

# **Town of Rowley 2006**

## **Annual Report**

## GENERAL INFORMATION

Rowley was incorporated as a Town on September 4, 1639

LOCATION ..... 32 miles north of Boston  
AREA ..... 19.03 square miles  
ZIP CODE ..... 01969  
AREA CODE ..... 978

### POPULATION:

1960 Federal Census ..... 2,783  
1970 Federal Census ..... 3,006  
1980 Federal Census ..... 3,860  
1990 Federal Census ..... 4,452  
2000 Federal Census ..... 5,500

### REGISTERED VOTERS: as of December 31, 2006

Democrat ..... 681  
Libertarian ..... 15  
Republican ..... 644  
Other ..... 6  
Unenrolled ..... 2366  
Total Registered Voters ..... 3712  
Total Population ..... 5967

### ASSESSED VALUATION: as of November 30, 2005

Real Estate ..... 897,981,678  
Personal Property ..... 11,577,278

### TAX RATE FOR FY 05:

All classes of property ..... 9.80

### TOWN OFFICES:

The Town Hall and Center School has offices for the Accountant, Town Administrator, Assessors, Board of Health, Selectmen, Building Department, Conservation Commission, Council on Aging, Planning Board, Town Clerk and Treasurer/Collector  
Mailboxes for departments, boards & committees are located outside the Clerk's office  
The Fire Station is located on Hammond Street  
The Highway Garage is located on Independent Street  
The Rowley Free Public Library is located on Wethersfield Street  
The Pine Grove School is located on Main Street - North of Town  
The Light Department is located on Summer Street  
The Police Department is located on Haverhill Street - West of Town  
The Water Department is located on Central Street

SENATORS IN CONGRESS: Edward M. Kennedy, 617-223-7240, John F. Kerry, 202-224-3121

REPRESENTATIVE IN CONGRESS: John Tierney.508-532-8500

STATE SENATOR: Bruce Tarr, room 436, State House, 617-722-1600

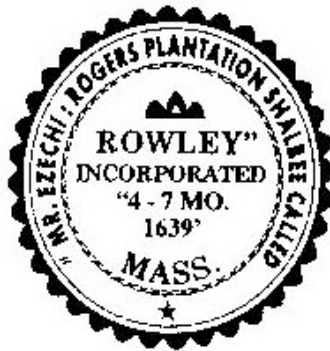
STATE REPRESENTATIVE: Harriett Stanley, 617-722-7304

1639

2006

Three Hundred Sixty-Seventh

*Annual Report  
of the  
Town of Rowley*



*For the year ending December 31*

2006

Flagship Press  
North Andover, MA

(cover photo courtesy of G. Robert Merry, Rowley, MA)

## **DEDICATION**

This year's Town Report is dedicated to the Men and Women of Rowley who have served and will serve our Country in the Armed Forces. Without their sacrifices of the past, present, and future, the freedom we enjoy today would not be and will not be possible.

## **COVER PHOTO HONOR ROLL WORLD WAR II**

At the Annual Town Meeting held on March 1, 1943, the town “voted that the Chair appoint a committee of three to purchase a plaque, to be placed in or near the Town Hall with the names of Rowley’s service men and women to be inscribed thereon, and raise and appropriate the sum of \$100.00 to provide for the expense of same”.

As per this vote the Town Moderator, F. Payson Todd, appointed the following three men to serve as a committee.

Willard K. Worthly, Chairman  
Milford F. Daniels  
Edward F. MacDonald

The committee chose a wooden plaque, designed by Donald Hamm, that was in accord with the granite World War I monument located on the opposite side of Town Hall. This plaque had been designed to hold 160 names, and should more space be needed, to additional wings could be added.

At the Annual town Meeting on March 5, 1951 the town voted to raise and appropriate the sum of \$250.00 for the erection of a new World War II plaque on the lawn of Town Hall. Once again, Donald Hamm was employed to make this new wooden plaque. At this time the two additional wings, with names, were added.

*(Cover Photo)*

At the annual Town Meeting held March 4, 1968 the town voted to raise and appropriate the sum of \$4000.00 for the purpose of erecting a monument on Town Hall Green honoring the veterans of World War II, the Korean War and the Viet Nam War. This is the present monument in front of Town Hall.

## **WAR MEMORIALS**

*“The Ode”*

*By Laurence Binyon*

**They shall grow not old, as we that are left grow old.  
Age shall not weary them, nor the years condemn.  
At the going down of the sun and in the morning  
we will remember them.**

(Cover photo courtesy of G. Robert Merry, Rowley, MA)

## **ACKNOWLEDGEMENT**

The Board of Selectmen wishes to thank G. Robert Merry for supplying the cover photo, all of the historical data accompanying it and the memorial data and photos for the 2006 Annual Report.

**2<sup>Nd</sup> LIEUTENANT ROBERT L. HALE**  
**1915 – October 24, 1943**

On October 24, 1943 2<sup>Nd</sup> Lieutenant Bob Hale, and his flight crew, took off from Oro Bay Airfield on the island of New Guinea, in a B-25 Mitchell Bomber. Their mission target was a Japanese airfield at Rabaul. They never came back, and were declared missing in action.

Through the wonders of science, Bob Hale's remains were identified and returned to his hometown of Rowley. On October 28, 2006 his family finally had the opportunity, after 63 years, to lay airman Hale to rest.

Bob's nephew, Gary Hale, at his funeral service said, "Closure is the end of uncertainty and the beginning of knowing". He also said, "The generations that have come after owe so much to those like Bob who sacrificed so much to preserve our freedom".

Bob's sister, Barbara Collins, said, over the years she has thought frequently of her missing brother. "Often I just wondered where he was". "It's going to feel good that we've got him home now".

(Photo courtesy of Barbara Collins, Rowley, MA)

**FRANK S. ROBERTS**  
**1919 – September 23, 2006**

REGIONAL SCHOOL PLANNING COMMITTEE 1956

LIMITED HEALTH AGENT 1985 – 2005

Veteran of World War II Serving with the U.S. Army, 10<sup>th</sup> Mountain Division  
85<sup>th</sup> Mountain Infantry

Charter Member VFW Post 5707 of Rowley

He was a Registered State of Maine Guide

(Photo courtesy of David Roberts, Rowley, MA)





**JOSEPH K. LYONS**  
**1930 – June 25, 2006**

BOARD OF SELECTMEN 1968 – 1985

BOARD OF HEALTH 1968 –1985

OLD AGE ASSISTANCE 1968 – 1985

MILK INSPECTOR 1968 – 1969 \* 1975 – 1978

COUNCIL ON AGING 1968

HISTORICAL COMMISSION 1982 \* 1985

(Photo courtesy of Joan Lyons, Rowley, MA)

**DR. S. ROBERT ORCUTT, D.V.M.**

1912 – April 8, 2006

INSPECTOR OF ANIMALS 1966 – 1989

Graduated in 1945 From The University of Pennsylvania With a VMD Degree

Veteran of World War II and the Korean War Having Served  
as a Captain in the U.S. Veterinary Corps.

(Photo courtesy of Helen Noble, Rowley, MA

**MARY H. PARKER**  
**1912 – December 12, 2006**

**ELDER SERVICES BOARD OF MERRIMAC VALLEY 1977 – 1992**

**COMMISSION FOR THE HANDICAPPED 1984 – 1992**

**With the Rowley Post Office More Than 30 Years and Served as Acting Post  
Master**

**Was an Operator in the Local Telephone Office on Central Street**

**(Photo courtesy of Elizabeth Hicken, Rowley, MA)**

EVA C. WATTS PROULX  
1911 – February 18, 2006

ROWLEY MUNICIPAL LIGHTING PLANT

BILLING CLERK 1950 – 1966

OFFICE MANAGER 1966 – 1980

A long time member of the Rowley Grange and an avid Whist player.

She was active in the Rowley Cribbage Club.

She enjoyed knitting while cheering on the Boston Red Sox.

(Photo courtesy of Roberta McCormick, Rowley, MA)

**HOWARD S. RICKER JR.**

1923 – January 5, 2006

BOARD OF FIRE ENGINEERS

FIRE CHIEF 1964 – 1966 \* 1968 – 1971

1<sup>st</sup> ASSISTANT CHIEF 1967 \* 1971

2<sup>nd</sup> ASSISTANT CHIEF 1960 – 1963

FOREST FIRE WARDEN 1965 – 1967 \* 1969 – 1971

DEPUTY FOREST FIRE WARDEN 1968

HIGHWAY SURVEYOR 1974 – 1978

Life Member of the Rowley Volunteer Fire Protection Association

Member Aleppo Shrine Fire Brigade

Avid farmer continuing to work the family farm  
Started by his Grandfather, Andrew Ricker, in 1901

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## ***Elected Officials of the Town of Rowley***

### **Board of Selectmen**

Lane Bourn, Chair (2007)  
David C. Petersen (2007)  
Jack L. Cook (2008)  
Thomas R. Moses (2008)  
Richard M. Cummings (2009)

### **Moderator**

Warren G. Appell (2007)

### **Town Clerk**

Susan G. Hazen (2009)

### **Treasurer/Tax Collector**

Jacqueline R. Vigeant (2009)

### **Highway Surveyor**

A. Scott Leavitt (2009)

### **Board of Assessors**

Diane L. D'Angeli (2007)  
Donald Thurston (2008)  
William DiMento (2009)

### **Regional School Committee**

#### **Rowley:**

Edward Mavragis (2007)  
Darlene J. Doucot (2008)  
Mary T. Murphy (2009)

#### **Newbury:**

Joan M. Weyburn (2007)  
Diana L. Sullivan (2008)  
Suzanne W. Densmore (2009)

#### **Salisbury:**

Deborah A. Choate (2007)  
James Poulin (2008)  
Susan C. Fish (2009)

### **Planning Board**

Robert Snow (2007)  
Clifford Pierce (2008)  
Jean Marie Pietrillo (2009)  
Stuart W. Wells (2010)  
Richard Bertelson (2011)  
Curt Bryant (2008) Assoc Member

### **Trustees of the Free Public Library**

Scott G. Hambley (2007)  
Mary-Clare Condon-Dalzell (2007)  
Henry Ottinger (2007)  
Janet Peabody (2008)  
Mark Savory (2008) – 2 yr write-in  
Joseph Perry (2008) – 2 yr write-in  
Aldene Gordon (2009)  
Mark Behringer (2009)  
Nina Gynan (2009) – 3 yr write-in

### **Rowley Housing Authority**

Jacqueline R. Vigeant (2007)  
State Appointee: Warren G. Appell  
Jack L. Cook (2009)  
Cheryl T. Draper (2010)  
Katherine L. Dalzell (2011)

### **Municipal Light Board**

G. Robert Merry (2007)  
David Levesque (2007)  
Aldene Gordon (2009)

### **Municipal Water Board**

Scott C. Martin (2007)  
Jack L. Cook (2008)  
David A. Dalzell (2009)

### **Shellfish Commissioners**

Alexander S. Gurczak, Jr. (2007)  
John H. Grundstrom (2008)  
Stuart Dalzell, Jr. (2009)

### **Tree Warden**

A. Scott Leavitt (2009)

### **Cemetery Commissioners**

Peter Dalzell (2007)  
John H. Bradley (2008)  
Jack L. Cook (2009)

### **Constables**

Nathaniel N. Dummer (2007)  
Philip Collyer (2009)



## *Appointed Officials of the Town of Rowley*

### **Accountant**

Susan W. Bailey

### **Agricultural Commission**

John Eggleston (2009)  
Jack Grundstrom (2007)  
Deborah Streiff (2008)  
Robert Martineau (2009)  
Morna Unzer (2007)  
Dianne Short (2008)  
George Pacenka (2008)  
Lane Bourn (Alternate) (2007)

### **Animal Control Officer**

Reed Wilson (2007)

### **Animal Inspector**

Reed Wilson (2007)

### **Principal Assessor**

Sean McFadden

### **Bay Circuit Committee**

#### **Voting Members:**

Judith H. Kehs (2006)

#### **Ex Officio Members:**

Phyllis Poole (2007)  
Don Savory (2007)  
Janet Burek-Nuff (2007)

### **Board of Appeals, Ch. 41 Sec 81**

Donald W. Thurston, Chairman (2008)  
Nathaniel Dummer, Associate (2009)  
Alfred G. Clifford (2010)  
Thomas J. Potts, Jr. (2011)  
Glenn A. Pyburn (2007)  
David Levesque (2009)  
Thomas W. Heidgerd, Assoc. (2010)

### **Zoning Board of Appeals**

Donald W. Thurston, Chairman (2008)  
Nathaniel Dummer, Associate (2009)  
Alfred G. Clifford (2010)  
Thomas J. Potts, Jr. (2011)  
Glenn A. Pyburn (2007)  
David Levesque (2009)  
Thomas W. Heidgerd, Assoc. (2010)

### **Board of Health**

Charles Costello (2007)  
Susan Elwell (2009)  
John Melcher (2008)

### **Board of Registrars**

Barbara Collins (2007)  
Barbara DiMento (2007)  
Mildred Dummer (2007)  
Susan Hazen, Town Clerk (2007)

### **Boston Post Cane Holder**

Anna Kent

### **Bridge Committee**

Peter Koester  
John Manning  
Jessica Benjamin  
Scott Leavitt, Highway Surveyor  
Julie Nardon  
Lyle Graham

### **Brooks, Streams, and Riverways Com**

Stephen Comley (2007)  
Frederick A. Hardy (2007)  
Don Savory (2007)  
Richard E. Bertelson (2007)  
Frank Marchegiani (2007)  
John H. Grundstrom (2007)  
Robert Martineau (2007)  
David Dalzell (2007)  
Brent Baeslack (2007)  
William DiMento (2007)  
Scott Leavitt (2007)  
Warren Appell (2007)

### **Building Inspector**

Kenneth Ward (2008)  
Glenn Clohecy, Alternate (2007)

### **Cable Television Advisory Committee**

Warren Appell  
Thomas Moses  
John R. DiMento (2008)  
Vincent Pesaturo (2008)  
Walter Hardy (2008)  
G. Robert Merry (2008)

**Cannoneer**

G. Robert Merry (2007)

**Community Preservation Committee**

Curtis Turner, Con Com Rep  
Frank Todd, Hist. Dist. Com Rep  
Jean Pietrillo, Planning Bd Rep  
Patricia DiFiore, Rec. Com Rep  
Stephen White, Housing Auth. Rep  
Sally Taylor, Open Space Com Rep  
Attilio Paglia, Bd of Sel Rep

**Conservation Commission**

Lane Bourn (2007)  
Judith H. Kehs (2008)  
Sally Taylor (2008)  
Douglas Watson (2008)  
Kurt Annen (2009)  
Curtis Turner (2009)  
Sam Strief (2007)  
John Alexander - alternate

**Conservation Commission Agent**

Brent Baeslack

**Council on Aging Director**

Mary Ellen Mighill

**Council on Aging**

Robert Kirsner (2009)  
Mary Bright (2008)  
Joan Lyons (2008)  
Sumner Haley (2009)  
Helen Williams (2009)  
Robert Hagopian (2007)  
Robert Todd (2007)

**Eight Towns and a Bay Task Force Committee**

Robert Pietrillo (2006)

**Emergency Planning Committee, Local**

Kevin Barry  
Jim Broderick  
A. Scott Leavitt

**Fence Viewers**

Lonnie Brockelbank (2007)  
Richard Caram (2007)

**Finance Committee**

John DiMento, Chairman (2007)  
Karen Muzi (2007)  
Richard Ferrara (2007)  
Sharon Emery (2008)  
Gary Hanson (2008)  
Lou Modini (2008)  
Nicholas Taylor (2009)  
Vincent Pesaturo (2009)  
Diane Lally (2009)

**Fire Department**

James C. Broderick, Chief (2008)  
Mark Emery (2008)  
James R. Merry (2008)

**Fire Engineers**

Roger Merry, 1st Asst. (2007)  
Doug. Chadbourne, 2nd Asst. (2007)  
Donald Merry, 3rd Asst. (2007)

**Forest Fire Warden & Superintendent of The Fire Alarm**

James C. Broderick, Chief (2007)  
Mark Emery, Assistant (2007)

**Harbormaster**

William DiMento (2007)  
Fred Hardy, Assistant (2007)  
David S. Kent (2007)  
William Jerome, Assistant (2007)  
Frank Price, Assistant (2007)

**Hazardous Material Coordinator**

Timothy Toomey (2007)

**Health Svcs & Regulatory Compliance**

Frank Marchegiana

**Historic District Commission / Historical Commission**

Richard Cummings (2008)  
Robert Merry (2008)  
Michael Harney (2008)  
Nathaniel Dummer (2007)  
Frank Todd (2006)  
Sally Swartz (2008)  
Ann Clarke, Alternate

**Housing Committee**

David Petersen

**Land Use Management Committee  
(Hunsley Hills and Pingree Farm  
Management Committee)**

Robert Pietrillo - Open Space  
Jean Pietrillo - Board of Selectmen  
Sally Taylor – Conservation Comm.  
Richard Curran - Recreation Comm.  
Pat Zarba - Taxpayer

**Library Director**

Pamela Jacobson

**Limited Health Agents**

Susan Hazen, Town Clerk (2007)  
David W. Roberts (2007)  
Frank Roberts (2007)  
Barbara DiMento (2007)

**Limited Lighting Bylaw Enforcement Agent**

Frank Marchegiani

**Local Emergency Planning Commission**

Kevin Barry, Police Chief (2007)  
Jim Broderick, Fire Chief (2007)  
Scott Leavitt, Highway Dept. (2007)  
Lane Bourn Sel. Rep. (2007)  
Linda Soucy (2007)  
Frank Marchegiani (2007)  
Mary Ellen Mighill (2007)  
Deborah Eagan, Town Adm.(2007)  
Brent Baeslack, Conv.Com. (2007)

**MBTA Advisory Board**

Michael Sabatini

**Marine Resources Advisory Board**

Fred Hardy (2007)  
Vinson Lesinski (2007)

**Mooring Clerk**

Susan Hazen, Town Clerk (2007)  
Barbara DiMento (2007)

**Oil Spill Response Team**

James C. Broderick, Fire Chief (2007)  
Kevin Barry, Police Chief (2007)  
Scott Leavitt, Highway Dept. (2007)  
Bill DiMento, Harbormaster (2007)  
Brent Baeslack, Conv. Com. (2007)

**Parking Clerk**

Susan Hazen, Town Clerk (2007)

**Parks and Recreation Services Coordinator**

John Price

**Parks and Recreation Committee**

Michael Quinn (2007)  
Kenneth Hunt (2008)  
Tim Southall (2009)  
Daniel Szczepanski, Chairman (2007)  
Patricia DiFiore (2007)  
Kurt Annen (2007)

**Personnel Board**

Jack DiMento, Finance Comm. (2007)  
Ronald Perkins, Reg. Voter (2007)  
Thomas Moses, Sel. Rep. (2007)

**Plumbing and Gas Inspector**

David Leavitt (2007)  
Richard Danforth, Alternate (2007)

**Police Chaplain**

Robert M. J. Hagopian (2007)

**Police Department**

Kevin Barry, Chief (2009)  
Robert Barker, Deputy Chief (2007)  
John Geibel, Det.Lt. (2008)  
Joseph J. Gamache, Det.Sgt. (2008)  
Dorothy M. Tobin, Adm.Asst.(2008)  
R. Perry Collins, Ptlm. FT (2009)  
Thomas M. Hills, Ptlm. FT (2009)  
Scott P. Hirtle, Ptlm. FT (2007)  
Stephen W. May, Sgt. FT (2009)  
David MacMullen, Ptlm. FT (2007)  
David P. Sedgwick, Ptlm. FT (2008)  
Richard A. Johnson, ptlm FT (2008)  
Robert J. Colby,Jr., Ptlm. Res. (2008)  
Jeffrey C. French, Ptlm. Res. (2008)  
David S. Kent, Ptlm. Res. (2008)  
David R. Leavitt, Ptlm. Res. (2008)  
Dorothy M. Tobin, Ptlm. Res. (2008)  
Sheri A. David, Disp.Reg. Res. (2008)  
Michael Butler, Ptlm. Res. (2008)  
Pamela A. Lutes, FT Disp. (2009)  
Pamela A. Lutes, Matron (2009)  
Lynne M. Neary, FT Disp.(2008)  
Michael Butler, FT Disp. (2008)  
Sheri A. David, Res. Ptlm. (2008)  
Sheri A. David, Matron (2008)

Lynne M. Neary, Matron (2008)  
Mark A. Ruggiero, Ptlm, FT (2009)  
Matthew Serratore, Res. Disp. (2008)  
Kenneth E. Belson, Ptlm. FT (2009)  
Thomas Lantych, Res.Ptlm. (2009)  
Matthew Ziev, Ptlm. Res. (2009)  
Charles Hazen, Jr. Res. Disp. (2008)

**Keeper of the Rowley Police Station Lockup  
facility as required under MGL Ch. 40, Sec 35**  
Kevin Barry, Chief of Police (2007)

**Rowley Bridges Project Proposal Evaluation  
Committee**  
Lane Bourn, Sel. Rep. (2007)  
David Petersen, Sel. Rep. (2007)  
Scott Leavitt, Highway Sur. (2007)  
John Manning, Resident (2007)  
Paul Beede, Resident (2007)

**Rowley Cultural Council**  
Martha Bergeron (2008)  
Louise Mehaffey (2007)  
Sarah Robertson (2008)  
Mickie Atkinson-Drapeau (2007)

**Rowley Emergency Management Agency —  
(REMA)**  
James Broderick, Director (2007)  
Scott Leavitt, Assist Dir. (2007)  
Lane Bourn (2007)  
Shawn Roberts (2007)  
Donald Williams (2007)  
Roger Merry (2007)  
Robert Barker (2007)

**Rowley Municipal Lighting Plant**  
Linda Soucy, Manager

**Sandy Point Committee Member**  
William DiMento (2007)  
John Manning (2007)

**Sanitary Health Agent**  
Edward Gallagher

**Shellfish Constable**  
Jack Grundstrom (2007)

**Shellfish Constable (Deputies)**  
Stuart Dalzell, Jr. (2007)  
William DiMento (2007)  
John H. Grundstrom (2007)  
Fred Hardy (2007)  
David S. Kent (2007)  
Alex Gurczak (2007)  
Charles Hazen ((2007)

**Town Administrator/Personnel Officer**  
Deborah Eagan

**Town Clerk, Assistant**  
Barbara R. DiMento (2007)

**Town Counsel**  
Gary Brackett, Brackett & Lucas (2007)

**Veteran's Agent**  
Terry Hart, Ipswich

**Water Department Superintendent**  
John Rezza

**Wiring Inspector**  
David Levesque (2007)  
G. Roger Merry, Alternate (2007)

**Wood, Lumber and Bark Surveyor**  
Floyd Maker, Jr. (2007)

## *Administrative Employees of the Town of Rowley*

### **Assistant Accountant**

John Price

### **Treasurer/Collector**

Doreen Glowik

### **Assessor's Clerk**

Karen Milo

### **Water Department Secretary**

Marie Grover

### **Conservation Commission**

#### **Administrator**

Brent Baeslack

### **Council on Aging**

#### **Administrative Assistant**

Carolyn Peabody

### **Activities Director/Trip Coordinator**

Jack Flood

### **Assistant Health Agent**

Wendelyn Hansbury

### **Inspection Department Secretary**

Paula Meagher

### **MIS/GIS Coordinators**

Susan Bailey

Jacqueline Vigeant

### **Planning Board**

#### **Administrative Assistant**

Maryann Waz

### **Selectmen**

#### **Administrative Assistant**

Anita Atkinson-Drapeau

Elizabeth Dasch

### **Surveyor of Highway Secretary**

Brenda Mastrangelo

### **Assistant Treasurer/Collector**

#### **Office Supervisor**

Town of Rowley, Commonwealth of Massachusetts  
**MINUTES OF ANNUAL TOWN MEETING**  
May 1, 2006

*The May 1, 2006 Annual Town Meeting was called to order at 9:25 pm upon completion of the Special Town Meeting. The quorum as certified by the Registrars at the start of the Special remained in effect. The Tellers were the same as had been sworn in for the special and were: Sandra Jervah, 28 Central St., John H. Robillard, 14 School St., Robert Brodsky, 69 Warehouse Lane and Antoinette Treadway, 69 Warehouse Lane.*

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 1st day of May, 2006 at 7:30 p.m., then and there to act on the following articles:

**MOTION:** Move to suspend further reading of the May 1, 2006 Annual Town Meeting Warrant as everyone present has a copy of said warrant.

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 9:25 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

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 Jack L. cook, seconded by Lane Bourn, passed voice unanimous at 9:28 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:

Elective Officer	Requested	<u>Finance Committee Recommends</u>
Moderator	\$98	\$98
Board of Selectmen, (each member)	\$2,231	\$2,231
Board of Assessors, (each member)	\$2,456	\$2,456
Town Treasurer/Collector of Taxes	\$67,600	\$67,600
Town Clerk	\$34,500	\$34,500
Planning Board, each member	\$0	\$0
Tree Warden	\$6,766	\$6,766
Surveyor of Highways	\$60,393	\$60,393
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 Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 9:29 pm*

ARTICLE 5. General Omnibus Budget. Move to see what sums of money the Town will vote to raise and appropriate, or transfer and appropriate, from available funds including, stabilization, overlay, Notice of Intent fund, free cash and to defray the expenses of the Town for the forthcoming fiscal year, including Bonds, Notes, Interest.

Inserted by the Finance Committee

**Finance Committee Recommends**

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b><u>General Government</u></b>				
	<b>Town Moderator</b>				
1	Moderator Stipend	95	95	98	98
	<b>Board of Selectmen</b>				
2	Selectmen Stipends	9,220	11,155	11,155	11,155
3	Town Admin/Personnel Officer Salary	70,449	70,451	73,960	73,960
4	Administrative Assistant Wages	18,721	22,590	23,256	23,256
5	CPA Administrator Stipend	2,000	2,000	2,000	2,000
6	Expenses	15,088	10,523	7,523	7,523
7	Copier/Fax Expenses	4,332	3,870	4,064	4,064
8	General Audit Expense	12,500	12,500	12,500	12,500
10	Sealer of Weights & Measures Exp	2,500	3,000	3,000	3,000
	<b>Finance Committee</b>				
11	Secretary Wages	416	1,323	1,362	1,362
12	Expenses	348	379	379	379
	<b>Town Accountant</b>				
13	Accountant Salary	42,851	42,851	44,137	44,137
14	Asst. Accountant Wages	12,106	11,955	12,963	12,963
15	Expenses	4,079	4,659	4,659	4,659
	<b>Board of Assessors</b>				
16	Assessors Stipends	7,369	7,369	7,368	7,368
17	Principal Assessor Salary	66,735	66,735	68,872	68,872
18	Clerk Wages	17,214	19,051	19,594	19,594
19	Consultant	0	1,000	1,000	1,000
20	Professional Services	10,096	10,520	11,505	11,505
21	Expenses	5,626	5,765	6,055	6,055
	<b>Treasurer/Tax Collector</b>				
22	Treas./Collector Salary	65,178	65,178	67,600	67,600
23	Asst. T/C. Clerk Wages	66,490			
24	Assistant Treasurer Salary		43,127	44,412	44,412
25	Administrative Assistant Wages		24,365	28,426	28,426
26	Expenses	30,258	30,421	31,943	31,943
27	Tax Title	12,265	10,016	10,517	10,517



Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b>Town Counsel</b>				
28	Professional Fee	51,244	52,600	52,600	52,600
29	Expenses	30,912	65,000	65,000	65,000
	<b>Personnel Board</b>				
30	Expenses	345	380	399	399
	<b>IS Department</b>				
31	Consultant Services	13,937	14,496	14,931	14,931
32	Expenses	3,487	4,360	4,491	4,491
	<b>Town Clerk</b>				
33	Town Clerk Salary	32,345	33,345	34,500	34,500
34	Asst. Town Clerk Wages	2,514	3,310	3,000	3,000
35	Expenses	2,689	3,094	3,250	3,250
	<b>Elections</b>				
36	Wages	3,029	825	2,600	2,600
37	Expenses	3,872	1,485	4,805	4,805
	<b>Registrar of Voters</b>				
38	Stipends	2,183	2,183	2,183	2,183
39	Expenses	1,993	1,995	2,093	2,093
	<b>Con Com.</b>				
40	Cons. Admin. Wages	31,628	33,874	42,536	42,536
41	Expenses	1,544	1,545	1,622	1,622
	<b>Planning Board</b>				
42	Planning/ZBA Admin. Asst. Wages	22,008	22,967	27,261	27,261
43	Planner Consultant	2,924	9,026	9,026	9,026
44	Mk Val. Pl. Com.	1,726	1,726	1,800	1,800
45	Expenses	2,360	2,970	2,970	2,970
	<b>Zoning Board of Appeals</b>				
46	Expenses	786	1,680	1,764	1,764
	<b>Town Hall and Annex</b>				
47	Town Hall/Annex Janitor	11,441	14,030	12,239	12,239
48	Expenses	20,669	8,874	9,318	9,318
	<b>Town Hall Annex</b>				
49	Expenses	15,670	8,874	9,318	9,318
	<b>Town Report</b>				
50	Printing & Distribution	5,196	6,402	6,594	6,594
	<b>Subtotal</b>	<b>740,438</b>	<b>775,939</b>	<b>812,648</b>	<b>812,648</b>

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b><u>Public Safety</u></b>				
	<b>Police Department</b>				
51	Police Chief Salary & Other Earnings	113,862	119,129	123,912	123,912
52	Deputy Chief Salary & Other Earnings	79,126	85,006	87,780	87,780
53	Wages	841,457	930,566	939,662	939,662
54	Expenses	95,068	88,520	117,350	117,350
55	Police Cruiser	0	15,391	15,391	15,391
56	Police Modular Bldg. Lease		30,000	28,098	28,098
	<b>Rowley Block Program</b>				
57	Expenses	0	200	200	200
	<b>Constables</b>				
58	Expenses	175	400	450	450
	<b>Fire Department</b>				
59	Fire Chief Salary	65,327	65,379	67,939	67,939
60	Firefighter Wages	86,045	87,377	92,410	92,410
61	Firefighter Overtime Wages	20,231	19,500	20,000	20,000
62	Expenses	8,552	8,956	9,404	9,404
63	Fire Alarm Maintenance	170	900	945	945
64	Red Base Telephone	520	609	640	640
65	Forest Fire Exp.	246	500	525	525
	<b>RVFPA Fire Protection Assoc.</b>				
66	Wages	81,500	81,500	83,945	83,945
67	Operating Costs	129,114	129,114	133,014	133,014
68	Capital Expenses				
	<b>Ambulance Service</b>				
69	Service Contract	30,000	30,000	30,000	30,000
	<b>Inspection Department</b>				
70	Salaries	52,019	52,019	63,449	63,449
71	Wages	3,291	7,671	7,901	7,901
72	Expenses	4,693	4,824	5,065	5,065
	<b>Emergency Management Svcs.</b>				
73	Expenses	1,579	1,877	1,970	1,970
	<b>Animal Inspector</b>				
74	Salary	2,254	2,254	2,374	2,374
75	Expenses	0	200	200	200
76	Rabid Animal Control	442	1,853	1,853	1,853

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b>Animal Control Officer</b>				
77	Salary	8,940	8,940	9,416	9,416
78	Expenses	0	1,320	1,320	1,320
	<b>Tree Warden/Moth Control</b>				
79	Salary	6,569	6,596	6,766	6,766
80	Expenses	11,629	9,009	8,193	8,193
	<b>Harbormaster</b>				
81	Salary	5,305	5,305	5,464	5,464
82	Wages	4,605	4,612	4,750	4,750
83	Pumpout Boat Wages	1,591	1,596	1,643	1,643
84	Exp/Landing/Wharf	2,983	3,000	4,000	4,000
	<b>Shellfish Commission</b>				
85	Comm. Wages	1,770	1,451	1,451	1,451
86	Comm. Expenses	465	536	563	563
	<b>Shellfish Constable</b>				
87	Constable Salary	236	236	236	236
88	Constable Expenses	432	536	563	563
	<b>Street Lighting</b>				
89	Expenses	0	20,442	22,943	22,943
	<b>Fire Hydrants</b>				
90	Expenses	23,325	23,775	23,775	23,775
	<b>Subtotal</b>	1,683,521	1,851,099	1,925,560	1,925,560
	<b><u>Schools</u></b>				
91	Whittier Voc Assessment	80,444	78,160	100,896	100,896
92	Triton Reg. Assessment	5,837,621	5,993,230	7,157,033	6,292,892
93	Triton Cap. Assessment	240,564	206,417	189,453	189,453
	<b>Subtotal</b>	6,158,629	6,277,807	7,447,382	6,583,241
	<b><u>Public Works</u></b>				
	<b>Highway Department</b>				
94	Snow & Ice Removal	207,760	40,000	40,000	40,000
95	Surveyor's Salary	58,634	58,634	60,393	60,393
96	Wages	109,285	119,415	136,800	136,800
97	Expenses	86,864	79,946	83,943	83,943
	<b>Recycling</b>				
98	Wages	2,820	3,533	3,602	3,602
99	Expenses	6,172	8,510	8,510	8,510

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b>Cemetery Commission</b>				
100	Wages	15,270	15,273	15,731	15,731
101	Expenses	1,837	1,855	1,947	1,947
	<b>Subtotal</b>	488,642	327,166	350,926	350,926
	<b><u>Health &amp; Human Services</u></b>				
	<b>Board of Health</b>				
102	Coordinator Hlth Svs Reg. Comp Salary	43,027	43,027	44,390	44,390
103	Sanitary Health Agent	19,339	19,530	20,447	20,447
104	Adm. Asst./Asst. Inspector Wages	20,000	21,335	22,673	22,673
105	Public Health Nurse Stipend	1,000	1,000	1,000	1,000
106	Expenses	5,409	6,625	6,900	6,900
	<b>Council on Aging</b>				
107	Senior Director Salary	24,417	24,935	25,915	25,915
108	Wages	43,158	42,430	41,368	41,368
109	Elder Svcs. of Merrimack Valley	294	294	294	294
110	Expenses	9,895	12,170	12,779	12,779
	<b>Veterans Affairs</b>				
111	Eastern Essex Vets. District	14,824	15,563	17,000	17,000
112	Veterans Benefits	728	11,280	11,844	11,844
	<b>Handicapped Commission</b>				
113	Expenses	41	190	190	190
	<b>Subtotal</b>	182,132	198,379	204,800	204,800
	<b><u>Recreation/Historic</u></b>				
	<b>Rowley Public Library</b>				
114	Library Director Salary	36,387	40,490	38,339	38,339
115	Wages	60,612	59,165	66,382	66,382
116	Expenses	54,228	61,269	62,966	62,966
	<b>Parks &amp; Recreation Committee</b>				
117	Parks-Recreational Svcs. Coord. Wages	15,081	15,082	16,199	16,199
118	Expenses	1,766	1,775	1,864	1,864
119	Field Maintenance	14,360	14,360	15,078	15,078
	<b>Town Common</b>				
120	Expenses	2,860	3,460	5,720	5,720
	<b>Historical</b>				
121	Commission Expenses	267	332	332	332
122	Historic Dist. Comm. Expense	14	70	70	70

Line		Expended	Appropriated	Requested	Fin Com
Item	Description	FY 2005	FY 2006	FY 2007	Rec.
	<b>Other</b>				
123	Bay Circuit Committee	0	200	200	200
124	Memorial Day/Veterans Day	791	1,000	1,000	1,000
125	Former Library Building Expense	2,693	2,800	2,940	2,940
	<b>Subtotal</b>	189,059	200,003	211,090	211,090
	<b>Debt</b>				
126	School Building Principal	388,125	378,438	369,063	369,063
127	New Highway Truck Principal			20,400	20,400
128	Highway Truck Principal	21,600	0	0	0
129	Highway Loader Principal	18,400	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	95,000	95,000	95,000	95,000
133	Hunsley Hill Principal	55,000	55,000	55,000	55,000
134	Fire Truck Principal	60,000	60,000	60,000	60,000
135	Used Fire Ladder Truck Principal		20,100	20,000	20,000
136	Debt Fees & Charges	0	5,000	5,000	5,000
137	School Building Interest	60,328	43,850	27,500	27,500
138	New Highway Truck Interest		2,110	3,710	3,710
139	Highway Truck Interest	1,134	0	0	0
140	Highway Loader Interest	966	0	0	0
141	Landfill Capping Interest	28,118	26,280	24,443	24,443
142	New Well Land Interest	8,156	7,657	7,159	7,159
143	Library Interest	67,184	64,097	60,772	60,772
144	Hunsley Hills Land Interest	37,868	36,080	34,155	34,155
145	Fire Truck Interest	6,300	4,350	2,250	2,250
146	Used Fire Ladder Truck Interest		3,399	2,665	2,665
147	Highway Truck Interest				
	<b>Subtotal</b>	892,679	845,861	831,617	831,617
	<b>Insurance</b>				
148	Unemployment	4,617	6,300	12,000	12,000
149	Blanket Insurance	69,512	72,000	75,600	75,600
150	Essex Regional Retirement	339,933	363,806	404,913	404,913
151	Group Health/Life Ins. & FICA	251,296	262,849	304,646	304,646
	<b>Subtotal</b>	665,358	704,955	797,159	797,159
	<b>GRAND TOTAL</b>	11,000,457	11,181,209	12,581,182	11,717,047

*Motion by John R. DiMento, seconded by Susan W. Bailey*

**MOTION (from the floor):** I move to reduce Budget Line #29 of Article 5 of the ATM of May 1, 2006 to \$37,500.

*Motion by Mary Ann Levasseur, seconded by Michael Durkee, passed by Hand Count 102 YES to 91 NO at 9:45 pm*

Amended motion reflecting amendment above:

**MOTION:** I move the Town vote to raise and appropriate \$10,970,081 and transfer and appropriate from Free Cash the sum of \$615,220, and transfer and appropriate from Overlay Reserve the sum of \$100,000, and transfer and appropriate from the Notice of Intent Receipts-Reserved Fund the sum of \$4,240 for a total of \$11, 689,541 to defray the expenses of the Town for the forthcoming fiscal year, including Bonds, Notes and Interest.

*Motion by John R. DiMento, seconded by Susan W. Bailey, passed voice unanimous at 10:00 pm*

*Note: Result of this amendment was that Line #29 (Town Counsel Expense) was reduced by \$27,500 from \$65,000 to \$37,500, thereby reducing the Grand Total by \$27,500 from \$11,717,041 to \$11,689,541. The new adjusted Grand Total was passed at \$11,689,541.*

ARTICLE 6. Water Department Budget. Move the Town transfer and appropriate the sum of \$700,213 from the Water Department Operating Fund for FY 07.

	<u>Description</u>	<u>Expended</u> <u>FY 2005</u>	<u>Appropriated</u> <u>FY 2006</u>	<u>Requested</u> <u>FY 2007</u>
	<b><u>Operating Service</u></b>			
152	Superintendent Salary	49,412	49,412	52,121
153	Water Department Wages	123,655	147,253	171,099
154	Maintenance & Expenses	181,325	213,149	223,806
	<b>SUBTOTAL</b>	<b>354,392</b>	<b>409,823</b>	<b>447,026</b>
	<b><u>Debt Service</u></b>			
155	Water Loop Principal	16,875	16,563	15,938
156	Water Loop Interest	2,476	1,757	1,046
157	Pingree Well Principal	55,500	55,500	55,500
158	Pingree Well Interest	44,142	41,228	38,315
159	New Water Bldg. Principal	15,000	15,000	15,000
160	New Water Bldg. Interest	9,935	8,848	8,060
161	Corrosion Control Principal	65,000	65,000	65,000
162	Corrosion Control Interest	20,215	18,103	15,828
163	Loader, SCADA, Motor/Surge, Well #3 Redevelopment Principal	35,000	35,000	35,000
164	Loader, SCADA, Motor/Surge, Well #3 Redevelopment Interest	6,300	4,900	3,500
	<b>SUBTOTAL</b>	<b>270,142</b>	<b>261,899</b>	<b>253,187</b>
	<b>TOTAL</b>	<b>624,535</b>	<b>671,722</b>	<b>700,213</b>
	Plus Article 7 - Indirect Costs	40,694	43,078	46,229
	<b>GRAND TOTAL</b>	<b>665,229</b>	<b>714,800</b>	<b>746,442</b>

Inserted by Board of Water Commissioners

**Finance Committee Recommends**

*Motion by Scott Martin, seconded by Jack L. Cook, passed voice unanimous at 10:01 pm*

ARTICLE 7. Move the Town vote to transfer from the Water Department Enterprise Fund to the General Fund the sum of \$46,229 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 2007.

<u>Line Item</u>	<u>Description</u>	<u>Actual Transferred FY 2005</u>	<u>Anticipated Transferred FY 2006</u>	<u>Requested FY 2007</u>
165	County Retirement	19,558	19,094	21,271
166	Employee Health Insurance	10,015	10,011	10,555
167	Life Insurance Premiums	201	201	267
168	Accountant's Fee	3,000	3,000	3,090
169	Treasurer/Collector's Fee	6,270	6,270	6,458
170	Audit	1,650	1,650	1,650
171	Medicare	0	2,852	2,938
	<b>TOTAL</b>	<b>40,694</b>	<b>43,078</b>	<b>46,229</b>

Inserted by Board of Water Commissioners

**Finance Committee Recommends**

### FOR INFORMATIONAL PURPOSES

	<u>Actual FY 2005</u>	<u>Estimated FY 2006</u>	<u>Estimated FY 2007</u>
<b><u>Operating Revenue</u></b>			
Water Bills	722,414	615,875	646,667
Permits	50,200	50,000	50,000
Merchandising & Jobbing	17,107	21,168	22,000
Special Services	4,367	4,000	4,000
Hydrant Rentals	23,325	23,775	23,775
<b>Subtotal</b>	<b>817,413</b>	<b>714,818</b>	<b>746,442</b>
STARTING BALANCE	181,072	258,256	258,256
REVENUE	817,413	714,800	746,442
EXPENSE	(665,229)	(714,800)	(746,442)
ARTICLES	(75,000)	0	0
ANNUAL EXCESS/DEFICIT	77,184	0	0
AVAILABLE BALANCE	258,256	258,256	258,256

*Motion by Scott Martin, seconded by Jack L. Cook, passed voice unanimous at 10:02 pm*



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 \$30,000 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 Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 10:03 pm (Arts 8-11)*

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 2007:

	<b>Name of Account</b>	<b>Expenditure Cap</b>
<b>1</b>	<b>Council on Aging</b> - 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. [The balance of the account on 2/28/06 is \$409]	Expenditures not to exceed \$2,000
<b>2</b>	<b>Board of Health</b> -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. [The balance of the account on 2/28/06 is \$16,093]	Expenditures not to exceed \$20,000.
<b>3</b>	<b>Parks &amp; Recreation Committee and Board of Selectmen</b> - 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. [The balance of the account on 2/28/06 is \$2,598]	Expenditures not to exceed \$9,000.
<b>4</b>	<b>Parks &amp; Recreation Committee and Board of Selectmen</b> - 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. [The balance of the account on 2/28/06 is \$8,093]	Expenditures not to exceed \$17,000.
<b>5</b>	<b>Board of Selectmen</b> - 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. [The balance of the account on 2/28/06 is \$752]	Expenditures not to exceed \$2,000.
<b>6</b>	<b>Highway Department</b> – 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. [The balance of the account on 2/28/06 is \$3,194]	Expenditures not to exceed \$12,000.
<b>7</b>	<b>Shellfish Department</b> – 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. [The balance of the account on 2/28/06 is \$2,123].	Expenditures not to exceed \$1,000.
<b>8</b>	<b>Zoning Board of Appeals and Board of Appeals</b> – 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 Boards hearings and meetings, and professional assistance or engineering, legal and other case related items. [The balance of the account on 2/28/06 is \$2,350].	Expenditures not to exceed \$4,000.

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

#### **Finance Committee Recommends**

**Explanatory Note:** The above article consolidates eight standard revolving fund annual renewal authorizations. Expenditure caps have been raised for the Board of Health revolving fund from

*\$15,000 to \$20,000 and for the Highway Department revolving fund from \$7,000 to \$12,000. Article 12 will be taken up and voted under one consent motion*

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 10:05 pm.*

ARTICLE 13. Move the Town vote to raise and appropriate the sum of \$880,000 for the purposes of funding the assessment for the Triton Regional School District for the fiscal year beginning July 1, 2006, contingent upon the Town voting to exempt said sum from the limitation on total taxes imposed by Mass. Gen. Laws c. 59 section 21C (Proposition 2 \_ so called).

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: This article seeks to appropriate the additional funds needed by the Town of Rowley to cover the Triton Regional School District assessment, subject to voter approval for a Proposition 2 \_ override. Since 2002, the State has cut funding for the Triton Regional School District, while at the same time the School District's non-controllable costs have continued to rise. Last year, for example, the School District received \$1.1 million less in Chapter 70 funding from the State than its 2002 level. Since 2002, the School District has had to cut 59 staff positions. The override will prevent the need to make major cuts to existing staff and services, restore positions that were cut this year, and begin to restore positions and programs that have been cut since 2002. If the override does not pass, cuts could include, for example, eliminating as many as 38 teachers, resulting in increased class sizes across the District.*

*Motion by Lane Bourn, seconded by Hillary O'Doy, passed by Paper Ballot YES 160 to NO 59 at 11:24 pm*

**MOTION:** Move to adjourn the May 1, 2006 Annual Town Meeting and to re-convene to finish Warrant on Tuesday, May 2, 2006 @ 7:20 at the Pine Grove School.

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 11:24 pm*

*May 1, 2006 Annual Town Meeting is re-convened at 7:41 pm on Tuesday May 2, 2006 upon certification of a quorum by the Registrars. Selectmen Lane Bourn lead the Pledge of Allegiance. Tellers appointed for this second night are as follows: John Grundstrom, 58 Railroad Ave., Charles Hazen, 4 Central St., Maryanne Appell, 43 Fenno Dr. and Susan Elwell of 22 Bennett Hill Road.*

**MOTION:** Move to hear and act on reports of Board under Article #1 from Board of Selectmen to report on Town Counsel Litigation Expense Account.

*Motion by Lane Bourn, seconded by Jack L. cook, passed voice unanimous at 7:42 pm*

ARTICLE 14. Move the Town vote to accept the conditions of the Massachusetts Water Pollution Abatement Trust Community Septic Management program and appropriate the sum of \$300,000 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 and issue bonds or notes therefore under G. L. Chapter 111, Chapter 127-B \_ 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 to the Town; 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 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 residents by offering low interest septic betterment loans from the Massachusetts Water Pollution Abatement Trust. Passage of this article would make additional low interest loans available to town residents. The Board of Selectmen supports passage of this article. The Board of Health's participation in this program presents no cost to the taxpayers. Passage requires two-thirds vote.*

*Motion by Charles Costello, seconded by Susan L. Elwell, passed voice unanimous at 7:50 pm.*

ARTICLE 15. Move the Town vote to transfer and appropriate the sum of \$3,900.14 from the Massachusetts Water Pollution Abatement Trust Septic Betterment Loan Program to pay the annual 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 received \$75,000 from the state Massachusetts Water Pollution Abatement Trust Septic Loan funds for taxpayers to repair and/or upgrade failed septic systems. This appropriation is to pay the annual debt on the Town's loan from the Massachusetts Water Pollution Abatement Trust.*

*Motion by Charles Costello, seconded by Susan L. Elwell, passed voice unanimous at 7:51 pm.*

ARTICLE 16. Move the Town vote to authorize the Board of Health to enter into an intermunicipal agreement, pursuant to Mass. Gen. Laws c. 40 section 4A, with one or more governmental units to provide public health services, which the Board of Health is authorized to perform; said agreement to provide for mutual aid, to be for a term not to exceed 25 years, and to include an amount setting forth the maximum financial liability of the Town.

Inserted by the Board of Health

**Finance Committee Recommends**

*Explanatory Note: The Massachusetts Department of Public Health recommends cities and towns have a mutual aid agreement which makes it possible for local Health Departments to provide and receive support from surrounding communities for events that overwhelm local capacity. This is similar to the Police and Fire Departments' mutual aid agreements which are currently in place.*

*Motion by Susan L. Elwell, seconded by Charles Costello, passed voice unanimous at 7:53 pm*

ARTICLE 17. Move the Town vote to raise and appropriate the sum of \$5,260 to be used by the Board of Selectmen for the development of a Pre-disaster Multi-Hazard Mitigation Plan through the Merrimack Valley Planning Commission.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The Merrimack Valley Planning Commission (MVPC) is preparing a regional Pre-disaster Multi-Hazard Mitigation Plan. If the Town does not participate through the MVPC program, the Town will be responsible for preparing a similar plan. The plan will address mitigation of multiple natural hazards, including flood hazards, winter storm hazards, fire hazards, and geologic hazards. If the Town were part of the National Flood Insurance Program, the Town would be eligible to participate through a Federal Emergency Management Agency grant.*

*Motion by Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:54 pm*

ARTICLE 18. Move the Town vote to raise and appropriate the sum of \$4,500 to be expended by the Shellfish Department for the purpose of purchasing a new outboard motor for the Shellfish Department boat to replace the existing inoperative outboard motor.

Inserted by the Shellfish Department

**Finance Committee Recommends**

*Explanatory Note: The new outboard motor is intended to replace the existing inoperative Johnson 35HP, 2 stroke motor with a Johnson 30HP, 4 stroke motor through the government purchasing program. The new motor will have much better fuel efficiency and will operate with fewer emissions. Motion by John E. Grundstrom, seconded by Richard A. Curran, passed voice unanimous at 7:55 pm*

ARTICLE 19. Move the Town vote to raise and appropriate the sum of \$4,000 to be used by the Treasurer/Collector for the purpose of upgrading the office computer system for the Treasurer/Collector and Board of Assessors.

Inserted by the Treasurer/Collector

**Finance Committee Recommends**

*Explanatory Note: The Information Services Coordinators have approved this request. This upgrade will include three computers in the Treasurer/Collector's office and one computer in the Assessors' Office. The existing computers are five years old and replacement parts are no longer available.*

*Motion by Jacqueline R. Vigeant, seconded by John R. DiMento, passed voice unanimous at 7:56 pm*

ARTICLE 20. Move the Town (a) appropriate \$43,500 to be expended by the Highway Surveyor for the purpose of purchasing a new one-ton dump truck with plow to replace the existing 1993 F-350 dump truck with plow; (b) authorize the treasurer with the approval of the Board of Selectmen to borrow \$43,500 under G.L. Chapter 44 section 7 or any other enabling authority to meet such appropriation; and (c) authorize the Highway Surveyor to trade the existing 1993 F-350 dump truck with plow in part payment for the replacement vehicle and to take any other action necessary to carry out this project; provided, however, that any vote passed pursuant to this article shall not take effect until and unless the Town votes to exempt from the limitation on total taxes imposed by G.L. Chapter 59 section 21C (Proposition 2 \_) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

Inserted by the Highway Surveyor

**Finance Committee Recommends**

*Explanatory Note: The 1993 F-350 truck is 13 years old with over 130,000 miles. This truck is used daily in Highway Department operations, including snowstorms. This truck has had too many repairs for the Highway Department to continue to rely on its performance. This truck has done its duty for the Town of Rowley, and it is time for it to retire. Passage requires two-thirds vote*

*Motion by Scott Leavitt, seconded by Scott Martin, passed voice unanimous at 8:00 pm*

ARTICLE 21. Move the Town (a) appropriate \$36,500 to be expended by the Tree Warden for the purpose of purchasing a new one-ton dump truck with plow to replace the existing 1980 F-350 dump truck; (b) authorize the Treasurer with the approval of the Board of Selectmen to borrow \$36,500 under G.L. Chapter 44 section 7 or any other enabling authority to meet such appropriation; and (c) authorize the Tree Warden to trade the existing 1980 F-350 dump truck in part payment for the replacement vehicle and to take any other action necessary to carry out this project; provided, however, that any vote passed pursuant to this article shall not take effect until and unless the Town votes to exempt from the limitation on total taxes imposed by G.L. Chapter 59 section 21C (Proposition 2 \_) amounts required to pay the principal of and interest on borrowing authorized by such vote.

Inserted by the Tree Warden

**Finance Committee Recommends**

*Explanatory Note: The Tree Truck is 26 years old and is unable to get out of its own way. It has many problems, including its age. It is unable to pull its own weight and the weight of the brush chipper. Passage requires two-thirds vote.*

*Motion by Scott Leavitt, seconded by Scott Martin, passed voice unanimous at 8:02 pm*

ARTICLE 22. Move the Town (a) appropriate \$72,400 to be expended by the Highway Surveyor for the purpose of purchasing a new dump truck with plow to replace the existing 1989 F-800 dump truck with plow; (b) authorize the Treasurer with the approval of the Board of Selectmen to borrow \$72,400 under G.L. Chapter 44 section 7 or any other enabling authority to meet such appropriation; and (c) authorize the Highway Surveyor to trade the existing 1989 F-800 dump truck with plow in part payment for the replacement vehicle and to take any other action necessary to carry out this project; provided, however, that any vote passed pursuant to this article shall not take effect until and unless the Town votes to exempt from the limitation on total taxes imposed by G.L. Chapter 59, 21C (Proposition 2 \_\_) amounts required to pay the principal of and interest on borrowing authorized by such vote.

Inserted by the Highway Surveyor

**Finance Committee Recommends**

*Explanatory Note: Last year the Highway Department unsuccessfully tried to replace this vehicle. This 1989 F-800 is currently not in operation. The truck is a crucial piece of equipment for the Highway Department and is now 17 years old. Passage requires two-thirds vote.*

*Motion by Scott Leavitt, seconded by Scott Martin, passed voice unanimous at 8:05 pm*

ARTICLE 23. Move the Town (a) appropriate \$399,516, to be expended by the Fire Chief for the purpose of purchasing a 1,500 gallons per minute pumper truck; (b) authorize the Treasurer with the approval of the Board of Selectmen to borrow \$399,516 under G.L. Chapter 44 section 7 or any other enabling authority to meet such appropriation; and (c) authorize the Fire Chief to take any other action necessary to carry out this project; provided however, that any vote passed pursuant to this article shall not take effect until and unless the Town votes to exempt from the limitation of total taxes imposed by G.L. Chapter 59 section 21C (Proposition 2 1/2) amounts required to pay the principal of and interest on borrowing authorized by such vote.

Inserted by the Fire Chief

**Finance Committee Recommends**

*Explanatory Note: This truck will replace a 1985 1000 gpm pumper that was purchased "used" in 2000. This truck was taken out of service in 2005 because of safety concerns relating to severe corrosion of the main frame of the truck chassis. Purchase of the new pumper will ensure adequate pumping ability of the Fire Department and will keep the Fire Department's vehicle and equipment replacement program close to schedule. Passage requires two-thirds vote.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed by paper ballot 96 YES to 21 NO at 8:21 pm*

ARTICLE 24. Move the Town vote to raise and appropriate the sum of \$52,000, contingent upon the successful passage of a one-year capital expenditure exclusion override of Proposition 2 \_\_, so-called, to be expended by the Police Chief for the purchase and installation of an electrical generator for emergency power for the police station.

Inserted by the Police Chief

**Finance Committee Recommends**

*Explanatory Note: The current (5.0 KW) electrical generating equipment was purchased "used" by the then Civil Defense Department during the early 1970s. It is only capable of generating electricity for the most basic operations or less than seven percent of the station, which does not include heat, ventilation or air conditioning. The required output to generate enough electricity to electrify the police station is approximately 110 KW. Passage requires two-thirds vote.*

*Motion by Kevin Barry, seconded by John R. DiMento, passed voice unanimous at 8:18 pm*

ARTICLE 25. Move the Town vote to raise and appropriate the sum of \$27,500, contingent up the successful passage of a one-year capital exclusion override of Proposition 2 1/2, so-called, to be expended by the Police Chief for the purchase of a cruiser to replace the 2000 police cruiser with approximately 140,000 miles.

Inserted by the Police Chief

**Finance Committee Recommends**

*Explanatory Note: This cruiser will replace a 2000 police cruiser, which has approximately 140,000 miles on it. The repair and maintenance costs have increased over the past few years. Purchase of this vehicle allows the Police Chief to keep the Police Department vehicle replacement program on schedule. Passage requires two-thirds vote.*

*Motion by Kevin Barry, seconded by John R. DiMento, passed voice unanimous at 8:21 pm*

ARTICLE 26. Move the Town vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2007 annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

PURPOSE	RECOMMENDED AMOUNT
<b>Appropriations</b>	
Community Administrative Expenses	\$22,000
Debt Service for Pingree Farm land acquisition	\$99,500
<b>Reserves</b>	
Historic Resources	\$45,100
Community Housing	\$45,100

Inserted by the Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: Rowley expects to realize approximately \$450,000 in Community Preservation Act (CPA) funds from real estate tax receipts (\$225,000) and matching funds from the state (\$225,000) in fiscal year 2007. The Community Preservation Act requires the Town to set aside ten percent (10%) of funds collected for each of the following areas: open space, historic resources, and community housing. The above budget reserves or appropriates these statutory minimums for each of the required three categories of expenditures, and appropriates the statutory maximum to be available for Community Preservation Committee expenses including appraisals, land surveys, postage, copying and other administrative costs for the Fiscal Year ending June 30, 2007. Any unexpended administrative expenses will be returned to the Undesignated Community Preservation Fund. All funds realized above those reserved or appropriated will become general Undesignated CPA funds available for appropriation in Fiscal Year 2007 or to be carried over to Fiscal Year 2008.*

*Motion by Daniel Scepanski, seconded by Curtis L. Turner, passed voice unanimous at 8:23 pm*

ARTICLE 27. Move the Town vote to raise and appropriate the sum of \$50,000 for the Reserve Fund.

Inserted by the Finance Committee

**Finance Committee Recommends**

**MOTION:** Move to amend Article 27 of the May 1, 2006 Annual Town Meeting by increasing the amount from \$50,000 to \$77,500 to be put into the Reserve Fund.

*Motion by Lane Bourn, seconded by Jack L. Cook, passed voice unanimous at 8:26 pm*

**ARTICLE 27. – As Amended** – Move the Town vote to raise and appropriate the sum of \$77,500 for the Reserve Fund.

*Motion by John R. DiMento, seconded by Susan W. Bailey, passed voice unanimous at 8:27 pm*



ARTICLE 28. Move the Town vote to raise and appropriate the sum of \$50,000 for the Stabilization Fund.

Inserted by the Finance Committee

**Finance Committee Recommends**

*Passage requires two-thirds vote.*

*Motion by John R. DiMento, seconded by Susan W. Bailey, passed voice unanimous at 8:28 pm*

ARTICLE 29. Move the Town of Rowley vote to declare a parcel of land on Meadows Lane identified as Assessors Map 14, Parcel 3 Lot 4, as available for disposition, and to authorize the Board of Selectmen to sell the south half of said real property know as parcel Y described at the Register of Deeds; Salem, Ma. Book 12020 page 499, in accordance with M.G.L. Chapter 30B, Section 16, under such term as the Board of Selectmen deem appropriate and not inconsistent with Section 16, and in accordance with all applicable laws and regulations.

Inserted by Initiative Petition

**Finance Committee Does Not**

**Recommend**

**MOTION:** Move the Town of Rowley vote to declare a parcel of land on Meadows Lane which is a portion of the property identified as Assessors Map 14, Parcel 3, Lot 4, said parcel is shown as “Parcel ‘Y’ 1 Area = 4,080±S.F.” on “Sketch Plan for Land Located in Rowley, Massachusetts (Essex County) Prepared for Alexander, Jr. and Barbara Gurczak” scale: 1”= 40’, dated May 2, 2006, drawn by Meridian Associates, Inc. as available for disposition, and to authorize the Board of Selectmen to sell said parcel in accordance with M.G.L. Chapter 30B, Section 16, under such terms as the Board of Selectmen deem appropriate and not inconsistent with Section 16, and in accordance withal applicable lows and regulations, or take any other action relative thereto.

*Explanation: This Article authorizes the Board of Selectmen to sell a portion of land off Meadows Lane consisting of 150 feet of frontage and 4,080 square feet of area under such conditions as the Board of Selectmen deem appropriate and not inconsistent with law. This area specifically excludes any area of wetland or low area which are indicated on the plan but not within the parcel to be sold. The Board of Selectmen would determine the price of sale of said parcel. The sale would only permit one additional lot on Meadows Lane since the frontage is limited to 150 feet. - \*Motion and Explanation as presented by Alex and Barbara Gurczak*

Moderator advises than due to change in wording, this article is no longer presented at an Initiative Petition but rather a Motion under Article 2

*Motion by Alex Gurczak, seconded by Barbara Gurczak, failed by paper ballot 60 YES to 62 NO at 9:06 pm*

ARTICLE 30. Move the Town meet in Saint Mary’s Church (rear), Route 1A, in said Rowley on Tuesday, May 9, 2006 at 12 NOON to act on the following:

One Selectman	three years
One Selectman	one year
One Moderator	one year
One Treasurer/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 Municipal Light Board Member	three years
One Municipal Water Board	three years
One Shellfish Commissioner	three years
One Cemetery Commissioner	three years
One Rowley Housing Authority Member	five years
Three Trustees for the Public Library	three years
Three Trustees for the Public Library	two years
One Trustee for the Public Library	one year
For Regional School District Committee	
One Newbury Member	three years
One Rowley Member	three years
One Salisbury Member	three years

## **Referenda**

### **Question #1**

Shall the Town of Rowley be allowed to assess an additional \$880,000 in real estate and personal property taxes for the purposes of funding the assessment for the Triton Regional School District for the fiscal year beginning July 1, 2006?

### **Question #2**

Shall the Town of Rowley be allowed to exempt from the provisions of Proposition 2 \_\_, so-called, the amounts required to pay the principal of and interest on the bonds to be issued in an aggregate principal amount of \$43,500 in order to purchase a new one-ton dump truck with plow to replace the existing 1993 F-350 dump truck with plow for the Highway Department?

### **Question #3**

Shall the Town of Rowley be allowed to exempt from the provisions of Proposition 2 \_\_, so-called, the amounts required to pay the principal of and interest on the bonds to be issued in an aggregate principal amount of \$36,500 in order to purchase a new one-ton dump truck with plow to replace the existing 1980 F-350 dump truck with plow for the Tree Department?

### **Question #4**

Shall the Town of Rowley be allowed to exempt from the provisions of Proposition 2 \_\_, so-called, the amounts required to pay the principal of and interest on the bonds to be issued in an aggregate principal amount of \$72,400 in order to purchase a new dump truck with plow to replace the existing 1989 F-800 dump truck with plow for the Highway Department?

### **Question #5**

Shall the Town of Rowley be allowed to exempt from the provisions of Proposition 2 \_\_, so-called, the amounts required to pay the principal of and interest on the bonds to be issued in an aggregate principal amount of \$399,516 in order to purchase a new 1,500 gallons per minute pumper truck for the Fire Department?

### **Question #6**

Shall the Town of Rowley be allowed to assess an additional \$52,000 in real estate and personal property taxes for the purpose of purchasing a new emergency generator for the Police Station to replace the existing 5.0 KW generator which was purchased during the early 1970s for the Police Station for the fiscal year beginning July 1, 2006?

### **Question #7**

Shall the Town of Rowley be allowed to assess an additional \$27,500 in real estate and personal property taxes for the purpose of purchasing a new police cruiser to replace a 2000 cruiser with approximately 140,000 miles for the Police Department for the fiscal year beginning July 1, 2006?

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 9:07 pm*

**MOTION:** Move to adjourn the May 1, 2006 Annual Town Meeting.

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 9:07 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 23<sup>rd</sup> day of March in the year two thousand six.

**Stephen J. White, Chairman**  
**Lane Bourn, Vice Chairman**  
**Thomas R. Moses, Clerk**  
**Jack L. Cook, Member**

*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 of Rowley**  
**4/13/06**

**Certification:** *I, Susan G. Hazen, duly elected and qualified Town Clerk for the Town of Rowley do hereby certify that the statements contained above regarding the May 1, 2006 Town of Rowley Annual Town Meeting are true and accurate according to records maintained by this office.*

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***Susan G. Hazen, Town Clerk***  
***Town of Rowley***  
***June 5, 2006***

Town of Rowley, Commonwealth of Massachusetts  
**MINUTES OF SPECIAL TOWN MEETING**

May 1, 2006

*The May 1, 2006 Special Town Meeting was called to order at 7:30 pm by Moderator Warren Appell after the Board of Registrars certified that a quorum of 100 registered voters had been attained. Rev. Paul Woods of the First Baptist Church of Rowley gave the Invocation and Selectmen Lane Bourn led the assembly in the Pledge of Allegiance. Dignitaries recognized were Senator Bruce Tarr, Whittier Regional Vocational Technical High School School Superintendent Karen Sarkisian, Triton Regional School District Superintendent Sandra Halloran and Assistant Superintendent Kathleen Willis*

*Tellers appointed and sworn in: Sandra Jervah, 28 Central St., John H. Robillard, 14 School St. Robert Brodsky, 69 Warehouse Lane and Antoinette Treadway 69 Warehouse Lane.*

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 1st day of May 2006 at 7:30 p.m., then and there to act on the following articles:

**MOTION:** Move to suspend further reading of the May 1, 2006 Special Town Meeting Warrant as everyone present has a copy of said warrant.

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 7:40 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

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 Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:43 pm*

ARTICLE 4. Move the Town vote to transfer and appropriate the sum of \$1,000 from Line 97 (Recycling Expenses), the sum of \$1,000 from Line 144 (Unemployment), the sum of \$700 from Line 27 (Litigation Expenses), of Article 5 of the Annual Town Meeting of May 2, 2005 for a total transfer of \$2,700, to be added to Line 7 (Selectmen's Expense) of Article 5 of the Annual Town Meeting of May 2, 2005 to pay for the expenses incurred to hold this Special Town Meeting, for a total appropriation of \$13,223.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Motion by Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:44 pm*

ARTICLE 5. Move the Town vote to transfer and appropriate the sum of \$9,942 from the following budget lines of Article 5 of the Annual Town Meeting of May 2, 2005:

- \$1,775 from Line 41 (Planner Consultant)
- \$ 100 from Line 73 (Animal Inspector Expenses)
- \$ 900 from Line 76 (Animal Control Officer Expenses)
- \$3,990 from Line 89 (Whittier Vocational School Assessment)
- \$3,177 from Line 27 (Town Counsel Litigation)

and the sum of \$1,700 from Line 2 (Board of Health Revolving Fund) of Article 13 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$11,642 to be used to cover the cost of a wage/salary correction in fiscal year 2006 as listed below:

<b>Budget</b>	<b>Budget</b>	<b>Wage</b>	<b>Adjusted</b>
<b>Line #</b>	<b>Description</b>	<b>Increase</b>	<b>Budget Line</b>
14	Assistant Town Accountant	1,058	\$13,013
38	Conservation Commission Agent	1,232	\$35,106
40	Planning ZBA Administrative Assistant	348	\$23,315
57	Fire Chief Salary	580	\$65,959
58	Firefighter Wages	2,840	\$90,218
59	Firefighter Overtime	3,300	\$22,800
72	Animal Inspector	50	\$2,304
75	Animal Control Salary	201	\$9,141
100A	Coordinator of Health Services & Reg. Compliance	70	\$43,097
100B	Sanitary Health Agent	390	\$19,920
101	Administrative Asst./Assistant Health Inspector	769	\$22,104
104	Senior Director Salary	226	\$25,161
114	Parks & Recreational Services Coordinator	578	\$15,660
	<b>Total appropriation</b>	<b>11,642</b>	

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Fiscal 2006 salary and wage lines were level funded at fiscal 2005 levels, resulting in budget shortfalls in cases where merit payments and longevity payments in fiscal 2005 were not reflected in the fiscal 2006 budget.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 7:46 pm*

ARTICLE 6. Move the Town vote to transfer and appropriate the sum of \$225 from Line 41 (Planner Consultant) of Article 5 of the Annual Town Meeting of May 2, 2005 to Line 40 (Planning/ZBA Administrative Assistant Wages) of Article 5 of the Annual Town Meeting of May 2, 2005 to be used

to pay for the fiscal 2005 longevity payment for the Planning Board-ZBA Administrative Assistant for a total appropriation of \$23,540.

Inserted by the Planning Board

**Finance Committee Recommends**

*Explanatory Note: The fiscal 2005 longevity payment for the administrative assistant was not funded. Passage of this article funds this benefit for the employee as stipulated in the collective bargaining agreement. Passage requires a 9/10s vote.*

*Motion by Clifford Pierce, seconded by Jean Pietrillo, passed voice unanimous at 7:47 pm.*

ARTICLE 7. Move the Town vote to transfer and appropriate the sum of \$2,600 from Line 69 (Inspection Department Wages) of Article 5 of the May 2, 2005 Annual Town Meeting to be added to Line 68 (Inspection Department Salaries) to cover a shortfall in the salary line for a total appropriation of \$54,619.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article allows the Board of Selectmen to maintain current staffing levels, which were increased in fiscal 2005. The funds are re-distributed from the Inspectional Wages line to the Inspectional Salaries line.*

*Motion by Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:48 pm*

ARTICLE 8. Move the Town vote to transfer and appropriate the sum of \$1,000 from Line 111 (Library Director Salary) of Article 5 of the May 2, 2005 Annual Town Meeting to Line 112 (Library Department Wages) of Article 5 of the May 2, 2005 Annual Town Meeting for a total appropriation of \$60,165.

Inserted by the Board of Library Trustees

**Finance Committee Recommends**

*Explanatory Note: The hiring of a new Library Director resulted in a surplus in the Library Director Salary Budget Line. Extra wages are needed in the Library Department wage line due to the expansion of the position of Library Associate for Youth Services from 16 hours per week to 19 hours per week.*

*Motion by Aldene E. Gordon, seconded by Lane Bourn, passed voice unanimous at 7:50 pm*

ARTICLE 9. Move the Town vote to transfer and appropriate the sum of \$225 from Line 21 (Assessors Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 17 (Principal Assessor Salary) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$66,960.

Inserted by the Board of Assessors

**Finance Committee Recommends**

***Motion by Bill DiMento, seconded by Elizabeth DiMento, passed voice unanimous at 7:51 pm***

ARTICLE 10. Move the vote to transfer and appropriate the sum of \$5,000 from Line 94 (Highway Department Wages) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 95 (Highway Department Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$84,946.

Inserted by the Highway Surveyor

**Finance Committee Recommends**

***Motion by Scott Leavitt, seconded by Steve Comley, passed voice unanimous at 7:53 pm***

ARTICLE 11. Move the Town vote to transfer and appropriate the sum of \$2,000 from Line 94 (Highway Department Wages) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to

Line 78 (Tree Department Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$11,009 or take any other action relative thereto.

Inserted by the Highway Surveyor

**Finance Committee Recommends**

***Motion by Scott Leavitt, seconded by Steve Comley, passed voice unanimous at 7:54 pm***

ARTICLE 12. Move the Town vote to transfer and appropriate the sum of \$1,500 from Line 144 (Unemployment) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 109 (Veterans Benefits) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$12,780.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Active utilization of this budget account has necessitated additional funding this budget year.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 7:55 pm*

ARTICLE 13. Move the Town vote to transfer and appropriate the sum of \$10,000 from Line 27 (Town Counsel Litigation Expense) of Article 5 of Annual Town Meeting of May 2, 2005 to be added to Line 26 (Town Counsel Professional Fee) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$62,600.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary for the re-distribution of town counsel expenses from litigation work, which has decreased this year, to general and specialized legal services.*

*Motion by Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:56 pm*

ARTICLE 14. Move the Town vote to transfer and appropriate the sum of \$5,000 from Line 27 (Litigation) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 47 (Town Hall Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$21,874.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory: Unexpected repairs to the Town's heating system, electrical wiring upgrades and high heating oil expenses has resulted in a budget shortfall in this account.*

***Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 7:57 pm***

ARTICLE 15. Move the Town vote to transfer and appropriate the sum of \$3,000 from Line 27 (Litigation) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 48 (Annex Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$15,574.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: High heating oil costs have drained this account.*

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 7:58 pm*

ARTICLE 16. Move the Town vote to transfer and appropriate the sum of \$500 from Line 27 (Litigation) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 123 (Former Library Building Expense) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$4,300.

Inserted by the Board of Selectmen

**Finance Committee Recommends**



*Explanatory Note: High heating costs have resulted in a budget shortfall.*

*Motion by Jack L. Cook, seconded by Lane Bourn, passed voice unanimous at 7:59*

ARTICLE 17. Move the Town vote to transfer and appropriate the sum of \$1,000 from Line 27 (Litigation) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 8 (Copier/Fax) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$4,870 or take any other action relative thereto.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Rising costs of copy paper and copier machine service and maintenance have drained this account.*

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 8:00 pm*

ARTICLE 18. Move the Town vote to transfer and appropriate the sum of \$900 from Line 29 (Information Services Consultant) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 7 (Selectmen's Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$14,123.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: This article covers the cost of a replacement computer for one that abruptly failed.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 8:01 pm*

ARTICLE 19. Move the Town vote to transfer and appropriate the sum \$6,500 from Line 27 (Town Counsel Litigation Expenses) of Article 5 of the Annual Town Meeting of May 2, 2005 to be added to Line 146 (Essex Regional Retirement) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$370,306 or take any other action relative thereto.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary to cover retirement payments for two employees while deployed in military service for Iraq and Afghanistan military operations.*

*Motion by Thomas Moses, seconded by Jack L. Cook, passed voice unanimous at 8:01 pm*

ARTICLE 20. Move the Town vote to appropriate the sum of \$100,000 for the purpose of renovating and reconstructing the unfinished portion of the Water Department garage at 401 Central Street; to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow or bond the sum of \$100,000 under Massachusetts General Laws Chapter 44, Section 8 or any other enabling authority to meet such appropriation; to authorize the Board of Water Commissioners in conjunction with the Board of Selectmen to take any other action necessary to carry out this project.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary for the completion of the renovations of the Water Department Administrative Offices. Completion of this renovation project will allow the Water Department to finish the garage area of the building in order to house auxiliary equipment and to discontinue the use of two large rental storage containers.*

*Motion by Scott Martin, seconded by Jack L. cook, passed by paper ballot 218 YES to 29 NO at 9:05 pm.*

ARTICLE 21. Move the Town vote to transfer and appropriate the sum of \$8,707 from Article 8 (GASB #34) of the Annual Town Meeting of May 12, 2003 to be added to line 149 (Water Department Wages) of Article 6 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$155,960.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: This article covers a salary correction in fiscal 2006. Fiscal 2006 budgets were level funded from fiscal 2005 and did not reflect increases and longevity during fiscal 2005. The article also covers overtime costs related to annual hydrant flushing, coverage for pumping stations and emergency repairs.*

*Motion by Scott Martin, seconded by Jack L. cook, passed voice unanimous at 8:16 pm*

ARTICLE 22. Move the Town vote to transfer and appropriate the sum of \$2,151 from Article 8 (GASB #34) of the Annual Town Meeting of May 12, 2003 to be added to Line 148 (Superintendent Salary) of Article 6 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$51,572 or take any other action relative thereto.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: This article covers a salary correction in fiscal 2006. Fiscal 2006 budgets were level funded from fiscal 2005 and did not reflect increases and longevity during fiscal 2005.*

*Motion by Scott Martin, seconded by Jack L. Cook, passed voice unanimous at 8:17 pm*

ARTICLE 23. Move the Town vote to transfer and appropriate the sum of \$4,000 from Article 8 (GASB #34) of the Annual Town Meeting of May 12, 2003 to be added to Line 150 (Water Department Maintenance and Expenses) of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$217,149.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary to cover cost increases in gasoline, propane gas, electricity and water treatment chemicals.*

*Motion by Scott Martin, seconded by Jack L. Cook, passed voice unanimous at 8:18 pm*

ARTICLE 24. Move the Town vote to transfer and appropriate the sum of \$26,000 from Line 94 (Highway Wages) of Article 5 of the Annual Town Meeting of May 2, 2005 and \$4,000 from Line 27 (Town Counsel Litigation) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total transfer of \$30,000 to be added to Line 147 (Group Health/Life Ins. & FICA) of Article 5 of the Annual Town Meeting of May 2, 2005 for a total appropriation of \$292,849 to cover a shortfall in the Group Health/Life Ins. & FICA account.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Actual health insurance costs exceeded preliminary estimates.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 8:19 pm*

ARTICLE 25. Move the town vote, pursuant to Massachusetts General Laws c.44B, to appropriate from the Community Preservation Fund Historic Resources Reserve Account and/or the Unreserved Account the sum of \$15,000 to continue preservation of historic Town documents, or take any other action relative thereto.

Inserted by the Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: Many of the records in the Town Vault were bound over one hundred years ago and have deteriorated badly. Some of these books have become too fragile to handle, the leather is cracked, bindings are broken and the ink is fading. This is the second phase of a larger term preservation and restoration effort.*

*Motion by Curtis Turner, seconded by Dan Scepaniski, passed voice unanimous at 8:20 pm*

ARTICLE 26. Move the Town vote to authorize the Board of Selectmen with the approval of the Community Preservation Committee to purchase a parcel of land known as the Todd Farm, described

as 275 Main Street, Assessors Map 26, Lot 25, consisting of approximately 33 acres, more or less, under the Community Preservation Act (MGL 44B) for one or more of the following uses,

- Acquisition, creation and preservation of open space;
- Acquisition, creation and preservation of land for recreational and outdoor/environmental education;
- Acquisition and preservation of historic resources;
- Acquisition, creation of land for community housing, solely or in partnership with one or more other parties;
- Rehabilitation or restoration of such open space, land for community housing, recreational use and historic resources;

And the town raise and appropriate, transfer from available funds, and/or borrow a sum not to exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000) for said purchase, including other costs incidental and related thereto; and to meet said appropriation the sums of \$169,100 shall be transferred from the Community Preservation Fund Affordable Housing Reserve, \$430,700 shall be transferred from the Community Preservation Fund Undesignated Reserve, and further that the Treasurer, with the approval of the Board of Selectmen is authorized to borrow the sum of \$1,900,200 and to issue any bonds or notes which may be necessary for that purpose, as authorized by Massachusetts General Laws Chapter 44B, Section 11, or any other enabling legislation for a period not to exceed 20 years, and that the Board of Selectmen be authorized to file on behalf of the Town of Rowley any and all applications deemed necessary under the Self-Help Act (chapter 132A, Section 11) or any other application for funds in any way connected with the scope of this acquisition; convey all or part of the land to the care, custody and control of the Conservation Commission, the Historic Commission, and/or the Board of Selectmen, and/or convey easements and conservation or preservation restrictions, the proceeds of any conveyances to be used to reimburse the Town for the costs of this acquisition.

Inserted by the Board of Selectmen and Community Preservation Committee

**Finance Committee Does Not Recommend**

*Motion by Thomas Moses, seconded by Jack L. Cook, passed by Paper Ballot 180 YES, 80 NO at 9:24 pm*

ARTICLE 27. Move the town vote, pursuant to Massachusetts General Laws c.44B, to appropriate the sum of \$175,000 from the Community Preservation Fund Unreserved Account for the following purposes: construct a 2,700+ foot walking track around the perimeter of Eiras Park; upgrade with safety improvements the existing playground installation at Eiras Park; improve and expand the parking lot at Eiras Park; create active/passive recreation fields on the combined Harney and Flint properties to meet the current and projected needs of the residents of the Town of Rowley.

Inserted by Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: This is the second part of a multiyear improvement project for recreation facilities in the town.*

*Motion by Dan Scepanski, seconded by Curtis Turner, passed voice unanimous at 9:09 pm*

ARTICLE 28. Move the Town vote to authorize the Board of Selectmen to transfer a permanent non-exclusive easement for the purpose of installation, maintenance, operation, repair and replacement of overhead and underground utility equipment and appurtenances to Verizon New England Inc.; said easement to be 10 feet wide and along the way known as Smith's Lane being identified as Assessor's Map 13, Lots 2 & 5; and said easement to include the right to pass and repass and to trim and cut vegetation as needed for the aforementioned purpose.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Verizon New England, Inc. needs this easement in order to provide access to the new wireless telecommunications facility off Smith Lane.*

*Motion by Lane Bourn, seconded by Thomas Moses, passed voice unanimous at 9:10 pm*

*Planning Board Chairman Clifford Pierce read and submitted the Planning Board Report on Articles #29 and 30 of the Warrant of the Special Town Meeting of May 1, 2006.*

ARTICLE 29. Move the Town vote to amend sections 5.1.1, 5.2.1, and 5.2.2 of the Rowley Protective Zoning Bylaw by adding to such sections the words and punctuation marks that appear in **bold** within parenthesis, and by deleting from such sections the words and punctuation marks that appear in *italics* within brackets, asprinted in Article 29 of pages eight and ine of the May 1, 2006 Special Town Meeting Warrant.

5.1.1 Non-conforming uses and structures may be continued as provided in M.G.L., Ch. 40A, § 6. However, if a non-conforming use is *[discontinued or]* abandoned *[for a period of more than two (2) years]*, it shall not be reestablished, and any future use shall be in conformance with this Bylaw. **(A non-conforming use shall be deemed to have been abandoned, regardless of whether the owner/operator intended to abandon such use, if the use is discontinued or not used for a period of two (2) years or more.)**

5.2.1 Except as provided by section 5.2.2, the Board of Appeals may issue a special permit authorizing an expansion of a non-conforming use, or a change of a non-conforming use to another non-conforming use, but only if the Board determines that such expansion or change will not be substantially more detrimental to the neighborhood than the existing non-conforming use. **(Changes that constitute an expansion of a non-conforming use include, but are not limited to, an increase in building lot coverage or floor area, parking or loading capacity, or the hours of operation of such use.)**

5.2.2 **(The authority under section 5.2.1 to approve an expansion or a change of a non-conforming use is subject to the following limitations:**

**(a) the expanded or changed non-conforming use must be located entirely on the same lot that was occupied by the original non-conforming use on the date such use became non-conforming (for the purpose of this limitation, any changes made to the lot lines of a lot that have the effect of expanding the area of the lot shall be deemed to result in the creation of a new and different lot);**

**(b) a non-conforming use may not be changed under section 5.2.1 to the following uses: filling stations; establishments for the sale, rental, storage, service, or repair of motor vehicles or motor boats; and the uses described in section 4.9 (“Uses Excluded in All Districts”);**

**(c) regardless of whether an expansion or a change of a non-conforming use is proposed, the total floor area of all buildings associated with the non-conforming use, and the parking or loading capacity of such use, may not be increased by more than twenty-five percent (25%), as measured from the date on which the original non-conforming use became non-conforming (where multiple non-conforming uses are located on a lot, the calculations required by this paragraph shall be made in the aggregate);**

**(d)) *[If]* (if) a non-conforming use has been changed to a more restrictive non-conforming use (in terms of such factors as (intensity of use,) parking or loading capacity(,) or hours of operation), it may not thereafter be changed to a less restrictive non-conforming use~~./~~ (; and**

(e)) [If] (if) a non-conforming use has been changed to a conforming use, it may not thereafter be changed to a non-conforming use.

Inserted by the Planning Board

*Explanatory Note: Article 29 would amend the provisions of the Rowley Protective Zoning Bylaw that apply to expansions of, or changes to, non-conforming uses. Currently, our Bylaw authorizes the Board of Appeals to approve an expansion of a non-conforming use, or a change of a non-conforming use to another non-conforming use, but only if the Board determines that the proposed expansion or change would “not be substantially more detrimental to the neighborhood than the existing non-conforming use”.*

*This article would impose some additional, more objective limits on the ability of a non-conforming use to expand, or to be changed to another non-conforming use. For example, under this article, the total floor area of all buildings associated with a non-conforming use, and the parking or loading capacity of such use, could not be expanded by more than 25%. This article would also preclude a non-conforming use from being changed to a filling station, or to an establishment for the sale, rental, storage, service, or repair of motor vehicles or motor boats.*

*This article would not repeal any of the existing limits on the ability of a non-conforming use to expand, or to be changed to another non-conforming use. Most importantly, regardless of the nature or extent of the proposed expansion or change, the Board of Appeals would still be required to find that the expanded or changed non-conforming use would not be substantially more detrimental to the neighborhood.*

*This article would also revise the criteria for determining whether a non-conforming use has been abandoned.*

*Motion by Clifford Pierce, seconded by Jean Pietrillo, passed voice unanimous at 9:19 pm*

ARTICLE 30. Move the Town vote to amend the definition of “frontage” in section 2.0 of the Rowley Protective Zoning Bylaw by adding to such definition the words and punctuation marks that appear in **bold** within parentheses, as shown below:

Frontage: The continuous distance, unencumbered by easements or otherwise, measured between the side lot lines at the street line on a way that qualifies for frontage under M.G.L., Ch. 41, § 81L **((for the purpose of this definition, a common driveway shall not be considered to be an easement or other form of encumbrance))**.

Inserted by the Planning Board

*Explanatory Note: Article 30 would amend the Bylaw to revise the definition of frontage. Currently, our Bylaw defines frontage to exclude land that is encumbered by an easement. Because a common driveway is an easement, this provision would effectively prevent a common driveway from being constructed on many, if not most, lots in Rowley. Our Master Plan calls for the Town to encourage common driveways. Consequently, this article would amend the Bylaw to provide that a common driveway will not be considered as an easement for the purpose of determining whether a lot has the minimum required frontage*

*Motion by Clifford Pierce, seconded by Jean Pietrillo, passed voice unanimous at 9:23 pm*

**MOTION:** Move the Town vote to adjourn the May 1, 2006 Special Town Meeting and to suspend the reading of the remainder of the warrant.

***Motion by Jack L. Cook, seconded by Lane Bourn, 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 12th day of April in the year two thousand six.

Stephen J. White, Chairman  
Lane Bourn, Vice Chairman  
Thomas R. Moses, Clerk  
Jack L. Cook

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 of Rowley April 13, 2006

**Certification:** *I, Susan G. Hazen, duly elected and qualified Town Clerk for the Town of Rowley, do hereby certify and attest that the statements contained above regarding the minutes of the May 1, 2006 Special Town Meeting are true and accurate according to records maintained by this office.*

*Susan G. Hazen, Town Clerk  
Town of Rowley  
May 3, 2006*

Town of Rowley, Commonwealth of Massachusetts  
**MINUTES OF SPECIAL TOWN MEETING**  
November 13, 2006

*Tellers appointed and sworn in: John Robillard, 14 School St., Sandra Jervah, 28 Central St.,  
Donald Hovey, 56 Bradford St., Denise Gilman, 601 Haverhill St.*

*Quorum: 100 Registered Voters as certified by Board of Registrars at 7:30 pm*

*Called to Order: 7:35 by Moderator Warren Appell*

*Invocation: Rev. Paul Woods of the First Baptist Church*

*Pledge of Allegiance: Board of Selectmen Chairman, Lane Bourn*

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 13th day of November 2006 at 7:30 p.m., then and there to act on the following articles:

MOTION: Mr. Moderator, I move to suspend further reading of the November 13, 2006 Special 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 by voice unanimous vote at 7:40 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

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

Inserted by the Board of Selectmen

***Motion by Thomas Moses, seconded by Lane Bourn, passed by voice unanimous vote at 7:42 pm***

ARTICLE 4. Move the Town will vote to transfer and appropriate the sum of \$3,000 from the Stabilization Fund to be added to Line 6 (Selectmen's Expense) of Article 5 of the Annual Town Meeting of May 1, 2006 to pay for the expenses incurred to hold this Special Town Meeting, for a total appropriation of \$10,523.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Motion by Jack Cook, seconded by Thomas Moses, passed by voice unanimous vote at 7:43*

ARTICLE 5. Move the Town will vote to transfer and appropriate the sum of \$17,175 from the Stabilization Fund to be added to the following wage lines of Article 5 of the Annual Town Meeting of May 1, 2006 to be used to cover wage increases as stipulated in the collective bargaining Agreement with the American Federation of State County and Municipal Employees (AFSCME) as listed below:

<b>Budget</b>	<b>Budget</b>	<b>Wage</b>	<b>Adjusted</b>
<b>Line #</b>	<b>Description</b>	<b>Increase</b>	<b>Budget Line</b>
14	Assistant Town Accountant	399	13,362
18	Assessors' Clerk	599	20,193
25	Treasurer Administrative Assistant	1,238	29,664
42	Planning ZBA Administrative Assistant	836	28,097
53	Police Department Wages	13,473	953,135
71	Inspection Wages	69	7,970
96	Highway Department Wages	561	137,361
	<b>Total appropriation</b>	<b>\$17,175</b>	

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The Board of Selectmen has reached an agreement with the AFSCME bargaining unit. This article funds a three percent wage increase for positions covered in this collective bargaining agreement for fiscal 2007. The treasurer's administrative assistant wage lines also includes \$380 for necessary archival work. Some bargaining unit position wage lines do not need an adjustment because of job vacancies.*

*Motion by Lane Bourn, seconded by David C. Petersen, passed by voice unanimous vote at 7:45 pm*

ARTICLE 6. Move the Town will vote to transfer and appropriate the sum of \$1,195 from the Stabilization Fund to fund provisions of the American Federation of State County and Municipal Employees (AFSCME) Union collective bargaining agreement concerning fiscal 2006 Emergency Medical Dispatch stipends for dispatchers and shift differentials.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: These funds cover a provision of the AFSCME collective bargaining agreement pertaining to fiscal year 2006 benefits. Because these benefits are for a prior fiscal year, passage of this article requires a ninth-tenth vote.*

*Motion by David C. Petersen, seconded by Richard M. Cummings, passed by voice unanimous vote at 7:46 pm*

ARTICLE 7. Move the Town will vote to transfer and appropriate the sum of \$200 from the Stabilization Fund to Line 97 (Highway Department Expense) of Article 5 of the Annual Town Meeting of May 1, 2006 for a total appropriation of \$84,143 to fund a provision of the American Federation of State County and Municipal Employees (AFSCME) Union collective bargaining agreement on uniforms/work clothes.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: These funds will cover the cost of the Uniform/Work Clothes provision of the AFSCME collective bargaining agreement.*

*Motion by David C. Petersen, seconded by Richard M. Cummings, passed by voice unanimous vote at 7:47 pm*



ARTICLE 8. Move the Town will vote to transfer the sum of \$8,442 from Article 12 (Water Department Backhoe Loader) of the Annual Town Meeting of May 12, 2003 to the following Water Department Budget Lines of Article 6 of the Annual Town Meeting of May 1, 2006:

- \$2,000 to Line 153 (Water Department Wages) for a total appropriation of \$173,099
- \$6,442 to Line 154 (Water Department Maintenance and Expenses) for a total appropriation of \$230,248

to cover wage increases and uniform/work clothes provisions of the American Federation of State County and Municipal Employees (AFSCME) Union collective bargaining agreement.

Inserted by the Board of Water Commissioners

**Finance Committee Recommends**

*Explanatory Note: These funds will cover the cost of a three percent wage increase for Water Department employees and uniform/work clothes benefits covered under the AFSCME collective bargaining agreement.*

*Motion by Scott Martin, seconded by Jack Cook, passed by voice unanimous vote at 7:48 pm*

ARTICLE 9. Move the Town will vote to transfer and appropriate the sum of \$1,087 from Line 53 (Police Department Wages) of Article 5 of the Annual Town Meeting of May 1, 2006 to cover the cost of a wage miscalculation in fiscal year 2006 for two police officers.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Passage of this article is necessary to correct a miscalculation in fiscal 2006 wages paid to two employees in the Police Department. Passage requires a ninth-tenths vote because it is a prior fiscal year appropriation.*

*Motion by Jack Cook, seconded by Thomas Moses, passed by voice unanimous vote at 7:49 pm.*

ARTICLE 10. Move the Town will vote to transfer and appropriate the sum of \$2,000 from the Stabilization Fund and to transfer and appropriate the sum of \$1,258 from Line 125 (Former Library Building Expense) of the Annual Town Meeting of May 1, 2006 for a total transfer of \$3,258 to Line 149 (Blanket Insurance) of Article 5 of the May 1, 2006 Annual Town Meeting for a total appropriation of \$78,858.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Under a new state law (the McNamara Law), the Town is required to cover reserve police officers for accidental death and dismemberment insurance, resulting in a budget line shortfall. Additionally, the Board of Selectmen has closed the former library building, resulting in a premium increase for this building.*

*Motion by Thomas Moses, seconded by Lane Bourn, passed by voice unanimous vote at 7:58 pm.*

ARTICLE 11. Move the Town will vote to transfer and appropriate the sum of \$6,875 from the Stabilization Fund to be added to Line 48 (Town Hall Expenses) of Article 5 of the Annual Town Meeting of May 1, 2006 to cover a shortfall in the operating line for a total appropriation of \$16,193.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Necessary and unforeseen repairs to the Town Hall furnace and heating system, including replacement of the condensation pump, this past summer have resulted in a budget shortfall. A portion of these funds will be used to make necessary repairs to one of the Town Hall chimneys.*

*Motion by Lane Bourn, seconded by David C. Petersen, passed by voice unanimous vote at 7:51 pm*

ARTICLE 12. Move the Town will vote to transfer and appropriate the sum of \$3,180 from the Stabilization Fund to be added to Line 49 (Town Hall Annex Expenses) of Article 5 of the Annual Town Meeting of May 1, 2006 to cover a shortfall in the operating line for a total appropriation of \$12,498.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: Necessary and unforeseen repairs to the Town Hall Annex furnace and heating system this past summer have resulted in a budget shortfall.*

*Motion by David C. Petersen, seconded by Richard M. Cummings, passed by voice unanimous vote at 7:52 pm*

ARTICLE 13. Move the Town will vote to transfer and appropriate the sum of \$1,320 from the Board of Health Septic Revolving Fund to be added to Line 7 (Copier/Fax Expenses) of Article 5 of the May 1, 2006 Annual Town Meeting for a total appropriation of \$5,384.

Inserted by the Board of Health and Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The funds will be used to cover the lease payments for a copy machine for use by Town departments at the Town Hall Annex.*

*Motion by Jack Cook, seconded by Thomas Moses, passed by voice unanimous vote at 7:53 pm.*

ARTICLE 14. Move the Town will vote to transfer and appropriate the sum of \$5,000 from the Stabilization Fund to be added to Line 120 (Town Common Expenses) of Article 5 of the Annual Town Meeting of May 1, 2006 for a total appropriation of \$10,720 to be used by the Parks and Recreation Committee to cover a budget shortfall.

Inserted by the Parks and Recreation Committee

**Finance Committee Recommends**

*Explanatory Note: These funds are needed due to increased costs of mowing and maintaining Town property including the Common, Town Hall, Police Station and other areas along town roads.*

*Motion by Dan Szczepanski, seconded by Richard A. Curran, passed by voice unanimous vote at 7:54 pm*

ARTICLE 15. Move the Town will vote to transfer and appropriate the sum of \$28,000 from the Reserve Fund to be expended by the Chief of Police for the purchase of a police cruiser.

Inserted by the Board of Selectmen

**Finance Committee Recommends**

*Explanatory Note: The new purchase will replace a 2000 cruiser that currently has over 130,000 miles on its odometer. This cruiser was originally scheduled to be replaced two years ago in Fiscal Year 2005.*

*Motion by Lane Bourn, seconded by David C. Petersen, passed by voice unanimous vote at 7:54 pm*

ARTICLE 16. Move the Town will vote to transfer and appropriate the sum of \$5,525 from Line 116 (Library Expenses) of Article 5 of the Annual Town Meeting of May 1, 2006 to be added to Line 114 (Library Director Salary) of Article 5 of the Annual Town Meeting of May 1, 2006 for a total appropriation of \$43,864, as agreed upon by the contract entered into by the Library Director and the Board of Selectmen on June 19, 2006.

Inserted by the Board of Library Trustees

**Finance Committee Recommends**

*Explanatory Note: Passage of this article brings the Library Director salary closer to rate parity with equivalent positions in local towns of comparable size.*

*Motion by Aldene E. Gordon, seconded by John R. DiMento, passed by voice unanimous vote at 7:56 pm*

ARTICLE 17. Move the Town will vote to transfer and appropriate the sum of \$17,080 from the Federal Emergency Management Agency (FEMA) Grant to Line 97 (Highway Department Expenses) of Article 5 of the May 1, 2006 Annual Town Meeting for a total appropriation of \$101,223.

Inserted by the Highway Surveyor

**Finance Committee Recommends**

*Explanatory Note: The Highway Department Expense budget absorbed unforeseen costs associated with the May 2006 Floods out of its operating budget, resulting in a budget shortfall at the end of the*

*fiscal year. This resulted in routine road maintenance projects which should have been done last spring, being put off until this fiscal year. The Town applied for and received federal reimbursement for 75 percent of the Flood costs. This transfer will cover the costs of these routine projects.*  
*Motion by Scott Leavitt, seconded by Jack Cook, passed by voice unanimous vote at 7:58 pm*

ARTICLE 18. Move the Town will vote to rescind Article 26 of the May 1, 2006 Special Town Meeting Warrant.

Inserted by the Board of Selectmen and the Community Preservation Committee

**Finance Committee Recommendation From the Floor**

*Explanatory Note: Article 26 of the May 1, 2006 Special Town Meeting authorized the Board of Selectmen to purchase the Todd Farm property. Passage of this article is necessary to release the bond authorization voted by the May 1, 2006 Special Town Meeting. The Board of Selectmen is no longer pursuing a purchase of this land because the land is no longer for sale. Successful passage of this article frees up funds apportioned out in various Community Preservation Accounts.*

*Motion by Richard M. Cummings, seconded by Jack Cook, passed by voice unanimous vote at 7:59 pm.*

ARTICLE 19. Move the Town will vote, pursuant to Massachusetts General Laws c.44B, to appropriate from the Community Preservation Fund Community Housing Reserve Account the sum of \$20,000 to be used by the Rowley Housing Authority to fund architectural plans for the rehabilitation of bathrooms in the 42 units located at the Senior Housing on Plantation Drive, Map 24 Lot 30.

Inserted by the Rowley Housing Authority and the Community Preservation Committee

**Finance Committee Recommends**

*Motion by Joan C. Petersen, seconded by Cheryl T. Draper and passed voice unanimous at 8:04 pm*

ARTICLE 20. Move the Town will vote, pursuant to Massachusetts General Laws c.44B, to appropriate from the Community Preservation Fund Unreserved Account the sum of \$47,000 for a grant to the First Congregational Church of Rowley to be used for the restoration of the town clock including the bell striker mechanism.

Inserted by the Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: Article 14 of the November 14, 2005 Special Town Meeting approved \$150,000 to contribute to the restoration of the First Congregational Church in Rowley. The work on the steeple has revealed the full deterioration of the clock, which is greater than originally anticipated.*

*Motion by Sally Taylor, seconded by Dan Szczepanski and passed by voice unanimous vote at 8:06 pm*

ARTICLE 21. Move the Town will vote, pursuant to Massachusetts General Laws c.44B, to appropriate from the Community Preservation Fund Historic Resources Reserved and/or Unreserved Account the sum of \$20,000 to be used by the Board of Selectmen to purchase and install and/or restore windows in Town Hall.

Inserted by the Board of Selectmen and the Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: At the May 2, 2005 Annual Town Meeting, \$55,000 was approved for this project. The first round of bids under an invitation for bids process all exceeded the \$55,000 budget.*

*Motion by Richard M. Cummings, seconded by Jack Cook and passed by voice unanimous vote at 8:07 pm*

ARTICLE 22. Move the Town will vote, pursuant to Massachusetts General Laws c.44B, to appropriate from the Community Preservation Fund Historic Resources Reserve and/or Unreserved Account the sum of \$1,800 for the Rowley Historic Commission to purchase and install 8 replacement signs designating the boundaries of the Rowley Historic District.

Inserted by the Rowley Historic Commission and the Community Preservation Committee

**Finance Committee Recommends**

*Motion by Sally Taylor, seconded by Dan Szczepanski and passed by voice unanimous vote at 8:08 pm*

ARTICLE 23. Move the Town vote to appropriate \$2,750,000 for the purchase of a parcel of land known as the Bradstreet Farm, described as a portion of Assessors' Map 26, Lot 26, consisting of approximately 102 acres, more or less, under the Community Preservation Act for one or more of the following uses, so long as the areas designated for separate purposes shall be clearly identified and delineated by subsequent votes of the Town:

- a. Acquisition, creation, and preservation of open space,
- b. Acquisition, creation and preservation of land for recreational use (including outdoor/environmental education);
- c. Acquisition and preservation of historic resources;
- d. Acquisition, and development of land for affordable housing, solely or in partnership with one or more other parties; and
- e. Rehabilitation or restoration of such open space, land for recreational use and historic resources;

that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$2,750,000 under G.L. c.44 section 7, G.L. c.44B section 11, or any other enabling authority; that the Board of Selectmen is authorized (i) to file on behalf of the Town any and all applications deemed necessary under the Massachusetts Self-Help Act (G.L. c.132A section 11) or any other source for funds in any way connected with the scope of this acquisition, (ii) as determined by subsequent votes of the Town to delegate all or part of the land to the care, custody and control of the Conservation Commission and/or the Historic Commission, and/or (iii) to convey easements and conservation or preservation restrictions, the proceeds of any conveyances to be used to reimburse the Town for the costs of this acquisition; that the Board of Selectmen is authorized to sell or otherwise dispose of, in accordance with G.L. c.44B, any portion of such parcel, as determined by subsequent votes of the Town, with one or more nonprofit organizations or other entities to provide for affordable housing on such portion of said parcel, provided that the Town shall retain affordable housing deed restrictions with respect to such portion sold or otherwise disposed of; that the Board of Selectmen is authorized to sell or otherwise dispose of, in accordance with G.L. c.44B, the portion of such parcel on which a house and barn are currently sited and certain surrounding acreage, as determined by subsequent votes of the Town, with one or more individuals or other entities, provided that the Town shall retain historic preservation and agricultural restrictions with respect to such portion sold or otherwise disposed of, and that the Board of Selectmen is authorized to take any other action necessary to carry out this vote.

Inserted by the Board of Selectmen and Community Preservation Committee

**Finance Committee Recommends**

*Explanatory Note: This parcel is identified on the Town's Open Space Plan as a significant King's Grant Property to preserve. This lands runs from Route 1A, a National Scenic Byway, to the Rowley River. By using Community Preservation Funds to purchase this land, the Town has the unique ability use this land for multiple purposes: preserving the historic Bradstreet home, creating new affordable*