ANNUAL TOWN MEETING – RESULTS

Town of Rowe
Commonwealth of Massachusetts
Monday, May 9, 2022 at 7:00 PM
Rowe Fire Station

Moderator: Robert Clancy
Town Clerk: Paul McLatchy III
Board of Selectmen: Chair Charles Sokol, Vice-Chair Joanne Semanie, Selectman Edward Silva
Finance Committee: Chair Daniel Pallotta, Loretta Dionne, Wayne Zavotka
Town Counsel: Jonathan Murray, Esq. – KP Law

The Annual Town Meeting was held on Monday, May 9, 2022 at the Rowe Fire Station, located at 4 Sibley Road.

The meeting was called to order at 7:00 PM by Moderator Clancy. In attendance were approximately thirty-nine (39) voters and five (5) guests. Moderator Clancy opened the meeting with the Pledge of Allegiance, followed by a moment of silence for those who had passed since the last annual town meeting: Jean-Claude van Itallie, Brian Donelson, Julian Boyd, Stanley Zielonka, Raymond Gallo, Jane Stetson, Angela Fraley Foshay, James Davidson, and Mary "Betty" Lenth.

Moderator Clancy read out a brief greeting welcoming voters to the town meeting. He thanked town employees and officials for their work in getting town meeting ready and the Municipal Light Plant for ensuring high-speed internet availability during the pandemic. Both groups received a round of applause. He then informed voters of the rules of the meeting. Tellers were not appointed. Moderator Clancy asked for a sense of the meeting to permit certain department heads that are not registered voters to speak during the meeting. No objections were noted.

Assessors Chair Rick Williams spoke to the impact on FY23 taxes. If all articles were approved as presented on the warrant, taxes will increase approximately $0.19 per thousand, or 3.5%. He noted that the real estate market is particularly volatile and that the town is in a reval year.

Moderator Clancy turned to the Board of Selectmen for comments. No comments were made at this time. Moderator Clancy then read out the warrant greeting.

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

Passed by Show of Hands, Unanimous

ARTICLE 2: A motion was made and seconded that the town vote to authorize, pursuant to M.G.L. c.44 §53E½ and the Town of Rowe General Bylaws, the following sums for revolving funds:

Revolving Fund	Entity Authorized to Spend from Fund	Fees, Charges, or Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Fiscal Years
Emergency Dispensing Site	Board of Health	Receipts Related to the Emergency Dispensing Site Operations	Dispensing medicines or medical supplies during an emergency	Limit of $1,000.00	Fiscal Year 2023
Recycling Program	Board of Health	Receipts Related to the Recycling Program	Operation of solid waste and recycling programs, membership in and services of the Franklin County Solid Waste Management District, and the purchase of recycled content or environmentally preferable products	Limit of $5,000.00	Fiscal Year 2023
Vaccine Services	Board of Health	Receipts from Insurance Billing	Vaccine Services	Limit of $6,000.00	Fiscal Year 2023
School Programs	School Committee	Fees for School Programs	Offset Department Costs of School Programs	Limit of $10,000.00	Fiscal Year 2023
Old Home Day	Old Home Day Committee	Receipts Generated by Old Home Day Activities and Programs	Expenses of Old Home Day	Limit of $2,000.00	Fiscal Year 2023

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Refuse Garden	Board of Health	Receipts Related to the Refuse Garden Operations	Operation of the town Refuse Garden	Limit of $5,000.00	Fiscal Year 2023 and Subsequent Years
Planning Board Legal/ Consulting	Planning Board	Receipts Related to Fees for Special Permits and Other Work of the Planning Board	Legal consultation and representation	Limit of $50,000.00	Fiscal Year 2023 and Subsequent Years
Park Programs	Park Commission	Receipts Related to Park Programs	Operation of programs run by the Pelham Lake Park	Limit of $2,000.00	Fiscal Year 2023 and Subsequent Years

Passed by Show of Hands, Unanimous

ARTICLE 3: A motion was made and seconded that the town vote to authorize the Board of Selectmen to apply for, accept, and expend federal and state grants as may be available.

Passed by Show of Hands, Unanimous

ARTICLE 4: A motion was made and seconded that the town vote to authorize the treasurer to enter into compensating balance agreements during the 2023 fiscal year, pursuant to M.G.L. c.44 §53F.

Passed by Show of Hands, Unanimous

ARTICLE 5: A motion was made and seconded to appropriate from taxation the following sums and to set the stipends/salary compensation for all elected officials of the town as provided by M.G.L. c.41 §108, to be made effective from July 1, 2022:

Elected Boards & Committees:

Board of Assessors (3) $5,354.00
Board of Health (3) $4,938.00
Board of Selectmen (3) $5,928.00
School Committee (3) $4,564.00

Elected Town Officers

Constable $549.00
Moderator $439.00
Town Clerk $13,835.00

TOTAL ELECTED OFFICIALS SALARIES FROM TAXATION $35,607.00

Passed by Show of Hands, One (1) No Vote

ARTICLE 6: A motion was made and seconded to appropriate from taxation the sum of $103,200 for the purpose of paying down principal on the broadband debt and interest on indebtedness for the 2023 Fiscal Year.

Passed by Show of Hands, Unanimous

ARTICLE 7: A motion was made and seconded to appropriate from taxation the following sums for the conduct of general government, including the charges and expenses of the various town offices, for the 2023 Fiscal Year:

Administration

General Administration $129,672
Municipal Audit $8,000
Executive Secretary $56,227
Administrative Assistant to the Boards $42,033
Town Hall Custodian Wages $13,260
Custodian Expenses $4,775
Legal $8,000**
Tax Collector Legal Expense $10,000**
Tax Collector Salary $15,080
Tax Collector Operations $9,000
Treasurer Salary $45,240
Treasurer Operations $10,250

Assistant Town Clerk Stipend		$1,200
Town Clerk Expenses		$6,205
Conservation Commission	~~$1,180~~	$1,880*
Council on Aging		$3,800
Goal Post Editor Wages		$6,432
Goal Post Operations		$2,500
Veteran's Services		$4,831
FRCOG Services		$32,332
Town Accountant Salary		$45,482
Town Accountant Expenses		$4,170
Subtotal Administration	~~$459,669~~	$460,369*

Board of Assessors

Assessors' Clerk Wages	$13,000
Assessors' Reval/Annual Updates	$28,600
Assessors' Operations	$7,950
Subtotal Board of Assessors	$49,550

Planning Board

Planning Board Operations	$1,500

TOTAL GENERAL GOVERNMENT FROM TAXATION ..... ~~$510,719~~ $511,419*

A motion was made and seconded to amend the article to read "Conservation Commission- $1,880". The motion to amend passed with one (1) no vote.

****See Article 8 for Changes.***

Article as Amended Passed by Show of Hands, Unanimous

ARTICLE 8: A motion was made and seconded to have the Town vote to aggregate all funds appropriated for legal expenses, excluding Assessors Consultant/Legal Support, to one combined Town Legal Expense account.

Motion Passed by Show of Hands, Not Unanimous

ARTICLE 9: A motion was made and seconded to appropriate from taxation the sum of $20,000 to be used as a reserve fund, pursuant to M.G.L. c.40, §6 for the extraordinary or unforeseen expenditures for the 2023 Fiscal Year.

Passed by Show of Hands, Unanimous

ARTICLE 10: A motion was made and seconded to appropriate from taxation the following sums for the operation and maintenance of public works and facilities for the 2023 Fiscal Year:

Highway Department

DPW Salaries and Wages	$329,059
DPW Operations	$221,915
Winter Roads	$68,612
Subtotal Highway Department	$619,586

Other Public Works & Facilities

Street Lighting	$5,500
Municipal Light Plant Manager Stipend	$7,400
Dam Maintenance/Repair	$1,200
Subtotal Other Public Works & Facilities	$14,100

Cemetery Commission

Cemetery Operations	$15,250

TOTAL PUBLIC WORKS & FACILITIES FROM TAXATION $648,936

Passed by Show of Hands, Unanimous

ARTICLE 11: A motion was made and seconded that the town vote to appropriate from any available fund the sum of $141,139 for the maintenance, repair, improvement, and construction of town highways, or any other purpose allowed under Chapter 90, which amounts shall be reimbursed by the Commonwealth of Massachusetts through funds made available by Chapter 90.

Passed by Show of Hands, Unanimous

ARTICLE 12: A motion was made and seconded to appropriate from taxation the following sums for public safety for the 2023 Fiscal Year:

Police Department

Police Salaries	$65,041
Police Officer Training	$3,325
Police Operations	$12,700
Subtotal Police Department	$81,066

Fire Department

Fire Department Stipends & Wages	$36,671
Fire Department Operations	$46,500
Subtotal Fire Department	$83,171

Emergency Management

Emergency Management Stipends	$3,864
Emergency Management Operations	$1,000
Generator Maintenance	$3,500
Subtotal Emergency Management	$8,364

Animal Control and Inspection

Animal Control Stipends	$1,157
Animal Inspector Stipend	$532
Regional Dog Kennel	$350
Subtotal Animal Control	$2,039

TOTAL PUBLIC SAFETY FROM TAXATION $174,640

Passed by Show of Hands, Unanimous

ARTICLE 13: A motion was made and seconded to appropriate from taxation the following sums for public health for the 2023 Fiscal Year:

Public Health

Health Department Stipends and Wages	$79,964
Board of Health Operations	$68,094

TOTAL PUBLIC HEALTH FROM TAXATION $148,058

Passed by Show of Hands, Unanimous

ARTICLE 14: A motion was made and seconded to appropriate from taxation the following sums for public schools for the 2023 Fiscal Year:

Education

Rowe School PreK-6 Operating Budget	$1,173,281
Rowe School Secondary 7-12	$516,370

TOTAL PUBLIC SCHOOLS FROM TAXATION $1,689,651

Passed by Show of Hands, Unanimous

ARTICLE 15: A motion was made and seconded to appropriate from taxation the following sums for Rowe Town Library for the 2023 Fiscal Year:

Rowe Town Library

Library Wages	$49,850
Library Operations	$25,477
TOTAL ROWE TOWN LIBRARY FROM TAXATION	**$75,327**

Passed by Show of Hands, Unanimous

ARTICLE 16: A motion was made and seconded to appropriate from taxation the following sums for management and operation of Pelham Lake Park for the 2023 Fiscal Year:

Pelham Lake Park

Park Wages	$108,793
Park Operations	$22,550
TOTAL PELHAM LAKE PARK FROM TAXATION	**$131,343**

Passed by Show of Hands, One (1) No Vote

ARTICLE 17: A motion was made and seconded to appropriate from taxation the sum of $500 for Beautification.

Passed by Show of Hands, Unanimous

ARTICLE 18: A motion was made and seconded to appropriate from taxation the following sums for pensions and insurance for the 2023 Fiscal Year:

Pensions and Insurance

Franklin County Retirement Assessment	$160,749
Unemployment Insurance	$20,000
Group Health/Dental/Life Insurance	$620,000
Medicare Tax – Town Share	$27,000
TOTAL PENSIONS AND INSURANCE FROM TAXATION	**$827,749**

Passed by Show of Hands, Unanimous

ARTICLE 19: A motion was made and seconded to appropriate from Free Cash the following sums for special projects:

PARK	(To purchase and equip) UTV/Accessories	$36,000
ASSESSORS	Consultant/Legal Support	$50,000
TOTAL SPECIAL PROJECTS FROM FREE CASH		**$86,000**

Passed by Show of Hands, Not Unanimous

ARTICLE 20: A motion was made and seconded to appropriate from free cash the sum of $8,000 for the town's share of the purchase price of a Mini Excavator for the Park Department contingent on the balance being received from the Commonwealth of Massachusetts.

Passed by Show of Hands, Not Unanimous

ARTICLE 21: A motion was made and seconded to appropriate from taxation the sum of $25,000 to pay the Franklin County Retirement System in addition to the annual assessment.

Passed by Show of Hands, Not Unanimous

ARTICLE 22: A motion was made and seconded to borrow the sum of $1,850,000 for the purpose of resurfacing various public roadways, said funds are to be expended at the direction of the Board of Selectmen and the Department of Public Works, and to authorize the treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes that may be necessary for that purpose.

Note: Borrowing requires a 2/3 majority vote at a Town Meeting.
Passed by Show of Hands, Three (3) No Votes. Moderator declared 2/3 threshold met.

ARTICLE 23: A motion was made and seconded to borrow the sum of $50,000 for the purpose of various capital improvements at the Rowe School, said funds are to be expended at the direction of the School Committee.

A motion was made and seconded to amend the article to appropriate the funds from the Capital Stabilization Fund. Motion to amend passed by show of hands, with one (1) no vote.

Note: Appropriations from Stabilization Funds Requires a 2/3 Majority.

Motion as Amended Passed by Show of Hands, Not Unanimous.
Moderator declared 2/3 threshold met.

ARTICLE 24: A motion was made and seconded to borrow the sum of $100,000 for the purpose of Rehabilitating a Tennis Court at Pelham Park, said funds to be expended at the direction of the Board of Selectmen and the Park Department.

A motion was made and seconded to amend the article to appropriate the funds from the Capital Stabilization Fund. Motion to amend passed by show of hands, with two (2) no votes.

Note: Appropriations from Stabilization Funds Requires a 2/3 Majority.

Motion as Amended Passed by Show of Hands, with five (5) no votes.
Moderator declared 2/3 threshold met.

ARTICLE 25: A motion was made and seconded to transfer from Free Cash the sum of $174,427 to the General Stabilization Fund and transfer the sum of $58,142 to the OPEB Stabilization Fund.

Passed by Show of Hands, Six (6) No Votes.

ARTICLE 26: A motion was made and seconded to amend Article III, Section 5 of the Town's General Bylaws by replacing existing language with the following:

Section 5: Treasurer-Collector

a. The Board of Selectmen shall appoint a treasurer-collector for a term of three years, who shall be bonded, and who shall have all powers and duties under Massachusetts General Laws, Chapter 41.
b. The treasurer-collector may, with approval of the Board of Selectmen, appoint an assistant treasurer-collector in accordance with Massachusetts General Laws, Chapter 41, §39A.
c. The treasurer-collector shall retain all Municipal Lien Certificate fees as payment for his/her personal services.

A motion was made and seconded to amend the article by striking sub-section c from the proposed bylaw amendment. The motion to amend passed by show of hands, with two (2) no votes.

The Motion as Amended Passed by Show of Hands, With Two (2) No Votes.

ARTICLE 27: A motion was made and seconded to authorize the Board of Selectmen to accept a permanent easement from Jonathan A. Lively and Carol F. Lively, or the current owner, on property located at Petrie Road, which property is identified as Assessor's Parcel 407 0 020, described in a deed recorded with the Franklin County Registry of Deeds in Book 5956, Page 223, for the purpose of constructing, installing, maintaining and repairing equipment, wires, cables, conduits, and other appurtenances for the transmission of telecommunications and intelligence for a fiber optic internet network system, including an underground conduit having a length of 550 feet, more or less, in the approximate location shown on a plan, on file with the Town Clerk, which easement shall be on such terms and conditions as the Board of Selectmen deems appropriate.

Passed by Show of Hands, Unanimous

ARTICLE 28: A motion was made and seconded to amend the General Bylaws by inserting the following language as Article 29:

PROHIBITION AGAINST THE BURNING OF STRUCTURES

Section 1: Purpose

Public and private entities, including fire departments and fire training academies, have historically engaged in the practice of intentionally setting fire to abandoned and donated structures for the purpose of conducting training or research in fire protection or prevention. While this practice may provide some benefit to new and existing members of fire departments and fire training academies, the intentionally burning of structures poses a serious risk to air pollution (310 CMR 7.07), public safety, and sensitive populations, including nursing homes, rest homes, schools, residences of people with respiratory problems, and bed ridden individuals. This practice also increases the financial liability of the Town because of possible property damage from spreading fire, the increase in respiratory health risks, and the associated costs of the discharge and cleanup of hazardous wastes and materials. The purpose of this bylaw is to minimize the financial, environmental, health, and safety risks associated with the intentional burning of structures.

Section 2: Prohibition

No person or entity, public or private, shall intentionally set fire to, or cause, suffer, allow, or permit the opening burning of any structure within the Town for the purpose of training or research in fire protection or prevention.

Section 3: Exemptions

This Bylaw shall not apply to:

A. The open burning of a structure for the purpose of combating or backfiring an existing fire by persons affiliated with an official firefighting agency.

B. The demolition burning of a structure authorized by a forest warden, fire chief, or fire commissioner, as the case may be, under the provisions of General Laws Chapter 48, Section 13. However, no person or entity shall use the issuance of a demolition burning permit as a pretext to avoid compliance with Section 2 herein.

Section 4: Enforcement

The Board of Selectmen shall enforce this bylaw by filing a complaint or request for injunctive relief in a court of competent jurisdiction.

A motion was made and seconded to table Article 28.
The motion to table passed by show of hands, unanimous.

ARTICLE 29: A motion was made and seconded to adopt a new bylaw under Article III, Section 12 of the Town's General Bylaws:

Any individual appointed to a position that has not been sworn in by the Town Clerk, Moderator, or a Justice of the Peace within 60 days of their appointment shall be deemed to have declined the position.

Passed by Show of Hands, Not Unanimous

ARTICLE 30: A motion was made and seconded to accept Chapter 39, Section 23D of the Massachusetts General Laws, commonly referred to as the 'Mullin Rule', as follows:

Section 23D: Adjudicatory hearings; attendance by municipal board, committee and commission members; voting disqualification

Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.
(b) By ordinance or by-law, a city or town may adopt minimum additional requirements for attendance at scheduled board, committee, and commission hearings under this section.

Passed by Show of Hands, Not Unanimous

ARTICLE 31: To transact any other business that may lawfully come before the meeting.

- Town Clerk Paul McLatchy III reminded voters of the election this coming Saturday, to be held at the school from 10:00-2:00, and that there were multiple open seats on the ballot with no candidate: Board of Selectmen, Finance Committee (3 Years), Finance Committee (1 Year), and Park Commission.
- Laurie Pike, Park Commissioner, noted that Commissioner Christopher Hyytinen, who did not take out nomination papers, would be wiling to accept another term on the Commission if written in.
- Susan Tomlinson suggested the town reconsider and reexamine the concept of a community center, as there is currently no place for seniors to meet with the Gracy House closed.
- Mary Paige asked about whether the town has a dedicated facilities manager- someone who keeps track of the public buildings and inspects them on a regular basis. The Board of Selectmen indicated there wasn't.
- Selectman Edward Silva, who did not take out nomination papers, said he would be willing to serve another term if written in.

A motion was made and seconded to adjourn and passed unanimously. The meeting was closed at 8:49 PM.

Respectfully Submitted,

Paul McLatchy III, Town Clerk
May 14, 2021

A True Copy, Attest: _____
Rowe Town Clerk