

ANNUAL TOWN MEETING
OFFICIAL RESULTS – FY2014
MAY 13, 2013

Town of Rowe
COMMONWEALTH OF MASSACHUSETTS

Town Clerk: Jennifer A. Morse
Moderator: Robert J. Clancy
Constable: Robert Dykeman
Board of Selectmen: Marilyn Wilson (Chair), Paul McLatchy III, Noel Abbott
Town Counsel: Brian Riley, Kopelman and Paige
Tellers: Marjorie Morse, Rebecca Richardson, Arthur Samuelson, Josh Taylor

The meeting was held on Monday May 13, 2013 at the Rowe Fire Station. The meeting was called to order by Moderator Clancy at 7:00 p.m. Approximately Eighty-One (81) registered voters and Six (6) audience members were in attendance. Moderator Clancy asked for a moment of silence in remembrance of the following Rowe citizens who have deceased since the last Town Meeting: Phyllis Smith, Floyd Smith, Ellsworth Palmer, Bernice Foster, Phyllis Volland, Todd Veber, Irene Boyd and Henry Dandeneau.

Moderator Clancy swore in the Tellers and turned to the Board of Selectmen for comment before the reading of the warrant. Board of Selectmen member Paul McLatchy III thanked Rowe Fire Department for the meeting space and the following citizens for help with town meeting set up; Paul McLatchy Jr., Les McLatchy, Glenn White, Donna Flagg, Joseph White, Julie Shippee, Brandon Sprague, Matt Crowingshield and DPW crew members Jim Taylor, Rick Hamilton and Lance Larned.

Moderator Clancy noted that if all articles on the warrants passed the estimated tax rate for FY2014 would be \$5.92 for residential and \$13.23 for commercial and industrial.

ARTICLE 1: A motion was made and seconded to act on reports of the Town officers and committees.

Article 1: Passed Unanimously by Show of Hands

ARTICLE 2: A motion was made and seconded to choose all necessary officers not elected by ballot for the ensuing year.

Article 2: Passed Unanimously by Show of Hands

ARTICLE 3: A motion was made and seconded to see if the town will vote to **amend the General By-laws at Article III, General Government - Section 18, Planning Board**, by adding the following to the end of said section:

The Planning Board shall have authority to hire such legal counsel as it deems necessary and appropriate, subject to a prior appropriation of Town Meeting specifically for such purpose.

*Article 3: Passed by Show of Hands
Not Unanimous*

ARTICLE 4: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for the conduct of **General Government**, including the charges and expenses of the various town offices, and compensation for elected and appointed officials for the 2014 fiscal year.

Administration

| | |
|---|-----------------------------|
| Legal Expenses | 12,000.00 |
| General Administration | 28,000.00 |
| Town Officer Expenses | 2,000.00 |
| Print Town Reports | 4,600.00 , 2,600 |
| Municipal Audit | 7,500.00 |
| Town Coordinator Salary | 60,817.00 |
| Administrative Assistant Compensation | 13,000.00 |
| IT Hardware/Software | 10,350.00 |
| Tax Collector's Operations | 7,008.00 |
| Election/Teller Expenses | 4,000.00 |
| Registrars & Census Takers Compensation | 350.00 |
| Assistant Treasurer Compensation | 100.00 |
| Bank Charges/Loan Interest | 750.00 |
| Bonding and Insurance | 45,000.00 |

| | | |
|--|------------------|--------------------------------------|
| Town-wide Notification System | 1,000.00 | |
| Municipal Center Operations/Maintenance | 15,420.00 | |
| Town Hall Custodian Wages | 6,620.00 | |
| Town Hall Fuel Oil | 6,000.00 | |
| Town Hall Electricity | 8,000.00 | |
| Town Hall Elevator Maintenance Contract | 3,380.00 | |
| Energy Committee Operations | 250.00 | |
| Council on Aging | 4,000.00 | |
| <u>Conservation Commission Operations</u> | <u>500.00</u> | |
| Subtotal Administration | 240,645.00 | |
| Assessors' Office | | |
| Assessors' Clerk Compensation | 9,356.00 | |
| Assessors' Operations | 8,000.00 | |
| <u>Assessors' Triennial Revaluation</u> | <u>15,000.00</u> | |
| Subtotal Assessors' Office | 32,356.00 | |
| Planning Board | | |
| Planning Board Operations | 1,250.00 | |
| Planning Board Consulting Expenses & Independent Counsel | 5,000.00 | |
| <u>Planning Board Goal Post Operations</u> | <u>10,100.00</u> | |
| Subtotal Planning Board | 16,350.00 | |
| Stipends | | |
| Moderator Stipend | 419.00 | |
| Selectmen Stipends | 5,657.00 | |
| Assessors Stipends | 5,187.00 | |
| Treasurer Stipend | 7,982.00 | |
| Tax Collector Stipend | 7,281.00 | |
| <u>Town Clerk Stipend</u> | <u>7,281.00</u> | |
| Subtotal Stipends | 33,807.00 | |
| Veterans Services | | |
| Veterans' District Services Assessment | 500.00 | |
| Operations | 450.00 | |
| <u>Veterans' Benefits</u> | <u>100.00</u> | |
| Subtotal Contracted Services | 1,050.00 | |
| Contracted Services | | |
| FRCOG Cooperative Purchasing Program | 1,391.00 | |
| FRCOG Accounting Program | 24,045.00 | |
| Payroll Services | 4,250.00 | |
| FCCIP Inspection Program (Building, Wiring, Plumbing, Gas) | 3,500.00 | |
| <u>IT Consultant</u> | <u>6,500.00</u> | |
| Subtotal Contracted Services | 39,686.00 | |
| Regional Assessments | | |
| FRCOG Regional Services Assessment | 11,390.00 | |
| <u>FRCOG Statutory Assessment</u> | <u>8,449.00</u> | |
| Subtotal Regional Assessments | 19,839.00 | |
| Subtotal General Government From Taxation | | 383,733.00 381,733 |

Recommended by the Finance Committee

Selectboard member Paul McLatchy III asked for a *sense of the meeting* questioning whether the citizens are "happy" with the Town Report for 2012. Printing the Town Report in-house saved approximately \$2000.

Sense of the meeting showed that a majority of the audience was in approval.

A motion was made and seconded to amend Article 4: Administration- Print Town Reports to \$2,600

Motion to Amend Article 4: Passed by Show of Hands

Not Unanimous

Article 4 as Amended: Passed Unanimously by Show of Hands

ARTICLE 5: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the sum of **\$20,000.00** to be used as a **Reserve Fund** for extraordinary or unforeseen expenditures for the 2014 fiscal year.

Requested and Recommended by the Finance Committee

Article 5: Passed by Show of Hands

Not Unanimous

TOTAL GENERAL GOVERNMENT FROM TAXATION **~~403,733.00~~ 401,733**

ARTICLE 6: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for the operation and maintenance of **Public Works and Facilities** for the 2014 fiscal year.

Highway Department

| | |
|--|------------------|
| DPW Superintendent's Salary | 80,291.00 |
| DPW Heavy Equipment Operators' Wages | 180,662.00 |
| DPW Operations & Maintenance | 31,930.00 |
| DPW Heating Oil | 5,500.00 |
| DPW Electricity | 1,500.00 |
| Fuel for Town Vehicles | 40,000.00 |
| Road Surface Maintenance/Reclamation | 50,000.00 |
| Annual DPW Projects | 43,050.00 |
| <u>Snow & Ice Removal (Winter Roads)</u> | <u>68,612.00</u> |
| Subtotal Highway Department | 501,545.00 |

Other Public Works & Facilities

| | |
|--|-----------------------------|
| Summer Youth Employment Program | 25,500.00 25,934 |
| Street Lighting | 5,253.00 |
| <u>Municipal Light Plant</u> | <u>1,000.00</u> |
| Subtotal Other Public Works & Facilities | 31,753.00 |

Cemeteries - Cemeteries – Maintenance/Repair 15,000.00

TOTAL PUBLIC WORKS & FACILITIES FROM TAXATION **548,298.00–548,732**

Recommended by the Finance Committee, with a 1.7% increase to the Summer Youth Employment Program [\$25,934...increase of \$434]

A motion was made and seconded to amend Other Public Works & Facilities- Summer Youth Employment Program to \$25, 934

***Motion to Amend Article 6 : Passed by Show of Hands
Not Unanimous
Article 6 as Amended: Passed by Show of Hands
Not Unanimous***

ARTICLE 7: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for **Public Safety** for the 2014 fiscal year.

Police Department

| | |
|------------------------------|-----------------|
| Police Chief Stipend | 13,224.00 |
| Police Officers Compensation | 20,654.00 |
| <u>Operations</u> | <u>7,050.00</u> |
| Subtotal Police Department | 40,928.00 |

Fire Department

| | |
|--------------------------------------|-----------------|
| Fire Chief Stipend | 7,281.00 |
| Fire Officers Stipends | 5,690.00 |
| Fire Department Administrative Clerk | 3,688.00 |
| Firefighter Stipends | 7,638.00 |
| Fire Department General Operations | 16,602.00 |
| Fire Station Heating Oil | 4,300.00 |
| Fire Station Electricity | 2,000.00 |
| Emergency Management | 1,000.00 |
| Forest Fire Control | 100.00 |
| <u>Hazardous Material Control</u> | <u>1,000.00</u> |
| Subtotal Fire Department | 49,299.00 |

Emergency Medical Services

| | |
|---------------------------------------|-----------------|
| EMS Coordinator Stipend | 2,119.00 |
| Emergency Personnel Stipends/Expenses | 6,000.00 |
| <u>EMS Operations and Maintenance</u> | <u>1,500.00</u> |
| Subtotal Emergency Medical Service | 9,620.00 |

Animal Control and Inspection

| | |
|---|---------------|
| Animal Control Officer Stipend | 628.00 |
| Regional Dog Control/Adoption Center Membership | 700.00 |
| <u>Animal Inspector Stipend</u> | <u>524.00</u> |
| Subtotal Animal Control and Inspection | 1,852.00 |

Constable Stipend 524.00

TOTAL PUBLIC SAFETY FROM TAXATION **102,222.00**

Recommended by the Finance Committee
Article 7: Passed Unanimously by Show of Hands

ARTICLE 8: A motion was made and seconded to see if the Town will vote to **RAISE** and **APPROPRIATE** to the **STABILIZATION FUND** the sum of **\$3,000.00** for future ambulance services.

Note: Two-thirds vote is required to pass Articles involving Stabilization funds.
Recommended by the Finance Committee

Article 8: Passed by Show of Hands
Not Unanimous

ARTICLE 9: A motion was made and seconded to see if the Town will vote to **RAISE** and **APPROPRIATE** the following sums for **Public Health and Sanitation** for the 2014 fiscal year.

| | |
|---|---------------|
| Transfer Station Attendant Compensation | 15,253.00 |
| Household Hazardous Waste Collection Day | 500.00 |
| Refuse Garden Operations | 33,000.00 |
| Franklin County Solid Waste Mgmt. District Assessment | 2,135.00 |
| Board of Health Stipend | 4,714.00 |
| Board of Health Clerk Wages | 6,958.00 |
| Board of Health Operations | 16,000.00 |
| Town Nurse Wages | 42,697.00 |
| Health Services Operations | 6,500.00 |
| <u>Physician's Stipend</u> | <u>500.00</u> |

TOTAL PUBLIC HEALTH AND SANITATION FROM TAXATION **128,257.00**
Recommended by the Finance Committee

Article 9: Passed by Show of Hands
Not Unanimous

ARTICLE 10: A motion was made and seconded to see if the Town will vote to authorize the Board of Health, pursuant to MGL Chapter 44, Section 53E½, to use a **revolving fund with a limit of \$5,000.00** for fiscal year 2014 to accept receipts related to the Town's recycling program and expenditures for the operation of the Town's solid waste and recycling programs, membership in and services in the Franklin County Solid Waste Management District, and the purchase of recycled content or environmentally preferable products, to be under the authority of the Board of Health, in which any remaining funds may be rolled over into a similar revolving fund for fiscal year 2015.

Requested by the Board of Health & Recommended by the Finance Committee

Article 10: Passed Unanimously by Show of Hands

ARTICLE 11: A motion was made and seconded to see if the Town will vote to authorize the Board of Health, pursuant to MGL Chapter 44, Section 53E½, to use a **revolving fund with a limit of \$3,500.00** for the 2014 fiscal year to accept receipts from the Medicare Roster Billing Program for the purpose of **providing vaccine services**, in which any remaining funds may be rolled over into a similar revolving fund for fiscal year 2015.

Requested by the Board of Health & Recommended by the Finance Committee

Article 11: Passed Unanimously by Show of Hands

ARTICLE 12: A motion was made and seconded to see if the Town will vote to **RAISE** and **APPROPRIATE** the following sums for **Preschool through Sixth grade (PreK-6) Public Schools** for the 2014 fiscal year.

School Committee Stipend **4,357.00**

Rowe School Local Budget

| | |
|--|---------------------|
| Administration | 8,525.00 |
| Instructional | 753,780.00 |
| Operations | 120,220.00 |
| Student Support Services | 95,443.00 |
| Technology | <u>5,984.00</u> |
| Subtotal Rowe School Local | 983,952.00 |
| Less Estimated School Choice Receipts (Teacher Salaries) | <u>(160,287.00)</u> |
| PreK-6 Rowe School Local Operating Budget | 823,665.00 |

Shared Services Budget

| | |
|--------------------------|-----------|
| Admin | 37,662.00 |
| Instructional | 24,196.00 |
| Operations | 2,693.00 |
| Student Support Services | 4,425.00 |
| Technology | 15,122.00 |

| | |
|---------------------------------|-------------------|
| Transportation | 52,989.00 |
| Benefits | 23,993.00 |
| Subtotal Shared Services | 161,080.00 |

TOTAL PreK-6 Budget **984,745.00**

Recommended by the Finance Committee

**Article 12: Passed by Show of Hands
Not Unanimous**

ARTICLE 13: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for **Seventh through Twelfth grade (7-12) Public Schools** for the 2014 fiscal year, or take any action in relation thereto:

| | |
|---|-------------------|
| High School Budget (Mohawk/FC Tech) | |
| Instructional - Spanish Teacher | 15,000.00 |
| Mohawk Late Bus | 15,000.00 |
| Transportation Contracted | 50,011.00 |
| Tuition – Mohawk Trail Regional MS/HS (See note) | 287,388.00 |
| Tuition – Franklin County Technical HS (see note) | 67,000.00 |
| TOTAL 7-12 Public Schools from Taxation | 434,399.00 |

NOTE: Mohawk Tuition: 27 students @ \$10,644 = \$287,388
Franklin County Tech: 4 students @ \$16,000 + \$3,000 = \$67,000

TOTAL PUBLIC SCHOOLS FROM TAXATION **1,423,502.00**

Recommended by the Finance Committee

**Article 13: Passed by Show of Hands
Not Unanimous**

ARTICLE 14: A motion was made and seconded to see if the Town will vote to authorize the School Committee, pursuant to MGL Chapter 44, Section 53E½, to use a **revolving fund with a limit of \$10,000.00** for the 2014 fiscal year to accept fees for **School Programs** for the purpose of offsetting department costs, in which any remaining funds may be rolled over into a similar revolving fund for fiscal year 2015.

Requested by the School Committee & Recommended by the Finance Committee

Article 14: Passed Unanimously by Show of Hands

ARTICLE 15: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for the **Rowe Town Library** for the 2014 fiscal year.

| | |
|-------------------------------------|------------------|
| Library Director Compensation | 23,400.00 |
| Library Staff Wages | 16,365.00 |
| Library Operations and Maintenance | 18,511.00 |
| Library Heating Oil | 2,000.00 |
| Library Electricity | 1,600.00 |
| CWMARS Mininet Annual Membership | 3,567.00 |
| Library CWMARS Overdrive Assessment | 250.00 |
| TOTAL ROWE TOWN LIBRARY | 65,693.00 |

Recommended by the Finance Committee, with Library Staff Wages increase limited to 1.7% [\$15,944...diff (\$421)]

Article 15: Passed Unanimously by Show of Hands

ARTICLE 16: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for the **management and operation of Pelham Lake Park** for the 2014 fiscal year.

| | |
|---------------------------|--------------------------------------|
| Park Ranger Salary | 43,975.00 |
| Park Wages | 40,244.00 – 41,233 |
| Operation and Maintenance | 19,952.00 |
| TOTAL PARK | 104,171.00 105,160 |

Recommended by the Finance Committee, with a 1.7% increase to Park Wages [\$41,233...diff \$989]

A motion was made and seconded to amend Park Wages to \$41,233

**Motion to amend Article 16: Passed by Show of Hands
Not Unanimous
Article 16 as amended: Passed by Show of Hands
Not Unanimous**

ARTICLE 17: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums fiscal year 2014 for **Culture and Recreation** items.

| | |
|---------------------------------|-----------------|
| Gracy House Operations | 4,000.00 |
| Gracy House Materials/Supplies | 500.00 |
| <u>Beautification Committee</u> | <u>2,000.00</u> |
| TOTAL GRACY HOUSE | 6,500.00 |

Recommended by the Finance Committee

Article 17: Passed Unanimously by Show of Hands

ARTICLE 18: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums fiscal year 2014 for **Old Home Days**.

| | |
|-------------------------------|------------------|
| Old Home Day | 5,500.00 |
| <u>Old Home Day Fireworks</u> | <u>5,500.00</u> |
| TOTAL OLD HOME DAY | 11,000.00 |

Recommended by the Finance Committee

**Article 18: Passed by Show of Hands
Not Unanimous**

ARTICLE 19: A motion was made and seconded to see if the Town will vote to authorize the **Old Home Day Committee**, pursuant to MGL Chapter 44, Section 53E½, to use a **revolving fund with a limit of \$5,000.00** for the 2014 fiscal year to accept departmental receipts generated by Old Home Day activities and programs for the purpose of **defraying expenses of Old Home Day**, in which any remaining funds may be rolled over into a similar revolving fund for fiscal year 2015.

Requested by the Old Home Day Committee & Recommended by the Finance Committee

Article 19: Passed Unanimously by Show of Hands

| | |
|---|-------------------|
| TOTAL CULTURE AND RECREATION FROM TAXATION | 187,364.00 |
|---|-------------------|

ARTICLE 20: A motion was made and seconded to see if the Town will vote to **RAISE and APPROPRIATE** the following sums for **Pensions and Insurance** for the 2014 fiscal year.

| | |
|---------------------------------------|--------------------|
| Franklin County Retirement Assessment | 115,054.00* |
| Unemployment Insurance | 1,000.00** |
| Group Health Insurance | 390,000.00** |
| <u>FICA/Medicare Tax</u> | <u>39,000.00**</u> |

| | |
|--|-------------------|
| TOTAL PENSION & INSURANCE FROM TAXATION | 545,054.00 |
|--|-------------------|

- * Excludes pension costs for teachers in MA Teachers' Retirement
- ** Costs are for all applicable town & school employees

Recommended by the Finance Committee

**Article 20: Passed by Show of Hands
Not Unanimous**

ARTICLE 21: A motion was made and seconded to see if the Town will vote to **APPROPRIATE** from **FREE CASH** the sum of **\$82,669** to be used to **reduce the FY2014 tax rate**.

Recommended by the Board of Selectmen
Recommended by the Finance Committee: an amount adjusted to reflect 1.7% increases in
Wages as indicated in Articles 6, 15 & 16 [difference = \$1,002.00]

**Article 21: Passed by Show of Hands
Not Unanimous**

ARTICLE 22: A motion was made and seconded to see if the Town will vote to **APPROPRIATE** from the **CAPITAL STABILIZATION FUND**, the following sums **for capital equipment, repairs, and improvements**, or take any action in relation thereto:

| | | |
|---|-------------------|-------------------|
| <u>DPW – Mack Dump Truck & Sander</u> | <u>220,000.00</u> | |
| TOTAL CAPITAL STABILIZATION FUND | | 220,000.00 |

Finance Committee recommends the appropriation for the DPW—Mack Dump Truck & Sander

Note: Two-thirds vote is required to pass Articles involving Stabilization funds.

**Article 22: Passed by Show of Hands
Not Unanimous with Two (2) No Votes**

ARTICLE 23: A motion was made and seconded that the Town vote to authorize the Selectmen to acquire by purchase, gift, eminent domain or otherwise permanent and temporary easements located in the Town of Rowe in certain parcels of land adjacent to and/or contiguous to the "Monroe Bridge," so-called, or the "Depot Street Bridge," so-called, which joins Monroe Hill Road, in Rowe, and Depot Street, in Monroe, and crosses the Deerfield River, as depicted on certain plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Depot Street/Monroe Hill Road," revised through March 12, 2013, on file with the Town Clerk, and the permanent and temporary easements in parcels of land located within 200 feet of said parcels, as such additional areas may be shown on said plans, as hereinafter revised, for public way purposes, including, without limitation, permanent highway easements and easements for the construction of improvements and structures, and other related purposes, which will enable the Town to undertake the Monroe Bridge, also known as the Depot Street Bridge, reconstruction project; and as funding for such acquisitions and costs and expenses related thereto, to raise and appropriate, transfer from available funds, or borrow, or any combination thereof, a sum of money.

**Article 23: Passed by Show of Hands
Not Unanimous**

*Jennifer Morse
Town Clerk
June 6, 2013*

ARTICLE 24: A motion was made and seconded to see if the Town will vote to **change the office of Town Treasurer from elected to appointed**, in accordance with General Laws Chapter 41, Section 1B.

**Article 24: Defeated by Show of Hands
Not Unanimous**

ARTICLE 25: A motion was made and seconded to Table Article 5 which reads "To see if the Town will vote to **change the office of Town Tax Collector from elected to appointed**, in accordance with General Laws Chapter, Section 1B."

Article 25: Motion to Table Passed by Show of Hands

ARTICLE 26: Licensing Restriction By-law

A motion was made and seconded to see if the Town will vote to accept the provisions of **General Laws Chapter 40, Section 57** and to adopt the following General By-law in accordance with said statute to be added as **Article IV, Section 5:**

Section 5. LICENSING RESTRICTION BYLAW

A. Furnishing of list of delinquent taxpayers by Tax Collector.

The tax collector shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

B. Denial, revocation or suspensions of licenses and permits.

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

C. Payment agreements; limitations on license or permit.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said

license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

D. Waivers.

The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in G.L. c.268A, §1, in the business or activity conducted in or on said property.

E. Nonapplicability.

This bylaw shall not apply to licenses or permits for open burning (G.L. c.48, §13); bicycles (G.L. c.85, §11A); sales of articles for charitable purposes (G.L. c.101, §33); children work permits (G.L. c.149, §69); clubs or associations dispensing food or beverage licenses (G.L. c.140, §21E); dog licenses (G.L. c.140, §137); fishing, hunting, trapping licenses (G.L. c.131, §12); marriage licenses (G.L. c.207, §28); theatrical events and public exhibition permits (G.L. c.140, §181); and any other local license or permit which the Town chooses to exclude from this bylaw by further amendment to this bylaw.

**Article 26: Passed by Show of Hands
Not Unanimous**

ARTICLE 27: A motion was made and seconded to act on the following **Citizens' Petition:**

We, the undersigned voters of the Town of Rowe, petition that the above article be placed on the Town Meeting warrant for Monday, May 13th 2013.

To see if the Town will vote to amend the Town's Zoning Bylaw by adding new Article V, Section 2F, and Temporary Moratorium on the Construction of Large Scale Wind Energy Systems that would provide as follows:

Article V, Section 2F: Purpose

If the Town of Rowe becomes a target of interest for the construction of large scale wind energy systems, this could have a dramatic affect [on] the Town as a whole. The Town of Rowe is rural and there currently are no large scale wind energy systems in the Town. There is an identifiable community need to establish long-term zoning regulations to ensure that such uses and development will be consistent with the Town's long term planning interests. It is crucial that the Town act now to establish a temporary moratorium on the use of land and the construction of structures related to such large scale wind and the issuance of building permits in connection with the same.

Article V, Section 2G: Temporary Moratorium

Notwithstanding any other provision in the Town of Rowe Zoning Bylaw to the contrary, no building permit may be issued for the construction of any large scale large wind energy system of more than 35 kilowatts, until July 1, 2014. The purpose of this temporary moratorium is to allow sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives, or take any action related thereto.

Board of Selectmen member Paul McLatchy III noted that the Petition would have to be a sense of the meeting due to the requirements of the Town Bylaws to post a public hearing and vote at a Special Town Meeting prior to adopting the Temporary Moratorium. This information was confirmed by Town Counsel; Brian Riley.

Article 27: Sense of the meeting showed that the a majority of voters are in approval of a Temporary Moratorium.

ARTICLE 28: The Board of Selectmen would like a **Sense of the Meeting** on the following matter:

1. Shall the town seek the installation of a cell tower(s)?

Article 28: Sense of the meeting showed that a majority of voters are in approval of seeking the installation of a cell tower(s) with three no votes.

ARTICLE 29: To transact any other business that may lawfully come before the meeting.

MaryJo Fuller – Chair of the Rowe Park Commission noted that the new bridge on the Pelham Brook Trail has been installed with the hard work and dedication of Park Ranger Sean Loomis who received a round of applause.

Moderator Clancy reminded all audience members that Town Elections will be held on Saturday May 18, 2013 at the Rowe Town Hall from 8 a.m. – 3 p.m., that the Rowe School Building Committee will be holding another community forum on Wednesday May 15, 2013 at 6:30 p.m. at the Rowe Camp and Conference Center and that a Special Town Meeting will be held next Tuesday May 21, 2013 at the Rowe Fire Station at 6:30 p.m.

A motion was made and seconded to adjourn the Annual Town Meeting at 8:48 p.m. - **Unanimous**

Respectfully Submitted:

Jennifer A. Morse

Rowe Town Clerk

May 16, 2013

A true copy; attest
Jennifer A. Morse
June 6, 2013