops decorate trees which could be on display on the Town Common during one weekend in December - a small festival of trees, outdoors, for everyone to enjoy. Trees would be placed and decorated on Saturday, 12/14, and undecorated on Sunday, 12/15. I assume that we would need permission from the Select Board for this activity: what other information would you need to gain approval?

*Many thanks!
Jane*

Health Director Frank Marchegiani reviewed the request and recommends that if the Board approves this request, that the scouts follow all COVID-19 guidelines and restrictions, including the newly-release orders from Governor Baker, Numbers 54 and 55, which are attached.

If the Board grants this request, they must vote by ROLL CALL.

Deana Ziev recused herself and said she is a Girl Scout Leader for the Town.

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

NEW BUSINESS

1. Review Planning Board Special Permit Application and Site Plan Application filed by Edward Sutherby, HTA Realty, Inc. for Ashley Village Development at 12 Main Street

The Board had no comments on this application.

OLD BUSINESS

1. Update on Route 1 and Central and Glen Streets

Bob Snow said people have until November 15th to make comments on this project. He said he had some difficulty when he went to the State's website, but he was able to submit his comments. He said he urges everyone to go to the State's website via the link on the Town's website and to make comments. He said there are three options, but the best option is the first one for a traffic signal. He said it will cost \$1.1 million for the light. Pierce said the round-about option doesn't seem feasible, nor does a four way stop sign. He said this is a horrible intersection, and a signal light is needed. Snow said this should be done in 2021 / 2022, which was pushed up from 2025.

NEW BUSINESS

2. Request from Elyse Brooks, Synergy Restaurant Group requesting to extend the temporary liquor license for outdoor seating at the Blue Boat, 255 Newburyport Turnpike, through December 15, 2020

Deana Ziev made a motion to extend the temporary liquor license for outdoor seating at the Blue Boat, 255 Newburyport Turnpike, through December 15, 2020, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

OLD BUSINESS

2. Discuss status of Pine Grove School closeout

Chairman Pierce read the following:

Andraya Lombardi provided the Board with an updated punch list last week. (See attached.) She is indicating that a final walk through could be scheduled this week.

However, Building Inspector Ken Ward reported to Debbie last week that he and Chief Broderick went to the school to do the final inspection for the occupancy permit and the school Principal informed him that there were still a number of outstanding items, such as a broken exit sign.

Andraya reported last week that we are still on schedule to submit all the paperwork to MSBA by the December 31, 2020 deadline.

Chairman Pierce wants the Board to discuss this at today's meeting and see if the Board would like to have Andraya attend the next meeting on November 16.

Deana Ziev said she ran into the Principal at the school last week, and she pointed out a broken exit sign, missing plaques between classrooms and that they are missing a red box for the weather station equipment. She said she emailed this information out this morning and would like to have it addressed before the walk through. She said the camera issue seems to be resolved to the satisfaction of the Principal. She said the

school is not satisfied with the chairs, which are damaging the new floors. She said it is a good idea to have Andraya attend the meeting on the 16th. Perry said he has nothing to add. Pierce said it looks like this is on track. Petersen asked if the school sign was going to be replaced. Pierce said the Board approved it. Perry said we considered it, but due to the cost we didn't approve it. Pierce said we can ask Andraya to attend the next meeting.

MINUTES

- October 19, 2020

Joe Perry made a motion to approve the minutes from October 19, 2020, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

- October 26, 2020

Joe Perry made a motion to approve the minutes from October 26, 2020, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

- November 2, 2020

Joe Perry made a motion to approve the minutes from November 2, 2020, Bob Snow second, all in favor, roll call vote– Bob Snow – aye; Joe Perry – aye; Dave Petersen – aye; Deana Ziev – aye; Cliff Pierce – aye.

ANNOUNCEMENTS

- Town Offices are closed on Wednesday, November 11, 2020 in honor of Veterans Day
- Massachusetts Department of Transportation informational website on the Route 1 at Central/Glen Streets Improvements. Virtual Online Meeting and informational website at: www.tiny.cc/RowleyInt and <http://tiny.cc/MassDOTRowleyIntersection>

ADJOURN

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

Meeting adjourned at 2:11 p.m.

Respectfully submitted,
Amy Lydon
Assistant Town Administrator

ATTACHMENTS:

1. Meeting memo regarding 1:00 p.m. Appointment: Presentation of Proclamation to Town Health Nurse and former Council on Aging Director Maryellen Mighill for many years of dedicated service to the Town
2. Proclamation to Town Health Nurse and former Council on Aging Director Maryellen Mighill for many years of dedicated service to the Town
3. Meeting memo regarding 1:10 p.m. Appointment: Board of Health Chairman Charles Costello and Health Director Frank Marchegiani to provide COVID-19 update
4. Meeting memo regarding 1:20 p.m. Appointment: Thomas Starr, Professor, Department of Art and Design, Northeastern University, to discuss Remembrance of Climate Futures Public Installation Project
5. Email from Thomas Starr regarding BOS Agenda and attached file titled Remembrance of Climate Futures
6. Presentation slides reviewed by Thomas Starr
7. Meeting memo regarding 1:30 p.m. Appointment: Conservation Agent Brent Baeslack to discuss proposal from CEI to provide outfall screening services as required under the Massachusetts MS4 General Permit as part of the National Pollution Discharge Elimination System
8. Proposal from CEI and Standard Contract Form
9. MVPC Engineering Services for NPDES MS4 - CEI
10. Meeting memo regarding General Business #1: Road Opening Permit Application from TW Excavating Corporation to open 74 Long Hill Road for electric service
11. Road Opening Permit Application from TW Excavating Corporation to open 74 Long Hill Road for electric service
12. Meeting memo regarding General Business #2: Road Opening Permit Application from TW Excavating Corporation to open 152 Glen Street for water service
13. Road Opening Permit Application from TW Excavating Corporation to open 152 Glen Street for water service
14. Meeting memo regarding General Business #3: Request from Jane Koopman White to hold outdoor Girl Scout Events on Town property
15. Email request from Jane Koopman White to hold outdoor Girl Scout Events on Town property
16. Health Director Frank Marchegiani's response to the email request from Jane Koopman White to hold outdoor Girl Scout Events on Town property, including attachments
17. Meeting memo regarding New Business #1: Review Planning Board Special Permit Application and Site Plan Application filed by Edward Sutherby, HTA Realty, Inc. for Ashley Village Development at 12 Main Street
18. Planning Board Special Permit Application and Site Plan Application filed by Edward Sutherby, HTA Realty, Inc. for Ashley Village Development at 12 Main Street

19. Meeting memo regarding New Business #2: Request from Elyse Brooks, Synergy Restaurant Group requesting to extend the temporary liquor license for outdoor seating at the Blue Boat, 255 Newburyport Turnpike, through December 15, 2020
20. Request from Elyse Brooks, Synergy Restaurant Group requesting to extend the temporary liquor license for outdoor seating at the Blue Boat, 255 Newburyport Turnpike, through December 15, 2020
21. Temporary liquor license issued to 255 Newburyport Turnpike Rowley LLC
22. Meeting memo regarding Old Business #1: Update on Route 1 and Central and Glen Streets
23. Meeting memo regarding Old Business #2: Discuss status of Pine Grove School closeout
24. Email from Andraya Lombardi regarding PGS Punchlist including District Items 20_1104.pdf, including attachment
25. Email from Andraya Lombardi regarding MSBA deadline 12/31/20
26. Meeting memo regarding Minutes
27. Meeting memo regarding Announcements