

WARRANT
ANNUAL TOWN MEETING
TOWN OF WAREHAM

October 25, 2010

**The Wareham Board of Selectmen is looking for citizens
interested in serving on the following council, authority, board
and commission: As Of September 30, 2010.**

BIKE PATH COMMITTEE

BOARD OF HEALTH

CLEAN WATER COMMITTEE

COMMISSION ON DISABILITY

CONSERVATION COMMISSION, ASSOCIATE MEMBER

FENCE VIEWER

HISTORIC DISTRICT COMMISSION

MINOT FOREST COMMITTEE

OPEN SPACE COMMITTEE

PAY AS YOU THROW SUB-COMMITTEE

RECYCLING COMMITTEE

WAREHAM CULTURAL COUNCIL

ZONING BOARD OF APPEALS, ASSOCIATE

Any Wareham resident interested in serving will be considered for appointment thereto, if any application is filed setting forth the applicant's qualifications. Formal applications are available at the Selectmen's Office. Applications should be returned to the Selectmen's Office, Memorial Town Hall, 54 Marion Road, Wareham, MA 02571

Consent Agenda # 1

I move to approve Consent Agenda Number 1 which includes:

Article 9	Page 7	Rescind Borrowing for the Rosepoint, Briarwood Beach, Beaver Dam Sewer Project
Article 10	Page 7	Rescind Bond Authorization for Town Hall Roof
Article 11	Page 8	Rescind Bond Authorization for Great Neck Conservation Restriction

Consent Agenda #2

I move to table the following Articles included in Consent Agenda Number 2:

Article 21	Page 14	Collective Bargaining for Library Employees
Article 22	Page 14	Collective Bargaining for Dispatchers
Article 23	Page 15	Collective Bargaining for Foreman
Article 25	Page 16	Collective Bargaining for Police Union
Article 26	Page 16	Collective Bargaining for Municipal Maintenance Department and Town Custodians
Article 27	Page 16	Collective Bargaining for EMS Employees
Article 28	Page 17	Collective Bargaining for Steel Workers Unit 4
Article 29	Page 17	Collective Bargaining for Steel Workers Department Heads

Consent Agenda # 3

I move to approve Consent Agenda Number 3 which includes

Article 32 Page 18 Upgrades to Harbor Master Building and Pier

Article 33 Page 19 Road Sign Materials

Article 34 Page 19 Beach Maintenance

Consent Agenda # 4

I move to withdraw the Articles included in
Consent Agenda Number 4:

Article 31 Page 18 Adopt Section 66 of Chapter 188 – Early
Retirement

Article 35 Page 20 Annual Article for Line painting

Article 1

I move favorable action to reduce the FY2011 Budget by Seventy-Two Thousand Dollars and no Cents (\$72,000.00) as follows

Account Number	Department	As approved April Town Meeting	Reduction
10000-1-2950-1-0000-0000-510000-00	Treasurer/Collector's Salary and Wages	\$ 312,045	\$32,000
10000-1-1750-1-0000-0000-510000-00	Town Planner - Salary and Wages	\$176,130	\$33,000
10000-1-1550-2-0000-0000-510000-00	MIS - Expenses	\$ 187,017	\$7,000

And to transfer within the FY2011 \$41,000 as follows:

From: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-1-1410-1-0000-0000-510000-00	Assessor - Salary and Wages	\$ 283,915	\$21,000
To: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-1-1350-1-0000-0000-510000-00	Town Accountant - Salary and Wages	\$115,694	\$21,000
From: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-1-1550-1-0000-0000-520000-00	MIS – Expenses	\$ 187,017	\$ 3,000
10000-1-1990-1-000-000-510000-00	Sick Leave Bonus	\$135,000	\$ 1,000
10000-1-1410-1-0000-0000-510000-00	Assessor - Salary and Wages	\$ 283,915	\$ 2,000
To: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-1-1230-1-0000-0000-510000-00	Town Administrator – Salary and Wages	\$181,156	\$6,000
From: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-1-1990-1-000-000-510000-00	Sick Leave Bonus	\$135,000	\$ 14,000
To: Account Number	Department	As approved April Town Meeting	Amount Of Transfer
10000-2-2100-2-0000-0000-520000-00	Police - Expenses	\$334,700	\$14,000

Article 2

I move favorable action to reduce the FY2011 School Department budget net school spending Account Number 10000-3-3000-2-0000-0000-520000-00 by Eight Hundred Twenty- two thousand six hundred sixty and no cents (\$822,660.00) as approved at the April 28, 2010 Town Meeting Article 6 and to transfer from Free Cash to Account Number 10000-3-3000-2-0000-0000-520000-00 Four hundred fifteen thousand and no cents (\$415,000.00) to defray the reductions in Chapter 70 School Aid.

Article 3

I move favorable action by increasing the Water Pollution Control Enterprise Budget as approved at the April 28, 2010 Town Meeting Article 8 by Ninety-Six Thousand eight hundred sixty-four and no cents dollars (\$96,864.00) and to authorize the additional funds in estimated Wastewater Enterprise Revenue, in accordance with MGL Chapter 44, Section 53F-1/2 of Massachusetts General Laws to defray the operating and capital expenses of the Water Pollution Control Enterprise Fund.
Inserted by the Board of Selectmen

Article 4

I move favorable action to authorize the payment of fiscal years 2010 bills from Fiscal Year 2011 budget as follows:

10000-1-1230-1-0000-0000-520000 Town Administrator UMass Dartmouth - \$150.74;
10000-1-1230-1-0000-0000-520000 Town Administrator – IKON Office Solutions 99.84
10000-5-5430-2-0000-0000-578000 Wareham Free Library Random House Inc. 64.00
10000-6-6100-2-0000-0000-551100 Veteran Service South Coast physician 297.88

Article 5

I move favorable action to appropriate Seven hundred fifty Thousand Dollar and no cents (\$750,000.00) for communication and computer upgrades at Town Hall and the Police Station, as furthered described as follows:

Police Infrastructure Replacement Public Safety	\$350,000
Town Hall and Police Virtualization of Computer System	\$400,000

that to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow \$750,000 under Chapter 44 of the Massachusetts General Laws or any other enabling authority; and that the Board of Selectmen is authorized to take any other action to carry out this project.

Article 6

I move favorable action to transfer from free cash One Hundred Thirty Thousand Dollars and No Cents (\$130,000) to purchase the following equipment:

Chipper Municipal Maintenance Department	\$55,000
Replacement of Generator Multi-Service Building	\$75,000

Article 7

I move favorable action to appropriate Five Hundred Thousand Dollar and no cents (\$500,000.00) for the purchase of heavy equipment for the Municipal Maintenance department, as furthered described as follows:

Johnson Vac Sweeper	\$180,000
Catch Basin Truck	\$200,000
Backhoe 4X4 extended with attachments	\$120,000;

that to meet this appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow \$500,000 under Chapter 44 of the Massachusetts General Laws or any other enabling authority; and that the Board of Selectmen is authorized to take any other action to carry out this project.

Article 8

I move to appropriate Two Hundred Thousand and no cents (\$200,000.00) for the purpose of financing the following water pollution control abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Chapter 29C, Section 1 of the General Laws or any other enabling; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$200,000 and issue bonds or notes therefore under Chapter 111, Section 127B1/2 and/or Chapter 29C of the General laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town, that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof, and that the Board of Selectmen or Board of Health is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects.

Article 9

I move favorable action to rescind the unissued balance of \$1,000,800 from the Rosepoint, Briarwood Beach, Beaver Dam Estates sewer project approved at the October 28, 2003 Fall Annual Town Meeting

Article 10

I move favorable action to rescind the bond authorization approved under Article 25 of the October 22, 2007 Fall Town Meeting for the purposes of restoration of the slate roof of Memorial Town Hall, in the amount of one-hundred and seventy-nine thousand, two-hundred and thirteen dollars and sixty cents (\$179,213.60).

Article 11

I move favorable action to rescind the bond authorization approved under Article 26 of the October 22, 2007 Fall Town Meeting for the purposes of Open Space and Recreation for the acquisition by gift and/or negotiated purchase of the development rights and other rights associated with placing a perpetual Conservation Restriction on approximately 20+/- acres known as the Great Neck Conservation Project, Phase 2, in the amount of four-hundred thousand dollars (\$400,000).

Article 12

I move favorable action to: (1) appropriate from the Community Preservation Fund, Open Space Reserve Fund the sum of \$7,623 for payment for debt service on the bond issued for the acquisition of the property known as Bryant Farm, as authorized by the April 2004 Annual Town Meeting; and, (2) to appropriate the sum of \$106,928, with \$60,178 coming from the Historic Preservation Reserve Fund, and \$46,750 coming from the Community Preservation Fund unallocated fund balance for payment for debt service on the bond issued for the acquisition of the property known as Tremont Nail, as authorized by the April 2004 Annual Town Meeting.

Article 13

I move favorable action to transfer from the Community Preservation Fund FY 2011 estimated annual revenues to reserve for future appropriation the following sums: \$27,350 for the Affordable Housing Reserve, and to appropriate from the Community Preservation Fund FY 2011 estimated annual revenues the sum of \$14,860 for the administrative expenses of the Community Preservation Committee, all in accordance with the provisions of MGL c.44B, §6.

To the extent that there is any additional capacity left with regard to estimated annual revenues, you may wish to consider placing it in the budgeted reserve as suggested in the article. Doing so will allow the additional funds to be used at any time during the fiscal year. In contrast, if such action is not taken before the tax rate is set, the additional capacity will not be able to be used until it is certified as CPA “free cash” after the end of the fiscal year.

Article 14

I move favorable action to appropriate from the Community Preservation Fund Open Space Reserve, under the category of Open Space, the sum of \$129,682 and from the Community Preservation Fund unallocated fund balance \$95,318, for the acquisition by gift, purchase or otherwise of a fee simple interest in land described as Assessors Map 92, Lot 1003, containing 1.2 +/- acres, Assessors Map 92, Lot 1007; 30.04 +/- acres, and Assessors Map 92, Lot 1009, 17.30 +/- acres for a total of 49.5 +/- acres, known as Phase 1 of the Weweantic Corridor Project, and to authorize the Wareham Conservation Commission and/or the Board of Selectmen to acquire said parcels; and, further, to authorize the Wareham Conservation Commission and/or the Board of Selectmen to grant a nonprofit organization a Conservation Restriction in said property, all as recommended by the Community Preservation Committee for meeting the Open Space Goal of the Wareham Community Preservation Plan.

Article 15

I move no action to appropriate from the Community Preservation Fund unallocated fund balance under the category of Historic Preservation, the sum of \$13,000 for the preservation and/or restoration and rehabilitation of the historic Everett Educational Center, located at 15 Gibbs Ave, Wareham and shown as Assessor's Map 61, Lot 1175, through the undertaking of a so-called conditions assessment, and further, to transfer said parcel from the board with custody thereof for the purposes for which it is currently held, to that board for such purposes and also to the Board of Selectmen for purposes of conveying a historic preservation restriction in said property, and authorize the Board of Selectmen to convey to a nonprofit, charitable corporation or foundation an historic preservation restriction on the property

Article 16

I move favorable action to appropriate from the Community Preservation Fund unallocated fund balance, under the category of Historic Preservation, the sum of \$100,000 as a grant for the historic restoration and rehabilitation of the exterior of the historic Webster Hall, located at 207 Main Street, Wareham; and further, that a grant agreement between the Board of Selectmen and the owners of said Webster Hall shall provide that funds appropriated hereunder shall be provided only as matching funds for monies raised privately, and shall further require the owners of Webster Hall to grant to the Town a Historic Preservation Restriction on said building; and to authorize the Board of Selectmen to accept said restriction.

Article 17

I move favorable action to appropriate from the Community Preservation Affordable Housing Reserve Fund, the sum of \$80,000 for the acquisition by purchase or otherwise of two affordable housing restrictions, establishing two affordable housing units in Wareham, and to authorize the Board of Selectmen to acquire said restrictions; and further, that the purchase agreement between the Town and the owner of the units shall include a requirement that the creation and use of the units shall conform to the Local Initiative Program so that the restricted properties shall qualify as affordable housing for purposes of the subsidized housing inventory maintained by the Massachusetts Department of Housing and Community Development for the Town of Wareham.

ARTICLE 18

I move favorable action to Transfer from Free Cash Twenty thousand seven hundred fifty six and no cents (\$20,756.00) to fund the monetary portion of a Collective Bargaining Agreement between the Town and the Massachusetts Labor's Public Employees' Council Union 1249 of the Labor's International Union of North America Wareham Clerical Union.

Article 19

I move favorable action to Transfer from Free Cash Five Thousand four hundred sixty five and no cents (\$5,465.00) to fund the monetary portion of a Collective Bargaining Agreement between the Town and Massachusetts Labor's Public Employees' Council Union 1249 of the Labor's International Union of North America Wareham Wastewater Treatment Plant Union.

Article 20

I move favorable action to transfer from free cash Two thousand four hundred ninety four and no cents (\$2,494.00) to fund the Cost of Living Increase for Non-Union Employees.

Article 21

I move to table Article 21.

Article 22

I move to table Article 22.

Article 23

I move to table Article 23.

Article 24

I move favorable action to Transfer from Free Cash to fund Four Thousand nine hundred thirty six and no Cents (\$4,936.00) to fund the monetary portion of a Collective Bargaining Agreement between the Town and Wareham Superior Officers Union.

Article 25

I move to table Article 25.

Article 26

I move to table Article 26.

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Article 27

- I move to table Article 27.

Article 28

I move to table Article 28.

Article 29

I move to table Article 29.

Article 30

I move favorable action to Transfer from Free Cash One Hundred seventy seven thousand dollars and no cents (\$177,000) to have available funding of collective bargaining agreements that have not been settled.

Article 31

I move to withdrawn Article 31

Article 32

I move favorable action to transfer Forty Thousand and no cents (\$40,000.00) from the Harbor Service Permit Reserved for Appropriations Account, to the Harbormaster Maintenance and Improvement account.

Article 33

I move favorable action to transfer Six thousand dollars and no cents (\$6,000.00) from the Parking Meter Fund to the Municipal Maintenance Department Sign Materials account.

Article 34

I move favorable action to transfer
Nineteen thousand dollars and no cents
(\$19,000.00) from the Waterways
Improvement and Maintenance Fund to
the Harbors and Beaches Maintenance
account.

Article 35

I move to withdraw Article 35

Article 39

I move that the Town amend the Town Charter to allow residential property owners to serve on non elected committees and boards, as follows:

In Section 2-5 (a) Appointments add the following to the end of the section:

Owners of residential property located in Wareham may be appointed and shall be allowed to serve on non elected committees and/or boards

Article 41

I move that the Town amend the Town Charter to establish a seven-member Board of Road Commissioners by adding the following new section:

Section 3-9 Board of Road Commissioners

Composition, Term of Office - There shall be a board of road commissioners consisting of 7 voting members: 3 ex officio members, the Chief of Police, the Town Planner, and the Director of Public Maintenance, and 4 members appointed by the board of selectmen according to the merit principle, whose terms shall be 2 years each, with 2 of the appointee positions expiring each year.

Powers and Duties - The board of road commissioners shall act in accordance with the powers enumerated in Chapter 40, MA General Law, Section 22 and, as such, shall conduct a periodic review of public ways and shall make rules and orders for all traffic policies, including: speed limits, traffic control signs, regulation of heavy commercial vehicles, traffic and parking regulations, penalties and repeals. Insofar as these rules and orders are the same as the regulations, rules and order now in force in Wareham Municipal Traffic Code, they shall be deemed to be a continuation thereof. The board shall, furthermore, assume the responsibility of street marking, and house numbering as determined in the revised 10-26-2009 By-Laws of the Town of Wareham, Division III, Article 1.

Article 48

I move that the Town amend the Town Charter to establish a five-member, elected Board of Sewer Commissioners and that the Town vote to authorize the Board of Selectmen to petition within no more than 90 days after the approval of this article the General Court of the Commonwealth of Massachusetts to enact a special act providing for the Town of Wareham to remove the Board of Selectmen as Sewer Commissioners to be replaced by an elected Board of Sewer Commissioners. The following section to be added.

Section 3–7 Board of Sewer Commissioners

Composition, Term of Office - There shall be a board of sewer commissioners consisting of 5 members who shall be elected to terms of 3 years each, so arranged that the terms of as nearly an equal number of members as possible shall expire each year. Of these, at least three commissioners shall be sewer users and at least one shall be a non-sewer user.

Powers and Duties - The board of sewer commissioners shall make careful studies of the resources, possibilities and needs of the town as they relate to the availability of sanitary sewers and shall make plans for both the installation of a system of sanitary sewers and for the maintenance of a sanitary sewer system. The board of sewer commissioners shall develop a comprehensive or master plan for a town-wide system of sanitary sewers, setting forth, in graphic and textual form, policies to govern the future growth and development of the entire town.

Article 48

I move that the Town amend the Town Charter to establish a five-member, elected Board of Sewer Commissioners, by adding the following section:

Section 3–7 Board of Sewer Commissioners

Composition, Term of Office - There shall be a board of sewer commissioners consisting of 5 members who shall be elected to terms of 3 years each, so arranged that the terms of as nearly an equal number of members as possible shall expire each year. Of these, at least three commissioners shall be sewer users and at least one shall be a non-sewer user.

Powers and Duties - The board of sewer commissioners shall make careful studies of the resources, possibilities and needs of the town as they relate to the availability of sanitary sewers and shall make plans for both the installation of a system of sanitary sewers and for the maintenance of a sanitary sewer system. The board of sewer commissioners shall develop a comprehensive or master plan for a town-wide system of sanitary sewers, setting forth, in graphic and textual form, policies to govern the future growth and development of the entire town.

Article 48 Continued

The board of sewer commissioners shall, in conjunction with other land use bodies, assist in developing a long-range strategic plan for guiding town growth and development. The powers and authority of the board of sewer commissioners shall include oversight of the sewer enterprise fund, setting rates and charges for the use of the sanitary sewer system, ratification responsibility for the sewer business manager and providing advice to the board of selectmen relating to intergovernmental agreements concerning sanitary sewers. The day-to-day operation, care and maintenance of the sanitary sewers shall be under the supervision of the town administrator.

Appointments - Should there exist an opening on the board, for which there is no candidate, that position shall be filled by appointment by the Board of Selectmen and the existing members of the Board of Sewer Commissioners, such appointee to fill the position until the next election.

The appointment of a sewer superintendent shall be made by the town administrator and shall become effective on the fifteenth day following the day on which notice of the appointment is filed with the board of sewer commissioners, unless the board of sewer commissioners shall, within that period and by a majority vote of all of its members, reject such appointment or have earlier voted to affirm it.

Article 42

I move that the Town amend the Town Charter by eliminating the requirement for a personnel board from the charter, as follows:

Delete Section 2-5 (e) Personnel Board

In Section 4-2 (c) discussing the Powers and Duties of the Town Administrator remove the words:

He shall, in conjunction with the personnel board, be entrusted with the administration of a town personnel system, including, but not limited to, personnel policies and practices, rules and regulations, the personnel by-law, and all collective bargaining agreements entered into on behalf of the town.

And insert in place thereof the words:

He shall be entrusted with the administration of a town personnel system, including, but not limited to, personnel policies and practices, rules and regulations, and all collective bargaining agreements entered into on behalf of the town, and to maintain an up-to-date employee handbook.

Article 43

I move that the Town vote to amend the Town Charter by adding a residency requirement of 1 year for elected officers as follows:

In Section 3-1 (b) Eligibility remove the words:

Any voter shall be eligible to hold any elective town office.

And insert in place thereof the words:

Any voter, having been an inhabitant of the Town of Wareham for at least 1 year immediately preceding the day of the elections, shall be eligible to become a candidate for any elective town office.

Notwithstanding the above provisions, however: (i) the name of any person nominated for election to the elected office who will be able to comply with the above-requirements by the day of the election may appear on the ballot at that election as a candidate for the office; and (ii) a person who cannot meet the above-requirements by the day of the election shall not be deemed eligible for nomination to election to the office, and therefore may not appear on the ballot as a candidate for the office. No person elected to a Town office may be a public employee within the Town. A public employee or official may seek election to a Town office, but if elected, shall not be eligible to take office until after filing with the Town Clerk a resignation from such other position.

Article 45

I move that the Town amend the Town Charter to limit the eligibility of elected officials to be employed by the Town, as follows:

In Section 3-1 General Provisions add the section:

(f) Appointments to Certain Positions – No elected official shall be eligible for appointment to any municipal position of employment while holding office. No former elected official shall be so eligible for appointment to a municipal position of employment until the expiration of thirty days from the termination of his elected service. This section shall not apply if such appointment has first been approved by an annual meeting of the town.

Article 69

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Section Six, Town Meetings by adding the following text as paragraph three (3) of Section 6, as highlighted:

Section 6. No person elected Selectman on or after January 1, 1973, shall hold any other elective Town Office during his term of office as Selectman.

If a Selectman elected on or after January 1, 1973 holds any other Town elective office during his term of office as Selectman, the office held by him as Selectman shall thereupon become vacant.

No person elected Selectman may be an active employee of the Town during his term of office as Selectman. Upon qualification of office, the employee shall take a leave of absence or resign from said position with the Town of Wareham,

Article 70

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Town Meetings by adding the following Section 8, as highlighted:

Section 8. Members of the Board of Selectmen may act as a Liaison to assigned Boards and Committees as a non-voting member, except by Charter provision,

Article 46

I move to amend the Town Charter to clarify the duties and powers regarding day to day administration of the affairs of the town by the Board of Selectmen as follows:

In Section 3-2 (b) Powers and Duties remove the words:

...no individual member of the board of selectmen, nor a majority of it, shall, at any time, attempt to be involved in the day to day administration of the affairs of the town, but, shall, at all times, act only through the establishment of the said policy directives and guidelines which are to be implemented by officers and employees appointed or employed by it.

And insert in place thereof the words:

...no individual member of the board of selectmen, nor a majority of it, shall, at any time, attempt to issue orders, instructions, commands, or mandates to town employees involved in the administration of the affairs of the town, but shall at all times act by majority through the town administrator or the established policy directives and guidelines.

Article 49

I move that the Town amend the Charter to clarify the process for confirming appointments by the Town Administrator, as follows:

In Section 4-2 (b) remove the words:

Appointments made by the town administrator shall become effective on the fifteenth day following the day on which notice of the appointment is filed with the board of selectmen, unless the board of selectmen shall, within said period, by a majority vote of the full board, vote to reject any such appointment, or, has sooner voted to affirm it.

And insert in place thereof the words:

Within fifteen days following the day on which notice of the appointment is filed with the board of selectmen, the board of selectmen shall have the opportunity, by a majority vote of the full board, to affirm any such appointment, in which case the appointment becomes effective immediately, or to reject it. Should the board of selectmen choose neither to affirm or reject, on the fifteenth day, the appointment made by the town administrator shall become effective.

Article 50

I move that the Town amend the Town Charter to address the timing for the filling of a vacancy in the Town Administrator by adding, at the end of Section 4-1 Appointment, Qualifications, Term of Office the following words:

The board of selectmen shall fill a vacant Town Administrator position within 12 months.

Article 51

I move that the Town amend the Town Charter to limit the pay of the Town Administrator when removed from office, as follows.

In Section 4-4 (c) Removal and Suspension remove the words:

The town administrator shall continue to receive his salary until at least one month, but not more than three months after the date of the final resolution of removal, as the board of selectmen shall deem proper.

And insert in place thereof the words:

The town administrator shall continue to receive his salary until the date of his termination.

Article 52

I move to amend the Town Charter to require the Town Administrator to obtain the approval of the Board of Selectmen for changes in compensation of Town officers and employees, as follows .

In Section 4-2 (d) remove the words:

He shall fix the compensation of all town officers and employees appointed by the town administrator within the limits established by appropriation and the provisions of town by-laws.

And insert in place thereof the words:

He shall fix the compensation of all town officers and employees appointed by the town administrator within the limits established by appropriation, the provisions of town by-laws, and subject to the approval of the Board of Selectmen.

Article 56

I move that the Town amend the Town Charter to clarify the capital improvement plan procedure, as follows:

In Section 5-7 (a) Submission to the Town Administrator remove the words:

The town administrator shall submit a capital improvement program to the board of selectmen and the finance committee at least thirty days before the date fixed for the submission of his proposed budget.

And insert in place thereof the words:

The town administrator shall submit a capital improvement program approved by the board of selectmen to the finance committee at least thirty days before the date fixed for the submission of his proposed budget.

Article 57

I move that the Town amend the Town Charter to clarify the reorganization procedure, as follows:

In Section 6-3 Administrative Code remove the words:

The town administrator, after consultation with the board of selectmen, may from time to time prepare and submit to the town meeting plans of organization or reorganization, which establish town agencies for the orderly or convenient conduct of the business of the town.

And insert in place thereof the words:

The town administrator, after consultation with the board of selectmen, may prepare and submit to the town meeting plans of organization or reorganization, which establish town agencies for the orderly or convenient conduct of the business of the town.

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Article 57 Continued

In Section 6-3 Administrative Code remove the words:

A reorganization proposal may be amended or altered prior to its submission, by warrant article, to the next town meeting held following the public hearing. The town meeting at which the reorganization plan is submitted may vote only to approve or to disapprove of it, and may not vote to amend or to alter it in any way.

And insert in place thereof the words:

A reorganization proposal may be amended or altered prior to its submission, by the board of selectmen, to the next town meeting held following the public hearing. The town meeting at which the reorganization plan is submitted shall vote only to approve or to disapprove of it, and shall not vote to amend or to alter it in any way.

Article 58

I move that the Town amend the Town Charter to reduce the time between reviews, as follows:

In Section 7-1 (b) Periodic Review remove the words:

The board of selectmen shall, in every year which ends in nine, appoint a committee to review the charter, said committee shall submit a report, with recommendations, to the first annual town meeting that ends in zero, concerning any proposed amendments or revisions to the charter which it believes to be necessary or desirable. This article shall become effective in year 1999.

And insert in place thereof the words:

The Board of Selectmen shall at any time as may be deemed appropriate, but at least in January of every year which ends in a 5 or 0, appoint a committee of 9 members to review the town charter. The committee shall submit recommended changes to town meeting(s).

Article 59

I move that the Town amend the Town Charter to clarify the document storage location, as follows:

In Section 7-5 (b) Rules and Journal remove the words:

These rules and journals shall be a public record, kept available in a place convenient to the public, and a certified copy shall be kept available in the Wareham Free Library.

And insert in place thereof the words:

These rules and journals shall be a public record, kept available in the Office of the Town Clerk, and a certified copy shall be kept available in the Wareham Free Library.

Article 62

I move that the Town amend the Town Charter to clarify the appointing done by town officials as follows:

In Section 7-8 Notice of Vacancies and in Section 7-9 Removals and Suspensions remove in all instances in which they appear, the words:

“appointing authority”

And insert in place thereof the words:

“appointing official(s)”

Article 63

I move to amend the Town Charter to clarify the recall ballot and election, as follows:

In Section 7-10 (e) Propositions on Ballot remove the words:

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the propositions shall appear the word "candidates" and the names of candidates arranged alphabetically, by surname. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes on the question is in the negative, the ballots for candidates need not be counted, except as provided in (c) above.

And insert in place thereof the words:

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the propositions shall appear the word "candidates" and the direction to "vote for one", and beneath this the names of the candidates listed alphabetically by surname. If a majority of the votes cast upon the question of a recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of votes on the question are in the negative, the recall fails.

There shall be a separate proposition for each incumbent being recalled. Candidates must declare one, and only one, officer they choose to replace.

Article 63

(e) Propositions on ballot – Ballots used at a recall election shall state the
Following propositions in the order indicated:

For the recall of (name of officer)	/ /
Against the recall of (name of officer)	/ /

Candidate:
“voter for one”

Candidate A	/ /
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Candidate B	/ /
-------------	-----

Candidate C	/ /
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Article 64

I move that the Town vote to amend the Town Charter to change and clarify the restrictions on recalls, as follows:

In Section 7-10 Recall of Elected Officials remove the words:

- (g) Repeat of Recall Petition - No recall petition shall be filed against an officer within three months after he takes office, or in the case of an officer subjected to a recall election and not recalled thereby, until at least six months after the election at which his recall was submitted to the voters.

And insert in place thereof the words:

- (g) Restriction on Recall Petition - No recall petition shall be filed against any officer until at least 6 months following the commencement of a term of office, nor, in the case of an officer subjected to a recall election and not recalled thereby, during the remainder of the current term of office. A recall election shall not be held if less than 6 months of the term of office of the person whose recall is sought remains at the time of the certification of the petition forms.

Article 72

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Town Meetings, Section Two, which reads: "Town meetings shall be legally called and all petitions for insertion of articles in any warrant shall be in accordance with Section 2-4 of Article 2 of the Wareham Home Rule Charter."

AND ADD AS PARAGRAPH TWO:

Articles at the annual spring and fall town meeting and any special town meeting shall be taken up in order as drawn by the Town Clerk by lottery. Articles which are contingent upon action upon another article or articles shall be acted upon in succession. Further, those articles which the Board of Selectmen certifies to the Moderator are of such financial or emergency nature as to warrant action early in the town meeting, shall be exempt from the lottery provided by this section."

Article 74

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Section One, Town Meetings by adding the following Section 7:

Section 7. Proponents or sponsors of an article shall be responsible to present the article and motion at town meeting.

Article 75

I move favorable action to amend the By-laws of the Town of Wareham, Division VII, Article II, Community Preservation Committee, Chapter-1 Establishment, by changing the text as highlighted:

There is hereby a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee shall be as follows:

One member of the Conservation Commission as designated by the Commission for a term of three years.

One member of the Historical Commission as designated by the Commission for a term of three years.

One member of the Planning Board as designated by the Board for a term of three years.

One member of the Open Space Committee as designated by the Committee for an initial term of one year and thereafter for a term of three years.

One member of the Housing Authority as designated by the Authority for an initial term of two years and thereafter for a term of three years.

Article 36

I move that the Town amend the Town Charter to make minor changes to bring charter up-to-date and correct mistakes.

Remove the Summary of Articles section starting with the words:

SUMMARY OF ARTICLES

And ending with:

The signature lines and names.

In Section 1-2 Short Title remove the words:

This instrument shall be known and may be cited as the Wareham Home Rule Charter.

And insert in place thereof the words:

This instrument shall be known and may be cited as the Wareham Charter.

It is not likely that the “summary of articles” section is actually part of the charter.

Instead, it is more likely that such language was part of the “majority report” on the Charter. I recommend that they verify this before they vote on it.

Article 66

I move that the Town amend the Town Charter to add a citizen initiative provision, as follows:

Add Section 7-11 Citizen Initiative Petition with the words:

- (a) Commencement - Initiative procedures shall be started by the filing of a proposed initiative petition with the board of selectmen or the school committee, as the case may be. The petition shall be addressed to the board of selectmen or the school committee, as the case may be, shall contain a request for the passage of a particular measure which shall be set forth in full in the petition, and shall be signed by at least 250 voters, with at least 25 signatures certified from each precinct by the town clerk. The petition shall be accompanied by an affidavit signed by ten voters and containing their residential address stating they will constitute the petitioners committee and be responsible for circulating the petition and filing it in proper form.

Article 66 Continued

- (b) Referral to Town Counsel - The board of selectmen or the school committee, as the case may be, shall immediately following receipt of each proposed petition deliver a copy of the petition to the town counsel. The town counsel shall, within fifteen days after receipt of a copy of the petition, in writing, advise the board of selectmen or the school committee, as the case may be, whether the measure as proposed may lawfully be proposed by the initiative process and whether, in its present form it may be lawfully adopted by the board of selectmen or the school committee, as the case may be. If the opinion of the town counsel is that the measure is not in proper form, the reply shall state the reasons for this opinion in full. A copy of the opinion of the town counsel shall also be mailed to the person designated as clerk of the petitioners committee, and any further petition shall be submitted as a new petition under this section.

Article 66 Continued

- (c) Submission to Town Clerk - If the opinion of the town counsel is that the petition is in a proper form, the town clerk shall provide blank forms for the use of subsequent signers, and shall print at the top of each blank a fair, concise summary of the proposed measure, as determined by the town counsel, together with the names and addresses of the persons constituting the petitioners committee who signed the originating petition. Within thirty days after the date the blank forms are issued by the town clerk, the petitions shall be returned and filed with the town clerk signed by at least 10 percent of the total number of voters as of the date of the most recent town election. Signatures to an initiative petition need not all be on 1 paper but all papers pertaining to any 1 measure shall be fastened together and shall be filed as a single instrument, with the endorsement on them of the name and residence address of the person designated as filing the petition. With each signature on the petition there shall also appear the street and number of the residence of each signer. Within 10 days after the filing of the petition the board of registrars of voters shall ascertain by what number of voters the petition has been signed, and what percentage that number is of the total number of voters as of the date of the most recent town election. The town clerk shall attach to the petition a certificate showing the results of their examination and shall return the petition to the board of selectmen or the school committee, depending on how the petition is addressed. A copy of the board of registrars of voters' certificate shall also be mailed to the person designated as clerk of the petitioners committee.

Article 66 Continued

(d) Action on Petitions - Within thirty days after the date a petition has been returned to the board of selectmen or the school committee, as the case may be, and after publication as described in this charter under requirements for by-laws and other measures, the board of selectmen or the school committee, as the case may be, shall act with respect to each initiative petition by passing it without change, by passing a measure which is stated to be in lieu of the initiative measure, or by rejecting it. The passage of a measure which is in lieu of an initiative measure shall be considered to be a rejection of the initiative measure. If the board of selectmen or the school committee, as the case may be, fails to act with respect to any initiative measure that is presented to it within thirty days after the date it is returned to it, the measure shall be considered to have been rejected on the thirtieth day. If an initiative measure is rejected, the board of selectmen or the school committee, as the case may be, shall promptly give notice of that fact to the person designated as the clerk of the petitioners committee, by certified mail and the town clerk to initiate an initiative election.

Article 66 Continued

- (e) Initiative Election - Within 60 days after the date an initiative petition has been rejected the board of selectmen shall call a special election to be held on a date fixed by it not less than 35 or more than 90 days after the date the board of selectmen votes to call for the special election and shall submit the proposed measure, without alteration, to the voters for determination, but if any other town election is to be held within 120 days after the date of the board of registrars of voters' certificate, the board of selectmen may omit the calling of the special election and cause the question to appear on the election ballot at the approaching election for determination by the voters.
- (f) Publication - The full text of any initiative measure which is submitted to the voters shall be published in a local newspaper not less than 7 or more than 14 days preceding the date of the election at which the question is to be voted upon. Additional copies of the full text shall be available for distribution to the public in the office of the town clerk. Whenever a proposed measure would exceed in length 10 column inches of ordinary newspaper notice print, then, in lieu of publication in a local newspaper, the document may be published and made available not less than 14 days preceding the date of the election at which the question is to be voted on at the office of the town clerk in booklet or pamphlet form and this publication shall be considered sufficient notice. Whenever the board of selectmen or the school committee, as the case may be, provides for publication in a booklet or pamphlet in lieu of the newspaper publication, it shall, at least 14 days before the election at which the question is to be voted upon prepare and publish in a local newspaper a general summary of the proposed measure, and a notice stating the times and places at which copies of the booklet or pamphlet may be obtained by the public.

Article 66 Continued

(g) Form of Question - The ballots used when voting on a measure proposed by the voters under this section shall contain a question in substantially the following form:

Shall the following measure, which was proposed by an initiative petition, take effect?

(Here, insert a fair, concise summary prepared by the town counsel.)

- YES

- NO

(h) Time of Taking Effect - If a majority of the votes cast on the question is in the affirmative, the measure shall be deemed to be effective immediately, unless a later date is specified in the measure.

(i) None of the following shall be subject to the initiative procedures:

- (1) proceedings relating to the internal organization or operation of the town board of selectmen or the school committee;
- (2) the town budget or the school committee budget in whole or in part;
- (3) revenue loan orders;
- (4) any appropriation for the payment of the town's debt or debt service;
- (5) an appropriation of funds to implement a collective bargaining agreement;

Article 66 Continued

- (6) proceedings relating to the election, appointment, removal, discharge, employment, promotion, transfer, demotion, or other personnel action;
- (7) memorial resolutions and other votes constituting ordinary, routine matters.
- (j) The board of selectmen may of its own motion, and shall at the request of the school committee if a measure originates with that body and pertains to affairs under its jurisdiction, submit to the voters at any regular town election for adoption or rejection any measure in the same manner and with the same force and effect as is hereby provided for submission by petitions of voters.
- (k) If two or more measures passed at the same election contain conflicting provisions, only the one receiving the greatest number of affirmative votes shall take effect.

Article 73

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Town Meetings, Section Five, which reads:

“The duties of the Moderator and the government of the town meeting, not specially provided for by law, shall be determined by the rules of practice contained in Robert’s Rules of Order Revised (Seventy-Fifth Anniversary Edition) and Town Meeting Time, so far as they are adapted to the conditions and powers of the town..”

CHANGE TO:

“The duties of the Moderator and the government of the town meeting, not specially provided for by law, shall be determined by the rules of practice contained in Robert’s Rules of Order (latest edition), so far as it is adapted to the conditions and powers of the town.”

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Article 37

I move that the Town authorize the Board of Selectmen to petition within no more than 90 days after the approval of this article the General Court of the Commonwealth of Massachusetts to enact a special act amending the Wareham Town Charter to provide for the consideration of certain matters by ballot, as follows; provided, however, that the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the Bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public's objectives of this petition, or take any other action relative thereto:

- i) Annual and Special Town Meetings shall allow for certain articles, to be identified in advance of Town Meeting or at Town Meeting , to be voted on by Official Ballot in order to increase voter participation for the most important articles affecting town residents.
- ii) The Selectmen shall draft the petition to the legislature to include all necessary changes to the charter to accomplish the intent of this article.
- iii) The specific criteria for which articles shall go to Official Ballot are:
A provision that allows 50 registered voters to petition prior to Town Meeting for an article to go to Official Ballot.

Article 37 Continued

A provision that allows 25 registered voters to petition during Town Meeting for an article to go to Official Ballot.

- iv) Town Meeting will continue to be conducted in a manner similar to the current Town Meeting format, with the exception that final votes shall not be taken on any articles identified as Official Ballot articles. Amendments shall be allowed to any article to be voted on by Official Ballot, so long as they are germane and do not substantially change the intent of the original article, as determined by the Moderator.
- v) The Official Ballot vote will be scheduled to occur within 60 days of the end of Town Meeting on a date chosen by the Selectmen in accordance with state election laws. The ballot shall contain the amended versions of the articles and shall be conducted from 8:00 a.m. to 8:00 p.m. following the same balloting guidelines used for general town elections.
- vi) On the 5th anniversary of the first town meeting operated under the provision of this act, the Board of Selectmen shall place an article in the Warrant calling to affirm, modify or rescind the special act .

Article 37 Continued

The ballots used when voting on an article shall contain a question in substantially the following form:

Shall the following article, which was considered at the _____ Town Meeting be approved?

(Here, insert the text of the article, as amended)

- YES
- NO

Article 60

I move that the Town amend the Town Charter to limit eligibility for members of multiple member bodies to be employed by the Town, as follows:

In Section 7-5 Uniform Procedures Governing Multiple Member Bodies add a new section:

(C)Appointments to Certain Positions – No member of a multiple member body, whether elected, appointed or otherwise constituted, shall be eligible for appointment to any municipal position of employment while holding office. No former member of a multiple member body shall be eligible for appointment to a municipal position of employment until the expiration of thirty days from the termination of his service is complete. This section shall not apply if such appointment has first been approved by an annual meeting of the town.

Article 38

I move that the Town authorize the Board of Selectmen to petition within no more than 90 days after the approval of this article the General Court of the Commonwealth of Massachusetts to enact a special act amending the Wareham Town Charter to provide for the Town of Wareham to modify the size of the Board of Selectmen as follows; provided, however, that the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the Bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public's objectives of this petition, or take any other action relative thereto :

- i) Increase the number of selectmen from 5 to 7.
- ii) The Selectmen shall when drafting the petition to the legislature include:
 - A provision whereby a selectmen is elected from each of the 6 voting precincts in the Town.
 - A provision whereby a selectmen is elected at-large.
 - A provision to increase the number of selectmen in the case of an increase of the number of precincts.
 - A provision to provide for the transition to elect the 2 new selectmen and establish election terms for the new positions while allowing the existing selectmen to serve out their terms.

Article 47

I move that the Town authorize the Board of Selectmen to petition within no more than 90 days after the approval of this article the General Court of the Commonwealth of Massachusetts to enact a special act amending the Wareham Town Charter to modify the composition of the School Committee as follows ; provided, however, that the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the Bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public's objectives of this petition, or take any other action relative thereto:

i) Increase the number of School Committee members from 5 to 7.

ii) The Selectmen shall when drafting the petition to the legislature include:

A provision whereby a School Committee member is elected from each of the 6 voting precincts in the Town.

A provision whereby the chairman of the Board of Selectmen is, *ex officio*, the 7th voting member.

A provision to increase the number of School Committee members in the case of an increase of the number of precincts.

A provision to provide for the transition to elect the 1 new School Committee member and establish election terms for the new position while allowing the existing School Committee members to serve out their terms.

Article 40

I move that the Town amend the Town Charter to consolidate the responsibility for appointing town boards and committees by making the Board of Selectmen the appointing authority thereby ensuring those positions are filled by a broad group of elected officials, the Town authorizes the Board of Selectmen to petition within no more than 90 days after approval of this article the General Court of the Commonwealth of Massachusetts to enact a special act providing for the Town of Wareham 1 appointing authority for all Boards, Commissions and Committees as follows:

In Section 2-5 (b) Finance Committee, remove the words:

...appointed by an appointing authority which shall consist of the town moderator, who shall act as chairman, and the chairman of the board of selectmen and the chairman of the finance committee.

And insert in place thereof the words:

...appointed by the Board of Selectmen.

In Section 2-5 (c) Planning Board remove the words:

...appointed by an appointing authority consisting of the town moderator, who shall serve as chairman, the chairman of the board of selectmen and the chairman of the planning board. . The town may, by by-law, provide other conditions regarding such appointments.

Article 40

I move that the Town amend the Town Charter to consolidate the responsibility for appointing town boards and committees by making the Board of Selectmen the appointing authority thereby ensuring those positions are filled by a broad group of elected officials, as follows:

In Section 2-5 (b) Finance Committee, remove the words:

...appointed by an appointing authority which shall consist of the town moderator, who shall act as chairman, and the chairman of the board of selectmen and the chairman of the finance committee.

And insert in place thereof the words:

...appointed by the Board of Selectmen.

In Section 2-5 (c) Planning Board remove the words:

...appointed by an appointing authority consisting of the town moderator, who shall serve as chairman, the chairman of the board of selectmen and the chairman of the planning board. . The town may, by by-law, provide other conditions regarding such appointments.

Article 40 Continued

And insert in place thereof the words:

...appointed by the Board of Selectmen.

In Section 2-5 (d) Capital Planning Committee remove the words:

...three additional members appointed by an appointing authority which shall consist of the town moderator, who shall serve as chairman, the chairman of the Board of Selectmen and the chairman of the finance committee. The members from the finance committee and the planning board shall each serve for a term of one year, the other members shall be appointed for terms of three years, so arranged that the term of as nearly an equal number of members as is possible shall expire each year. The town may, by by-law, provide for other conditions regarding such appointments.

And insert in place thereof the words:

...three additional members appointed by the Board of Selectmen. The members from the finance committee and the planning board shall each serve for a term of one year, the other members shall be appointed for terms of three years, so arranged that the term of as nearly an equal number of members as is possible shall expire each year.

Article 40

- In Section 2-5 (e) Personnel Board remove the words:
- ... appointing authority consisting of the town moderator, who shall serve as chairman, the chairman of the board of selectmen and the chairman of the finance committee. The town may, by by-law, provide other conditions regarding such appointments.
- And insert in place thereof the words:
- ... appointed by the Board of Selectmen.

Article 71

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article IV, Insurance Policies, Town Accountant, Town Fees, Procurement, Finance Committee, Cemeteries, Council on Aging, Historic District Commission, Community Health Services, Section 5, by deleting the second sentence in Section Five (5):

“A committee consisting of the Moderator, the Chairman of the Board of Selectmen, and the Chairman of the Finance Committee.....”

And Replacing it with:

Section 5. There shall be a Finance Committee of nine members, who shall hold no other town office in or be a permanent employee of the Town. The Board of Selectmen shall appoint three members annually for a term of three years. In the event a person shall have served two full consecutive terms, he or she shall be ineligible for re-appointment to the Finance Committee for a period of one year. Vacancies shall be filled by the Board of Selectmen, within thirty days after they occur, for the balance of the unexpired term.

Article 67

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article I, Section One, Town Meetings: changing the date of the election and town meeting as stated below:

Section 1. The spring Town Meeting shall be construed to be the Annual Town meeting and shall be held on the first (1st) Tuesday of May of each year and the polls shall be opened at 8:00 o'clock A.M. and shall be closed not earlier than 12:00 o'clock noon, for the election of town officers designated in the official ballots and for voting questions or matters that may be properly submitted to vote in the official ballot. This meeting will be adjourned until the fourth (4) Monday of May at which time the general business of the town shall be transacted; in any year that Memorial Day occurs on the fourth Monday, the Town Meeting will begin the fourth (4th) Tuesday.

The Fall Town Meeting shall be held on the fourth Monday of October. (Article 14 of the October 21, 2002 Town Meeting; Approved by the Attorney General December 2, 2002).

The general business portion of the Spring and Fall Town Meetings shall be called to order at 7:00 o'clock P.M. and shall adjourn not later than 10:00 o'clock P.M., except that a meeting may be continued beyond 10:00 P.M. by a two-thirds vote of those present and voting. (Article 18 of December 5, 6, and 13, 1994 Special Town Meeting; Approved by Attorney General February 27, 1995).

Article 44

I move to amend the Town Charter to specify July 1st as the date for newly elected officers to begin their term, to add at the end of Section 3-1 (c), Town Election, the words:

All elected officials in the Town of Wareham shall begin their term on July 1.

Article 53

I move that the Town amend the Town Charter to clarify the role of the Town Administrator in the preparation and submission of the budget, as follows:

In Section 4-2 (h) remove the words:

He shall prepare and submit, in the manner provided in article 5, a proposed annual operating budget and a proposed capital outlay program.

And insert in place thereof the words:

He shall prepare a proposed annual operating budget and a proposed capital outlay program, which he shall submit to the board of selectmen for review and approval, and shall forward the approved budget proposal to the finance committee for recommendations. He shall make the approved budget available in the manner provided in article 5-3.

Article 53

In Section 5-3 Submission of proposed town budget replace the existing paragraph with:

Within 90 days prior to the date on which the town meeting is to meet in the spring of each year, but no later than the 28th of February, the town administrator shall have presented his proposed budget to the board of selectmen and made whatever adjustments are requested to obtain approval of the annual budget, and he shall have forwarded the approved budget proposal, with supporting documents and an accompanying budget message, to the finance committee for their recommendations. He shall simultaneously provide for the publication in a local newspaper of a general summary of the proposed budget and of a notice stating times and places where complete copies of the proposed budget are available for public examination.

In Section 5-4 Budget Message replace the existing paragraph with:

The town administrator shall submit a budget message with the proposed annual budget. He shall explain the budget for all town agencies, both in fiscal terms and in terms of work programs. He shall outline proposed financial policies of the town for the ensuing fiscal year and substantiate their adherence to established fiscal policy guidelines. He shall describe important features of the proposed budget and indicate any major variations from the current budget in financial policies, expenditures and revenues together with the reason for such changes. He shall summarize the town's debt position. He may include such other material as the town administrator deems desirable.

Article 53 Continued

In Section 5-6 (a) Public Hearing remove the words:

The finance committee shall, forthwith upon receipt of the proposed budget, provide for publication in a local newspaper of a notice stating the date, time and place, not less than seven nor more than fifteen days following such publication, when a public hearing shall be held by the finance committee on the proposed budget.

And insert in place thereof the words:

The town administrator shall, forthwith upon receipt of the approved proposed budget, provide for publication in a local newspaper of a notice stating the date, time and place, not less than seven nor more than fifteen days following such publication, when a public hearing shall be held on the proposed budget.

In Section 5-6 (b) Finance Committee Meetings remove the words:

The finance committee shall consider in public meetings the detailed expenditures for each town agency as proposed by the town administrator, and may confer with representatives of any such agency in connection with its considerations. The finance committee may require the town administrator or any other town agency to furnish to it such additional information as it deems to be necessary in furtherance of its responsibility.

And insert in place thereof the words:

Article 53 Continued

The finance committee shall consider the detailed expenditures for each town agency as proposed by the town administrator, and may confer with the relevant department head in connection with its considerations. The finance committee may require the town administrator or any department head to furnish to it such additional information as it deems to be necessary in furtherance of its responsibility. Not fewer than seven days prior to the date on which town meeting is to act on the proposed budget, the finance committee shall make public a report containing its recommendations for action on the proposed budget which shall be made available at the Town Clerk's office, the Wareham Free Library, and the town website.

In Section 5-6 (c) Presentation to Town Meeting remove the words:

The finance committee shall file a report containing its recommendations for action on the proposed budget which shall be available not less than seven days prior to the date on which the town meeting is to act on the proposed budget. When the proposed budget is before the town meeting for action it shall first be subject to amendments, if any, as may be proposed to it by the finance committee.

And insert in place thereof the words:

The Town Administrator shall present the proposed budget at the Town Meeting. The Town Administrator shall be prepared, if a hold is placed on the line item, to electronically display a full breakdown of the item.

Article 55

I move that the Town amend the Town Charter to clarify the school committee budget procedure, as follows:

In Section 5-2 (a) Submission to the Town Administrator remove the words:
The budget adopted by the school committee shall be submitted to the town administrator in sufficient time to enable him to prepare the total town budget he is required to submit by section 5-3.

And insert in place thereof the words:

The budget adopted by the school committee shall be submitted to the town administrator 90 days before the Town Administrator is required to submit the total town budget proposal to the Board of Selectmen for approval in accordance with section 5-3.

Article 55 Continued

In Section 5-2 (b) Public Hearing by School Committee remove the words:

... (2) the date, time and place, not less than seven days following such publication, when a public hearing will be held by the school committee concerning its proposed budget.

And insert in place thereof the words:

... (2) the date, time and place, not less than seven days following such publication, the School Committee shall conduct a joint meeting, to which the public is invited, at which the proposed budget shall be discussed. Invited participants shall include the Superintendent of Schools and the School Dept. business manager, the board of selectmen, the finance committee, and the town administrator and town accountant.

Article 68

I move favorable action to amend the By-laws of the Town of Wareham, Division I, Article IV, Insurance Policies, Town Accountant, Town Fees, Procurement, Finance Committee, Cemeteries, Council on Aging, Historic District Commission, Community Health Services, Section 6, by adding the following text:

Section 6. It shall be the duty of the Finance Committee to consider all warrant articles presented for town meeting related to the Town Budget. It shall be the duty of the Selectmen, immediately upon drawing up a town meeting warrant, to transmit a copy of such warrant to the Finance Committee. The Finance Committee, after due consideration, shall report in writing such recommendations as it shall deem best concerning the Town Budget. Such report shall be printed and distributed to the voters present at the Town meeting considering said warrant. Said recommendations shall note the voting of the Finance Committee, i.e., affirmative and the negative vote with a pro and con opinion provided.

The Finance Committee shall have authority to investigate the books and accounts of any department of the Town and the books and accounts of the Town shall be open to the inspection of the committee or of any person authorized to act for said committee, except those prohibited by General Law.

The members of the Finance Committee shall serve without pay for services, but may be reimbursed for actual expenses incurred in the discharge of their duties hereunder, and as appropriated by Town Meeting vote.

Article 54

I move that the Town amend the Town Charter to clarify the budget procedure as follows:

In Section 2-5 (b) Finance Committee of the charter remove the words:

All articles which are contained in the warrant for a town meeting shall be referred to the finance committee for its study, review and report. The finance committee shall prior to each town meeting, at a time fixed by by-law, report its recommendations on each article contained in the warrant in such manner as may be determined by by-law. Whenever an article appears in the warrant for a town meeting which would require raising of funds by borrowing, (except in the case of tax anticipation notes as provided in Chapter 44, Section 4), a public hearing shall be held by the finance committee on each such warrant article. The finance committee may, in its discretion, hold public hearings concerning other articles which appear in the warrant for town meetings.

And insert in place thereof the words:

As pertains to Town Meeting, the Town Budget Warrant Article shall be referred to the Finance Committee for its study, review and written report. The Finance Committee shall prior to each Town Meeting, at a time fixed by by-law, report its recommendations on, and limited to, the Town Budget Warrant Article.

Whenever an article appears in the Warrant for a Town Meeting which would require raising of funds by borrowing (except in the case of tax anticipation notes as provided in Chapter 44, Section 4), a public hearing shall be held by the Finance Committee on each such Warrant Article. The Finance Committee may, in its discretion, hold public hearings concerning the Town Budget warrant article.

Article 61

I move that the Town amend the Town Charter to add the following definitions to the charter:

In Section 7-6 Definitions add the following sections:

- (j) **Policy** - The general principles by which a government is guided in its management of public affairs. This term, as applied to law, ordinance, by-law, Town Charter, or rule of law, denotes a general purpose or tendency considered as directed to the welfare or prosperity of the state or community.
- (k) **Town Budget** - A plan that outlines the Town of Wareham's financial and operational goals including borrowing, revenue sources, expenditures, and fund allocations.
- (l) **Qualify** – To take the oath of office.

Article 65

I move to amend the Town Charter to remove and clarify transitional provisions, as follows:

In Section 8-3 Continuation of Personnel remove the words:

All such persons shall be retained in a capacity as similar to their former capacity as it is practical so to do.

In Section 8-4 (a) remove the words:

The board of sewer commissioners in office at the time the charter is adopted shall continue to perform the duties of their office until June 30 of the year in which the charter is adopted. At such time the office of sewer commissioner shall be terminated and the powers, duties and responsibilities of the office shall be transferred to the board of selectmen.

Article 65 Continued

The maintenance, improvement and operation functions of the sewer department shall be under the supervision of the municipal maintenance department of the town and all persons employed by the sewer department on the June 30th aforesaid, shall be transferred to the maintenance department and shall, insofar as it is possible so to do, continue to perform the same duties as they previously performed.

And insert in place thereof the words:

At the time the Charter change is adopted where the Sewer Commissioners are no longer the Board of Selectmen but are now elected, the existing Sewer Commissioners shall perform the duties of said office until the new elected Sewer Commissioners are qualified.

The election of Commissioners shall take place in conjunction with the Town's April election. They shall take office July 1 of the election year. If the charter change is adopted after the Town's April elections or before January of the following year, a Special Election shall be held within 120 days after adoption. The newly elected Sewer Commissioners shall take the oath of office 60 days after the election.

The Town Administrator shall assume responsibility for the day to day operation, care and maintenance of the Sewer Department during the changeover of Commissioners.

Article 65 Continued

In Section 8-4 (c) remove the words:

(c) Not more than 45 days following the election at which the charter is adopted the town moderator shall appoint a special committee to review the existing by-laws of the town, in order to bring them into conformity with the provisions of this charter. Said committees shall file a report, with recommendations, at the spring town meeting in the year following the year in which the charter is adopted.

And insert in place thereof:

(b) Not more than 45 days after the adoption of charter changes, the board of selectmen shall appoint a special committee to review the existing by-laws of the town in order to bring them into conformity with the provisions of the amended charter. Said committee shall submit recommendations at town meeting(s) in the year following the year in which the charter changes are adopted.

Article 65 Continued

Delete Sections 8-4 (b) (d), (e), (f) and (g) in its entirety, and renumber all the sections of Section 8 accordingly.

In Section 7-8 remove the words:

Whenever a vacancy occurs, or is about to occur, in any town office, including membership on any multiple member body, or town employment, except for positions covered under the state civil service law or otherwise provided for under a collective bargaining agreement, the appointing authority shall, forthwith, cause public notice of such vacancy, or impending vacancy, to be posted on the town bulletin board and shall give such further public notice as may be provided by by-law.

And insert in place thereof the words:

Whenever a vacancy occurs, or is about to occur, in any town office, including membership on any multiple member body, or town employment, except for positions covered under the state civil service law or otherwise provided for under a collective bargaining agreement, the appointing official shall, forthwith, cause public notice of such vacancy, or impending vacancy, to be posted on the town bulletin board, published in a local newspaper, and shall give such further public notice as may be provided by by-law.

Article 76

I move favorable action to increase fees in the Town Clerk's Office, in accordance with Massachusetts General Laws, Chapter 262, Section 34. Fees to be affected:

	<u>CURRENT FEE</u>	<u>NEW FEE</u>
Kennel License	\$30 - \$60 - \$150	\$40 - \$70 - \$160
Business Certificate	\$40.00	\$50.00
Amend Business Certificate	\$ 5.00	\$10.00
Replace Dog License	\$ 5.00	\$ 6.00
Amending a birth certificate	\$25.00	\$30.00
Amending a death certificate	\$15.00	\$25.00
Amending a marriage certificate	\$15.00	\$25.00
Commissioner Fees/Oaths	\$ 8.00	\$10.00
Vital Record Fee/Births/Deaths/Marriages	\$ 5.00	\$10.00

All fees would take effect on December 31, 2010, or to do or act in any manner relative thereto.

Article 77

I move favorable action to amend Town Bylaws Division VIII, Article II, Rules and Regulations Relative to Animal Control in the Town of Wareham, Section One (1): Definitions: adding text as show in bold print.

KENNEL - one pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, and also including every pack or collection of more than three dogs three months old or over owned or kept by a person on a single premises irrespective of the purpose for which they are maintained, with the exception of said restrictions noted below.

SMALL KENNEL - a kennel maintained for a collection of four or five dogs. Boarding and grooming privileges for the purpose of a commercial enterprise is excluded under this license.

HOBBY KENNEL - a kennel maintained for a collection of six to ten dogs or for breeding dogs for show or sport, or which sells dogs from less than four litters per year, not to exceed ten dogs on the premises over the age of three months. Boarding and grooming privileges for the purpose of a commercial enterprise is excluded under this license.

COMMERCIAL KENNEL- a kennel maintained as a business for the boarding and grooming of dogs, or which sells dogs born and raised on the premises from more than four litters per year, or a kennel of 11 or more dogs.

Article 78

I move favorable action to amend Town Bylaws **Division VIII, Article II, Rules and Regulations Relative to Animal Control in the Town of Wareham, Section Seven (7): Kennel Licenses:** adding text as shown in bold print to paragraph four, paragraph seven and adding a new paragraph eleven:

Paragraph Four:

The fees for each classification of kennel license shall be as follows:

Small Kennel License:	\$ 40 (Forty dollars) per year
Hobby Kennel License:	\$ 70 (Seventy dollars) per year
Commercial Kennel License:	\$160 (One hundred Sixty dollars) per year

Article 78 Continued

Paragraph Seven:

If a kennel owner desires to increase the capacity of his kennel during a license period, he shall obtain an application from the Building Inspector to request modification. Upon written approval from the Building Inspector or the Board of Appeals, the applicant shall submit written proof to the Town Clerk, who shall issue a new license in accordance with the modification. **The owner shall pay full price for the new kennel license most recently approved.**

By adding Paragraph Eleven:

Any and all license holders in the business of selling or boarding dogs for profit, must register with the Town of Wareham by acquiring a Business Certificate from the office of the Town Clerk.

This Article is Contingent upon approval of Article 77.

Article 79

I move favorable action to amend Town Bylaws **Division VIII, Article II, Rules and Regulations Relative to Animal Control in the Town of Wareham, Section Nine (9): Penalties for Failure and/or Tardiness to License:** as highlighted in paragraph four, sentence three:

Late fees for the licensing of kennels:

Small Kennels:

April 1st to May 31st:	\$ 70.00
June 1st to July 31st:	\$100.00
August 1st to December 31st:	\$130.00

Hobby Kennels:

April 1st to May 31st:	\$130.00
June 1st to July 31st:	\$190.00
August 1st to December 31st:	\$250.00

Commercial kennel:

April 1st to May 31st:	\$235.00
June 1st to July 31st:	\$310.00
August 1st to December 31st:	\$385.00

Exclusion from the above fines include new and/or first time dog and kennel licenses.

This Article is contingent upon approval of Article 78.

Article 80

I move favorable action to amend the general By-laws of the Town of Wareham by inserting at DIVISION VI, ARTICLE II the following:

NITROGEN NET ZERO FOR NEW CONSTRUCTION

Purpose and Intent

The purpose of this bylaw is to protect the public health and welfare of its citizens, and to minimize quantifiable impacts to drinking, fresh and coastal water quality and natural resources by establishing a standard for new construction, as defined below, as “Nitrogen Net Zero”.

2.0 Performance Standards and Applicability

Nitrogen Net Zero will eliminate nitrogen loading from existing sources in Wareham by an amount equal to the amount of nitrogen loading generated by the new construction through the use of nitrogen offsets.

2.1 The Board of Health shall not issue a permit to any residential construction equal to or greater than ten (10) homes/units unless the standard of Nitrogen Net Zero has been met.

The Board of Health shall not issue a permit to any commercial construction whose waste water discharge is equal to or greater than 3,300 GPD (Gallons per Day) unless the standard of Nitrogen Net Zero has been met.

Article 80 Continued

3.0 Offsets

Developers or homeowners can achieve the Nitrogen Net Zero requirement by permanently reducing an equivalent amount of nitrogen from another source(s) by:

Connecting other properties with comparable nitrogen loading quantities to the municipal sewer system.

Removing one acre of cranberry bog from production for each new residential septic system installed. Commercial construction will use a standard of 15.26 lbs of nitrogen per acre of cranberry bog removed from production.

Any other method approved by the Board of Health that is proven to permanently eliminate a comparable volume of nitrogen.

4.0 Exemptions

The following are exempt from this By-law:

New construction of residential properties less than ten (10) homes or units.

New construction of commercial properties whose waste water discharge is less than 3,300 GPD.

4.3 Existing homes and commercial properties are exempt from the Nitrogen Net Zero standard.

Existing homes and commercial properties requiring septic upgrades are exempt from the Nitrogen Net Zero standard.

Article 80 Continued

5.0. Regulations

After public notice and public hearing, the Board of Health shall promulgate rules and regulations to effectuate the purposes of this bylaw, effective when voted and filed with the town clerk. Failure by the Board to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw. At a minimum, these regulations shall reiterate the terms defined in this bylaw, define additional terms that are not inconsistent with the bylaw, and impose filing and consultant fees.

Severability

In case any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect,

Article 81

I move favorable action to amend Division II Article II of the town's bylaws To read:

Section 1: It shall be unlawful for any person or persons occupying or having charge of, or being present in or about any building, dwelling, structure, premises, shelter, boat, vehicle or conveyance, or any part thereof, in the Town (other than that section of any establishment licensed under MGL chapter 138), to create assist in creating, continue or allow to continue any excessive, unnecessary, or unusually loud noise, including any such noise in the operation of any radio, stereo equipment or other sound-making device or instrument, or reproducing device or instrument, or in the playing of any band, orchestra, musician or group of musicians or in the use of any device to amplify the aforesaid, or the making of loud outcries, exclamations or other loud or boisterous noise or loud and boisterous singing by any person or group of persons or in the use of any device to amplify the aforesaid noise or to attract attention, or loud or continuous animal noises, where such noise is plainly audible at a distance of one-hundred and fifty (150) feet from the building, structure, premises, shelter, vehicle, boat or conveyance in which or from which it is produced.

Section 2: The fact that the noise is plainly audible at a distance of one-hundred fifty (150) feet from the building, dwelling, structure, premises, shelter, boat or vehicle from which it originates or when the noise occurs between the hours of 10 o'clock pm and 7 o'clock am shall constitute prima facie evidence of a violation of this bylaw.

Section 3: Any person shall be deemed in violation of this bylaw who shall make, or aid and abet, or cause, or suffer or countenance or assist in the making of any such noise.

Article 81 Continued

Section 3: Any person shall be deemed in violation of this bylaw who shall make, or aid and abet, or cause, or suffer or countenance or assist in the making of any such noise.

Section 4: The following uses and activities shall be exempted from the provision of this bylaw:

A – Emergency vehicles. Any police or fire vehicle or any ambulance while engaged in necessary emergency business;

B – Highway and utility maintenance and construction. Necessary excavation in or repair of bridges, streets, or highways, or any public utility for or on behalf of the town or the commonwealth, or a public utility with the town's permission;

C – Public address. The reasonable use of amplifiers or loud speakers for public addresses which are non-commercial in nature;

D – Vehicles providing an emergency service (i.e: fuel delivery vehicles in winter);

E – Fireworks, sporting events, parades, church bells, and public events.

F – Garbage and refuse collection vehicles, or vehicles providing an emergency service including without limitation fuel delivery vehicles.

G – Fireworks, little league, soccer and other sporting events, parades, church bells, and public events including, but not limited to, pops in the park.

H – Normal operation of properly muffled motor vehicles, boats, equipment for lawn moving, farm or agricultural equipment, equipment used in the normal course of home or commercial repair, renovation, construction, or demolition, or in septic system construction or maintenance.

Article 81 Continued

§ 120-3. Penalties.

The first violation of this bylaw shall be punished by a fine of not more than \$50.00 and four hours community service.

The second violation of this bylaw within 12 months after the first violation shall be punished by a fine or not more than \$100.00 and eight hours of community service.

Further violations within 12 months after the last violation shall be punished by a fine of two hundred and fifty dollars \$250.00 and fifteen hours of community service.

Each such act which either continues or is repeated more than once shall be prosecuted as a separate offense.

If the violation occurs on the premises of rental property, then the owner will be notified in writing that a violation(s) has occurred.

§ 120-4. Enforcement.

This bylaw shall be enforced by the Police Department. Officers may:

Issue a verbal warning.

Issue a written warning on the appropriate departmental form.

Utilize the noncriminal disposition procedure authorized by the Orleans Bylaw §1-1 and MGL c. 40, §21D.

Article 82

I move Article 82 as printed in the report of the Finance Committee.

Article 83

I move favorable action to receive the report of the Westfield Study Committee as created in the April 26, 2010 Town Meeting who consider it expedient to do so.

Article 84

I move favorable action to clarify the definition of “municipal purposes” originally used in Article 10 from the Special Town Meeting held on July 20, 1977, wherein the Town authorized the Selectmen to acquire certain parcels of land from Campanelli, known as the Westfield land for municipal purposes. “Municipal purposes” shall mean any purpose for which the Town maintains legal title to the land and uses it for the benefit of the citizens of the Town. This shall include, but not limited to: municipal buildings, schools, fire/police buildings, passive recreation and/or senior affordable housing.

Not more than one third of the approximately 77 acres of the Westfield land defined in the original article shall be used for senior affordable housing and the remaining land to be used for passive recreation, open space or other municipal purposes.

And to see if the Town will vote to authorize the Board of Selectmen, pursuant to M.G.L. c. 40, s.15A, based on the recommendation of a duly appointed “by the town appointing authority RFP Review and Recommendation Committee” to lease the care and custody of the real property and improvements thereon known as Westfield Site, more specifically located at Charlotte Furnace Road, consisting of 18.5 acres, more or less, and identified on Wareham Assessors’ shown as Map 105, Parcel 1001 and Assessors’ Map 105A, Parcels 110 through 127 and Parcels 165 through 173 and Parcels 202 through 206 and Parcels 232 through 235 and Parcels 262 through described in the instrument recorded with the being the Plymouth District Registry of Deeds in Book 4314, Page 189,

Article 84 Continued

said portion containing 24.49 acres, more or less, being the premises shown as Westfield Overall Plan surveyed by G.A.F Engineering on May 11, 2006, to be placed under the Selectmen's care and custody for the purposes of continuing and expanding the use of the parcel for affordable senior rental housing and further, to authorize the Board of Selectmen, if the Board of Selectmen so vote, to lease or convey said property and improvements for the purposes of improving, expanding and the perpetual management of the property for affordable rental housing pursuant to the requirements of M.G.L. c.40, s.3 and M.G.L. c.30B, et seq. and upon terms and conditions acceptable to the Board of Selectmen and pursuant to the authority granted the Board of Selectmen by M.G.L. c.44, s.55C, and further that such leasehold interest shall be subject to initially rehabilitating the recreational facilities and maintaining the recreational facilities during the term of the lease, and further, that if the Board of Selectmen is to lease for a maximum of 99 years said property, that lease be subject to the prior placement of a restriction on said property, including but not limited to that found at M.G.L. c.184, ss.31-33, ensuring that all dwelling units constructed thereon be restricted for senior affordable housing purposes in perpetuity.

Article 85

I move favorable action to authorize the Board of Selectmen to reduce the number of voting members on the Council on Aging Advisory Board from 11 to 9 members and to add two associate members. Associate members are recommended by the Massachusetts Office of Elder Affairs. Associate members are non-voting members who fully participate in Board meetings and are in effect training to replace any permanent voting member who has resigned or whose term has expired. All current members (10) would maintain their current positions as full voting members.

Article 86

I move favorable action to abandon all its right, title and interest in and to an easement it acquired by an Order of Taking recorded in the Plymouth County Registry of Deeds in Book 38186, Page 217 (the "Taking") from Yachatas Realty Corp. for 1,350 square feet of land for the siting of a sewer pump station as said site is no longer needed for the public purpose of siting a sewer pump station thereon; and that the Board of Selectmen be authorized to execute any and all documents deemed necessary in their discretion to abandon, disclaim and release all rights acquired in said Taking to Yachatas Realty Corp. or its successor in interest.

Article 87

I move favorable action to authorize the Community Events Committee to expend Fourteen Thousand dollars (\$14,000.00), funds drawn from 70% of the Hotel/Motel Tax and 40% from the Parking Meter Fund. The funds will solely be used for the continuing support and assistance of community events, projects, activities, services, programs and public improvements which are of mutual interest to residents and visitors of the Town.

Article 88

I move favorable action to accept the layout of Bethel Way (assessor's Map 95, Lot 1012, County Road, West Wareham) as approved by the Board of Selectmen on October 19, 2010 and presented to the Wareham Town Clerk on October 20, 2010 as a public way.

Article 89

I move favorable action to abandon and discontinue Garage Street as laid out by the department of Public Works of the Commonwealth of Massachusetts on Behalf of the Town of Wareham in case Number 5796 pursuant to Order of Taking recorded at Plymouth Registry of Deeds in Book 3510, Page 320 and depicted on Plan Number 175 of 1969 (the “taking”), and to transfer from the Board of Selectmen for public way purposes to the Board of Selectmen for the purpose of conveyance the parcel of land within the layout of Garage Street as so discontinued, and to authorize the Selectmen to convey such parcel on such terms and conditions as the Selectmen may determine and to convey any and all of the taking to A.D. Makepeace Company.

Article 90

I move favorable action to accept the layout of Rock Marsh Road (Assessors' Map 56, Lot 1025, Brown Street, Wareham) as approved by the Board of Selectmen on October 19, 2010 and presented to the Wareham Town Clerk on October 20, 2010 as a public way and to authorize the use of Chapter 90 funds to reconstruct the road way when available.

Article 91

I move favorable action to require a town meeting vote before any wind turbines are accepted and built in the towns of Wareham and Onset.