

Town of Rowley, Commonwealth of Massachusetts
WARRANT AND MINUTES FOR ANNUAL TOWN MEETING
May 3, 2010

Meeting. Opening Procedures observed for Special Town Meeting remain in place for Annual Town Meeting.

May 3, 2010 Town of Rowley Annual Town Meeting Called to Order at 8:31 pm

PRESENTATION: David C. Petersen, Chairman of the Board of Selectmen made a presentation to Nathaniel N. Dummer of the Zoning Board of Appeals on behalf of the Board and the Town for 50 years worth of meritorious service on that board. Mr. Dummer was appointed to the newly established Board of Appeals on April 4, 1960 and continues to serve as an Associate Member. There was standing ovation in gratitude of Mr. Dummer's many years of dedication.

MOTION: Mr. Moderator, I move to suspend further reading of the May 3, 2010 Annual Town Meeting Warrant because present Town Meeting members have a copy of this warrant.

Motion by David C. Petersen, seconded by Robert L. Snow, passed voice unanimous at 8:32 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 3rd day of May, 2010 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: 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: I move to allow the following non- resident individuals permission to speak, if called upon, during the May 3, 2010 Annual Town Meeting: Judith Pickett, Town Counsel; Deborah Eagan, Town Administrator; Brent Baeslak, Conservation Agent; Frank Marchegiani, Coordinator of Health Service; James Broderick, Fire Chief; Pamela Jacobson, Library Director; John Rezza, Water Superintendent; Barbara Cook, Weston & Sampson; Blake Martin, Weston & Sampson; David Russell, Russell Consulting Services, Sandra Halloran, TRSD Superintendent; William DeRosa, Whittier Voc-Technical School Superintendent; Kevin Mahoney, Whittier Voc-Technical School Business Manager.
Motion by David C. Petersen, seconded by Robert L. Snow, passed voice unanimous at 8:33 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	\$72,459	\$72,459
Town Clerk	\$38,576	\$38,576
Planning Board (each member)	\$0	\$0
Tree Warden	\$7,215	\$7,215
Surveyor of Highways	\$69,126	\$69,126
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 Stuart L. Dalzell, Sr., passed voice unanimous at 8:47 pm

ARTICLE 5: General Omnibus Budget. Move the Town vote to raise and appropriate \$12,614.165 and transfer and appropriate the sum of \$462,577 from Free Cash, and transfer and appropriate the sum of \$10,000 for Overlay Reserve, for a total of \$13,086,742 to defray the expense of the Town for the forthcoming fiscal year, including Bonds, Notes and Interest.

Inserted by the Finance Committee

Finance Committee

Recommends

Motion by John R. DiMento, seconded by Susan W. Bailey, passed voice unanimous at 9:06 pm

Note: Entire Omnibus budget read aloud, line by line – no HOLDS placed on any lines.

Line Item	Description	Expended FY 2009	Appropriated FY 2010	Requested FY 2011	Fin Com Rec.
	General Government				
	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	77,208	77,996	79,131	79,131
4	Executive Secretary Salary	0	43,848	44,924	44,924
5	Administrative Assistant Wages	27,515	18,888	19,171	19,171
6	CPA Administrator Stipend	2,000	2,000	2,000	2,000
7	Expenses	13,465	21,317	14,117	14,117
8	Rev. 9-1-1 communication system			6,000	6,000
9	Copier/Fax Expenses	6,715	7,385	7,385	7,385
10	General Audit Expense	12,500	12,500	12,500	12,500
11	Sealer of Weights & Measurers Exp	2,500	3,000	3,000	3,000
	Finance Committee				
12	Secretary Wages	253	1,404	1,425	1,425
13	Expenses	173	379	379	379
14	Reserve Fund	0	38,300	50,000	50,000
	Town Accountant				
15	Accountant Salary	46,286	48,522	49,313	49,313
16	Asst. Accountant Wages	14,831	14,860	15,183	15,183
17	Expenses	4,430	4,659	4,659	4,659
	Board of Assessors				
18	Assessors Stipends	7,368	7,368	7,368	7,368
19	Principal Assessor Salary	71,772	72,551	73,486	73,486
20	Administrative Assistant Wages	17,671	21,522	21,831	21,831
21	Consultant	0	1,000	1,000	1,000
22	Professional Services	10,620	11,505	11,505	11,505

23	Expenses	4,422	6,055	6,055	6,055
	Treasurer/Tax Collector				
24	Treasurer/Collector Salary	70,700	71,400	72,459	72,459
25	Assistant Treasurer Salary	46,416	46,896	47,586	47,586
26	Administrative Assistant Wages	30,685	31,904	28,749	28,749
27	Expenses	30,405	31,943	31,943	31,943
Line Item		Expended	Appropriated	Requested	Fin Com
Description		<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>Rec.</u>
28	Tax Title	5,937	13,517	10,517	10,517
29	Debt Fees & Charges	3,321	5,000	5,000	5,000
	Town Counsel				
30	Professional Fee	21,514	52,600	52,600	52,600
31	Litigation	4,046	62,000	62,000	62,000
	Personnel Board				
32	Expenses	0	399	399	399
	IS Department				
33	Consultant Services	20,237	14,931	14,931	14,931
34	Expenses	4,732	4,491	4,491	4,491
	Town Clerk				
35	Town Clerk Salary	37,633	38,006	38,576	38,576
36	Asst. Town Clerk Wages	2,197	3,250	3,299	3,299
37	Expenses	3,651	3,850	3,875	3,875
	Elections				
38	Wages	2,992	3,600	3,553	3,553
39	Expenses	5,584	6,000	9,125	9,125
	Registrar of Voters				
40	Stipends	2,250	2,250	2,250	2,250
41	Expenses	2,593	2,900	2,950	2,950
	Conservation Commission				
42	Conservation Agent Salary	44,416	45,086	45,751	45,751
43	Expenses	1,622	1,622	1,622	1,622
	Planning Board				
44	Planning Admin. Assistant Wages	22,637	29,609	21,390	21,390
45	Planner Consultant	6,091	9,026	9,026	9,026
46	Mk Val. Pl. Com.	1,800	1,814	1,814	1,814
47	Expenses	2,897	2,970	2,970	2,970
	Zoning Board of Appeals				
48	Secretary Wages			7,670	7,670
49	Expenses	789	1,680	1,680	1,680
	Agricultural Commission				

50	Expenses	0	500	500	500
	Town Hall				
51	Town Hall/Annex Janitor Wages	11,092	12,620	13,027	13,027
52	Expenses	14,038	14,318	14,318	14,318
	Town Hall Annex				
53	Expenses	12,938	14,318	14,318	14,318
	Town Report				
54	Printing & Distribution	3,796	0	0	0
Line Item		Expended	Appropriated	Requested	Fin Com
	Description	FY 2009	FY 2010	FY 2011	Rec.
	General Government Subtotal	747,993	954,814	970,076	970,076
	Public Safety				
	Police Department				
55	Police Chief Salary & Other Earnings	129,599	136,250	109,765	109,765
56	Deputy Chief Salary & Other Earnings	91,629	97,545	0	0
57	Wages	1,029,122	1,009,622	1,034,094	1,034,094
58	Expenses	116,113	120,000	141,332	141,332
59	Police Cruiser	0	30,500	30,500	30,500
60	Police Modular Bldg. Lease	30,312	25,052	25,052	25,052
	Constables				
61	Expenses	450	400	400	400
	Fire Department				
62	Fire Chief Salary	70,941	71,652	72,714	72,714
63	Firefighter Wages	122,536	129,478	134,166	134,166
64	Call Firefighter Wages		80,000	80,000	80,000
65	Expenses	12,490	117,093	117,093	117,093
66	Station & Equipment Lease			20,000	20,000
67	RVFPA Fire Protection Services	179,477	0	0	0
	Ambulance Service				
68	Service Contract	30,000	0	0	0
	Inspection Department				
69	Salaries	59,118	50,500	51,177	51,177
70	Wages	2,936	7,901	11,719	11,719
71	Expenses	7,289	5,065	5,065	5,065
	Emergency Management Services				
72	REMA Director Stipend	0	3,000	3,000	3,000
73	Expenses	1,915	2,187	2,187	2,187
	Animal Inspector				
74	Salary	2,479	2,505	2,542	2,542
75	Expenses	35	200	200	200

76	Rabid Animal Control	539	1,853	1,853	1,853
	Animal Control Officer				
77	Salary	9,806	9,929	13,000	13,000
78	Expenses	1,070	1,970	1,622	1,622
	Tree Warden/Moth Ctrl.				
79	Salary	7,039	7,109	7,215	7,215
80	Expenses	9,167	8,193	8,193	8,193
	Harbormaster				
81	Salary	5,685	5,742	5,828	5,828
82	Wages	4,794	4,942	5,016	5,016
Line Item		Expended	Appropriated	Requested	Fin Com
Description		FY 2009	FY 2010	FY 2011	Rec.
83	Pumpout Boat Wages	1,692	1709	1,735	1,735
84	Expenses	3,947	4,000	4,000	4,000
85	Town Landing	0	0	500	500
	Shellfish Commission				
86	Commission Salaries	1,495	1,495	1,540	1,540
87	Commission Expenses	537	563	563	563
	Shellfish Constable				
88	Constable Salary	243	243	250	250
89	Constable Expenses	563	563	563	563
	Public Safety Subtotal	1,933,018	1,937,261	1,892,884	1,892,884
	Schools				
90	Whittier Voc Assessment	228,298	248,864	227,061	227,061
91	Triton Reg. Assessment	7,146,439	7,027,052	7,220,827	7,220,827
92	Triton Cap. Assessment	156,277	281,358	262,789	262,789
	Schools Subtotal	7,531,014	7,557,274	7,710,677	7,710,677
	Public Works				
	Highway Department				
93	Surveyor's Salary	63,499	64,126	69,126	69,126
94	Wages	118,048	131,982	130,505	130,505
95	Expenses	99,892	91,622	111,622	111,622
96	Highway Truck Lease	9,509	9,509	0	0
	Snow & Ice Removal				
97	Expenses	243,362	60,000	80,000	80,000
	Recycling				
98	Wages	3,035	3,750	3,800	3,800
99	Expenses	6,635	8,510	8,510	8,510
	Fire Hydrants				
100	Expenses	35,000	35,000	35,200	35,200

	Street Lighting				
101	Expenses	0	22,608	25,344	25,344
	Town Land Maintenance				
102	Expenses	8,478	7,461	8,661	8,661
	Cemetery Commission				
103	Wages	15,723	15,731	15,967	15,967
104	Expenses	1,945	1,947	1,947	1,947
	Public Works Subtotal	605,126	452,246	490,682	490,682
	<u>Health & Human Services</u>				
	Board of Health				
105	Coordinator of Hlth Svs Reg. Comp Salary	46,577	47,042	47,736	47,736
Line Item		Expended	Appropriated	Requested	Fin Com
Description		<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>Rec.</u>
106	Sanitary Health Agent Wages	21,287	21,826	22,142	22,142
107	Adm. Asst./Asst. Inspector Wages	23,683	24,018	24,371	24,371
108	Public Health Nurse Stipend	1,000	1,000	1,000	1,000
109	Expenses	6,862	6,900	6,900	6,900
	Council on Aging				
110	Senior Director Salary	32,582	32,905	33,391	33,391
111	Wages	42,527	42,879	43,779	43,779
112	Elder Servs. Of Merrimack Valley	294	294	294	294
113	Expenses	11,870	12,974	13,366	13,366
	Veterans Affairs				
114	Veterans Benefits	12,883	11,844	11,844	11,844
115	Eastern Essex Vets. District	16,972	20,303	20,303	20,303
	Handicapped Commission				
116	Expenses	0	190	190	190
	Health & Human Services Subtotal	216,537	222,175	225,316	225,316
	<u>Recreation & Historic</u>				
	Rowley Public Library				
117	Library Director Salary	45,798	46,260	47,171	47,171
118	Wages	66,347	71,275	74,220	74,220
119	Expenses	79,422	84,035	85,262	85,262
	Recreation Committee				
120	Wages	0	3,562	7,676	7,676
121	Expenses	1,328	1,864	1,864	1,864
122	Field Maintenance	15,078	15,078	20,078	20,078
	Historical				
123	Commission Expenses	37	332	332	332

124	Historic District Comm. Expense	70	70	70	70
	Other				
125	Bay Circuit Committee	0	200	0	0
126	Memorial Day/Veterans Day	1,112	1,000	1,000	1,000
127	Bradstreet Property Expense	1,055	5,000	5,000	5,000
128	Former Library Building Expense	117	800	800	800
	Recreation & Historic Subtotal	210,364	229,476	243,473	243,473
	Debt				
129	School Building Principal	100,000	0	0	0
130	Landfill Capping Principal	35,000	35,000	35,000	35,000
131	New Well Land Principal	9,500	9,500	9,500	9,500
132	Library Principal	90,000	90,000	90,000	90,000
133	Hunsley Hill Principal	55,000	55,000	55,000	55,000
134	Used Fire Ladder Truck Principal	20,000	13000	0	0
Line Item		Expended	Appropriated	Requested	Fin Com
Description		FY 2009	FY 2010	FY 2011	Rec.
135	Highway Truck Principal	16,000	16,000	16,000	16,000
136	Bridge Repair Principal	0	0	0	0
137	Fire Truck Principal	0	90,000	90,000	90,000
138	Capital Equipment Principal	0	22,200	22,200	22,200
139	Capital Equipment Principal II	0	0	30,000	30,000
140	School Building Interest	2,250	0	0	0
141	Landfill Capping Interest	20,768	18,930	17,093	17,093
142	New Well Land Interest	6,161	5,662	5,164	5,164
143	Library Interest	53,528	49,928	46,215	46,215
144	Hunsley Hills Land Interest	29,962	27,762	25,493	25,493
145	Used Fire Ladder Truck Interest	1,181	475	0	0
146	Highway Truck Interest	2,000	1,200	400	400
147	Bridges Interest	10,471	72,000	72,000	72,000
148	Fire Truck Interest	0	18,000	17,640	17,640
159	Capital Equipment Interest	0	4,440	4,352	4,352
150	Capital Equipment Interest II	0	0	7,500	7,500
	Debt Subtotal	451,821	529,097	543,557	543,557
	Insurance				
151	Unemployment	497	12,000	12,000	12,000
152	Blanket Insurance	94,389	96,000	101,000	101,000
153	Essex Regional Retirement	444,274	500,943	521,416	521,416
154	Group Health/Life Ins. & FICA	316,272	361,038	375,662	375,662
	Insurance Subtotal	855,432	969,981	1,010,078	1,010,078
	GRAND TOTAL	12,551,305	12,852,324	13,086,743	13,086,743

ARTICLE 6: Water Department Budget. Move the Town transfer and appropriate the sum of **\$941,612** from the Water Department Enterprise Fund for FY 2011.

	<u>Description</u>	<u>Expended</u> <u>FY 2009</u>	<u>Appropriated</u> <u>FY 2010</u>	<u>Requested</u> <u>FY 2011</u>
	Operating Service			
148	Superintendent Salary	54,513	57,519	60,971
149	Water Department Wages	218,486	264,514	277,910
150	Maintenance & Expenses	334,576	340,100	340,100
	SUBTOTAL	607,575	662,133	678,981
	Debt Service			
153	Pingree Well Principal	50,500	50,500	50,500
154	Pingree Well Interest	32,487	29,836	27,185
155	New Water Building Principal	10,000	10,000	10,000
156	New Water Building Interest	6,485	5,960	5,436
157	Corrosion Control Principal	65,000	65,000	65,000
158	Corrosion Control Interest	10,872	8,272	5,590
159	Loader, SCADA, Motor/Surge, Well #3 Redevelopment Principal	35,000	0	0
160	Loader, SCADA, Motor/Surge, Well #3 Redevelopment Interest	700	0	0
161	Water Garage Rehabilitation Principal	0	20,000	20,000
162	Water Garage Rehabilitation Interest	0	10,000	3,920
	Water Treatment Plant Design Principal	0	0	30,000
	Water Treatment Plant Design Interest	0	0	45,000
	SUBTOTAL	211,044	199,568	262,631
	TOTAL	818,617	861,701	941,612
	Plus Article 7 - Indirect Costs	65,626	88,886	91,615
	GRAND TOTAL	884,605	950,587	1,033,226

Inserted by Board of Water Commissioners
Finance Committee Recommends
Selectmen Recommends

Board of

*Motion by Timothy A. Toomey, seconded by Roy Ricker, Sr., passed voice
unanimous at 9:09pm*

ARTICLE 7: Move the Town vote to transfer from the Water Department Enterprise Fund to the General Fund the sum of **\$91,615** for the following items 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 2011.

<u>Line Item</u>	<u>Description</u>	<u>Actual Transferred FY 2009</u>	<u>Anticipated Transferred FY 2010</u>	<u>Requested FY 2011</u>
163	County Retirement	33,502	30,226	30,226
164	Employee Health Insurance	17,238	43,587	45,558
165	Life Insurance Premiums	133	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	3,555	3,363	4,121
	TOTAL	65,626	88,886	91,615

Inserted by Board of Water Commissioners
Finance Committee Recommends
Selectmen Recommends

Board of

Motion by Timothy A. Toomey, seconded by Roy Ricker, Sr., passed voice unanimous at 9:11 pm

FOR INFORMATIONAL PURPOSES

	<u>Actual FY 2009</u>	<u>Estimated FY 2010</u>	<u>Estimated FY 2011</u>
Operating Revenue			
Water Bills	840,157	870,916	949,939
Permits	24,000	19,904	25,000
Merchandising & Jobbing	7,115	19,767	17,287
Special Services	13,506	5,000	6,000
Hydrant Rentals	35,000	35,000	35,000
Subtotal	919,778	950,587	1,033,226
STARTING BALANCE	132,048	115,582	2,582
REVENUE	919,778	950,587	1,033,226
EXPENSE	(884,243)	(950,587)	(1,033,226)
ARTICLES	(52,000)	(113,000)	0
ANNUAL EXCESS/DEFICIT	(16,465)	(113,000)	0
AVAILABLE BALANCE	115,582	2,582	2,582

ARTICLE 8: Move the Town 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 9: Move the Town 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.

Inserted by the Harbormaster

Finance Committee

Recommends

ARTICLE 10: Move the Town 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.

Inserted by the Cemetery Commissioners

Finance Committee

Recommends

ARTICLE 11: Move the Town vote to raise and appropriate the sum of \$40,000 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.

Inserted by the Board of Assessors

Finance Committee

Recommends

Explanatory Note: Articles 8- 11 are standard annual articles. These articles will be voted under one consent motion.

Motion by David C. Petersen, seconded by Robert L. Snow, passed voice unanimous at 9:13 pm

ARTICLE 12: 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 2011:

	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 - \$561; Income - \$1,205; Expense - \$1,354; Ending balance on	Expenditures not to exceed \$5,000.

	3/31/10 - \$412]	
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 - \$10,379; Income - \$7,464; Expense - \$10,392; Ending balance on 3/31/10 - \$7,451]	Expenditures not to exceed \$20,000.
3	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 - \$9,645; Income - \$10,160; Expense - \$6,577; Ending balance on 3/31/10 - \$13,228]	Expenditures not to exceed \$30,000.
4	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 - \$223; Income - \$103; Expense - \$5; Ending balance on 3/31/10 - \$321]	Expenditures not to exceed \$2,000.
5	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 - \$0; Income - \$3,499; Expense - \$1,716; Ending balance on 3/31/10 - \$1,783]	Expenditures not to exceed \$12,000.
6	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 - \$12,755; Income - \$2,930; Expense - \$3,486; Ending balance on 3/31/10 - \$12,199]	Expenditures not to exceed \$6,000.
7	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 - \$4,859; Income - \$750; Expense - \$1,135; Ending balance on 3/31/10 - \$4,474]	Expenditures not to exceed \$4,000.
8	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	Expenditures not to exceed \$5,000.

	by said Board of Cemetery Commissioners for Cemetery Department operations. [Beginning balance - \$5,178; Income - \$4,417; Expense - \$1,258; Ending balance on 3/31/10 - \$8,337]	
9	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 - \$583; Income - \$784; Expense - \$734; Ending balance on 3/31/10 - \$633]	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 Library Trustees

Finance Committee Recommends

Explanatory Note: The above article consolidates nine standard revolving fund annual renewal authorizations. Article 12 will be taken up and voted under one consent motion.

Motion by Stuart L. Dalzell, Sr., seconded by Richard M. Cummings, passed voice unanimous at 9:14 pm

ARTICLE 13: Move the Town vote pursuant to the provisions of Massachusetts General Laws Chapter 44 Section 53-E1/2 to authorize the use of a revolving fund by the Board of Selectmen and the Parks and Recreation Committee for fiscal year 2011 into which donations and fees charged for recreational programs and community events shall be deposited and which may be used by said Board of Selectmen and Parks and Recreation Committee to pay for the expenses incurred to hold such community events and recreational programs, such expenditures not to exceed \$5,000 .

Inserted by the Board of Selectmen

Finance Committee

Recommends

Explanatory Note: Passage of this article establishes a revolving fund for the Board of Selectmen and the Parks and Recreation Committee for community events, such as the Fourth of July and other special recreational programs. It is the intent of the Board of Selectmen to discontinue the Summer Camp Revolving Fund and to transfer the balance of those funds to this new revolving fund. See article 14 below.

Motion by Robert L. Snow, seconded by David C. Petersen, passed voice unanimous at 9:17 pm

ARTICLE 14: Move the Town vote to dissolve the Parks & Recreation Committee and Board of Selectmen Summer Program revolving fund, which was authorized pursuant to the provisions of Massachusetts General Laws Chapter 44 Section 53-E1/2 at the May 18, 2009 Annual Town Meeting and to transfer

the balance of the funds which is \$2,690.06 to the Board of Selectmen and Parks and Recreation Committee Community Events and Recreational Programs Revolving fund.

Inserted by the Board of Selectmen

Finance Committee

Recommends

Explanatory Note: Passage of Article 13 is required prior to voting on this article. This revolving fund is obsolete because the Triton Regional School District sponsors the summer program for Rowley children. The Board of Selectmen and the Parks and Recreation Committee are actively working to hold a variety of community events and recreational programs for residents. The balance of this account is \$2,690.06. These funds will be transferred to the newly created revolving fund and be used as "seed money" to cover the costs of events and programs, such as the Fourth of July program.

Motion by Robert L. Snow, seconded by David C. Petersen, passed voice unanimous at 9:49 pm

ARTICLE 15: 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 Charles Costello, seconded by Marcia L. Farina, passed voice unanimous at 9:20 pm

ARTICLE 16: Move the Town vote to accept the conditions of the Massachusetts Water Pollution Abatement Trust Community Septic Management program and appropriate the sum of seven hundred and fifty thousand dollars (\$750,000) for the purpose of financing the following water pollution abatement facility projects: repair, replacement and /or upgrade of failed septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to meet this appropriation to authorize the Treasurer with the approval of the Board of Selectmen to borrow \$750,000 and issue Bonds or notes therefore under M.G.L. Chapter 111, Chapter 127-B1/2, and/or Chapter 29C; that project and financing cost shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion or such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with

respect to such loan and for any federal or state aid available for the projects or for the financing thereof, and that the Board of Selectmen, Board of Health or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects.

Inserted by the Board of Health

Finance Committee

Recommends

Explanatory Note: The Board of Health continues to support the environmental efforts of town residences with low interest septic betterment loans from the Massachusetts Water Pollution Abatement Trust. The community recovers the costs by annual betterment on those individual residence's property tax bills that benefit from the improvement. Passage of this article would make additional low interest loans available to town residential property owners with no impact on the tax rate. Passage requires a two-thirds vote.

Motion by Charles Costello, seconded by Marcia L. Farina, passed vice unanimous at 9:23 pm

ARTICLE 17: Move the Town of Rowley vote to approve the debt authorized by the Whittier Regional Vocation Technical High School District on March 10, 1020 in the amount of Three Million, Two-Hundred Ninety-Four Thousand, Six Hundred Twenty-Seven (\$3,294,627) Dollars for a roof repair project for the Whittier Regional Vocational Technical High School, located at 115 Amesbury Line Road, Haverhill, MA 01830, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum to be expended under the direction of the Whittier Regional Vocational Technical High School Building Committee, and to meet said appropriation, the Whittier Regional Vocational Technical High School District is authorized to borrow said sum under MGL Chapter 44, MGL Chapter 71, Section 16(d), or any other enabling authority; that the Town of Rowley acknowledges that the Massachusetts School Building Authority's (MSBA) grant program is a non - entitlement, discretionary program based on need as determined by the MSBA, and any project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and assessed annually during the term of the outstanding debt to the Town of Rowley pursuant to its Regional Agreement; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) 66.18 percent of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount as determined by the MSBA.

Inserted by the Board of Selectmen

Finance Committee

Recommends

Explanatory Note: The Whittier Regional Vocational Technical School district voted unanimously to authorize debt in the amount of \$3,294,627 to be used for the replacement of the Whittier Technical High's school roof. The roof is

original to the building and is over 35 years old. The Massachusetts School Building Authority (MSBA) has approved 66.18 percent or \$2,120,728 of the project. The balance of the project will be paid for out of the Whittier Vocational Technical School's Capital Roof Replacement Reserve Account. The MSBA requires that the Whittier Vocation Technical School District obtain authorization to borrow for the entire project cost from the member communities. No Town funds are being requested for this project. Motion by Stuart L. Dalzell, Sr., seconded by Richard M. Cummings, passed voice unanimous at 9:28 pm

ARTICLE 18: Move the Town vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2011 annual revenues the amounts recommended by Community Preservation Committee for 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 Creation and Support of Affordable Housing		
	10%	\$ 15,032.00
Reserve Acquisition and Preservation of Open Space		
	10%	\$ 15,032.00
Reserve Acquisition and Preservation of Historic Buildings and Landscapes		
	10%	\$ 15,032.00
Appropriate Administration		
	5 %	\$ 7,516.00

Appropriations:

Debt service for Pingree Farm land acquisition \$ 76,500.00
 Debt service for Bradstreet Farm land acquisition \$ 199,072.00

Inserted by the Community Preservation Committee **Finance**

Committee Recommends

Explanatory Note: Rowley expects to realize approximately \$425,890.08 in Community Preservation Act (CPA) funds from real estate tax receipts (\$322,644.00) and 32% matching funds from the state (\$103,246.08) in fiscal year 2011. The Community Preservation Act requires the Town to set aside 10% of funds collected after deducting appropriate debt service for each of the following areas: open space, historic preservation and community housing, equaling approximately \$15,032.00 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 2011 or to be carried over to fiscal year 2012.

Motion by Richard M. Cummings, seconded by Stuart L. Dalzell, Sr., passed voice unanimous at 9:29 p

Moderator Warren G. Appell interrupted the meeting at this point to introduce State Senator Bruce Tarr whoextended greetings to the Town Meeting participants from the State House.

ARTICLE 19: Move the Town vote, pursuant to Massachusetts General Laws Ch. 44B, to appropriate from the Community Preservation Fund Historic Resources Reserve and/or the Community Preservation Unreserved Account the sum of \$148,000 to be used by the Board of Selectmen for the restoration of the Town Hall Cupola and clock.

Inserted by the Board of Selectmen and the Community Preservation Committee

Finance Committee Recommends

Explanatory Note: The Community Preservation Committee has approved this article. The Town Hall cupola is deteriorating. A construction analysis of the cupola showed severe rotting and decay. The cupola needs a complete restoration. The Town Hall clock, which is housed in the cupola, has not been operable for many years. The Board of Selectmen intends to repair and restore the historical "Alden Kent" wooden works clock. Passage of this article allows the selectmen to restore these historically-significant features of the Town Hall building. The Historic District Commission and the Historical Commission support this restoration project.

Motion by Richard M. Cummings, seconded by Stuart L. Dalzell, Sr., passed voice unanimous at 9:33 pm

ARTICLE 20: Move the Town vote to appropriate the sum of \$9,000,000.00 (nine million dollars) for the purpose of financing the design, planning and construction of transmission mains, system upgrades and a water treatment plant to treat water from Wells 3 and 5 including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as amended; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$9.0 million and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, as amended, or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer, with the approval of the Board of Selectmen, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as amended; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as amended; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen, Board of Water Commissioners or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; provided that the authorized amount of the bonding

shall be reduced by the amount of any state and/or federal grants received prior to the issuance of bonds or notes under this article.

Inserted by the Board of Water Commissioners **Finance Committee**

Recommends

Explanatory Note: The Water Department has conducted a pilot testing program in accordance with the Department of Environmental Protection policy requirements. Passage of this article authorizes the funding for the design, planning and construction of a water treatment plant including transmission mains and system upgrades. Passage requires two-thirds vote.

Motion by Scott C. Martin, seconded by Roy Ricker, Sr., passed by Paper Ballot Vote (93YES to 24 NO) at 10:54 pm., following a lengthy presentation and Q&A by Engineering Firm Weston and Sampson.

ARTICLE 21: Move the Town vote to raise and appropriate the sum of \$6,000 to be used by the Fire Chief for the replacement and future maintenance of the fire horn compressor at Town Hall, including removal costs associated with the old compressor.

Inserted by the Board of Selectmen **Finance Committee Tie Vote – three yes and three no**

Explanatory Note: The fire horn has been inoperable for several months because the 1950s era- compressor needs to be replaced. The Fire Department uses radios and the Town's Reverse 9-1-1 communication system as the primary and secondary form of communication to the call firefighters. The activation of the horn for fire calls is no longer considered a primary or secondary form of communication for the call firefighting force. Many residents have expressed to the Board of Selectmen a desire to continue using the fire horn. If the article passes, a budget line will be created in FY 2012 to cover the annual maintenance costs for the compressor which is approximately \$2,000.

Motion by David C. Petersen, seconded by Robert L. Snow, passed by Hand Count Vote (63YES to 33NO) at 10:54 pm

ARTICLE 22: Move the Town vote to raise and appropriate the sum of \$10,000 to be used by the Board of Selectmen for non-pension post-employment benefits, such as retiree health insurance premiums.

Inserted by the Board of Selectmen **Finance Committee**

Recommends

Explanatory Note: The General Accounting Standards Board (GASB) Statement #45 recommends that cities and towns begin saving now to cover the future costs of retiree health insurance premiums. Passage of this article allows the Board of Selectmen to make the first step in saving money for this expense. This article earmarks a portion of the Fiscal 2011 budget for this future unfunded liability. The Board of Selectmen plans to add funds to this article on an annual basis.

Motion by David C. Petersen, seconded by Robert L. Snow, passed voice unanimous at 10:55 pm

ARTICLE 23: Move the Town vote to raise and appropriate the sum of \$100,000 for the Stabilization Fund.

Inserted by the Board of Selectmen

Finance Committee

Recommends

Passage requires two-thirds vote.

Motion by Robert L. Snow, seconded by David C. Petersen, passed voice unanimous at 10:57 pm

ARTICLE 24: And to meet in Saint Mary’s Church (rear), Route 1A, in said Rowley on Tuesday, May 11, 2010 at 12 NOON to act on the following:

Two Selectman	three years
One Moderator	one year
One Constable	three years
One Board of Assessors Member	three years
One Planning Board Member	five years
One Rowley Housing Authority Member	five years
One Municipal Light Board Member	three years
One Municipal Water Board Member	three years
One Shellfish Commissioner	three years
One Cemetery Commissioner	three years
Three Trustees for Public Library	three year terms
One Trustee for Public Library	two year unexpired
For Regional School District Committee	
One Newbury Member	three years
One Rowley Member	three years
One Salisbury Member	three years
One Salisbury Member	two year unexpired

MOTION: I move the Town vote to adjourn the May 3, 201 Annual Town Meeting.

Motion by Richard M. Cummings, seconded by David C. Petersen, passed voice unanimous at 10:58 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 12th day of April in the year two thousand ten.

David C. Petersen, Chairman
Robert Snow, Vice Chairman
Richard M. Cummings, 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, Rowley Pharmacy, Inc., Public Library, Knowles Filling Station, Market Basket, Town Hall Annex, First National Bank of Ipswich/Rowley Office.

Nathaniel N. Dummer, Constable of Rowley April 16, 2010

Certification: I, Susan G. Hazen, duly elected and qualified Town Clerk of the Town of Rowley do hereby certify that the statements contained above with regard to the May 3, 2010 Town of Rowley Annual Town Meeting are true and accurate according to documents maintained by this office.

***Susan G. Hazen, Town Clerk
Town of Rowley
May 13, 2010***