

Town of Rowley, Commonwealth of Massachusetts
WARRANT FOR SPECIAL TOWN MEETING
May 18, 2009

Essex, ss.

To the Constables in the Town of Rowley in the County of Essex, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Rowley, qualified to vote in elections and Town Affairs, to meet in the Pine Grove School, Route 1A, on Monday, the 18th day of May, 2009 at 7:30 p.m., then and there to act on the following articles:

ARTICLE 1. To hear and act on reports of Committees and Boards.
(Inserted by the Board of Selectmen)

ARTICLE 2. To see what instructions the Town will give Town Officers.
(Inserted by the Board of Selectmen)

ARTICLE 3. To see if the Town will vote to suspend in the Town Meeting the application of Section 19 and Section 20 of the Town Meeting Bylaw pertaining to the reconsideration of all money articles, such suspension intended for the specific purpose to balance the total level of funds raised and appropriated within the limitations of Massachusetts General Laws Chapter 59 Section 21C [Proposition 2-1/2, so-called] and to give blanket warning hereby that any money article may, at the end of the meeting and after all articles have been acted upon, be moved for reconsideration in order to balance the total level of funds raised and appropriated within the limitations of Massachusetts General Laws Chapter 59 Section 21C or take any other action relative thereto.
(Inserted by the Board of Selectmen)

ARTICLE 4. To see if the Town will vote to transfer and appropriate the sum of \$5,000 from Line 29 (Town Counsel Litigation) of Article 5 of the Annual Town Meeting of May 19, 2008 to be added to Line 7 (Selectmen's Expense) of Article 5 of the Annual Town Meeting of May 19, 2008 to pay for the expenses incurred to hold this Special Town Meeting and the Annual Town Meeting, for a total appropriation of \$19,023 or take any other action relative thereto.
(Inserted by the Board of Selectmen)

Finance Committee Recommends

ARTICLE 5. To see if the Town will vote to transfer and appropriate the sum of \$31,000 from the Sale of Real Estate Account to be used by the Police Chief to purchase a new Police Department cruiser, or take any other action relative thereto.
(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: The Town has not purchased a police cruiser since FY 08. It is vital for the Town to maintain a vehicle replacement program as a way to avoid costly repairs for these frontline emergency vehicles.

ARTICLE: 6. To see if the Town will (a) appropriate \$111,000, to be expended by the Board of Selectmen for the purpose of purchasing the following capital equipment: Fire Department vehicle for \$34,000; Highway Department truck for \$36,000; Fire Department radios for \$16,000; and information services computers and equipment for \$25,000 and (b) authorize the Treasurer with the approval of the Board of Selectmen to borrow \$111,000 under G.L. Chapter 44 §7 or any other enabling authority to meet such appropriation; and (c) authorize the Board of Selectmen to take any other action necessary to carry out this project.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: This capital equipment bond serves as the Board of Selectmen's first step in scheduling replacement targets for Town vehicles and information services infrastructure equipment. Passage requires a two-thirds vote.

ARTICLE 7. To see if the Town will vote to transfer and appropriate from the Water Department Enterprise Fund the sum of \$52,000 for the purpose of replacing the motor center, surge valve and the purchase and installation of an emergency generator at Well #2 – Haverhill Street and to authorize the Board of Water Commissioners to take any action necessary to carry out this project, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: The existing motor center and surge valve is approaching 50 years old and has experienced some recent failures. As Wellfield #2 is our highest production well, the Board of Water Commissioners feels that the upgrade and addition of standby power through the purchase of an emergency generator is necessary for reliable operation under normal and emergency circumstances.

ARTICLE 8. To see if the Town will vote to transfer \$11,600.01 from Article 3 (Haverhill Street Water Main) of the June 26, 1996 Special Town Meeting to Article 11 (SCADA Control System) of the May 12, 2003 Annual Town Meeting for a total appropriation of \$42,748.75 or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

ARTICLE 9. To see if the Town will vote to accept as a town way, the laying out by the Board of Selectmen of the private way known as Wilkes Road, situated on the westerly sideline of Cindy Lane and running a distance of 1,695 feet to Harrison Circle, shown on a plan entitled "Street Acceptance Plan Wilkes Road Rowley, Mass.", dated Sept. 5, 2007, revised 9-19-07, to be recorded herewith, this being the roadway shown on a plan entitled "Definitive Plan Wilkes Road, Rowley, Mass. Hayes Engineering", dated September 3, 1996, and amended through August 15, 1997, recorded with Essex South Registry of Deeds as Plan 78 in Plan Book 323, and to authorize the Board of Selectmen to acquire by gift or deed, the land, easements, and rights therein or take any other action relative thereto.

(Inserted by the Board of Selectmen)

ARTICLE 10. To see if the Town will vote to authorize the Board of Selectmen, pursuant to Mass. General Laws c. 40, §4, to enter into a lease agreement for up to ten years for certain property; said lease to be for the purpose of maintaining a fire station on said property for use by the Fire Department; and to be upon such terms and for such length of time as the Board of Selectmen deems proper; or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: The Town of Rowley does not own a fire station. In order to lease real property for the use of a fire station by the Rowley Fire Department, the Town must follow the purchasing requirements as set out in Mass. General Laws c.30B §16. Mass. General Laws c. 40 §4 authorizes the Board of Selectmen to enter into a lease agreement with a private landowner.

And you are hereby instructed to serve this warrant by posting copies thereof in at least seven public places in Town not less than fourteen days before the day fixed for such meeting, as directed by the laws of the Town and to make due return of the Warrant to the Town Clerk at least two days before said meeting. Given under our hands this 29th day of April in the year two thousand nine.

David C. Petersen, Chairman
Richard M. Cummings, Vice Chairman
Robert Snow, Clerk
Jack L. Cook
Stuart L. Dalzell, Sr.

I have served this Warrant by posting in at least seven public places in the Town not less than fourteen days before the day fixed for such meeting and have made the return of the Warrant to the Town Clerk at least two days before the time of said meeting.

Notices posted at Town Hall, Veterans Garage, Rowley Pharmacy, Inc., Public Library, Knowles Filling Station, Market Basket, Skip's Country Store.

Constable of Rowley

Date