

Town of Rowley, Commonwealth of Massachusetts
MINUTES OF ANNUAL TOWN MEETING
May 18, 2009

Tellers appointed: Peter Koester, 26 Long Hill Rd., Joseph Perry, 7 Bennett Hill Rd.,
Edward Mavragis, 40 Weldon Farm Rd., and Karen Summit, 118 Central St.
Invocation by Rev. Robert M.J. Hagopian of the First Congregational Church.
Pledge of Allegiance lead by Board of Selectmen Chair, David C. Petersen.
Quorum certified by Board of Registrars and Special Town Meeting called to order at 8:09.
STM completed and adjourned at 8:26.
Annual Town Meeting called to order by Moderator Warren G. Appell at 8:27 pm

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:

MOTION: Move to suspend further reading of the May 18, 2009 Annual Town Meeting Warrant because present Town Meeting members have a copy of this warrant.

Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 8:27 pm

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

MOTION: Move to allow the following non-resident individuals permission to speak, if called upon, during the May 18, 2009 Annual Town Meeting: Judith Pickett, Town Counsel; Jason Grossfield, Town Counsel; Deborah Eagan, Town Administrator; Brent Baeslack, Conservation Agent; Frank Marchigiani, Coordinator of Health Services; David Lovering, Building Inspector; James Broderick, Fire Chief; Pam Jacobson, Library Director; John, Rezza, Water Superintendent; Sandra Halloran, TRSD Superintendent; and William DeRosa, Whittier Superintendent.

Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 8:29 pm.

ARTICLE 3. Move the Town 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.

Inserted by the Board of Selectmen

Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 8:30 pm.

ARTICLE 4. Move the Town vote to fix the annual compensation of elective officers of the Town as required by Massachusetts General Laws Chapter 41 Section 108 as follows.

<u>Elective Officer</u>	<u>Requested</u>	<u>Finance Committee Recommends</u>
Moderator	\$100	\$100
Board of Selectmen (each member)	\$2,231	\$2,231
Board of Assessors (each member)	\$2,456	\$2,456
Town Treasurer/Collector of Taxes	\$71,400	\$71,400
Town Clerk	\$38,006	\$38,006
Planning Board (each member)	\$0	\$0
Tree Warden	\$7,109	\$7,109
Surveyor of Highways	\$64,126	\$64,126
Municipal Water Board (each member)	\$0	\$0
Trustees of Free Public Library	\$0	\$0
Rowley Housing Authority	\$0	\$0
Municipal Light Board (each member)	\$0	\$0

Inserted by the Board of Selectmen

Finance Committee Recommends

Motion by Richard M. Cummings, seconded by David C. Petersen, passed voice unanimous at 8:43 pm.

ARTICLE 5. General Omnibus Budget. Move the Town vote to raise and appropriate \$12,424,562, and transfer and appropriate the sum of \$425,262 from Free Cash, and transfer and appropriate the sum of \$22,000 from Overlay Reserve, for a total of \$12,871,824 to defray the expenses of the Town for the forthcoming fiscal year, including Bonds, Notes and Interest.

Inserted by the Finance Committee

Finance Committee Recommends

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
	<u>General Government</u>				
	Town Moderator				
1	Moderator Stipend	100	100	100	100
	Board of Selectmen				
2	Selectmen Stipends	11,155	11,155	11,155	11,155
3	Town Administrator/Pers. Off Salary	76,466	77,208	77,996	77,996
4	Executive Secretary Salary	0	0	43,848	43,848
5	Administrative Assistant Wages	22,808	28,004	18,888	18,888
6	CPA Administrator Stipend	2,000	2,000	2,000	2,000
7	Expenses	20,014	14,023	14,117	14,117
8	Copier/Fax Expenses	6,899	7,385	7,385	7,385
9	General Audit Expense	12,500	12,500	12,500	12,500
10	Sealer of Weights & Measurers Exp	2,500	3,000	3,000	3,000

	Finance Committee				
11	Secretary Wages	421	1,404	1,404	1,404
12	Expenses	344	379	379	379
	Reserve Fund	50,000	50,000	50,000	50,000
	Town Accountant				
13	Accountant Salary	45,836	46,286	48,522	48,522
14	Asst. Accountant Wages	12,422	14,831	14,860	14,860
15	Expenses	3,798	4,659	4,659	4,659
	Board of Assessors				
16	Assessors Stipends	7,368	7,368	7,368	7,368
17	Principal Assessor Salary	71,101	71,826	72,551	72,551
18	Administrative Assistant Wages	17,587	21,084	21,522	21,522
19	Consultant	1,000	1,000	1,000	1,000
20	Professional Services	11,095	11,505	11,505	11,505
21	Expenses	5,713	6,055	6,055	6,055
	Treasurer/Tax Collector				
22	Treas./Collector Salary	70,000	70,700	71,400	71,400
23	Assistant Treasurer Salary	45,910	46,416	46,896	46,896
24	Administrative Assistant Wages	31,182	30,650	31,904	31,904
25	Expenses	31,897	31,943	31,943	31,943

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
26	Tax Title	9,472	10,517	10,517	10,517
27	Debt Fees & Charges	2,688	5,000	5,000	5,000
	Town Counsel				
28	Professional Fee	48,247	52,600	52,600	52,600
29	Litigation	20,631	38,500	65,000	65,000
	Personnel Board				
30	Expenses	399	399	399	399
	IS Department				
31	Consultant Services	8,127	14,931	14,931	14,931
32	Expenses	2,407	4,491	4,491	4,491
	Town Clerk				
33	Town Clerk Salary	37,260	37,633	38,006	38,006
34	Assistant Town Clerk Wages	1,762	3,283	3,250	3,250
35	Expenses	3,884	4,100	3,850	3,850
	Elections				
36	Wages	2,092	3,580	1,100	1,100
37	Expenses	3,898	7,125	4,000	4,000
	Registrar of Voters				
38	Stipends	2,250	2,250	2,250	2,250
39	Expenses	2,494	2,600	2,900	2,900

	Conservation Commission				
40	Conservation Agent Salary	43,891	44,416	45,086	45,086
41	Expenses	1,622	1,622	1,622	1,622
	Planning Board				
42	Planning/ZBA Administrative Assistant Wages	21,724	29,049	29,609	29,609
43	Planner Consultant	2,125	9,026	9,026	9,026
44	Merrimack Valley Planning Comm.	1,782	1,800	1,814	1,814
45	Expenses	2,017	2,970	2,970	2,970
	Zoning Board of Appeals				
46	Expenses	1,356	1,680	1,680	1,680
	Agricultural Commission				
47	Expenses			500	500
	Town Hall				
48	Town Hall/Annex Janitor Wages	11,232	12,542	12,620	12,620
49	Expenses	15,861	16,318	14,318	14,318
	Town Hall Annex				
50	Expenses	21,101	16,318	14,318	14,318

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
	Town Report				
51	Printing & Distribution	5,626	6,594		
	Subtotal	834,064	900,825	954,814	954,814
	Public Safety				
	Police Department				
52	Police Chief Salary & Other Earnings	127,630	129,599	131,758	131,758
53	Deputy Chief Salary & Other Earnings	90,422	91,577	92,518	92,518
54	Wages	989,426	1,039,631	1,044,141	1,044,141
55	Expenses	127,560	117,350	120,000	120,000
56	Police Cruiser	29,500		30,500	30,500
57	Police Modular Building Lease	30,312	30,312	25,052	25,052
	Constables				
58	Expenses	100	450	400	400
	Fire Department				
59	Fire Chief Salary	70,241	70,941	71,652	71,652
60	Firefighter Wages	122,148	123,900	125,478	125,478
61	Call Firefighter Wages			84,000	84,000
62	Expenses	12,256	11,616	107,593	107,593
63	RVFPA Fire Protection Services	219,477	179,477		
	Ambulance Service				

64	Service Contract	30,000	30,000	0	0
	Inspection Department				
65	Salaries	65,612	65,692	50,500	50,500
66	Wages	3,065	7,901	7,901	7,901
67	Expenses	5,511	5,065	5,065	5,065
	Emergency Management Svcs.				
68	REMA Director Stipend	0	0	3,000	3,000
69	Expenses	2,270	2,187	2,187	2,187
	Animal Inspector				
70	Salary	2,454	2,479	2,505	2,505
71	Expenses	0	200	200	200
72	Rabid Animal Control	820	1,853	1,853	1,853
	Animal Control Officer				
73	Salary	9,685	9,853	9,929	9,929
74	Expenses	842	970	1,970	1,970
	Tree Warden/Moth Control				
75	Salary	6,969	7,039	7,109	7,109

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
76	Expenses	8,133	8,193	8,193	8,193
	Harbormaster				
77	Salary	5,628	5,685	5,742	5,742
78	Wages	4,873	4,893	4,942	4,942
79	Pumpout Boat Wages.	1,689	1,692	1,709	1,709
80	Expenses	3,912	4,000	4,000	4,000
	Shellfish Commission				
81	Commission Salaries	1,100	1,495	1,495	1,495
82	Commission Expenses	505	563	563	563
	Shellfish Constable				
83	Constable Salary	243	243	243	243
84	Constable Expenses	523	563	563	563
	Subtotal	1,972,906	1,955,419	1,952,761	1,952,761
	Schools				
85	Whittier Vocational Assessment	96,375	229,335	248,864	248,864
86	Triton Regional Assessment	7,031,397	7,146,439	7,027,052	7,027,052
87	Triton Capital Assessment	175,150	156,277	281,358	281,358
	Subtotal	7,302,922	7,532,051	7,557,274	7,557,274
	Public Works				
	Highway Department				
88	Snow & Ice Removal	219,021	40,000	60,000	60,000
89	Street Lighting Expenses	0	20,538	22,608	22,608
90	Surveyor's Salary	62,869	63,499	64,126	64,126

91	Wages	130,918	126,074	131,982	131,982
92	Expenses	92,866	92,622	91,622	91,622
93	Highway Truck Lease		9,509	9,509	9,509
	Recycling				
94	Wages	3,005	3,712	3,750	3,750
95	Expenses	7,350	8,510	8,510	8,510
	Fire Hydrants				
96	Expenses	32,900	35,000	35,000	35,000
	Cemetery Commission				
97	Wages	15,724	15,731	15,731	15,731
98	Expenses	1,943	1,947	1,947	1,947
	Subtotal	566,596	417,142	444,785	444,785
	Health & Human Services				
	Board of Health				
99	Coordinator of Health Services & Regulatory Compliance Salary	45,898	46,577	47,042	47,042

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
100	Sanitary Health Agent	21,182	21,399	21,826	21,826
101	Admin. Asst./Asst. Inspector Wages	23,456	23,741	24,018	24,018
102	Public Health Nurse Stipend	1,000	1,000	1,000	1,000
103	Expenses	6,868	6,900	6,900	6,900
	Council on Aging				
104	Senior Director Salary	32,256	32,582	32,905	32,905
105	Wages	41,428	42,506	42,879	42,879
106	Elder Services of Merrimack Valley	294	294	294	294
107	Expenses	11,798	12,779	12,974	12,974
	Veterans Affairs				
108	Veterans Benefits	6,966	11,844	11,844	11,844
109	Eastern Essex Veterans District	16,779	18,457	20,303	20,303
	Handicapped Commission				
110	Expenses	0	190	190	190
	Subtotal	207,925	218,269	222,175	222,175
	Recreation/Historic				
	Rowley Public Library				
111	Library Director Salary	45,346	45,801	46,260	46,260
112	Wages	68,835	70,569	71,275	71,275
113	Expenses	79,478	79,035	84,035	84,035
	Recreation Committee				
114	Parks & Recreational Services Coordinator Wages	13,759	7,562	7,562	7,562
115	Expenses	1,598	1,864	1,864	1,864

116	Field Maintenance	15,078	15,078	15,078	15,078
	Town Commons				
117	Expenses	7,923	7,461	7,461	7,461
	Historical				
118	Commission Expenses	204	332	332	332
119	Historic District Commission Exp.	0	70	70	70
	Other				
120	Bay Circuit Committee	0	200	200	200
121	Memorial Day/Veterans Day	888	1,000	1,000	1,000
122	Bradstreet Property Expense	3,211	5,000	5,000	5,000
123	Former Library Building Expense	98	800	800	800
	Subtotal	236,418	234,772	240,937	240,937
	Debt				
124	School Building Principal	334,375	100,000	0	0
125	Landfill Capping Principal	35,000	35,000	35,000	35,000
126	New Well Land Principal	9,500	9,500	9,500	9,500

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2008	FY 2009	FY 2010	Rec.
127	Library Principal	95,000	90,000	90,000	90,000
128	Hunsley Hill Principal	55,000	55,000	55,000	55,000
129	Used Fire Ladder Truck Principal	20,000	20,000	13,000	13,000
130	Highway Truck Principal	16,000	16,000	16,000	16,000
131	Bridge Repair Principal			0	0
132	Fire Truck Principal			90,000	90,000
133	Capital Equipment Principal			22,200	22,200
134	School Building Interest	11,940	2,250	0	0
135	Landfill Capping Interest	22,605	20,768	18,930	18,930
136	New Well Land Interest	6,660	6,161	5,662	5,662
137	Library Interest	57,209	53,528	49,928	49,928
138	Hunsley Hills Land Interest	32,093	29,962	27,762	27,762
139	Used Fire Ladder Truck Interest	1,926	1,205	475	475
140	Highway Truck Interest	2,800	2,000	1,200	1,200
141	Bridges Interest	10,000	11,000	72,000	72,000
142	Fire Truck Interest			18,000	18,000
143	Capital Equipment Interest			4,440	4,440
	Subtotal	710,108	452,374	529,097	529,097
	Insurance				
144	Unemployment	0	12,000	12,000	12,000
145	Blanket Insurance	90,638	96,000	96,000	96,000
146	Essex Regional Retirement	428,698	453,618	500,943	500,943
147	Group Health/Life Ins. & FICA	320,427	351,894	361,038	361,038
	Subtotal	839,763	913,512	969,981	969,981

	<u>GRAND TOTAL</u>	12,670,702	12,624,364	12,871,824	12,871,824
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The entire omnibus budget was read line by line by Finance Committee Chairman, John R. Dimento and HOLDS (requests for additional information) were called out as budget was read. HOLDS were placed on Line # 51 (Town Report/Printing and Distribution) and Line # 63 (RVFPA Fire Protection Services).

Line #51 - Town Clerk Susan Hazen asked why Line #51 was blank with no funds allocated for the printing and distribution of the 2009 Town Report. BOS Chair David Petersen explained that since a new town bylaw amendment allows the Town Report to be available on the Town website with only a limited number of actual book format reports printed, this line item has been absorbed by other Line Items within the budget.

Line # 63 - RVFPA Member Richard Gagnon of 74 Bennett Hill questioned why the FY10 Budget Request of \$179,477 as submitted by the Rowley Volunteer Fire Protection Association (RVFPA) was not listed in the Request column, Line 63 of the FY10 Omnibus Budget. BOS Chair Petersen explained that since the BOS had determined that the contract between the Town and the RVFPA does not comply with state law, the Town would not be entering into a contract with the RVFPA for FY10 making Line # 63 obsolete and that the requested funds were moved to Lines 61 (Call Firefighter Wages) and 62 (Expenses). He explained that the call firefighters would now be town employees and paid directly by the town and that the expense line would henceforth be under the control of the Fire Chief. Mr. Gagnon objected again to the decision to leave the RVFPA request line blank. The line remained blank.

Winifred Jarvis of 22 Bradford Street asked if Fire Chief James Broderick had anything he would like to add to the debate. Chief Broderick declined the invitation to speak to the subject.

There being no further holds or discussion, the motion was made by John R. Dimento, seconded by Susan W. Bailey and passed voice unanimous at 9:21 pm.

ARTICLE 6. Water Department Budget. Move the Town transfer and appropriate the sum of **\$861,701** from the Water Department Enterprise Fund for FY 2010.

	<u>Description</u>	<u>Expended</u> <u>FY 2009</u>	<u>Appropriated</u> <u>FY 2009</u>	<u>Requested</u> <u>FY 2010</u>
	<u>Operating Service</u>			
148	Superintendent Salary	53,986	55,884	57,519
149	Water Department Wages	228,996	259,423	264,514
150	Maintenance & Expenses	344,053	327,966	340,100
	SUBTOTAL	627,035	643,213	662,133
	<u>Debt Service</u>			
151	Water Loop Principal	15,625	0	0
152	Water Loop Interest	348	0	0
153	Pingree Well Principal	55,500	50,500	50,500
154	Pingree Well Interest	35,401	32,847	29,836
155	New Water Building Principal	15,000	10,000	10,000
156	New Water Building Interest	7,273	6,485	5,960
157	Corrosion Control Principal	65,000	65,000	65,000
158	Corrosion Control Interest	13,390	10,872	8,272
159	Loader, SCADA, Motor/Surge, Well #3 Redevelopment Principal	35,000	35,000	0
160	Loader, SCADA, Motor/Surge, Well #3	2,100	700	0

	Redevelopment Interest			
161	Water Garage Rehabilitation Principal	0	0	20,000
162	Water Garage Rehabilitation Interest	0	5,000	10,000
	SUBTOTAL	244,636	216,044	199,568
	TOTAL	871,671	859,257	861,701
	Plus Article 7 - Indirect Costs	61,536	77,930	88,886
	GRAND TOTAL	933,207	937,187	950,587

Inserted by Board of Water Commissioners

Finance Committee Recommends

Board of Selectmen Recommends

Motion by Scott C. Martin, seconded by Timothy Toomey, passed voice unanimous at 9:24 pm.

ARTICLE 7. Move the Town vote to transfer from the Water Department Enterprise Fund to the General Fund the sum of **\$88,886** for the items listed in Article 7 of the May 18, 2009 Annual Town Meeting Warrant and that any other moneys spent by the General Government on behalf of the Water Department be reimbursed to the General Fund from the Water Department Enterprise Fund in Fiscal Year 2010.

<u>Line Item</u>	<u>Description</u>	<u>Actual Transferred FY 2008</u>	<u>Anticipated Transferred FY 2009</u>	<u>Requested FY 2010</u>
163	County Retirement	29,465	30,226	30,226
164	Employee Health Insurance	17,163	32,631	43,587
165	Life Insurance Premiums	152	512	512
166	Accountant's Fee	3,090	3,090	3,090
167	Treasurer/Collector's Fee	6,458	6,458	6,458
168	Audit	1,650	1,650	1,650
169	Medicare	3,558	3,363	3,363
	TOTAL	61,536	77,930	88,886

Inserted by Board of Water Commissioners

Finance Committee Recommends

Board of Selectmen Recommends

Motion by Scott C. Martin, seconded by Roy Ricker Sr, passed voice unanimous at 9:25 pm.

FOR INFORMATIONAL PURPOSES

	<u>Actual FY 2008</u>	<u>Estimated FY 2009</u>	<u>Estimated FY 2010</u>
Operating Revenue			
Water Bills	645,631	829,374	870,916
Permits	20,000	45,000	19,904
Merchandising & Jobbing	10,875	22,000	19,767
Special Services	11,776	5,813	5,000
Hydrant Rentals	32,900	35,000	35,000
Subtotal	721,182	937,187	950,587
STARTING BALANCE	375,072	132,048	50,048
REVENUE	721,182	937,187	950,587

EXPENSE	(933,206)	(937,187)	(950,587)
ARTICLES	(31,000)	(82,000)	(30,000)
ANNUAL EXCESS/DEFICIT	(243,024)	(82,000)	(30,000)
AVAILABLE BALANCE	132,048	50,048	20,048

ARTICLE 8. Move the Town vote to transfer and appropriate from the Water Department Enterprise Fund the sum of \$30,000 for the Operations and Maintenance Emergency Reserve Account for Fiscal Year 2010 for the purpose of emergency funding of unanticipated Water Department Operation and Maintenance Expense emergencies as deemed appropriate by the Board of Water Commissioners and voted in conjunction with a vote of the Finance Committee in accordance with Mass. General Laws Chapter 40 Section 6.

Inserted by the Board of Water Commissioners

Finance Committee Recommends

Board of Selectmen Recommends

Motion by Scott C. Martin, seconded by Timothy Toomey, passed voice unanimous at 9:27 pm.

Articles 9 – 12 are standard annual articles. These articles will be voted under one consent motion:

ARTICLE 9. To see if the Town will vote to appropriate the income from sales of electricity to private consumers or for electricity supplied to municipal buildings, municipal street lighting or for municipal power and from sales of appliances and jobbing during the current fiscal year to the Municipal Lighting Plant, the whole to be expended by the manager of the municipal lighting plant under the direction and control of the municipal light board for the expense of the plant for said fiscal year, as defined in Section 57 of Chapter 164 of the General Laws, upon condition that, if said income shall exceed said expense for said fiscal year, such excess shall be transferred to the construction fund of said plant and appropriated and used for such additions thereto as may thereafter be authorized by the municipal light board.

Inserted by the Municipal Light Board

Finance Committee Recommends

ARTICLE 10. To see if the Town will vote to transfer and appropriate the sum of \$3,500 from the Municipal Waterways Maintenance and Improvement Fund to an account for use by the Harbormaster in accordance with Massachusetts General Laws Chapter 40 Section 5G, or take any other action relative thereto.

Inserted by the Harbormaster

Finance Committee Recommends

ARTICLE 11. To see if the Town will vote to transfer and appropriate the sum of \$1,000 to the Cemetery Commission from the Perpetual Care Trust Interest Account to be used for the care of graves in the Town Cemetery, or take any other action relative thereto.

Inserted by the Cemetery Commission
Finance Committee Recommends

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of \$20,000 to be added to Article 30 of the May 6, 1996 Annual Town Meeting (Recertification Fund) for the purpose of completing the State mandated triennial recertification of all properties within the Town of Rowley, said fund to be expended by the Board of Assessors, or take any other action relative thereto.

Inserted by the Board of Assessors

Finance Committee Recommends

MOTION: *Move the Town vote to authorize the flowing accounts and their uses as printed in Articles 9 – 12 on Page 10 in the May 18, 2009 Annual Town Meeting Warrant:*

Article 9: Municipal Light Board- Municipal Lighting Plant annual appropriation

Article 10: Harbormaster – Municipal Waters Maintenance and Improvement Fund

Article 11: Cemetery Commissioners – Perpetual Care Trust Interest Account

Article 12: Board of Assessors – Recertification Fund

Motion by Stuart L. Dalzell, Sr., seconded by Jack L. Cook, passed voice unanimous at 9:29 pm

ARTICLE 13. Move the Town vote pursuant to the provisions of Massachusetts General Laws Chapter 44 Section 53-E1/2, to authorize the following revolving funds and their uses for Fiscal Year 2010:

	Name of Account	Expenditure Cap
1	Council on Aging - into which receipts from rental of the Council's van shall be deposited and which may be used by said Council for payment of wages, expenses and maintenance of said van. [Beginning balance - \$786; Income - \$1,540; Expense - \$1,531; Ending balance on 3/31/09 - \$795]	Expenditures not to exceed \$5,000.
2	Board of Health - into which one-half (1/2) of the septic disposal construction fees charged by said Board of Health shall be deposited and which may be used by said Board or its agents to finance special waste disposal and technical expertise beyond the health agent's scope of responsibility. [Beginning balance - \$10,474; Income - \$6,948; Expense - \$8,731; Ending balance on 3/31/09 - \$8,691]	Expenditures not to exceed \$20,000.
3	Parks & Recreation Committee and Board of Selectmen - into which receipts from the Summer Programs fees shall be deposited and which may be used by said Committee and Board to pay for the operation of said programs. [Beginning balance - \$2,690; Income - \$0; Expense - \$0; Ending balance on 3/31/09 - \$2,690]	Expenditures not to exceed \$9,000.
4	Parks & Recreation Committee and Board of Selectmen - into which receipts from donations, advertising and rental of the Parks & Recreation Committee's facilities shall be deposited and which may be used by said Committee and Board to pay for the management and operations of improvements and maintenance of said facilities. [Beginning balance - \$8,154; Income - \$10,455; Expense - \$14,760; Ending balance on 3/31/09 - \$3,849]	Expenditures not to exceed \$30,000.
5	Board of Selectmen - into which revenue collected from the sale of Home Composting bins shall be used to purchase additional compost bins and to advertise the availability of such bins. [Beginning balance - \$81; Income - \$93; Expense - \$10; Ending balance on 3/31/09 - \$164]	Expenditures not to exceed \$2,000.
6	Highway Department – into which receipts from the rental of Highway Department equipment may be used by said Department for the purchase, repair and maintenance of Department equipment. [Beginning balance - \$641; Income - \$6,300; Expense - \$6,941; Ending balance on 3/31/09 - \$0]	Expenditures not to exceed \$12,000.
7	Shellfish Department – into which receipts from one-half (1/2) of the shellfish permits sold shall be deposited and used by the Shellfish Department for the propagation of shellfish. [Beginning balance - \$8,967; Income - \$2,985; Expense - \$3,970; Ending balance on 3/31/09 - \$7,982]	Expenditures not to exceed \$6,000.
8	Zoning Board of Appeals and Board of Appeals – into which all receipts from filing and associated application fees shall be deposited, and may be used by said Boards to defray Commonwealth of Massachusetts mandated expenses related to said Board's hearings and meetings, and professional assistance or engineering, legal and other case related items. [Beginning balance - \$5,025; Income - \$0; Expense - \$166; Ending balance on 3/31/09 -	Expenditures not to exceed \$4,000.

	\$4,859]	
9	Board of Cemetery Commissioners – into which one-half (1/2) of cemetery plot grave digging and footings installation fees shall be deposited and which may be used by said Board of Cemetery Commissioners for Cemetery Department operations. [Beginning balance - \$4,678; Income - \$3,000; Expense - \$150; Ending balance on 3/31/09 - \$7,528]	Expenditures not to exceed \$5,000.
10	Library – into which receipts from Library services, such as photocopying, faxes and laser printing from public computer stations shall be deposited and which may be used by said Library to purchase supplies related to these services and services contracts for the maintenance of said office equipment. [Beginning balance - \$800; Income - \$944; Expense - \$1,322; Ending balance on 3/31/09 - \$422]	Expenditures not to exceed \$2,500.

Inserted by the Council on Aging, Board of Health, Parks & Recreation Committee, Board of Selectmen, Highway Department, Shellfish Department, Zoning Board of Appeals and Board of Appeals, Board of Cemetery Commissioners, and Board of Finance Library
Committee Recommends

*Explanatory Note: The above article consolidates ten standard revolving fund annual renewal authorizations. Article 13 will be taken up and voted under one consent motion.
Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 9:30 pm.*

ARTICLE 14. Move the Town vote to transfer and appropriate the sum of \$23,787 from the Massachusetts Water Pollution Abatement Trust Septic Betterment Loan Program to pay the debt service on the Town’s loan from the Massachusetts Water Pollution Abatement Trust.

Inserted by the Board of Health **Finance Committee Recommends**
Explanatory Note: The Town has received \$500,000 from the Massachusetts Water Pollution Abatement Trust Septic Loan funds for taxpayer’s repair and/or upgrade of failed septic systems. This appropriation is to pay the debt on the Town’s loans from the Massachusetts Water Pollution Abatement Trust.

Motion by Susan L. Elwell, seconded by Mary Ellen Mighill, passed voice unanimous at 9:31pm.

ARTICLE 15. Move the Town vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2010 annual revenues the amounts recommended by the Community Preservation Committee for the committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

Summary of recommendations by Category:

Reserve Community Housing	10%	\$49,000.00
Reserve Open Space	10%	\$49,000.00
Reserve Historic Preservation	10%	\$49,000.00
Administration	5%	\$20,000.00

Appropriations

Debt Service for Pingree Farm land acquisition	\$79,500.00
Debt Service for Bradstreet Farm land acquisition	\$197,278.00

Inserted by the Community Preservation Committee **Finance Committee Recommends**
Explanatory Note: Rowley expects to realize approximately \$490,000.00 in Community Preservation Act (CPA) funds from real estate tax receipts (\$305,200) and matching funds from the state (\$184,800) in fiscal year 2010. The Community Preservation Act requires the Town to set aside 10% of funds collected for each of the following areas: open space, historic preservation and community housing, equaling approximately \$49,000.00 for each area. Any unexpended administrative expenses will be returned to the general Undesignated Community Preservation fund. All funds realized above those

reserved or appropriated will become general Undesignated CPA funds available for appropriation in Fiscal year 2010 or to be carried over to fiscal year 2011.

Motion by Richard M. Cummings, seconded by David C. Petersen, passed by voice unanimous vote 9:32 pm.

ARTICLE 16. Move the Town vote to accept the provisions of Massachusetts General Laws Chapter 60, Section 23B, providing for an increase of fee to be charged by the Treasurer/Collector for municipal lien certificates.

Inserted by the Treasurer/Collector

Finance Committee Recommends

Explanatory Note: Passage of this article would increase current flat \$25.00 fee for municipal lien certificates to the following:

<i>Standard fee</i>	\$25.00
<i>Farms, forest land & all other real property</i>	\$50.00
<i>Land with four or more family residences</i>	\$100.00
<i>Land with commercial, industrial or utility structures</i>	\$150.00

Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 9:33 pm.

ARTICLE 17. Move the Town vote to accept as a gift a certain parcel of land located on Main Street, shown on Assessor's Map 27 as Lot 6-3, also shown as Lot 3 on a plan of land entitled, "Plan of Land in Rowley, MA, Essex County for Mary Delory Keller et al.", dated October 21, 1997, recorded with the Essex South District Registry of Deeds, Plan Book 326, Plan 6, containing 101,210 square feet, more or less; and to authorize the Board of Selectmen to accept a deed to the Town for said parcel.

Inserted by the Board of Selectmen

Finance Committee Recommends

Explanatory Note: Danversbank is donating a parcel of land located at 340 Main Street, consisting of approximately 2.32 acres to the Town of Rowley. Danversbank foreclosed on the property in 2008.

Motion by Robert Snow, seconded by Jack L. Cook, passed voice unanimous at 9:34 pm.

ARTICLE 18. Move the Town vote to authorize the Board of Selectmen pursuant to Mass. General Laws Chapter 40 §4, to enter into an agreement for the rental of a modular building for use by the Police Department for a term not to exceed four years, with the option to renew for an additional four-year period.

Inserted by the Board of Selectmen

Finance Committee Recommends

Explanatory Note: An affirmative vote of town meeting authorizes the Board of Selectmen to continue leasing the modular building currently occupied by the Police Department.

Motion by Jack L. Cook, seconded by Stuart L. Dalzell, Sr., passed voice unanimous at 9:35 pm.

ARTICLE 19. Move the Town vote to amend the Town Meeting Bylaw by amending Section 4 by adding the words that appear in **(bold)** parenthesis and deleting the words that appear in *[italics]* brackets:

Section 4: Notice of every Town Meeting shall be given by posting attested copies of the warrant thereof in at least seven (7) public places in the town not less than fourteen (14) days before the day fixed for such meeting. The minimum seven (7) places for posting shall be Town Hall, **(Town Hall Annex)** *[Veteran's Garage]*, Rowley Pharmacy, Inc., the Public Library, Knowles Filling Station, **(First National Bank of Ipswich/Rowley Office)** *[Skip's Country Store]*, and Market Basket. Bylaws and other documents approved by Town Meeting and designated for posting shall be in the same seven (7) places.

Inserted by the Town Clerk

Explanatory Note: As this bylaw mandates that warrants, etc. be posted in seven public places, we have determined that these two new locations would provide better public access.
Motion by David C. Petersen, seconded by Richard M. Cummings, passed voice unanimous at 9:37 pm.

ARTICLE 20. Move the Town vote to raise and appropriate the sum of \$75,000 for the Stabilization Fund.

Inserted by the Finance Committee
Passage requires two-thirds vote.

Finance Committee Recommends

Motion by John R. DiMento, seconded by Susan W. Bailey, passed voice unanimous at 9:37 pm.

ARTICLE 21. And to meet in Saint Mary’s Church (rear), Route 1A, in said Rowley on Tuesday, May 12, 2009 at 12 NOON to act on the following:

One Selectman	three years
One Moderator	one year
One Treasurer/Tax Collector	three years
One Town Clerk	three years
One Highway Surveyor	three years
One Tree Warden	three years
One Constable	three years
One Board of Assessors Member	three years
One Planning Board Member	five years
One Planning Board Member	three year unexpired
One Rowley Housing Authority Member	five years
One Municipal Light Board Member	three years
One Municipal Water Board Member	three years
One Municipal Water Board Member	two year unexpired
One Shellfish Commissioner	three years
One Cemetery Commissioner	three years
One Cemetery Commissioner	two year unexpired
Three Trustees for Public Library	Three year terms
For Regional School District Committee	
One Newbury Member	three years
One Rowley Member	three years
One Salisbury Member	three years

Referendum - Question #1

Shall the Town of Rowley cease assessing the excise imposed under General Laws Chapter 59, Section 8A on certain animals, machinery and equipment owned by individuals and non-corporate entities principally engaged in agriculture?

MOTION: *Move the Town vote to adjourn the May 18, 2009 Annual Town Meeting.*

Motion by Jack L. Cook, seconded by Stuart L. Dalzell, Sr., passed voice unanimous at 9:38 pm.

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.

Nathaniel N. Dummer, Constable
May 1, 2009

Certification: I, Susan G. Hazen, duly elected and qualified Town Clerk for the Town of Rowley do hereby certify the statements contained above with regard to the Minutes of the May 18, 2009 Annual Town Meeting to be true and accurate according to documents maintained by this office.

Susan G. Hazen, Town Clerk
May 20, 2009