

Town of Rowley, Commonwealth of Massachusetts
ANNUAL TOWN MEETING MINUTES
May 1, 2023

- Tellers appointed:
Joan Petersen, 25 Newbury Rd., Maryann Levasseur, 6 Leslie Rd., Kimberly Waring-Wright, 20 Green Needle Lane.
- Check-In Appointments:
Janet Peabody, 41 Bradford St., Sylvia Wood, 69 Cross St, Timothy Young, 142 Main St, and Philip Collyer, 18 Leslie Rd.
- Quorum of 70 voters reached and certified at 6:30 pm
- Annual Town Meeting called to order by Moderator Tom Amoroso at 6:35 pm

Moderator, Tom Amoroso called the meeting to order at 6:38pm and introduced Senator Bruce Tarr. Senator Tarr spoke briefly and presented commendations to retired Selectman Dave Petersen and outgoing Selectman Joseph Berry.

Preliminary motion was made by Selectman Joe Perry to allow various non –residents, including Department Heads and Town Counsel the opportunity to speak at this meeting if necessary, seconded by Robert Snow – No objection; motion passed 6:42 pm.

Preliminary motion to suspend further reading of the May 1, 2023 Annual Town Meeting Warrant because present Town Meeting members have a copy of the warrant. Motion by Robert Snow, seconded by Joe Perry, passed Voice Unanimous at 6:43 pm.

Essex, ss.

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

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Rowley, qualified to vote in elections and Town Affairs, to meet in the Pine Grove School, 191 Main Street, Route 1A, Rowley, MA 01969 on Monday, the 1st day of May, 2023 at 6:30 p.m., then and there to act on the following articles:

ARTICLE 1. To hear and act on reports of Committees and Boards.

(Inserted by the Board of Selectmen)

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 6:44pm

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

(Inserted by the Board of Selectmen)

Explanatory Note: Passage of this article requires two-thirds vote under § 21 of the Town Meeting Bylaw.

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 6:45pm

ARTICLE 3. To see if the Town will vote to fix the annual compensation of elective officers of the Town as required by Massachusetts General Laws Chapter 41 Section 108 for Fiscal Year 2024 as follows, or to take any other action relative thereto.

<u>Elective Officer</u>	<u>Requested</u>	<u>Finance Committee Recommends</u>
Moderator	\$100	\$100
Board of Selectmen (each member)	\$3,000	\$3,000
Board of Assessors (each member)	\$2,456	\$2,456
Town Clerk	\$65,408	\$65,408
Planning Board (each member)	\$0	\$0
Surveyor of Highways	\$90,258	\$90,258
Municipal Water Board (each member)	\$0	\$0
Trustees of Free Public Library	\$0	\$0
Rowley Housing Authority	\$0	\$0
Board of Shellfish Commissioners (each member)	\$500	\$500
Municipal Light Board (each member)	\$0	\$0
Board of Cemetery Commissioners (chairperson)	\$500	\$500

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 6:48pm

ARTICLE 4. General Omnibus Budget. To see what sums of money the Town will vote to raise and appropriate, or transfer and appropriate, from available funds, including Overlay and Free Cash, to defray the expenses of the Town for the forthcoming fiscal year, including Bonds, Notes, and Interest, or to take any other action relative thereto.

(Inserted by the Finance Committee)

Finance Committee Recommends

Line Item	Description	Expended FY 2022	Appropriated FY 2023	Requested FY 2024	FinCom Rec FY 2024
	General Government				
	Town Moderator				
1	Moderator Stipend	100	100	100	100
	Board of Selectmen				
2	Selectmen Stipends	15,000	15,000	15,000	15,000
3	Town Administrator/Pers. Officer Salary	138,930	144,558	149,852	149,852
4	Assistant Town Administrators Salaries	93,500	114,268	117,554	117,554
5	Administrative Assistant Wages	14,087	16,031	16,278	16,278
6	CPA Administrator Stipend	2,000	2,000	2,000	2,000
7	Stormwater Administrator Stipend	5,000	5,000	5,000	5,000
8	Records Access Officer Stipend	2,500	2,500	2,500	2,500
9	Expenses	22,848	31,327	31,237	31,237
10	Rev. 9-1-1 communication system	4,777	4,800	4,800	4,800
11	General Audit Expense	21,750	22,000	22,000	22,000
12	Sealer of Weights & Measurers	2,000	3,000	5,022	5,022
13	Collective Bargaining Reserve	0	100,000		
14	Pine Grove School Expenses	0	1,000	1,000	1,000
15	Stormwater Compliancy Expenses	7,346	30,000	30,000	30,000
16	Landfill Testwell Monitoring	19,900	20,000	20,000	20,000
17	Prospect Hill Access Road	0	2,000	2,000	2,000
18	Alarm Monitoring	4,372	6,000	6,000	6,000
19	Pictometry	3,474	2,556	2,556	2,556
	Finance Committee				
20	Secretary Wages	1,586	1,959	2,039	2,039
21	Expenses	232	379	379	379
22	Reserve Fund	0	100,000	100,000	100,000
	Town Accountant				
23	Accountant Salary	74,458	88,530	90,377	90,377
24	Assistant Accountant Wages	29,697	36,385	38,697	38,697
25	Expenses	6,822	6,222	6,222	6,222
	Board of Assessors				

26	Assessors Stipends	7,368	7,368	7,368	7,368
27	Principal Assessor Salary	104,993	107,108	108,898	108,898
28	Administrative Assistant Wages	29,082	29,077	30,228	30,228
29	Professional Services	15,265	16,238	18,091	18,091
30	Expenses	3,716	4,746	4,746	4,746
	Treasurer/Tax Collector				
31	Treasurer/Collector Salary	96,713	100,601	104,240	104,240
32	Assistant Treasurer Salary	57,906	65,391	66,438	66,438
33	Assistant Collector Wages	10,576	18,455	19,108	19,108
34	Expenses	38,089	37,650	41,100	41,100
35	Tax Title	4,745	10,517	7,067	7,067
36	Debt Fees & Charges	2,500	5,000	5,000	5,000
	Town Counsel				
37	Professional Fee	53,971	62,600	62,600	62,600
38	Litigation	20,925	52,000	52,000	52,000
	Personnel Advisory Committee				
39	Expenses	107	399	399	399
	Information Services				
40	Expenses	17,267	22,422	22,422	22,422
41	IS Coordinator Stipends	3,000	3,000	3,000	3,000
	Town Clerk				
42	Town Clerk Salary	57,426	63,503	65,408	65,408
43	Wages	20,492	33,507	34,508	34,508
44	Expenses	4,231	4,048	4,355	4,355
	Elections				
45	Wages	4,429	9,292	9,478	9,478
46	Expenses	5,274	5,300	3,348	3,348
	Registrar of Voters				
47	Stipends	1,150	2,300	2,300	2,300
48	Expenses	3,450	4,525	5,457	5,457
	Conservation Commission				
49	Conservation Agent Salary	67,370	68,732	69,873	69,873
50	Secretary Wages	9,933	9,885	10,286	10,286
51	Expenses	3,550	2,050	2,050	2,050
	Planning Board				
52	Planner Salary	57,673	60,000	61,104	61,104
53	Planner Consultant	0	5,769	5,769	5,769
54	Merrimack Valley Planning Comm.	2,357	2,416	2,351	2,351
55	Expenses	1,392	2,500	2,500	2,500
	Zoning Board of Appeals				
56	Administrative Assistant Wages	10,899	10,900	11,342	11,342

57	Expenses	1,782	1,680	1,680	1,680
	Agricultural Commission				
58	Expenses	2,000	1,000	1,000	1,000
	Town Hall				
59	Town Hall/Annex Janitor Wages	15,499	17,156	17,811	17,811
60	Expenses	32,872	23,000	24,320	24,320
	Town Hall Annex				
61	Expenses	23,223	23,000	23,000	23,000
	Subtotal	1,261,604	1,648,750	1,581,258	1,581,258
	Public Safety				
	Police Department				
62	Police Chief Salary & Other Earnings	144,911	150,738	154,015	154,015
63	Wages	1,446,779	1,448,789	1,603,773	1,603,773
64	Expenses	159,925	174,187	182,379	182,379
65	Police Cruiser	43,384	48,500	48,500	48,500
	Constables				
66	Expenses	108	300	300	300
	Fire Department				
67	Fire Chief Salary	112,197	101,185	110,502	110,502
68	Firefighter Wages	404,464	641,633	733,051	733,051
69	Call Firefighter Wages	77,065	0	0	0
70	Expenses	176,854	181,660	185,077	185,077
	Inspection Department				
71	Salaries	68,826	80,994	82,296	82,296
72	Wages	12,335	15,580	16,109	16,109
73	Expenses	7,114	7,685	8,340	8,340
	Emergency Management				
74	REMA Director Stipend	5,000	5,000	5,000	5,000
75	Expenses	2,476	2,530	2,530	2,530
	Animal Inspector & Control Services				
76	Animal Inspector (AI) Salary	3,309	3,457		
77	Animal Inspector Expense	200	200		
78	Rabid Animal Expense	334	1,853		
79	Animal Control Officer (ACO) Salary	18,731	19,103		
80	Animal Control Officer Expense	2,063	2,122		
81	ACO & AI Services & Expenses			52,268	52,268
	Tree Warden				
82	Salary	9,024	9,390	9,728	9,728
83	Expenses	14,959	15,000	15,000	15,000
	Harbormaster				
84	Harbormaster Salary	10,000	10,200	10,404	10,404

85	Deputy Harbormaster Wages	2,052	2,117	2,159	2,159
86	Assistant Harbormasters Wages	4,029	4,142	4,225	4,225
87	Pumpout Boat Wages	4,999	8,894	9,072	9,072
88	Expenses	5,920	5,920	5,920	5,920
89	Town Landing	500	500	500	500
	Shellfish Commission				
90	Commissioner Stipends	1,250	1,500	1,500	1,500
91	Commissioner Expenses	0	1,200	1,200	1,200
	Shellfish Constable				
92	Constable Wages	502	800	816	816
93	Constable Expenses	0	1,500	1,500	1,500
	Subtotal	2,739,310	2,946,679	3,246,164	3,246,164
	Schools				
94	Whittier Vocational Assessment	328,753	404,528	393,966	393,966
95	Whittier Capital Assessment	24,688	23,310	25,382	25,382
96	Triton Regional Assessment	11,137,830	11,615,290	12,607,255	12,104,687
97	Triton Capital Assessment	83,153	54,764	57,647	57,647
98	Essex Agricultural Technical	192,814	161,000	178,696	178,696
	Subtotal	11,767,238	12,258,892	13,262,946	12,760,378
	Public Works				
	Highway Department				
99	Highway Surveyor Salary	82,633	86,786	90,258	90,258
100	Wages	181,843	281,861	320,043	320,043
101	Expenses	117,652	143,426	143,426	143,426
	Snow & Ice Removal				
102	Expenses	203,199	185,000	185,000	185,000
	Fire Hydrants				
103	Expenses	14,400	14,400	14,400	14,400
	Street Lighting				
104	Expenses	0	20,957	22,921	22,921
	Cemetery Commissioners				
105	Commission Chair Stipend	500	500	500	500
106	Wages	37,029	53,198	58,171	58,171
107	Expenses	8,300	10,300	10,300	10,300
	Subtotal	645,556	796,428	845,019	845,019
	Health & Human Services				
	Board of Health				
108	Health Director	90,652	92,473	94,101	94,101
109	Health Agent Wages	26,474	52,125	53,636	53,636
110	Secretary Wages	15,123	15,243	16,050	16,050
111	Public Health Nurse Salary	10,924	11,284	11,465	11,465

112	Expenses	6,777	6,900	6,900	6,900
	Council on Aging				
113	COA Director Salary	66,302	68,970	71,490	71,490
114	Wages	93,466	112,587	124,405	124,405
115	Elder Services of Merrimack Valley	0	294	294	294
116	Expenses	20,096	19,904	20,704	20,704
	Veterans Affairs				
117	Veterans Benefits	20,474	52,000	52,000	52,000
118	Eastern Essex Veterans District	30,929	28,943	32,623	32,623
	ADA Compliancy				
119	Expenses	190	190	190	190
	Subtotal	381,407	460,913	483,858	483,858
	Recreation/Historic				
	Rowley Public Library				
120	Library Director Salary	87,251	89,012	90,488	90,488
121	Wages	203,243	219,686	224,717	224,717
122	Expenses	133,936	126,833	129,092	129,092
	Recreation Committee				
123	Field Maintenance & Expenses	50,329	50,838	50,838	50,838
	Historical				
124	Historical Commission Expenses	0	332	332	332
125	Historic District Comm. Expense	0	70	600	600
	Other				
126	Town of Rowley Veterans Committee	1,512	2,500	3,050	3,050
127	Bradstreet & Dodge Properties	0	8,000	8,000	8,000
	Subtotal	476,271	497,271	507,117	507,117
	Debt				
128	Library Principal				
129	Bridge Repair Principal	30,000	30,000	35,000	35,000
130	Capital Equipment Principal V	0	0		
131	Capital Equipment Principal VII	40,000	35,000		
132	PGS Feasibility Study Principal	15,000	15,000	15,000	15,000
133	PGS Renovation Principal	100,000	105,000	110,000	110,000
134	Fire & Police Stations Principal	170,000	180,000	185,000	185,000
135	PGS Renovation II Principal	352,439	367,991	388,266	388,266
136	Fire & Police Stations Principal II	127,561	137,010	141,735	141,735
137	PGS Renovation III Principal	91,000	95,000	100,000	100,000
138	PGS Repair BAN	0	79,000	0	0

139	Fire Pumper Truck Principal	54,000	55,000	55,000	55,000
140	Radio Communications Principal	0	95,000	95,261	95,261
141	Highway Dump Truck Principal	0	40,000	25,035	25,035
142	Library Interest	0	0		
143	Bridge Repair Interest	4,950	4,050	3,150	3,150
144	Capital Equipment V Interest	0	0		
145	Capital Equipment VII Interest	1,568	499	0	0
146	PGS Feasibility Study Interest	12,306	11,707	11,107	11,107
147	PGS Renovation Interest	98,329	94,254	89,930	89,930
148	Fire & Police Stations Interest	166,515	159,565	152,240	152,240
149	PGS Renovation II Interest	530,879	512,869	493,962	493,962
150	Fire & Police Stations II Interest	195,765	189,151	182,182	182,182
151	PGS Renovation III Interest	88,159	84,600	79,850	79,850
152	PGS Repair BAN Interest	0	368	0	0
153	Fire Pumper Truck Interest	13,301	10,750	8,000	8,000
154	Radio Communications Interest	0	16,275	16,504	16,504
155	Highway Dump Truck Interest	0	4,200	4,251	4,251
	Subtotal	2,091,772	2,322,289	2,191,473	2,191,473
	Insurance & Benefits				
156	Unemployment	18,045	10,000	10,000	10,000
157	Blanket Insurance	302,000	317,100	332,510	332,510
158	Essex Regional Retirement	1,191,981	1,320,409	1,529,449	1,529,449
159	Health, Life Ins, Medicare & Benefit Plan	407,837	561,557	625,543	625,543
	Subtotal	1,919,863	2,209,066	2,497,502	2,497,502
	GRAND TOTAL	21,283,021	23,140,288	24,615,337	24,112,769

Motion by Lawrence White, seconded by Sharon Emery.

There was a lengthy discussion with regard to line 96 of the Omnibus Budget, Triton Regional Assessment, both for and against funding the requested amount of \$12,607,255 versus the Finance Committee recommended amount of \$12,104,687.

At 7:42pm, School Committee member Nerissa Wallen made a motion to amend Line 96 of the Omnibus Budget to the requested amount of \$12,607,255, seconded by Kim Waring-Wright. A voice vote could not be determined. A hand count was conducted. On the motion to amend – 52 yes votes and 56 no votes. Amendment failed at 7:50pm.

A voice vote on the original motion made by Lawrence White could not be determined. A hand count was conducted. On the original motion - 68 yes votes and 37 no votes. Original motion passed at 8:01pm.

ARTICLE 5. Water Department Budget. To see if the Town will vote to appropriate by transfer from the Water Department Enterprise Fund the sum of \$2,358,025 to fund the FY 2024 Water Department budget, as shown below, or take any action relative thereto.

(Inserted by Board of Water Commissioners)

Board of Selectmen Recommends

Finance Committee Recommends

Li ne	Water Department Budget	FY22	FY 23	FY 24
Ite m	Description	Actual	Budget	Request
	<u>Wages/Salaries</u>			
1	Water Superintendent	\$95,613	\$101,184	\$103,089
2	Water Department Wages	\$301,441	\$412,800	\$445,105
3	Overtime/Standby	\$63,788	\$76,891	\$80,572
4	Health Insurance/Medicare	\$20,718	\$78,326	\$82,980
5	Retirement Health Insurance (OPEB)	\$20,000	\$20,000	\$20,000
6	Unemployment	\$0	\$10,000	\$10,000
	Subtotal Salaries & Wages	\$501,561	\$699,201	\$741,746
	<u>Expenses</u>			
7	Water Department Expenses/Maintenance	\$688,638	\$626,300	\$642,079
8	Engineering / Outside Services	\$11,700	\$20,000	\$20,000
9	Billing Contract Services	\$82,500	\$86,625	\$92,400
	Subtotal Expenses	\$782,838	\$732,925	\$754,479
	<u>Other</u>			
10	Capital Plan			
11	Extraordinary & Unforeseen Expenses	\$0	\$100,000	\$75,000
12	Engineer Return			
13	Budgeted Surplus	\$0	\$20,225	\$18,621
	Subtotal Other	\$0	\$120,225	\$93,626
	TOTAL	\$1,284,399	\$1,552,351	\$1,589,846
	<u>Debt</u>			
14	Water Treatment Design Principal	\$65,000	\$65,000	\$65,000
15	Water Treatment Design Interest	\$24,706	\$22,756	\$20,807
16	Water Treatment Plant Construction Principal	\$528,290	\$539,771	\$551,503
17	Water Treatment Plant Construction Interest	\$143,099	\$132,534	\$121,738
18	SRF borrowing administrative fee	\$10,732	\$9,940	\$9,131
	Sub-total Debt	\$771,827	\$770,001	\$768,179
	Total Operating & Debt	\$2,056,226	\$2,322,352	\$2,358,025
19	Estimate for change in AFSCME contract		\$20,000	
	Total Operating & Debt & AFSCME	\$2,056,226	\$2,342,352	\$2,358,025
	Article 6 Overhead	\$97,691	\$104,548	\$145,475

		\$2,153,917	\$2,446,900	\$2,503,500
	GRAND TOTAL EXPENSES			

Motion made by Bernard Cullen, seconded by Mark Emery; passed voice unanimous at 8:04pm.

ARTICLE 6. To see if the Town will vote to transfer from the Water Department Enterprise Fund to the General Fund the sum of \$145,475 for the following items and that any other monies 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 2024, or take any other action relative thereto.

(Inserted by Board of Water Commissioners)

Board of Selectmen Recommends

Finance Committee Recommends

Rowley Water Department FY 24 Overhead Article

		FY2022 Actual	FY2023 Budget	FY2024 Request
20	County Retirement	\$82,434	\$89,043	\$129,695
21	Life Insurance	\$41	\$62	\$62
22	Accounting Services	\$4,292	\$4,340	\$ 4,451
23	Treasurer/Collector Services	\$5,903	\$6,020	\$6,132
24	Audit	\$2,475	\$2,475	\$2,660
25	Personnel and Administrative Services	\$2,545	\$2,608	\$2,475
	Total	\$97,691	\$104,548	\$145,475

Rowley Water Department Estimated FY24 Revenues				
		FY22	FY23	FY24
	Revenues	Actual	Budget	Request
	Commitment Rate	2,270,664	2,400,000	2,500,000
	Rate Discounts	-89,102	-96,000	-100,000
	Rate Abatements	0.00	-5,000	-5,000
	New Customer Services	143,066	120,000	80,000
	Capital Improvement Fee			
	Service Charges			1,000
	Interest & Demand	4,482	6,000	4,000
	Bank Interest	1,240	1,500	4,000
	Liens, Fees, and Interest	4,455	6,000	4,500
	Miscellaneous	1,649	0	600
	Hydrant rentals	14,400	14,400	14,400
	Total Revenues	2,350,854	2,446,900	2,503,500

Motion made by Bernard Cullen, seconded by Mark Emery; passed voice unanimous at 8:05pm.

ARTICLES 7 – 9 are standard annual articles. These articles will be voted under one consent motion.

ARTICLE 7. To see if the Town will vote to appropriate by transfer the sum of \$4,500 from the Municipal Waterways Maintenance and Improvement Fund to an account for use by the Harbormaster in accordance with Massachusetts General Laws Chapter 40 Section 5G, or take any other action relative thereto.

(Inserted by the Harbormaster)

Finance Committee Recommends

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:06pm

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of \$5,000 to be added to Article 30 of the May 6, 1996 Annual Town Meeting (Recertification Fund) for the purpose of completing the State mandated recertification of all properties within the Town of Rowley, said funds to be expended by the Board of Assessors, or take any other action relative thereto.

(Inserted by the Board of Assessors)

Finance Committee Recommends

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:07pm

ARTICLE 9. To see if the Town will vote to appropriate by transfer the sum of \$59,540 from the Massachusetts Water Pollution Abatement Trust Septic Betterment Loan Program to pay the debt service on the Town's loan from the Massachusetts Water Pollution Abatement Trust, or take any other action relative thereto.

(Inserted by the Board of Health)

Finance Committee Recommends

Explanatory Note: The Town has received \$1,250,000 from the State of Massachusetts Water Pollution Abatement Trust Septic Loan funds for taxpayers' repair and/or upgrade of failed septic systems. This appropriation pays the debt on the Town's loan from the Massachusetts Water Pollution Abatement Trust Fund.

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:09pm

ARTICLE 10. To see if the Town will vote, pursuant to the provisions of Massachusetts General Law Chapter 44 § 53-E1/2, to authorize the following expenditure caps for Fiscal Year 2024:

	Name of Account	Balance Information	Expenditures Not to Exceed
1	Council on Aging - Van	Beginning balance \$418; Income \$53; Expense \$0; Ending balance on 2/28/23 \$471	\$5,000
2	Board of Health	Beginning balance \$54,451; Income \$7,872; Expense \$16,818; Ending balance on 2/28/23 \$45,505	\$30,000
3	Parks & Recreation Committee and Board of Selectmen Facilities	Beginning balance \$37,289; Income \$13,348; Expense \$13,559; Ending balance on 2/28/23 \$37,078	\$30,000
4	Council on Aging – Programs	Beginning balance \$0; Income \$5,403; Expense \$3,466; Ending balance on 2/28/23 \$1,937	\$10,000
5	Shellfish Department	Beginning balance \$20,702; Income \$283; Expense \$2,344; Ending balance on 2/28/23 \$18,641	\$6,000

6	Zoning Board of Appeals and Board of Appeals	Beginning balance \$11,158; Income \$1,002; Expense \$2,197; Ending balance on 2/28/23 \$9,963	\$4,000
7	Board of Cemetery Commissioners	Beginning balance \$18,603; Income \$1,525; Expense \$500; Ending balance on 2/28/23 \$19,628	\$20,000
8	Library	Beginning balance \$1,137; Income \$1,119; Expense \$732; Ending balance on 2/28/23 \$1,524	\$2,500
9	Agricultural Commission	Beginning balance \$3,572; Income \$0; Expense \$0; Ending balance on 2/28/23 \$3,572	\$5,000
10	Harbormaster	Beginning balance \$0; Income \$0; Expense \$0; Ending balance on 2/28/23 \$0	\$30,000
11	Board of Selectmen & Parks and Recreation Community Events	Beginning balance \$5,255; Income \$0; Expense \$0; Ending balance on 2/28/23 \$5,255	\$20,000
12	Records Access	Beginning balance \$0; Income \$620; Expense \$570; Ending balance on 2/28/23 \$50	\$5,000

or take any other action relative thereto.

(Inserted by the Council on Aging, Board of Health, Parks & Recreation Committee, Board of Selectmen, Shellfish Department, Zoning Board of Appeals and Board of Appeals, Board of Cemetery Commissioners, Board of Library Trustees, Agricultural Commission, Harbormaster and Records Access Officer)

Finance Committee Recommends

Explanatory Note: The State Revolving Fund Law, G.L. c.44 Section 53E ½ requires an annual expenditure authorization.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:08pm

ARTICLE 11. To see if the Town will vote to appropriate by transfer from the PEG (Public-Education-Government) Access and Cable Related Fund the sum of \$74,105 for wages and \$197,000 for technical services and expenses to support the cable television PEG access services and programming in Fiscal Year 2024, including any associated expert and legal services, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary under Massachusetts General Laws Chapter 44 §53F ¾ and funds the operation of Rowley Community Media (RCM), the Town's local access cable channel. RCM records Town board and committee meetings, Town Meetings, and community events. RCM airs a variety of local programs, including Triton Regional School District and Whittier Vocational Technical High School sports games, concerts and other school events, community bulletins and notices, and operates Comcast Channel 9 and Verizon Channel 26. This article funds a new fiber connection to the Fire Station, and upgraded connections to the Town Hall Annex and Pine Grove School.

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:10pm

ARTICLE 12. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2024 annual revenues the amounts recommended by Community Preservation Committee

for committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

Summary of recommendations by Category:

Reserve:

- Creation and Support of Affordable Housing \$47,600
- Creation and Support of Historical \$25,072

Appropriations:

- Debt Service for Bradstreet Farm land acquisition \$204,800
- Administration - 5 % - \$39,160

(Inserted by the Community Preservation Committee)

Finance Committee Recommends

Explanatory Note: Rowley expects to realize approximately \$793,195 in Community Preservation Act (CPA) funds from real estate tax receipts (\$602,458), 30% matching funds from the State (\$180,737), and interest income (\$10,000) in Fiscal Year 2024. The Community Preservation Act requires the Town to set aside 10% of funds collected after deducting appropriate debt service for each of the following areas: open space, historic preservation and community housing. Any unexpended administrative expenses will be returned to the general Undesignated Community Preservation fund. All funds realized above those reserved or appropriated will become general Undesignated CPA funds.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:12pm

ARTICLES 13 - 45 PERTAIN TO FISCAL YEAR 2023 APPROPRIATIONS

ARTICLE 13. To see if the Town will vote to fund and implement the cost items of a collective bargaining agreement between the Town and AFSCME Local 2905, effective July 1, 2022 to June 30, 2025, and to transfer and appropriate for such purposes the sum of \$50,850 from Line 13 (Collective Bargaining Reserve) of the FY 23 Budget previously approved under Article 4 of the May 2, 2022 Annual Town Meeting and \$25,778 from Free Cash which is to be added to the following FY 23 Budget lines:

Line	Description	Amount to be Transferred
24	Assistant Accountant Wages	\$728
28	Assessors Administrative Assistant Wages	\$626
50	Conservation Secretary Wages	\$98
56	Zoning Board of Appeals Administrative Assistant Wages	\$219
59	Town Hall/Annex Janitor Wages	\$390
63	Police Department Wages	\$38,500
72	Inspection Department Wages	\$263
99	Highway Department Wages	\$24,513
105	Cemetery Wages	\$4,109
109	Health Department Secretary	\$309
113	Council on Aging Wages	\$6,873

and further, to transfer and appropriate the sum of \$20,000 from Line 19 (AFSCME Contract) of the FY 23 Water Budget previously approved under Article 5 of the May 2, 2022 Annual Town Meeting which is to be added to the following FY 23 Water Budget lines:

Line	Description	Amount to be Transferred
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2	Water Department Wages	\$20,000
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or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

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

Motion by Cliff Pierce, seconded by Christine Kneeland; passed voice unanimous at 8:14pm

ARTICLE 14. To see if the Town will vote to fund and implement the cost items of a collective bargaining agreement between the Town and Teamsters Local 170 – Fire Union, effective July 1, 2022 to June 30, 2025, and to transfer and appropriate for such purposes the sum of \$18,150 from Line 13 (Collective Bargaining Reserve) of the FY 23 Budget previously approved under Article 4 of the May 2, 2022 Annual Town Meeting to be added to the following FY 23 Budget line:

Line	Description	Amount to be Transferred
68	Firefighter Wages	\$18,150

or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage of this article is necessary for the funding of the successor collective bargaining agreement between the Town and Teamsters Local 170 – Fire Union.

Motion by Cliff Pierce, seconded by Christine Kneeland; passed voice unanimous at 8:15pm

ARTICLE 15. To see if the Town will vote to fund and implement the cost items of a collective bargaining agreement between the Town and Massachusetts Coalition of Police Local 360 effective July 1, 2022 to June 30, 2025, and to transfer and appropriate for such purposes the sum of \$31,000 from Line 13 (Collective Bargaining Reserve) of the FY 23 Budget previously approved under Article 4 of the May 2, 2022 Annual Town Meeting to be added to the following FY 23 Budget line:

Line	Description	Amount to be Transferred
63	Police Department Wages	\$31,000

or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage of this article is necessary for the funding of the successor collective bargaining agreement between the Town and Massachusetts Coalition of Police.

Motion by Cliff Pierce, seconded by Christine Kneeland; passed voice unanimous at 8:17pm

ARTICLE 16. To see if the Town will vote to appropriate by transfer the sum of \$11,190 from Free Cash to be expended by the Town Accountant, for the purpose of paying for the licensing fees of the Accounting Department's General Ledger software program, or take any other action relative thereto.

(Inserted by the Town Accountant and Information Services Department)

Finance Committee Recommends

Explanatory Note: The Town converted to a new general ledger accounting software program in Fiscal Year 2023. The Town needs to pay for the FY 24 licensing fees for this software package.

Motion by Christine Kneeland, seconded by Cliff Pierce; passed voice unanimous at 8:17pm

ARTICLE 17. To see if the Town will vote to appropriate by transfer the sum of \$4,200 from Free Cash to be expended by the Chief of Police, for the purpose of sending a police officer to the police academy, or take any other action relative thereto.

(Inserted by the Police Chief)

Finance Committee Recommends

Explanatory Note: The cost to send an officer to the Full-Time Academy is \$3,000 for tuition and an additional \$1,200 in equipment and expenses.

Motion by Christine Kneeland, seconded by Cliff Pierce; passed voice unanimous at 8:18pm

ARTICLE 18. To see if the Town will vote to appropriate by transfer the sum of \$247 from Free Cash to pay for overdue invoices from Fiscal Year 2022, or take any other action relative thereto.

(Inserted by the Board of Selectmen and Treasurer/Collector)

Finance Committee Recommends

Explanatory Note: Passage requires a four-fifths vote because the expenses were incurred in Fiscal Year 2022. The Town was recently notified of unpaid invoices from June 2022.

Motion by Christine Kneeland, seconded by Cliff Pierce; passed voice unanimous at 8:19pm

ARTICLE 19. To see if the Town will vote to appropriate by transfer the sum of \$395,542 from Free Cash to be expended by the following departments for the purpose of undertaking the following capital purchases and improvements:

1. \$18,000 for technical upgrades including: purchasing and installing computers and software and other peripherals for the following departments: Conservation Commission, Fire, Police, and Library
 2. \$39,862 for the purchase of departmental equipment including: Printer/Copier/Scanner, Radios (Year 1 of 3) and Tasers (Year 5 of 5) for the Police Department, and a mower for the Highway Department
 3. \$257,680 for facilities upgrades including Town Hall and Library HVAC, doors and upgrades at the Annex, office upgrades for the Town Clerk's Office and shelving for the Library
 4. \$80,000 for an equipped command vehicle for the Fire Chief;
- or to take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: This article appropriates a total of \$395,542 for capital purchases and improvements which are part of the Town's Capital Plan.

Motion by Christine Kneeland, seconded by Cliff Pierce; passed voice unanimous at 8:21pm

ARTICLE 20. To see if the Town will appropriate \$230,000 to pay costs of purchasing and equipping a 6 wheel dump truck, including the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$230,000 under and pursuant to Chapter 44, Section 7 of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Board of Selectmen is authorized

to trade old equipment, if any, as part of the purchase price and to take any other action necessary or convenient to carry out this project, provided that any funds received in exchange for such old equipment will serve to automatically reduce the amount authorized to be borrowed by a like amount; or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage requires a two-thirds vote. Passage of this article funds a new highway truck, which is part of the Town's Capital Plan.

Motion by Deana Ziev, seconded by Cliff Pierce; passed voice unanimous at 8:22pm

ARTICLE 21. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$2,500 to be paid to the Merrimack Valley Planning Commission for services rendered in connection with an update of the Rowley Housing Production Plan, or to take any other action in relative thereto.

(Inserted by the Planning Board)

Finance Committee Recommends

Explanatory note: The Town entered into an agreement with the Merrimack Valley Planning Commission (the "MVPC") to update Rowley's 2018 Housing Production Plan which was completed by MVPC as a part of their 2018 initiative titled "2018 Merrimack Valley Regional Housing Plan" to provide each of its constituent communities with a Housing Production Plan. With coordination between Town staff and community stakeholders, the update is currently underway. MVPC agreed to defer payment of the compensation amount until FY2024.

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:23pm

ARTICLE 22. To see if the Town will vote pursuant to G.L. c. 40, §§ 8, 15 & 15A, and all other applicable authority, (a) to transfer from the Conservation Commission to the Board of Selectmen the care, custody, management and control of a portion of the land known and numbered as 81 Warehouse Lane and shown as Map 26, Parcel 11 on the Assessors' Maps, which portion consists of approximately 2.46 acres as shown on a plan entitled "Parking Area Boundary" prepared by D. C. MacRitchie, LLC dated April 4, 2023 on file with the Town Clerk, for the purpose of providing a parking area for use in connection with the boat launch at the Town landing; (b) to transfer to the Conservation Commission for purposes of conservation and open space under Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts the care, custody, management and control of the land known and numbered as 347 Wethersfield Street and shown as Map 19, Parcel 8-16 on the Assessors' Maps, consisting of approximately 2.497 acres, which land is currently held by the Board of Selectmen as tax title land; and (c) to authorize the Board of Selectmen to petition the state legislature to permit the said exchange of land under the said Article 97; or to take any other action in connection therewith.

(Inserted by the Board of Selectmen, Harbormaster, Conservation Commission)

Finance Committee Recommends

Explanatory Note: 2/3 Vote Required. This land swap will help the Town meet State requirements for changing use of 2.46 acres of Town-owned Conservation Commission property to accommodate needed additional parking at the Town Landing, while creating 2.479 acres of new passive recreation space at 347 Wethersfield Street.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:26pm

ARTICLE 23. To see if the Town will vote to appropriate by transfer the sum of \$75,000 from Free Cash for the purposes of surveying and engineering, tree clearing, grading and excavation, stormwater abatement, delineation and signage on the Town-owned properties shown on the Assessors' Maps as Map 26, Parcel 11 and Map 19, Parcel 8-16, all in aid of the proposed Article 97 land swap by which the Town intends to create an expanded parking area for the municipal boat launch ramp and a new conservation property; or take any other action relative thereto.

(Inserted by the Board of Selectmen, Harbormaster, Conservation Commission)

Finance Committee Recommends

Explanatory Note: This article provides funds for the tasks needed to accomplish the land swap, which is needed to add additional parking at the Town Landing and to create new passive recreation open space at 347 Wethersfield Street.

Motion by Deana Ziev, seconded by Cliff Pierce; passed voice unanimous at 8:27pm

ARTICLE 24. To see if the Town will vote to appropriate by transfer the sum of \$192,419 from the Water Department Enterprise Free Cash to the Water Department Stabilization Fund, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: Expenditures from the Water Department Stabilization Fund can only be authorized by Town Meeting in accordance with Mass. General Laws Chapter 40§5B

Motion by Bernard Cullen, seconded by Mark Emery; passed voice unanimous at 8:28pm

ARTICLE 25. To see if the Town will vote to appropriate by transfer, the sum of \$1,400,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting to be used for the Fenno Drive water main replacement and new water main extension to Mansion Drive; or to take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to facilitate the replacement of the existing 8" asbestos pipe water main that is in poor condition. The water main extension will connect the water main on Mansion Drive to Fenno Drive, to eliminate the now existing deadend. The water extension will allow water to flow to Mansion Drive in the event of a water main break along Kittery Avenue.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:29pm

ARTICLE 26. To see if the Town will vote to appropriate by transfer the sum of \$100,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting, to be used for the cleaning of wells 3 and 5 to improve the pumping rate from the aquifer, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to facilitate cleaning of wells 3 and 5 well strainers at the end of the suction pipe in the bottom of the well. The strainers are clogged from iron and manganese in the raw water.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:33pm

ARTICLE 27. To see if the Town will vote to appropriate by transfer the sum of \$60,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting to have the Water Department's files and records digitized and stored in the cloud system, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to facilitate the digitization of all the files, documents and plans that are in storage. Once scanned, they will be available digitally through the cloud system or stored on a local network drive.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:34pm

ARTICLE 28. To see if the Town will vote to appropriate by transfer the sum of \$70,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting to be used for a standby generator at the Water Department's office at 401 Central Street, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to facilitate the purchase of a standby generator to supply power for the office and garage in case of a power outage. Power from a generator is needed to provide customer service during a power outage.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:35pm

ARTICLE 29. To see if the Town will vote to appropriate by transfer the sum of \$42,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting to be used for the Lead Service Line Inventory Program, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This will be a two-year project required by the new lead and copper rule mandated by the Environmental Protection Agency and the Environmental Protection Services. The new rule requires that the Water Department complete a survey of all of its service lines to the customers' homes. The Water Department will be required to send a detailed report to the DEP and the EPA. This report will be used to compile a plan to remove all Town owned and customer owned lead lines.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:36pm

ARTICLE 30. To see if the Town will vote to appropriate by transfer the sum of \$70,000 from Article 9 (Water Utility Building) of the May 3, 2021 Annual Town Meeting and \$10,000 from Article 8 (Remove Tank) of the June 22, 2020 Annual Town Meeting to be used for the new water source testing project, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to facilitate testing at the location selected for a new well. To ensure the site can support a new well, the Water Department needs to have small testing wells installed in the aquifer to complete water quality testing and flow testing at the site. This project will

confirm a reliable site to install a new well and pump station to support the Town of Rowley for quality drinking water.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:37pm

ARTICLE 31. To see if the Town will vote to appropriate by transfer the sum of \$32,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting, to be used for a new above ground control cabinet, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: The existing control panel is currently located in a below grade tank which is defined as a "confined space." This space must be large enough for an employee to fully enter and perform work. The current space has limited and restricted means of entry and exit. The last survey by the DEP mandated that the Water Department move the control panel above ground to eliminate entry by our staff into a confined space.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:38pm

ARTICLE 32. To see if the Town will vote to appropriate by transfer the sum of \$96,000 from Article 7 (Dodge Road Water Main Replacement) of the May 3, 2021 Annual Town Meeting to be used for the purchase of a new Supervisory Control and Data Acquisition (SCADA) program, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

Finance Committee Recommends

Explanatory Note: This appropriation is necessary to upgrade the system that has been in service for the past ten years, 24 hours a day, 7 days a week. The SCADA is a control system comprised of computers, network data, communications, and graphical user interfaces for high-level supervision of machines and processes. This program monitors the operation of the process to treat the water and monitors the wells and the water tank level. The program will send an alarm to the on-call operator if the treatment process is compromised.

Motion by Mark Emery, seconded by Bernard Cullen; passed voice unanimous at 8:39pm

ARTICLE 33. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate or reserve from the Community Preservation Fund Fiscal Year 2023 annual revenues the amounts recommended by Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

Summary of recommendations by Category:

Reserve:

- Creation and Support of Affordable Housing \$66,304
- Creation and Support of Historical \$44,150

or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

Finance Committee Recommends

Explanatory Note: Rowley's expectations for the fund were based on a 17% match from the State. This year the State Match was 69%. The Rowley Tax Surcharge will collect \$587,764 in CPA Funds in Fiscal

Year 2023. The State match (69%) was in the amount of \$377,376 plus interest income of \$10,000. The Community Preservation Act requires the Town to set aside 10% of funds collected after deducting appropriate debt service for each of the following areas: open space, historic preservation and community housing. This will increase the funds to affordable housing and historical. All funds realized above those reserved or appropriated will become general Undesignated CPA funds.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:40pm

ARTICLE 34. To see if the Town will vote to appropriate by transfer the sum of \$95 from Community Preservation Unreserved Fund to pay for overdue invoices from Fiscal Year 2022, or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

Finance Committee Recommends

Explanatory Note: Passage requires a four-fifths vote because the expense was incurred in Fiscal Year 2022. The Town was recently notified of an unpaid Public Meeting Advertisement invoice from March 2022.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:41pm

ARTICLE 35. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer the sum of \$60,000 from the Community Preservation Act Undesignated Fund to be used by the Board of Selectmen for the purchase and installation of windows for the Town Hall Annex, or take any other action relative thereto.

(Inserted by the Board of Selectmen and the Community Preservation Committee)

Finance Committee Recommends

Explanatory Note: These funds supplement an appropriation of \$80,000 of Community Preservation funds that was approved at the May 3, 2021 Town Meeting. There are thirty windows on the first floor at the Town Hall Annex which are believed to be original to the building and are in need of being replaced. The replacement windows need to be custom made due to their non-standard and large sizes, and also to comply with Historic District Commission requirements for this historic building. Hazardous material testing has been done on the existing windows, and lead paint remediation work will need to be part of this project. In addition to the lead paint remediation costs, the cost of materials and construction has also significantly increased. The cost to replace all of the windows on the first floor of the Town Hall Annex, including lead remediation, is estimated to be approximately \$115,000. This additional appropriation will provide the funds needed to cover the estimated cost of this project, plus a contingency amount.

Motion by Deana Ziev, seconded by Cliff Pierce; passed voice unanimous at 8:41pm

ARTICLE 36. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer from the Community Preservation Historical Account and Unreserved Account the amount of \$150,000 to be granted to the Ipswich Family YMCA for the purposes of undertaking two building roof replacements, and structural rot replacement and drainage on Brookside Cabin area at Camp Cedar Mill at the Dodge Reservation on Wethersfield Street in Rowley, or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

Finance Committee Recommends

Explanatory Note: The Community Preservation Committee has voted to grant these funds to the YMCA for the replacement of the art barn and cook shelter roofs and repairs to structural and rot damaged areas to the Brookside cabin. Once the structural and rot repairs are completed, new drainage around the

structures will be installed to prevent future rot damage. These buildings are an integral part of the YMCA's summer camp program, which serves approximately 180-200 children of all levels and abilities. The Board of Selectmen voted to approve this project.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:43pm

ARTICLE 37. To see if the Town will vote, pursuant to G.L. c. 40, § 15A and any other enabling authority, to transfer the care, custody, management and control of the real property known and numbered as 42 Haverhill Street in Rowley, Massachusetts, from the Board of Selectmen, which has held it for purposes of public water supply pursuant to a deed recorded with the Essex South District Registry of Deeds at Book 3584, Page 379, to the Conservation Commission for the purposes of natural resource values and open space, the Board of Selectmen having determined that the land is no longer needed for its original purpose, such land to continue to be subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution, or to take any other action in relation thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage of this article transfers a parcel of land at 42 Haverhill Street, consisting of approximately 8.5 acres, from the Board of Selectmen to the Conservation Commission for open space protection. The parcel has sensitive natural resources, including a forested swamp adjoining an intermittent stream. Many years ago, the Water Department had a well and pump house at this site, which have now been removed, and a soils stockpile area will be restored this spring. The Board of Water Commissioners recently voted to declare the parcel as no longer needed for water supply purposes.

Motion by Clifford Pierce, seconded by Christina Kneeland; passed voice unanimous at 8:44pm

ARTICLE 38. To see if the Town will vote, pursuant to G.L. c. 40, §§ 3 & 15 and c. 30B, § 16, and any other applicable authority, to authorize the Board of Selectmen to sell, transfer and convey, subject to a perpetual affordable housing restriction enforceable by the Town under G.L. c. 184, §§ 31-33, the real property known and numbered as Lot D, 239 Main Street, Rowley, Massachusetts, being an approximately two- (2-) acre portion of the so-called "Bradstreet Farm" land conveyed to the Town by deed dated May 24, 2007 and recorded with the Essex South District Registry of Deeds at Book 26865, Page 34; the purpose of such sale to be the creation of six (6) units of "community housing" within the meaning of G.L. c. 44B, § 1, and such sale otherwise to be on such terms and subject to such conditions as the Board of Selectmen may deem prudent, or to take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: When the Town subdivided the Bradstreet property, Parcel D was designated for affordable housing. The Board of Selectmen has been working to create affordable housing at this parcel. Passage of this article is necessary for the Board to sell the property to an affordable housing developer.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:46pm

ARTICLE 39. To see if the Town will vote to reduce the number of members of the Board of Health from five (5) to three (3) by deleting Section 1 from the Board of Health bylaw and replacing it with the following:

“Section 1. The Board of Health shall consist of three (3) regular members who shall be appointed by the Board of Selectmen and shall serve without pay. All regular members shall be appointed for a term of three (3) years.”

provided that the terms of current Board of Health members shall not be affected by this amendment, or to take any other action relative thereto.

(Inserted by the Board of Health)

Finance Committee Recommendation Not Required

Explanatory Note: A substantially identical article appeared as Article 26 on the Special Town Meeting warrant of May 12, 2003. The motion thereunder passed, but there is no record that the amendment was ever forwarded to the Attorney General's office for approval. Believing that the Board of Health had been effectively reduced in size, the Board of Selectmen has for twenty years appointed 3-member Boards of Health. The Town only recently became aware that the size reduction had not been officially completed. The Attorney General's office advised that the matter be re-submitted to Town Meeting for a vote.

Motion by Susan Elwell, seconded by Mary Behringer; passed voice unanimous at 8:47pm

ARTICLE 40. To see if the Town will vote to amend the Shellfish Bylaw of the General Bylaws by:

- a. revising § 4.6 to read:

“No shellfish shall be harvested on Sundays from May 1st to August 31st, inclusive, except that if a rainfall closure ends on a Saturday during that period, shellfish harvesting will be permitted on the following Sunday.”; and

- b. renumbering § 5.1 as § 5.1.A, and inserting a new § 5.1.B reading as follows:

“Shellfish Commissioners shall have the authority and discretion to raise and lower the 180-pound daily harvest limit for commercial diggers from time to time, provided that the same limit shall apply to all commercial diggers at any given time.”

or to take any other action relative thereto.

(Inserted by the Board of Shellfish Commissioners and Shellfish Constable)

Finance Committee Recommendation Not Required

Explanatory Note: The first change to the Bylaw enables the Shellfish Commission to allow harvesting on Sundays between May 1st to August 31st inclusive when there is a rainfall closure that ends on a Saturday. This is the practice in the surrounding towns, but currently Rowley's Bylaw prohibits harvesting on Sundays between May 1st to August 31st inclusive, and if there is a rainfall closure that ends on a Saturday, no harvesting is allowed until Monday. The second change to the bylaw allows the Shellfish Commissioners to raise the harvesting weight limit during specific times when the shellfish are plentiful. There are not enough commercial harvesters in the town to significantly impact the amount of shellfish in Rowley, or to keep up with the growth of the shellfish which causes them to grow too big for commercial markets. This means commercial harvesters will skip over the larger shellfish, and harvest smaller and less mature shellfish, which will impact the harvesting for future years.

Motion by Travis Kneeland, seconded by Mark Emery; passed voice unanimous at 8:49pm

ARTICLE 41. To see if the Town will vote to amend the Cemetery Bylaw by adding the following new sections:

“Section 18. The owner of a cemetery lot may relinquish it to the Town by filing with the Town Clerk written notice of his/her request to do so on a form supplied and approved by the Town Clerk, signed by all persons having an interest in the lot and accompanied by the original lot deed. Following such filing, the Town Clerk will notify the Cemetery Commissioners of the request and inquire whether the lot contains any burials. Upon receiving confirmation that the lot does not contain any burials, the Town Clerk shall cancel the original lot deed and refund to the relinquishing owner *the original selling price paid for the lot. The lot will thereupon be available to the Cemetery Commissioners* for resale at the current price through the Town Clerk. No lot containing any burials may be relinquished.

“Section 19. The owner of a cemetery lot may transfer it to any other person by filing with the Town Clerk written notice of his/her request to do so on a form supplied and approved by the Town Clerk, signed by all persons having an interest in the lot and by the proposed transferee, and accompanied by the original lot deed. The Town Clerk shall cancel the original lot deed and issue a new lot deed to the transferee.” or to take any other action relative thereto.

(Inserted by the Board of Cemetery Commissioners)

Finance Committee Recommendation Not Required

Explanatory Note: This bylaw addition merely confirms in the Town General Bylaw the current decades long practice regarding lot owners selling back unused cemetery lots to the Town or transferring their lot to someone else. This is essential for both the Town Clerk and the Cemetery Department to maintain accurate records of lot ownership with a paper trail. If an owner does not have their original deed they can get a replacement deed from the Town Clerk after proving ownership.

Motion by David Petersen, seconded by David Irving; passed voice unanimous at 8:51pm

ARTICLE 42. To see if the Town will vote to accept Chapter 41, Section 110A of the Massachusetts General Law, or take any other action thereto.

(Inserted by the Town Clerk)

Finance Committee Recommendation Not Required

Explanatory Note: Section 110A reads as follows: “Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the city charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.” By accepting this, it will save the Town the cost of opening Town offices on a holiday or weekend to hold voter registration sessions, acceptance of nomination papers, etc. Once this is accepted, the Town has the option of either staying open or reverting to the business day prior or proceeding the deadline. If the Town were anticipating a large voter turnout and the day fell on a Saturday, the Town would have the option to set the deadline for the Saturday. By accepting this, the Town would not be disenfranchising anyone from registering to vote. There are many avenues today for people to register to vote; in person, by mail, online or through the Registry of Motor Vehicles and the Town advertises the deadlines accordingly.

Motion by Catie McClenaghan, seconded by Bernard Cullen; passed voice unanimous at 8:53pm

ARTICLE 43. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$100,000 to the Other Post-Employment Benefits Liability Trust Fund (OPEB Fund) established under G.L. c. 32B, § 20, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage of this article allows the Board of Selectmen to continue with its plan of funding the OPEB Trust Fund, which will offset the future healthcare costs of retired Town employees. The Town's financial advisors and auditors recommend the Town pay into this Trust Fund each year. This appropriation excludes the Water Department and the Rowley Municipal Lighting Plant (RMLP) portions of their retiree health insurance contributions; these are funded through their own budgets.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:54pm

ARTICLE 44. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$200,000 to the Capital Stabilization Fund, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Setting aside funds in the Capital Stabilization Fund each year is recommended by the Town's auditors and financial advisors.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:54pm

ARTICLE 45. To see if the Town will vote to expand the purposes of the Capital Stabilization Fund established pursuant to M.G.L. Chapter 40, Section 5B by vote under Article 28 at the Annual Town Meeting held on May 6, 2019 to include the payment of debt service relating to capital projects, or take any action relative thereto.

(Inserted by the Board of Selectmen)

Finance Committee Recommends

Explanatory Note: Passage of this article requires a 2/3 vote. The purpose of this article is to broaden the use of the Capital Stabilization Fund by allowing the Town to pay debt service for capital purchases and projects from the Capital Stabilization Fund.

Motion by Joseph Perry, seconded by Robert Snow; passed voice unanimous at 8:55pm

ANNUAL TOWN ELECTION INFORMATION

Saint Mary's Church (rear), Route 1A, in said Rowley on Tuesday, May 9, 2023 at 12:00 NOON to act on the following:

Two Board of Selectmen	Three years
One Board of Assessors	Three years
One Planning Board	Five years
One Municipal Light Board	Three years
One Municipal Water Board	Three years
One Cemetery Commission	Three years
One Housing Authority	One year
One Shellfish Commission	Three years
Three Library Trustees	Three years
For Regional School District Committee	
One Rowley Member	Three years
One Newbury Member	Three years
One Salisbury Member	Three years

Motion: I move the Town vote to dissolve the May 1, 2023 Town Meeting.

Motion by Robert Snow, seconded by Joseph Perry; passed voice unanimous at 8:56pm

And you are hereby instructed to serve this warrant by posting copies thereof at Town Hall, Town Hall Annex and the Rowley Public Library and on the Town's website 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 10th day of April in the year two thousand twenty-three.

Robert Snow, Chairman
Joseph Perry, Vice Chairman
Deana M.P. Ziev, Clerk
Clifford Pierce
Christine Kneeland

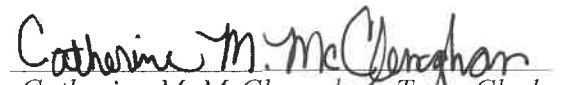
I have served this Warrant by posting at Town Hall, Town Hall Annex, and the Rowley Public Library not less than fourteen days before the day fixed for such meeting and have made the return of the Warrant to the Town Clerk at least two days before the time of said meeting.

Notices posted at Town Hall, Town Hall Annex, Rowley Public Library.

Philip, Collyer, Constable of Rowley

April 12, 2024

Certification: *I, Catherine M. McClenaghan, duly elected and qualified Town Clerk for the Town of Rowley do hereby swear and affirm that the statements contained above with regard to the May 1, 2023 Annual Town Meeting to be true and accurate according to records maintained by this office.*


Catherine M. McClenaghan, Town Clerk,
Town of Rowley
May 10, 2023

