

Town of Rowley, Commonwealth of Massachusetts  
**SPECIAL TOWN MEEING MINUTES**

November 14, 2016

Counters: Due to the controversial nature of several of the articles, specifically Article #13 (Mehaffey Farm) and #16 (Water Restriction Bylaw Amendments) it was exceedingly difficult to draft four neutral residents as counters for this evening's meeting. Moderator Peterson issued a request for anyone not directly involved in wither of the issues to come forward and volunteer but to no avail. Maryann Levasseur of 6 Leslie Rd. and Nancy Miller of 526 Wethersfield St. were eventually sworn in and Town Clerk Susan Hazen and Moderator Joan Peterson agreed to act as counters #3 and 4.

Required quorum of 100 was declared by the Board of Registrars at 7:50 and the meeting was declared open by Moderator Petersen. People continued to arrive even as the meeting began and by the time Article 16 came up, there were nearly 300 in attendance.

Moderator Petersen called upon the Rev. Robert Hagopian of the First Congregational Church to open the meeting with a Prayer of Invocation, followed by Board of Selectman Chair Joseph Perry leading the Pledge of Allegiance.

**MOTION:** I move to allow non-resident employees, Town Counsel Judy Picket and Vanessa Johnson of Essex County Greenbelt Association permission to speak, if called upon, during the November 14, 2016 Special Town Meeting.

Motion by Joe Perry, seconded by Bob Snow, passed by voice unanimous vote at 7:52 pm

Town Clerk Susan Hazen began the reading of the warrant:

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 14th day of November 2016 at 7:30 p.m., then and there to act on the following articles:**

**MOTION: Madam Moderator, I move to suspend further reading of the November 14, 2016 Special Town Meeting Warrant because present Town Meeting members have a copy of this warrant.**

**Motion by Bob Merry, seconded by David Petersen, passed voice unanimous at 7:53 pm.**

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

Moderator Petersen explained the process, including the 11 PM deadline and that residents who wished to speak must come to the microphone at the front of the room and state their names and address.

**ARTICLE 2** 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 Bob Snow. Seconded by Joe Perry, passed voice unanimous at 7:55 pm*

**ARTICLE 3** Move the Town vote to transfer and appropriate the sum of \$4,000 from Line 156 (Essex Regional Retirement) of Article 5 of the May 2, 2016 Annual Town Meeting to be added to Line 8 (Selectmen's Expense) of Article 5 of the Annual Town Meeting of May 2, 2016 to pay for the expenses incurred to hold the November 14, 2016 Special Town Meeting.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article covers the costs to hold this Special Town Meeting.*

*This article brings the total appropriation in this line to \$18,117.*

*Motion by Joe Perry, seconded by Bob Snow, passed voice unanimous at 7:56 pm*

**ARTICLE 4** Move the Town vote to transfer and appropriate the sum of \$6,435 from Line 156 (Essex Regional Retirement) of Article 5 of the May 2, 2016 Annual Town Meeting to be added to Line 18 (Reserve Fund) of Article 5 of the Annual Town Meeting of May 2, 2016.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The Board of Selectmen requested a Reserve Fund transfer from the Finance Committee at the start of FY 2017 to cover the cost of a fire alarm system upgrade at the Town Hall Annex. Passage of this article reimburses the Town's Reserve Fund, which covers emergency and unforeseen expenses during FY 2017. This transfer restores the Reserve Fund to its original appropriation of \$75,000.*

*Motion by Cliff Pierce, seconded by Joe Perry, passed voice unanimous at 7:57 pm*

**ARTICLE 5** Move the Town vote to raise and appropriate the sum of \$13,704 to be added to Line 99 (Highway Department Wages) of Article 5 of the May 2, 2016 Annual Town Meeting and to vote to raise and appropriate the sum of \$13,704 to be added to Line 108 (Cemetery Department Wages) of Article 5 of the May 2, 2016 Annual Town Meeting to fund the new position of Cemetery Supervisor/Highway Truck Driver & Equipment Operator.

Inserted by the Board of Cemetery Commissioners and Highway Surveyor

**Finance Committee Recommends**

*Explanatory Note: Passage of this article funds a newly created position which will split its time between the Highway Department and the Cemetery Department. The person in this position will perform work which had been done previously by elected officials on the Board of Cemetery Commissioners and perform work in the Highway Department as a truck driver and equipment operator. The total appropriation in the Highway Department Wage line will be \$172,853 and the total appropriation in the Cemetery Department Wage line will be \$33,904.*

*Motion by Bob Merry, seconded by Patrick Snow, passed voice unanimous at 7:58 pm*

**ARTICLE 6** 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>
Board of Cemetery Commissioners (Chairman)	\$2,000	\$500

Inserted by the Board of Selectmen

**Finance Committee Does Not Recommend;  
Finance Committee Recommends \$500**

*Explanatory Note: This stipend will be dedicated solely for the Chairman of the Board of Cemetery Commissioners. The Chairman will be the primary contact for the Cemetery Supervisor/Highway Truck Driver & Equipment Operator. The Chairman will continue to be the main point of contact for the Cemetery Department on evenings and weekends. Due to these responsibilities, the Board of Cemetery Commissioners feels this annual stipend is warranted for the position of chairman.*

*Motion, as printed in warrant for the \$2000, by Joe Perry, seconded by Bob Snow.*

*Finance Board does not recommend the full stipend of \$2000 but submitted an amended motion reducing the stipend amount to \$500:*

**MOTION TO AMEND:** Move to amend the original motion under Article Six to fix the annual compensation of the elective officers of the Town as required by Massachusetts General Laws Chapter 41, Section 108 as follows: Elective Officer, Chairman, Cemetery Commission, Finance Committee Recommendation: \$500.

*Amended Motion by Dennis Roy, seconded by Larry White.*

*Vote on **AMENDED** motion, by Hand Count: 160 YES, 57 NO – Amended Motion passed at 8:14 pm. No vote necessary on original motion.*

**ARTICLE 7** Move the Town vote to transfer and appropriate the sum of \$2,000 from Line 108 (Cemetery Department Wages) of Article 5 of the May 2, 2016 Annual Town Meeting to Line 107 (Cemetery Commission Stipends) of Article 5 of the May 2, 2016 Annual Town Meeting.

Inserted by the Board of Cemetery Commissioners

**Finance Committee will make a Recommendation from the Floor**

*Explanatory Note: Passage of this article requires passage of Article 6 in accordance with G.L. c.41 §108.*

**MOTION TO AMEND:** Move the Town vote to amend the original motion under Article 7 to transfer and appropriate the sum of \$500 from Line 108 (Cemetery Department Wages) of Article 5 of the May 2, 2016 Annual Town Meeting to Line 107 (Cemetery Commission Stipends) of Article 5 of the May 2, 2016 Annual Town Meeting.

*Amended motion by Joe Perry, seconded by Bob Snow, passed voice unanimous at 8:16 pm*

**ARTICLE 8** Move the Town vote to fund the cost items of a collective bargaining agreement between the Town and Teamsters Local 170, effective July 1, 2016 to June 30, 2019, and for such purpose to transfer and appropriate the sum of \$19,930 from Line 13 (Collective Bargaining Reserve) of the FY 17 Budget approved under Article 5 of the May 2, 2016 Annual Town Meeting to be added to the following lines:

Line	Description	Amount to be Transferred
68	Firefighter Wages	\$19,730

70	Expenses	\$200
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Inserted by the Board of Selectmen)

**Finance Committee**

**Recommends**

*Explanatory Note: Passage of this article is necessary for the funding of the successor collective bargaining agreement between the Town and Teamsters Local 170 – Fire Union. This will bring the FY 17 total appropriation in the Firefighter Wages line to \$175,018 and to \$120,193 in the Expenses line*

*Motion by Joe Perry, seconded by Bob Snow, passed voice unanimous at 8:17 pm*

**ARTICLE 9** Move the Town vote to fund the cost items of a collective bargaining agreement between the Town and AFSCME Local 2905, effective July 1, 2016 to June 30, 2019, and for such purposes to transfer and appropriate the sum of \$30,341 from Line 13 (Collective Bargaining Reserve) of the FY 17 Budget approved under Article 5 of the May 2, 2016 Annual Town Meeting to be added to the following lines:

Line	Description	Amount to be Transferred
20	Assistant Accountant Wages	\$450
24	Assessors Administrative Assistant Wages	\$556
30	Assistant Collector Wages	\$400
54	Zoning Board of Appeals Administrative Assistant Wages	\$208
57	Town Hall/Annex Janitor Wages	\$320
62	Police Department Wages	\$11,686
73	Inspection Department Wages	\$250
99	Highway Department Wages	\$15,515
116	Council on Aging Wages	\$956

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary for the funding of the successor collective bargaining agreement between the Town and AFSCME Local 2905.*

*Motion by Joe Perry, seconded by Bob Snow, passed voice unanimous at 8:19 pm*

**ARTICLE 10** Move the Town vote to appropriate \$3,750 to be used by the Board of Selectmen for the replacement of a septic tank at the Dodge Reservation at 390 Wethersfield Street and to determine whether this amount shall be transferred from unexpended amounts borrowed to pay costs of facilities upgrades under Article 18, Paragraph 3 of the May 4, 2015 Annual Town Meeting Warrant and Article 8 of the May 2, 2016 Special Town Meeting, which amounts are no longer needed to pay costs of the projects for which they were borrowed, and to transfer the sum of \$8,750 from the Sale of Town Property Fund to be used by the Board of Selectmen for the same purpose for a total appropriation of \$12,500.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The Board of Health granted the Board of Selectmen a two-year waiver to comply with the Title V Environmental Code (septic systems) pursuant to an Enforceable Agreement in 2014, when the Town purchased land from the Girl Scouts of Eastern Massachusetts, Inc. now known as the Dodge Reservation. These funds will be used to repair the existing septic system so that it complies with the Title V Code.*

*Motion by Cliff Pierce, seconded by Joe Perry, passed voice unanimous at 8:20 pm*

**ARTICLE 11** Move the Town vote to rescind \$17,000 authorized to be borrowed for departmental equipment under Article 20 of the May 2, 2016 Annual Town Meeting Warrant, which amount has not been borrowed and is no longer necessary to complete the project for which it was approved.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The motion approved under Article 20 of the May 2, 2016 Annual Town Meeting authorized more funds than were needed for the purchase of the Highway Department sander. The Town's Bond Counsel has recommended that the Board of Selectmen place this article on the Town Meeting Warrant for approval.*

*Motion by Bob Snow, seconded by Joe Perry, passed voice unanimous at 8:21 pm*

**ARTICLE 12** Move the Town vote, pursuant to Massachusetts General Laws Chapter 44B, to appropriate from the Community Preservation Fund Historic Resources Reserve Account and/or the Unreserved Account the sum of \$15,000 to be added to Article 13 of the November 14, 2005 Special Town Meeting to be used by the Board of Selectmen to cover costs relating to architectural and engineering design of an elevator addition at the Town Hall Annex.

Inserted by the Board of Selectmen and Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: This appropriation will cover costs, such as hazardous material testing and monitoring, attendance at public meetings, including Town Meeting, and other related project costs, not covered under the current contract for architectural and engineering design services for an elevator at the Town Hall Annex. The original appropriation of \$30,000 is funding the basic contract for architectural and engineering design services to assess and provide a schematic design. Upon completion of this phase, the Board of Selectmen will seek an appropriation at the May 1, 2017 Town Meeting for the preparation of specifications, construction bid documents, and construction costs for the elevator addition.*

*Motion by David Petersen, seconded by Bob Merry, passed voice unanimous at 8:23 pm,*

**ARTICLE 13** Move the Town vote to appropriate \$450,000 to enable the Town of Rowley to acquire a perpetual conservation restriction on the land known as "Mehaffey Farm" for conservation, open space and passive recreation purposes, comprised of 28.8 acres, more or less, located in Rowley, Massachusetts and shown as "RESTRICTED" on a plan of land on file with the Town Clerk entitled "Conservation Restriction Plan in Rowley, MA prepared for The Tenney-Mehaffey Trust" by Donohoe Survey, Inc. dated June 30, 2016; that said conservation restriction is to be conveyed to the Town of Rowley acting by and through its Conservation Commission under the provisions of Massachusetts General Law Chapter 40, Section 8C, as it may be amended; that the conservation restriction is to be managed and controlled by the Rowley Conservation Commission and the Essex County Greenbelt Association, Inc.; that the Town vote to appropriate \$450,000 from the Community Preservation Act Undesignated Funds account to pay the cost of this acquisition, which shall be contingent upon receipt of the State Grant Award

letter, gifts, or other contributions received by the Town for this acquisition of not less than \$350,000; and to authorize the Conservation Commission and the Board of Selectmen to receive and accept grants, donations, or reimbursements for this purpose, and/or any others in any way connected with the scope of this Article, and to authorize the Conservation Commission and the Board of Selectmen to file on behalf of the Town of Rowley any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts under the Local Acquisitions for Natural Diversity (LAND) grant program under the provisions of Massachusetts General Laws Chapter 132A, Section 11, and/or any others in any way connected with the scope of this Article; and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Rowley to affect said purchase.

Inserted by the Board of Selectmen, Conservation Commission and Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: Passage of this article funds the purchase of a conservation restriction, which will be held by the Town and the Essex County Greenbelt Association (Greenbelt), on 28.8 acres of farmland and forestland at 179 Newbury Road. The conservation restriction will protect the Mehaffey Farm, a 7<sup>th</sup> generation family farm, from development. Greenbelt has been working with the Town in securing funds to purchase this conservation restriction. Passage of this article commits no more than \$100,000 from the Community Preservation Fund towards this purchase. The balance of the cost will come from outside funds. The Town has applied for a grant from the state Land Acquisitions for Natural Diversity (LAND) grant program in the amount of a 58 percent (58%) reimbursement for the full cost of the conservation restriction, or \$261,000. Greenbelt is contributing \$100,000 towards the cost of the conservation restriction. This land is adjacent to 53 acres of forestland recently purchased by the State Department of Conservation and Recreation, which is now a part of and connected to Willowdale and Georgetown-Rowley State Forests. The conservation restriction will include access to the newly purchased state forestland by the creation of a path from Newbury Road through Mehaffey Farm to Willowdale State Forest.*

*Motion by Cliff Pierce, seconded by Joe Perry*

*Power Point Presentation by Conservation Commission and Greenbelt*

*Vote by Paper Ballot: 236 YES, 56 NO – Motion passed at 9:23 pm*

*While Article 13 Paper Ballots were being counted, Moderator Petersen moved onto the next article, thus Article 14 and 15 were voted before Article 13 results were announced.*

**ARTICLE 14** Move the Town vote to transfer and appropriate the sum of \$27,000 from the Water Department Stabilization Fund to be added to Article 23 of the May 2, 2016 Special Town Meeting to be used by the Board of Water Commissioners to the cover costs of complying with storm water best management practices, which are required as part of the paving of 401 Central Street.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: Passage requires a two-thirds vote. This article will provide the Board of Water Commissioners with funds to cover the costs of storm water requirements for their paving project.*

*Motion by Water Commissioner Bernard Cullen, seconded by Water Commissioner Mark Emery, passed voice unanimous at 9:15 pm*

**ARTICLE 15** Move the Town vote to transfer and appropriate the sum of \$225,000 from the Water Department Stabilization Fund to be used by the Board of Water Commissioners for the purpose of complying with deficiencies in the Water Department operations as noted in the 2016 Massachusetts Department of Environmental Protection Sanitary Survey.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: Passage requires a two-thirds vote. These funds will be used to cover the costs to comply with the items listed in the state DEP sanitary survey as “deficient.”*

*Motion by Water Commissioner Mark Emery, seconded by Water Commissioner Bernard Cullen, passed voice unanimous at 9:20 pm.*

**ARTICLE 16** Move the Town vote to amend the Water Use Restriction Bylaw of the General Bylaws of the Town of Rowley, MA by adding the words in ***bold underlined italics*** and deleting the words in ~~**bold strikethrough**~~ as shown below:

### WATER USE RESTRICTION BY-LAW

#### Section 1 Authority

This By-law is adopted by the Town under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and its powers pursuant to M.G.L. c. 40, §§ 21 et seq., and implements the Town's authority to regulate water use pursuant to Chapter 11 of the Special Acts of 1946, An Act to Authorize the Town of Rowley to Supply Itself and its Inhabitants with Water. This by-law also implements the Town's authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of a State of Water Supply Emergency issued by the Department of Environmental Protection.

#### Section 2 Purpose

The purpose of this by-law is to protect, preserve and maintain the public health, safety and welfare whenever there is in force ***a State of Water Supply Conservation or*** a State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

#### Section 3 Definitions

- Agriculture shall mean farming in all its branches and agriculture, as defined at M.G.L. c. 128, § 1A.
- Outdoor watering shall mean any residential, municipal, industrial, or commercial watering of decorative lawns, trees or shrubbery.
- Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity, and any officer, employee, group or agent of such persons.

- State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, §§ 15-17.
- State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town pursuant to Section 4 of this by-law.
- Water Users or Water Consumers shall mean all persons using water from the Town's public water source irrespective of that person's responsibility for billing purposes for use of the water.

#### Section 4 Declaration of a State of Water Supply Conservation.

The Town, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists of such a degree that conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Supply Conservation shall be given under Section 6 of this by-law before it may be enforced.

#### Section 5 Restricted Water Uses

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply except as provided in Section 11. The applicable restrictions, conditions, or requirements shall be included in the public notice required under Section 6.

- a) Odd/Even Outdoor Watering: Outdoor watering on property having an odd-numbered address is restricted to odd-numbered days. Outdoor watering on property having an even-numbered address is restricted to even-numbered days.
- Or Off-Peak Outdoor Watering: Outdoor watering is limited to such hours and such days as the Board of Water Commissioners shall determine by a majority vote of the Board.
- b) Outdoor Watering Method Restriction: Outdoor watering is restricted to bucket, can or hand-held hose watering with automatic shutoff nozzle.
- c) Outdoor Watering Ban: Outdoor watering is prohibited.
- d) Outdoor Watering Hours: Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- e) Swimming Pools: Filling and topping off of swimming pools is prohibited.

- f) Automatic Sprinkler Use: The use of automatic sprinkler systems is prohibited.
- g) Car washing: Car or vehicle washing is prohibited.

Section 6                      Public Notification of a State of Water Supply  
Conservation and State of Water Supply Emergency; Notification of DEP

Notification of any provision, including any restriction, requirement or condition, imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Notification of a State of Water Supply Emergency declared by the Department shall be provided by furnishing a copy of the notice to radio and television stations serving the area served by the public water system as soon as possible, but no later than 48 hours after the public water system receives notice of the Department's declaration. Any restriction imposed under Section 5 or in the Department declaration of emergency or order shall not be effective until such notification is provided. Notification of the State of Water Supply Conservation shall also be provided to the Massachusetts Department of Environmental Protection at the same time that notification is given.

Section 7                      Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required for notice of the Town's declaration of its State of Water Supply Conservation.

Section 8                      State of Water Supply Emergency; Compliance with DEP Orders

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition or any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency. The notice prescribed by this Section shall be in writing and shall be published once in a newspaper of general circulation within the Town. Such notice shall summarize the provisions of the State of Water Supply Emergency and the requirements and conditions thereof. Notice as prescribed by this Section shall be sufficient for enforcement of the requirements of such declaration on and after the date following newspaper publication.

**Section 9**                      **Private Wells**

*Upon notification that the Department of Environmental Protection has declared either a State of Water Supply Conservation or a State of Water Supply Emergency for an area that includes the Town of Rowley, the Board of Water Commissioners may regulate and control the use of all private wells consistent with this By-law and consistent with their regulation of the Town's Water Users or Water Consumers.*

**Section 10** Penalties

The Town, through its Board of Water Commissioners, Water Superintendent, Building Inspector, or Police Department, may enforce this by-law. Any person violating this by-law shall be liable to the Town in the amount of ~~\$50.00~~ **\$50** for the first violation and ~~\$100.00~~ **\$100 for the second violation and \$300** for each subsequent violation during a State of Water Supply Conservation or a State of Water Supply Emergency. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the General Laws.

**Section 11** Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

**Section 12** Exemptions

The Board of Water Commissioners may exempt from the water use restrictions adopted under this by-law such uses as it determines would be placed under an undue hardship absent the exemption, provided that water supplies subject to the restrictions are not likely to be significantly reduced as a result of the exemption, and provided further that the Board may condition the exemption upon compliance with such restrictions or requirements that it deems necessary or advisable in the public interest. The Board by regulation may establish categories of uses eligible for exemption, further criteria for exemption not inconsistent with this Section, and the procedure to be followed by applicants for exemption.

or take any other action relative thereto.

Inserted by the Board of Water Commissioners

**Finance Committee Recommendation Not Required**

*Explanatory Note: Passage of this article amends the Water Use Restriction Bylaw so that it now includes a State of Water Supply Conservation in addition to a State of Water Supply Emergency. The applicability of the bylaw is being amended under this article to include private wells. This article also adds a new penalty for the third offense under Section 10 – Penalties.*

**MOTION TO POSTPONE INDEFINITELY – Move the Town vote to indefinitely postpone Article 16.**

*Motion by Water Commission Chair, John Manning, seconded by Commissioner Mark Emery, passed by voice unanimous vote at 9:23 pm.*

**ARTICLE 17** Move the Town vote to amend Section 3, subpart s of the Fee Bylaw of the General Bylaws of the Town of Rowley by adding the words in ***bold underlined italics*** and deleting the words shown in ~~**bold strikethrough**~~ as shown below:

s. Water Use Restriction Bylaw

- a. Section 9 ~~**10**~~– Penalties ~~**\$50.00**~~ ***\$50*** for first ~~Violation~~ ***violation***  
\$100 for ***second*** each ~~subsequent~~ violation  
***\$300 for third and each subsequent violation***

Inserted by the Board of Selectmen **Finance Committee Recommendation Not Required**  
*Explanatory Note: Passage of this article requires passage of Article 16. Article 17 amends the Fee Bylaw and adds a new penalty for the third offense. This amendment is required if Article 16 passes.*

**MOTION TO POSTPONE INDEFINITELY: Move the Town vote to indefinitely postpone Article 17**

*Motion by Dave Petersen, seconded by Bob Merry, passed voice unanimous at 9:24 pm*

**MOTION TO ADJOURN:** Move the Town vote to adjourn the November 14, 2016 Special Town Meeting.

*Motion by Bob Merry, seconded by Dave Petersen, passed voice unanimous at 9:25 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 26th day of October in the year two thousand sixteen.

*Joseph Perry, Chairman*

*Robert Snow, Vice Chairman*

*Clifford Pierce, Clerk*

*G. Robert Merry*

*David Petersen*

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, and The First Ipswich Bank, formerly known as First National Bank of Ipswich -Rowley Office.

*Richard C. MacDonald, Constable of Rowley*

10/26/16

***Certification: I, Susan G. Hazen, duly elected and qualified Town Clerk for the Town of Rowley do hereby certify that the statements contained above with regard to the November 14, 2016 Town of Rowley Special Town Meeting are true and accurate according to documents maintained by this office.***

***Susan G. Hazen, Town Clerk***

***Town of Rowley  
November 28, 2016***