

# W A R R A N T ANNUAL SPRING TOWN MEETING

APRIL 26, 2010

## ARTICLE 1

To choose the following officers: two (2) Selectmen for the term of three (3) years, one (1) Town Clerk for the term of three (3) years, one (1) Assessor for the term of three (3) years, one (1) School Committee member for the term of three (3) years, one (1) Housing Authority member for the term of five (5) years, one (1) Housing Authority member for the term of three (3) years and one (1) Town Moderator for the term of three (3) year or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:      Favorable Action 5-0-0**  
**The Finance Committee Voted:      Favorable Action 8-0-0**

### **Explanation:**

**This is a routine, but important article for the Town's Annual Meeting. It has no immediate financial impact on the proposed budget, but in the long term, the Town's elected and appointed officials can have a great influence on the Town's financial condition.**

### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. The article affirms the decisions of Wareham voters.**

## ARTICLE 2

To see if the town will vote to authorize the Board of Selectmen and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted or otherwise available to Wareham by the Commonwealth of Massachusetts or the U.S. Government under any State or Federal Grant program or activity, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 8-0-0**

### **Explanation:**

**This is a routine, but important article which allows the Town to enter into contracts for the conduct of business & expenditure of funds already authorized by Town approval of the overall budget or by grant applications and awards.**

### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. Without such authorization, the business of the Town could not be conducted in a timely and approved manner.**

## ARTICLE 3

To see whether the Town will authorize its Town Treasurer/Collector to enter into a compensating balance agreement or agreements for fiscal year 2011 pursuant to Chapter 44, Section 53F of the General Laws, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Town Treasurer/ Collector

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 8-0-0**

### **Explanation:**

**This is a routine, but important article which permits the Town Treasurer/Collector to execute his/her responsibilities according to generally accepted accounting principles for municipalities and public agencies.**

### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. Without such authorization, the business of the Town could not be conducted in a timely and approved manner.**

#### ARTICLE 4

To act upon the reports of the Selectmen and the School Committee as required by statute and upon any other reports from officers and committees who consider it expedient to do so, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 8-0-0**

#### **Explanation:**

**This is a routine, but important article which complies w/ the State law's requirement that these public bodies report annually to their constituents and the Town.**

#### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. The Town's elected officials are responsible for making formal reports to the citizens of Wareham in order that the public may be educated about the Town's and the School Department's affairs and, in turn, may make informed decisions at Town Meeting and in Town elections.**

#### ARTICLE 5

To see if the Town will vote to fix the salary and compensation of the following elective officers: Town Clerk and Town Moderator, and any other elective officers of the Town as provided by Section 108, Chapter 41, General Laws as amended and to raise and appropriate a sum of money therefore, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 4-0-1**  
**The Finance Committee Voted:       Favorable Action 8-0-0**

#### **Explanation:**

**This is a routine, but important article to compensate two important Town officials for the performance of their duties. The elected officials' salaries**

are as follows:

**Town Clerk: \$59,300.00**  
**Town Moderator: \$118.00 per diem**  
**Board of Selectmen: \$0**  
**Clerk/Registrar: \$700.00**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. As public elected officials, the compensation of the Town Clerk and Moderator are public information and are ultimately approved by voters at Town Meeting.**

ARTICLE 6

To see if the Town will vote to raise and appropriate and transfer from available funds a sum of money, to defray charges and expenses of the Town, including debt and interest, and to provide for a Reserve Fund for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011 and as more particularly described in the report of the Wareham Finance Committee, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted: Favorable Action 5-0-0**  
**The Finance Committee Voted: Favorable Action 8-0-0**

**Explanation:**

**This article traditionally deals w/ the Town budget and looking back at the suggestions incorporated into the April 2009 budget, many of the issues that were raised at that time were addressed. For instance, "Other Local Receipts" are now spelled out in more detail so that one can track variance in that large overall "account". In addition, "snow & ice" was and currently is, pegged at a considerably higher amount reflecting something approaching reality. We are exploring the notion, adopted by some other towns, that we might want to use a formula approach of some sort, perhaps w/ a "rolling average" to fine-tune the process even further. Two years ago, the Finance Committee suggested that legal expenses be further defined in order that we might gain insights into what areas of the Town seem not only to be spending the "most, but what the trends importantly be. That process, while on-going, is working reasonably well. We are getting inputs by functional area as to the costs associated w/ that function. Appropriations for lifeguards, a topic of much interest, are included in this budget for the first time in several years. In addition, a modest amount has been set aside for Stabilization and we would hope that some sort of formula approach**

might also favor here as well.

Finally, it should be noted that benefits continue to rise and a point that may seem rather technical is really not that at all. Our pension fund manager is using an expected 8¼ % return looking forward to an environment that would suggest that a different and lower expected rate might be advisable. To put that in perspective, if the actual rate were to go to 5%, the annual cost to Wareham would go from \$2.5 million a year to about \$5.0 million. If one were to put that in a different perspective that would be the equivalent of 30 teachers either not hired or laid off, or on the Town side, 30 police officers. The Finance Committee feels strongly that at both the Town and State level that attention be paid to the benefit issues that face us.

Periodically during the fiscal year, budgets are adjusted to reflect unusual spending. In addition, new programs may be initiated where time constraints are such as to warrant moving ahead before the next legislative meeting (Town Meeting). The Reserve Fund has traditionally been a buffer of sorts to try and address these various concerns & issues.

#### Recommendation:

The Finance Committee recommends Favorable Action on this article.

### REVENUE SOURCES Informational Purposes Only

Town of Wareham Operating Budget 2011	FY 2009 TOWN MEETING APPROVED	FY2009 EXPENDITURES	FY2010 TOWN MEETING APPROVED	FY2011 Town Administrator Budget	FY2011 Finance Committee Approved
<u>PROPERTY TAXES &amp; OTHER REAL ESTATE TAXES</u>					
Real Estate Taxes - Levy Base	26,985,987	26,985,987	28,413,449	29,373,785	29,373,785
2 1/2 Authorized	674,650	674,650	710,336	734,345	734,345
Growth	752,812	752,812	250,000	200,000	200,000
Debt Exclusion	344,137	344,137	325,125	325,000	325,000
<u>PROPERTY TAXES &amp; OTHER REAL ESTATE TAXES</u>	28,757,586	28,757,586	29,698,910	30,633,130	30,633,130
<u>INTER-GOVERNMENTAL TRANSFERS</u>					
School Chapter 70	12,491,866	12,491,866	12,491,866	12,914,328	12,914,328
School Transportation				-	-
Charter Schools				90,679	90,679
School Lunch				16,686	16,686
School Choice Receiving Tuition				202,000	202,000
School Construction			1,171,856	-	-
Sub Total School				13,223,693	13,223,693

Unrestricted General Government Aid				1,743,225	1,743,225
Police Career	44,302	44,302	32,788	11,987	11,987
Veteran Befits	1,171,856	1,171,856	1,171,856	236,314	236,314
Exemptions	2,222,510	2,222,510	1,759,466	133,489	133,489
State owned land	427,374	427,374	744,516	24,575	24,575
Public Libraries	189,326	189,326	208,712	18,337	18,337
Sub General Government	189,326	189,326	208,712	2,167,927	2,167,927
STATE AID & OFFSETS	16,736,560	16,736,560	17,789,772	15,391,620	15,391,620
<u>EST. LOCAL REC. &amp; REIMBURSEMENTS</u>					
Motor Vehicle Excise	2,093,827	2,093,827	1,900,000	2,130,000	2,130,000
Licenses & Permits	701,924	701,924	694,125	675,000	675,000
Fees	327,110	327,110	375,000	350,000	350,000
Penalties & Interest	227,176	227,176	275,000	250,000	250,000
Other Local Receipts	1,248,116	1,248,116	1,200,000	871,000	871,000
(Other Local partial Breakdown)					
Medicaid			526,234	300,000	300,000
Semass			158,710	158,000	158,000
Estimated Local Receipts - Total	4,598,153	4,598,153	4,444,125	4,734,000	4,734,000
WPCF Aministrative Fee	849,535	849,535	649,535		
( Admin Fee - Breakdown)					
WPCF - Employee Health Insurance					
Costs	368,706	368,706	355,218	310,480	310,480
WPCF - Fringe FICA, Medicare, W/C,					
Retirement	294,317	294,317	294,317	51,745	51,745
WPCF - PILOT	186,512	186,512	0	-	-
EST. LOCAL REC. & REIMBURSEMENTS	5,447,688	5,447,688	5,093,660	5,196,225	5,196,225
<u>AVAILABLE FUNDS</u>					
Free cash	0	0	0	168,993	168,993
Stabilization Fund- (Budget Offset)	0	0	90,000	-	-
Water Ways	10,000	10,000	10,000	10,000	10,000
Hotel Tax Fund/Visitors Service	0	0	0	-	-
Harbor Service Permit Fees	163,082	163,082	75,000	-	-
Overlay Reserve					
Federal Education Grants	0	0	0	-	-
Cemetery Perpetual Care				10,000	10,000
Wetlands Protection	30,000	30,000	30,000	30,000	30,000
Miscellaneous Transfers	50,000	50,000	50,000		
AVAILABLE FUNDS	253,082	253,082	255,000	218,993	218,993
<u>REVOLVING FUNDS/OFFSET RECEIPTS</u>					
Recreation	120,000	120,000	120,000	120,000	120,000
Recycling	15,000	15,000	15,000	15,000	15,000
Shellfish	20,000	20,000	20,000	20,000	20,000
COA-Transportation - GATRA	210,000	210,000	210,000	210,000	210,000
COA_Activities	7,500	7,500	7,500	7,500	7,500
EMS Offset Receipt	783,801	783,801	790,474	769,633	769,633
Special Education Tuition			500,000	500,000	500,000
Library Services			10,000	10,000	10,000
COA - Senior Adult Day Care			200,000	200,000	200,000
All Day Kindergarten	195,000	195,000	195,000	195,000	195,000
TOTAL REVOLVING FUNDS	1,351,301	1,351,301	2,067,974	2,047,133	2,047,133
TOTAL GENERAL FUND	52,546,217	52,546,217	54,905,316	53,487,100	53,487,100

**ENTERPRISE FUNDS**

Water Pollution Control Facility Total	5,992,473	5,992,473	5,792,450	5,471,792	5,471,792
Emergency Medical Services-Ambulance					
Solid Waste Revenue					
Recreation Camp Enterprise					

TOTAL ENTERPRISE FUNDS	5,992,473	5,992,473	5,792,450	5,471,792	5,471,792
------------------------	-----------	-----------	-----------	-----------	-----------

TOTAL REVENUE	58,538,690	58,538,690	60,697,766	58,958,892	58,958,892
---------------	------------	------------	------------	------------	------------

**Departmental Expenditures****EXPENSE**

Department or Unit

Selectmen's-Wages	69,504	67,790	151,504	151,504	151,504
Selectmen's-Expenses	10,300	15,202	10,300	7,025	7,025
	79,804	82,992	161,804	158,529	158,529
Town Administrator-Wages	211,939	198,941	172,102	181,156	181,156
Town Administrator-Expenses	47,550	47,551	24,850	24,350	24,350
	259,489	246,692	196,952	205,506	205,506
Personnel Services-Expenses	7,200	7,128	7,200	3,500	3,500
Finance Committee	4,600	3,440	4,600	4,600	4,600
Town Accountant-Wages	119,426	98,656	106,999	115,694	115,694
Town Accountant-Expenses	5,090	3,457	4,090	4,415	4,415
	124,516	102,113	111,089	120,109	120,109
Assessors-Wages	272,462	267,425	286,007	283,915	283,915
Assessors-Expenses	12,200	4,588	11,600	51,600	51,600
	284,662	272,013	297,607	335,515	335,515
Recycling Wages	0	0			
Recycling Expenses	3,000	2,863	3,000	5,000	5,000
	3,000	2,863	3,000	5,000	5,000
Treasurer-Wages	306,336	294,902	313,645	312,045	312,045
Treasurer-Expenses	92,374	109,705	90,874	73,355	73,355
	398,710	404,608	404,519	385,400	385,400
Legal Services	336,000	365,007	250,000	250,000	250,000
Personnel Board	100	0	100	-	-
Data Processing-Wages	67,261	64,683	73,259	92,068	92,068
Data Processing-Expenses	170,800	119,120	179,883	187,017	187,017
	238,061	183,803	253,142	279,085	279,085
General Services-Wages					
General Services-Expenses	63,032	69,352	56,692	65,100	65,100
	63,032	69,352	56,692	65,100	65,100

Audit	50,000	60,000	50,000	60,000	60,000
Communications	59,150	27,041	67,500	63,400	63,400
Town Clerk-Wages	135,236	131,340	134,936	134,936	134,936
Town Clerk-Expenses	14,052	9,250	11,819	11,819	11,819
	149,288	140,590	146,755	146,755	146,755
Elections & Registrations-Wages	34,042	26,248	26,888	29,155	29,155
Elections & Registrations-Expenses	12,625	10,602	12,625	10,307	10,307
	46,667	36,851	39,513	39,462	39,462
Town Meetings-Wages	8,742	3,549	3,340	3,340	3,340
Town Meetings-Expenses	7,640	2,630	8,200	8,200	8,200
	16,382	3,179	11,540	11,540	11,540
Planning Board-Expenses	13,000	4,245	13,000	10,000	10,000
Board of Appeals	4,175	1,445	4,175	4,175	4,175
Town Planning-Wages	141,988	104,111	155,162	176,130	176,130
Town Planning-Expenses	12,450	1,183	12,400	8,300	8,300
	154,438	105,294	167,562	184,430	184,430
Conservation Commission	800	20	800	-	-
Public Buildings-Wages	195,223	178,934	156,109	-	-
Public Buildings-Expenses	186,420	224,712	195,400	-	-
	381,643	403,647	351,509	-	-
Commission on Disabilities	400	158	400	400	400
Police Wages	3,711,723	3,704,370	3,755,287	3,602,813	3,602,813
Police Expenses	396,309	316,364	351,900	334,700	334,700
Police Special Articles	0	0	0		
	4,108,032	4,020,734	4,107,187	3,937,513	3,937,513
Inspectional Services-Wages	199,024	188,498	203,218	203,425	203,425
Inspectional Services-Expenses	31,487	24,031	31,467	27,050	27,050
	230,511	212,529	234,685	230,475	230,475
Emergency Management-Expenses	100	0	100	-	-
	100	0	100	-	-
Animal Control-Wages	47,506	48,256	50,000	60,412	60,412
Animal Control-Expenses	27,190	22,218	26,600	29,850	29,850
	74,696	70,474	76,600	90,262	90,262
Shellfish/Harbormaster-Wages	200,555	188,801	205,050	202,704	202,704
Shellfish/Harbormaster-Expenses	27,908	24,145	27,609	31,528	31,528



	228,463	212,946	232,659	234,232	234,232
Herring Commission-Wages	6,720	3,892	6,720	5,000	5,000
Herring Commission-Expenses	1,000	11	1,000	500	500
	7,720	3,903	7,720	5,500	5,500
Municipal Maint. & Public Bldgs - Wages	768,479	724,530	635,308	805,448	805,448
Municipal Maint. & Public Bldgs-Expenses	243,810	225,694	233,878	332,275	332,275
Municipal Maint. Special Articles	1,012,289	950,224	869,186	1,137,723	1,137,723
Snow & Ice-Wages	25,000	89,152	55,000	55,000	55,000
Snow & Ice-Expenses	58,000	483,633	120,000	120,000	120,000
	83,000	572,785	175,000	175,000	175,000
Street Lights-General	190,481	158,648	147,000	161,000	161,000
Council on Aging-Wages	125,346	99,704	148,304	134,921	134,921
Council on Aging-Expenses	14,935	960	13,585	13,585	13,585
	140,281	106,554	161,889	148,506	148,506
Veteran's Services-Expenses	245,800	269,493	220,909	230,000	230,000
	245,800	269,493	220,909	230,000	230,000
Board of Health-Wages	133,776	128,700	168,127	151,307	151,307
Board of Health-Expenses	25,412	17,307	25,412	22,500	22,500
	159,188	146,007	193,539	173,807	173,807
Library-Wages	229,853	248,345	228,665	226,319	226,319
Library-Expenses	91,622	89,794	70,156	91,756	91,756
	321,475	338,139	298,821	318,075	318,075
Beaches & Lifeguards-Wages	0	0	0	75,000	75,000
Beaches & Lifeguards-Expenses	1,000	0	0	25,000	25,000
	1,000	0	0	100,000	100,000
Historical District Comm.	100	100	100	200	200
Historical Commission	250	166	250	200	200
Departmental Wages	7,010,141	6,860,827	7,035,630	7,002,292	7,002,292
Departmental Expenses	2,468,362	2,721,263	2,558,426	2,272,707	2,272,707
General Government Departmental	9,478,503	9,582,090	9,594,056	9,274,999	9,274,999
<b>EDUCATION</b>					
Local Schools					
Net School Spending	23,842,348		24,105,118	25,055,837	25,055,837
Non-Net School Spending	1,492,915		1,492,915	1,467,915	1,467,915
TOTAL LOCAL SCHOOLS	25,335,263	23,694,725	25,598,033	26,523,752	26,523,752

FIXED COSTS

Debt-Principal	2,187,000		557,000	500,200	500,200
Debt-Interest	206,076		153,262	153,262	153,262
Middle School Debt	344,600		325,125	325,125	325,125
TOTAL FIXED COST	2,737,676	2,486,999	1,035,387	978,587	978,587

EMPLOYEE BENEFITS

Sick Leave Bonus	135,000	143,140	135,000	135,000	135,000
Retirement Contribution	2,246,643	2,246,866	2,318,506	2,530,839	2,530,839
Workman's Compensation-Town					
Insurance	307,000	251,925	327,000	242,000	242,000
Unemployment	150,000	211,134	125,000	125,000	125,000
Medical Insurance	5,445,000	5,445,000	5,700,000	5,500,000	5,500,000
Life Insurance	41,000	29,149	41,000	41,000	41,000
FICA-Medicare	365,000	366,810	365,000	365,000	365,000
TOTAL EMPLOYEE BENEFITS	8,689,643	8,694,024	9,011,506	8,938,839	8,938,839

OTHER FIXED COSTS

Town Insurance-General Liability	319,752	338,375	414,750	329,750	329,750
Reserve Fund	300,000	0	135,000	135,000	135,000
Revenue Deficits			0	-	-
Regional Landfill	84,620	84,620	36,819	24,062	24,062
SPREDD Assessment	3,285	3,285	3,285	3,285	3,285
TOTAL OTHER FIXED COSTS	707,657	426,279	589,854	492,097	492,097
TOTAL OPERATING BUDGET	46,948,742	44,884,117	45,828,836	46,208,274	46,208,274

REVOLVING FUNDS / OFFSET  
RECEIPTS

Recreation	120,000	120,000	120,000	120,000	120,000
Recycling	15,000	15,000	15,000	15,000	15,000
Shellfish	20,000	20,000	20,000	20,000	20,000
Transportation	210,000	210,000	210,000	210,000	210,000
COA Activities	7,500	7,500	7,500	7,500	7,500
Special Education Tuition			500,000	500,000	500,000
Library Services			10,000	10,000	10,000
COA - Senior Adult Day Care			200,000	200,000	200,000
All Day kindergarten	195,000	195,000	195,000	195,000	195,000
EMS Offset Receipt	783,801	783,801	790,474	769,633	769,633
Total Revolving Funds	1,351,301	1,351,301	2,067,974	2,047,133	2,047,133

ENTERPRISE ACCOUNTS

Water Pollution Control Wages	729,604	624,546	728,815	449,499	449,499
Water Pollution Control Expenses	5,148,193	5,228,407	5,063,635	5,022,293	5,022,293
Total Pollution Control	5,877,797	5,852,953	5,792,450	5,471,792	5,471,792

OFFSETS

COUNTY & STATE ASSESSMENTS	2,092,013	1,973,454	2,342,912	2,288,972	2,288,972
OTHER CHERRY SHEET OFFSETS	189,326	189,326	189,326	237,023	237,023
2008 Revenue Deficit	480,756	480,756	0		
Snow & Ice	222,384	222,384	493,000	175,000	175,000
Teachers Pay Deferral - Off Budget	44,916	44,916	0		

99-02 OVERLAY	425,000	425,000	200,000	250,000	250,000
TOTAL OFFSETS	3,454,395	3,335,836	3,225,238	2,950,995	2,950,995
<u>OTHER BUDGET ARTICLES</u>					
Article - 27 Equipment	43,806		49,300	-	-
Article - Police cruiser lease			30,000	99,224	99,224
Article 29 - Other			75,000	-	-
Article 30 - EMS Roof			16,000	-	-
Article 31 - Trsfer from Stablization			90,000		
Article 32 - Stablization Fund	0		100,000	100,000	100,000
Article - Revaluation	0		65,000	-	-
Article Upper Cape Cod Reg Vocational	1,820,638	1,820,638	1,977,400	2,081,475	2,081,475
TOTAL OTHER BUDGET ARTICLES	1,864,444	1,820,638	2,402,700	2,280,699	2,280,699
TOTAL E X P E N S E S	59,496,679	57,244,845	59,317,198	58,958,893	58,958,893
SURPLUS/DEFICIT	-957,989	1,293,845	1,380,568	(0)	(0)

## ARTICLE 7

To see if the Town will vote to raise and appropriate Two million eighty one thousand Four hundred seventy five and no cents (\$2,081,475.00) as its share of the operating and capital costs of the Upper Cape Cod Regional Vocational-Technical High School District for the Fiscal Year July 1, 2010 through June 30, 2011, or to do or act in any manner relative thereto.

Inserted by the Upper Cape Cod Regional Vocational-Technical School District

**The Board of Selectmen Voted:      Favorable Action 4-0-1**  
**The Finance Committee Voted:      Favorable Action 8-0-0**

### **Explanation:**

**The Town of Wareham is one of five towns that participate in the Upper Cape Cod Regional Vocational School. Our participation is 225 students, up from 214. The Wareham per pupil cost is approximately \$9,500.00 per student (compared to Falmouth at \$14,400.00). The main driver of the lower cost is the formula-driven Chapter 70 aid that Wareham receives from the State. In addition to the day-to-day programs, Upper Cape has conducted evening programs for several years and they normally generate about \$500,000.00 a year gross and \$100,000.00 after all expenses. The residual goes to build new facilities and other tasks not included in their budget. In addition, the school has approval from the Town of Bourne to build a wind turbine, which could completely eliminate the purchase of a one million kilowatts per year of electricity (at a current cost of \$200,000.00 per year). Since capital costs are involved, the issue is being studied to try and determine the best course of action.**

## **Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

## ARTICLE 8

To see if the Town will vote to appropriate a sum of money from the wastewater enterprise revenue in accordance with Chapter 44, Section 53F-1/2 of Massachusetts General Laws to defray the operating and capital expenses of the Water Pollution Control Enterprise Fund for the fiscal year beginning July 1, 2010, and ending June 30, 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

<b>The Board of Selectmen Voted:</b>	<b>Favorable Action 5-0-0</b>
<b>The Finance Committee Voted:</b>	<b>Favorable Action 8-0-0</b>

## **Explanation:**

The WPCF budget has been set at \$5.47 million, a *reduction* of \$320,000.00 from FY2010. The main drivers of the reduction are "wages" with both "overtime" and "on-call" being reduced by \$150,000.00(to zero). Regular wages are also forecasted to be reduced by \$120,000.00. These three wage items total \$270,000.00, the bulk of the reductions. Several years ago, the Board of Selectmen concluded that the sewer users were being unfairly burdened with "indirect" administrative costs and over the past three years, those costs have been eliminated. Also, for the past several years, the "Betterment Retained Earnings" account has been a source of "funding" to maintain or reduce sewer rates and the Finance Committee took issue with this and pointed to State protocols which also frown on such an activity. For fiscal 2011, this practice has also been *discontinued* (compared to a \$355,000 drawdown in 2010 and in excess of \$400,000 in 2009). Further, the new administration has agreed with the Finance Committee's suggestion that a detailed cash-flow statement be developed, by year, looking out at least 15 years to match up all potential revenues against all costs, and as noted, to do so year by year.

Areas of particular interest to the Finance Committee center on betterments, *particularly those that are paid up front and result in a "cash surge"*, but have obvious obligations attached to them going down the road. In addition, we are asking that money be set aside specifically for *preventive maintenance*. The combination of water and chemicals is not something that one would characterize as a "benign" atmosphere and we would make the offer to any townspeople who believes to the contrary that when a pump breaks down, that they can come down to Town Hall and grab a phone to deal with "incoming".

Once the projections are in hand with firm numbers, we will be in a position as a Town to make definitive and accurate assessments as to precisely where and what we should do, short of that is mere speculation. Without getting too technical, the expression "retained earnings" has one meaning and one meaning only in business. It is the residual after all current and *projected* expenses and obligations are accounted for. While many people think of the term "reserves" as being equivalent to "retained earnings", they are not. Reserves are a liability, an obligation, and in setting them up, they reduce retained earnings.

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

ARTICLE 9

To see if the Town will vote to appropriate Six hundred seventeen thousand nine hundred and eighty dollars and no cents (617,980.00) to the Emergency Medical Services salaries and wages account and One Hundred fifty one thousand six hundred fifty three dollars and no cents (\$151,653) to the Emergency Medical Services general expense account, still further, to authorize a Seven hundred sixty nine thousand six hundred thirty three dollars and no cents (769,633.00) in estimated receipts of the Emergency Medical Services to be used to offset said appropriation in accordance with MGL Chapter 44, Section 53E, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

<b>The Board of Selectmen Voted:</b>	<b>Favorable Action 5-0-0</b>
<b>The Finance Committee Voted:</b>	<b>Favorable Action 8-0-0</b>

**Explanation:**

The EMS budget is flat year-to-year at approximately \$770,000.00. Their single biggest expense is wages (\$460,000) and overtime (\$155,000), both staying constant from 2010. Their next biggest expense is billing services budgeted for \$46,000.00. The service is very much dependent on Medicare reimbursements, so any changes at the Federal level might have an impact.

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

## ARTICLE 10

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of recreation programs, supplies, equipment, contracted instructors and any related expenses, which fund shall be credited with receipts from all Recreation Department program user fees, proceeds of fund-raising activities and donations under the authority and direction of the Director of Social Services, acting with the approval of the Town Administrator; such expenditures not to exceed \$120,000; and further, that the unencumbered balance as of the close of fiscal year 2010 in the existing recreation revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

### **Explanation:**

**This article is addressed each year at the Annual Spring Town Meeting. Approval would allow the continued use of a Revolving Fund for the Recreation Department with funds not to exceed \$120,000.00**

### **Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

## ARTICLE 11

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of recycling programs, projects, supplies, equipment and any related expenses, which fund shall be credited with receipts from recycling programs and projects, proceeds of fund-raising activities and donations under the authority and direction of the Chairman of the Recycling Committee, acting with the approval of the Town Administrator; such expenditures not to exceed \$50,000; and further, that the unencumbered balance as of the close of fiscal year 2010 in the existing recycling revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Recycling Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article is addressed each year at the Annual Spring Town Meeting. Approval would allow the continued use of a Revolving Fund for Town recycling with the collection of monies from recycled materials to cover expenditures. Such expenditures will not exceed \$50,000.00.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

ARTICLE 12

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of shellfish propagation programs and enhancement of shellfish resources within the Town of Wareham, which fund shall be credited with receipts from all commercial shellfish permit fees and twenty (20%) percent of all fees derived from the issuance of recreational shellfish permits under the authority and direction of the Shellfish Constable and Town Administrator; such expenditures not to exceed \$30,000; and further, that the unencumbered balance as of the close of fiscal year 2010 in the existing shellfish revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Harbormaster/ Shellfish Constable

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article is addressed each year at the Annual Spring Town Meeting. Bushels of very immature shellfish, primarily quahogs, continue to be transplanted from other areas of Massachusetts to the coves of Wareham and Onset for the propagation of these shellfish and the harvesting pleasure of our people. These cove areas are rotated each year and are protected from harvesting for a period of two years in order to assure the success of the program. Monies are generated from commercial fees and a percentage of the recreational permits. The monies are also used to purchase mature quahogs, oysters, and clams that ultimately become available for harvest.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

#### ARTICLE 13

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of providing transportation to elderly and disabled citizens of the Town, which fund shall be credited with receipts from transportation proceeds, including donations, under the authority and direction of the senior director of social services acting with the approval of the Town Administrator; such expenditures not to exceed \$100,000; and further, that the unencumbered balance as of the close of fiscal year 2010 in the existing transportation revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

#### **Explanation:**

**Approval of this article at each year's Annual Spring Town Meeting allows continued use of a Revolving Fund to provide transportation to the elderly and disabled citizens of the Town. The current program operates under a contract with GATRA transportation system. The Revolving Fund is credited with ridership receipts, private donations, and any grants received. Expenditures are not to exceed \$100,000.00.**

#### **Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

#### ARTICLE 14

To see if the Town will vote pursuant to M.G.L. c.44, §53E-1/2, to authorize the use of a revolving fund for the purpose of providing Library services, programs, supplies, equipment, wages, salaries, fringe benefits and any related expenses, which fund shall be credited with receipts from Library fines, proceeds of fund raising, donations, and other related receipts under the authority and direction of the Library Director, acting with the approval of the Town Administrator; such expenditures not to exceed \$10,000.00, and further that the unencumbered balance as of the close of the fiscal year 2010 in the existing library account be transferred to the revolving account established for fiscal year 2011, or to do or act in any manner relative thereto.



Inserted by the Board of Selectmen at the request of the Town Administrator

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article is to authorize the continued use of a Revolving Fund for the purpose of providing library services. Expenditures not to exceed \$10,000.00.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

ARTICLE 15

To see if the town will vote pursuant to Chapter 44, Section 53E-1/2 of the General Laws to authorize the use of a revolving fund for the purpose of supporting, improving and increasing the COA senior daycare fees, add and expand beneficial programs, pay for all supplies, equipment, salaries, fringe benefits and any related expenses, this fund shall be credited with receipts from user fees, credited with proceeds of fund-raising activities, donations and other related receipts under the authority and direction of the COA Director such as expenditure will not exceed our planned projected income of \$200,000 expended in any one fiscal year; and further, that the unencumbered balance as of the close of fiscal year 2010 in the existing COA revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Council on Aging

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article proposes the continuation of a Revolving Fund that would allow for money generated by the Social Daycare Programs to be utilized for social daycare and related programs.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

## ARTICLE 16

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of the general laws to authorize the use of a revolving fund for the purpose of all day kindergarten tuition, programs, supplies, equipment, wages, salaries, fringe benefits and any related expenses, which fund shall be credited with receipts from user fees, proceeds of fund raising activities, donations and other related receipts under the authority and direction of the Superintendent of Schools, acting with the approval of the School Committee, such expenditures not to exceed \$297,159 expended in fiscal year 2011, and further that the unencumbered balance as of the close of the fiscal year 2010 in the existing kindergarten revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Wareham School Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

### **Explanation:**

**This article proposes the continuation of a Revolving Fund to receive payments from the Commonwealth, appropriations from the Town, tuition/fee payments from parents, fundraising, etc. in support of the Wareham Public School All-Day Kindergarten programs. This account will track related expenses and the payments made from this account. This article requests approval to transfer the year ending balance for FY10 into the FY11 Revolving Fund account.**

### **Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

## ARTICLE 17

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of the general laws to authorize the use of a revolving fund for the purpose of special education tuition, programs, supplies, equipment, wages, salaries, fringe benefits and any related expenses, which fund shall be credited with receipts and under the authority and direction of the Superintendent of Schools, acting with approval of the School Committee; such expenditures not to exceed \$297,159 expended in fiscal year 2011, and further that the unencumbered balance as of at the close of the fiscal year 2010 in the existing special education revolving account be transferred to the revolving fund established for fiscal year 2011, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Wareham School Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article is to authorize the continued use of a Revolving Fund for the purpose of providing special education tuition, programs, and any related expenses. Expenditures not to exceed \$297,159.00.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article.**

ARTICLE 18

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of the general laws to authorize the use of a revolving fund for the purpose of passport supplies, equipment, postage and any related expenses, which fund shall be credited with receipts from the passport processing fee and other related receipts under the authority and direction of the Town Clerk, acting with approval of the Town Administrator; such expenditures not to exceed \$10,000 expended in any fiscal year, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Town Clerk

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

**Explanation:**

**This article will permit the Town Clerk to establish a new Revolving Account for passport application fees and related income. Passage of the article will reduce paperwork and simplify procedures in the Town Clerk's Office.**

**Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article. This revolving account will permit the more efficient and cost-effective operation of the Town Clerk's office regarding passport application fees.**

## ARTICLE 19

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E ½ to authorize the use of a revolving fund for the purpose of providing educational and social programs to the elderly and disabled citizens of the town, which fund shall be credited with receipts from proceeds from the above programs, under the authority and direction of the Senior/Social Services Director with the approval of the Town Administrator; said expenditures not to exceed \$7,500 for fiscal year 2010, or to do or act in any manner relative thereto.

Inserted by the Wareham Board of Selectmen at the request of the Town Administrator

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-1**

### **Explanation:**

**This article will establish a Revolving Account to account for proceeds from programs conducted by the Town for its senior citizens. Passage of the article will simplify current bookkeeping procedures and reduce paperwork.**

### **Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article. This revolving account will permit the more efficient and effective operation of programs for senior citizens which are paid for, in part, by fees received from senior citizens.**

## ARTICLE 20

To see if the Town will vote to authorize the Board of Selectmen, pursuant to M.G.L. c. 40, s.15A, 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 Assessor's shown as Assessors' Map 105, Parcel 1001 and Assessors' Map 105A, Parcels 107 through 130 and Parcels 162 through 175 and Parcels 198 through 213 and Parcels 215 through 221 and Parcels 229 through 238 and Parcels 259 through 287, and described in the instrument recorded with the Plymouth District Registry of Deeds in Book 4314, Page 189, said portion containing 24.49 acres, more of 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 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 affordable housing purposes in perpetuity; or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 4-1-0**  
**The Finance Committee Voted:       No Action 5-3-0**

**Explanation:**

**We will not go into the pros & cons of Westfield. One's school of thought holds that we should take care of what we have, specifically dealing with Agawam Village and the Housing Authority's desire to build & then rehab current units. Were that to happen, approximately 40 new units would be added to the Town's available housing stock for senior citizens. The other view holds that Westfield could add over 175 units in several phases. Five proposals came in, but three had suggestions of income ranges above what might be considered low-income. The Finance Committee voted in the negative on this article last year in a split vote.**

**Recommendation:**

**The Finance Committee's vote majority vote of No Action on this article parallels the vote of last year. Those on the Finance Committee that voted in the negative were of two minds on this issue. First, the issue had been acted upon by Town Meeting previously and the feeling was that the matter had been properly addressed. In addition, the Finance Committee is on record as favoring the building of new units at Agawam Village, moving current residents and then rehabbing the current units, adding approx. 40 units to our housing stock. Also, Agawam Village is very convenient to downtown and an objective of our business development.**

ARTICLE 21

To see if the Town will vote to authorize the Board of Selectmen, pursuant to G.L. c. 40, s.15A, to lease the care and custody of the real property and improvements currently known thereon known as the building know as the Boys and Girls located on town owned land located on Viking Drive, 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 youth social activities pursuant to the requirements of G.L. c.40, s.3 and 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 G.L. c.44, s.55C, and further, that if the Board of Selectmen is to lease

for a maximum of 99 years said property, that lease may be subject to the prior placement of a restriction on said property, included that the two rear bays of said building, which are presently occupied by the Wareham School Department and the Emergency Management Agency of the town, or take any other action thereon or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article would allow the Town to lease the building on Viking Drive to the Boys and Girls Club under a long-term lease.**

**The Boys and Girls Club has occupied the Town-owned building across from the Middle School since 1982. The building is in need of repairs and remodeling. The organization hopes to undertake a capital campaign to raise funds for renovations and improvements which will include a drop-in center for Middle School students. Such improvements are not practical under the current five-year lease. With a long-term lease, they would be able to seek outside financing and grants.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

**This article would allow the Town to lease the building on Viking Drive to the Boys and Girls Club under a long-term lease.**

ARTICLE 22

To see if the Town will vote to transfer \$8,600 from the parking meter fund to the Municipal Maintenance line painting account, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Municipal Maintenance Director

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This is a routine article which permits the Municipal Maintenance Department to use funds received from parking meters for line painting on the Town's roadways.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. This article simply allocates funds received from motor vehicle use in the form of parking meter receipts to the maintenance of the Town's roads.**

ARTICLE 23

To see if the Town will vote to appropriate and transfer \$15,000 Dollars from the Waterways Improvement and Maintenance Fund to the Harbors and Beaches Maintenance Account or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Municipal Maintenance Director

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This is a routine which permits the Town to utilize funds received from users of the Town's waterways for expenses related to public use of the Town's beaches and harbors.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. This article will permit the efficient use of funds received by the Town from those who use its waterways for the Town's expenses related to those waterways, beaches, and harbors.**

ARTICLE 24

To see if the Town will vote to appropriate and transfer a sum of \$15,000 Dollars from the Cemetery Perpetual Care Interest Fund to a Special Account for the Routine Care and Maintenance of the Town cemeteries or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Municipal Maintenance Director

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This is a routine article which applies income received from the Cemetery**

**Perpetual Care Fund to the maintenance of the Town's cemeteries.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. This article permits the Town to utilize funds received from the Cemetery Perpetual Care funds for the orderly maintenance and improvement of the Town's cemeteries.**

ARTICLE 25

To see if the Town will vote to petition the General Court for special legislation revising the Town Charter in accordance with the recommendations of the Charter Review Committee, which may be found in a document entitled, "Charter Review Committee-Proposed Town Charter," as on file with the Town Clerk, and provided for the adoption of a new charter with an elected Town Council to be comprised of precinct and at-large councilors who shall serve for 2 year terms, an elected Mayor who shall serve a term of 4 years, an elected Town Clerk who shall serve a term of 3 years, and an elected School Committee whose members shall serve for terms of 3 years. The "Proposed Town Charter" is available on-line or a copy is available for review at the Town Clerk's office or the Wareham Free Library (copies available but copy charges will apply). The new charter shall not take effect in the Town until approved by the voters at an annual or special election; provided, however, that the General court may make clerical or editorial changes of form only to the bill.

Inserted by the Board of Selectmen at the request of the Wareham Charter Review Committee

<b>The Board of Selectmen Voted:</b>	<b>Favorable Action 0-0-5</b>
<b>The Finance Committee Voted:</b>	<b>Favorable Action 3-3-2</b>

**Explanation:**

**This article is brought to Town Meeting by the Charter Review Committee that was appointed by the Board of Selectmen. The Committee is recommending the Town of Wareham abandon its current form of Town Meeting form of government and replace it with an elected Town Council from each precinct and members at large and replacing the current Town Administrator's position with an elected Mayor. The Town Clerk and School Committee would remain as elected positions.**

**Recommendation:**

**The Finance Committee was split on the vote for this article. Those in favor of moving to a different form of government noted that Town Meeting tended to represent a very small percentage of the population and when critical votes came up, proponents on either side of an issue tended to dominate the proceedings. Those who wished to continue with Town**



**Meeting felt that perhaps we might be entering a "new era" and that Town Meeting could work.**

## ARTICLE 26

To see if the Town will vote to amend the Town's By-Law, Section to Division II, Article 1 to read as follows:

Section 3 to Division II, Article I to the town's bylaws currently reads as follows:  
No person shall deposit any ashes, tin cans, old apparel, leaves or any other rubbish, decayed matter or garbage on any street except in a proper container. Whoever violates this bylaw shall be liable to a penalty of not more than two hundred dollars (\$200.00) for each offense.

The Minot Forest Committee recommends an insertion of "or along" after the words "garbage on" and before "any street". After the word "street", we recommend inserting "or any property owned or leased by the Town of Wareham or any of its subdivisions". After the phrase "except in a proper container", we recommend inserting "for pick-up."

We also recommend increasing the maximum penalty to \$500.00 for each offense.

Section 3 to Division II, Article I to the town's bylaws would then read as follows:

**No person shall deposit any rubbish, trash or garbage of any kind, on or along any street or any property owned or leased by the Town of Wareham or any of its subdivisions, except in a proper container for pick up. Whoever violates this bylaw shall be liable to a penalty of not more than five hundred dollars (\$500.00) for each offense.**

The above changes would interalia support any claim by the town for encroachments on the Minot Forest by people using the forest to dump their grass, leaves etc.

Inserted by the Board of Selectmen at the request of the Minot Forest Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

### **Explanation:**

**This article seeks to amend Section 3, Article I (Street Rules) of Division II of the Wareham Town Bylaws, to read as indicated in *bold face type*. The effect of this article is to expand the areas subject to the rubbish, trash, and garbage disposal criterion to include Town-owned and leased property. The fine for each violation would be increased from a maximum of two hundred dollars (\$200.00) to a maximum of five hundred dollars (\$500.00).**

## **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. Favorable Action supports a Bylaw that encourages more respect for the community and our environment. Less thoughtful individuals may receive a significant fine.**

### ARTICLE 27

To see if the Town will vote to amend Division VI, Article I of the General Bylaws, the Wareham Wetland Protective By-Law, by inserting the following new provisions:

*(i) Insert the following in Section VII "Definitions", subsection 1:*

The term "Buffer Zone" shall include the area of land extending 100 feet horizontally outward from the boundary of the following resource areas: any freshwater or coastal wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; intermittent streams; creeks; beaches; dunes; estuaries; the ocean; lands under water bodies; and, lands containing shellfish.

The term "No Activity Zone" shall include a portion of the Buffer Zone extending outward from the boundary of the resource area in which no work, including the removal of vegetation, is allowed.

*(ii) Insert the following new section:*

### **Section XVIII. Buffer Zone**

#### **A. Residential Construction**

A 30-foot No Activity Zone shall be required for all new residential structures in developments of three units or less, additions, accessory structures (including, but not limited to, garages, sheds, and pools), associated construction (including, but not limited to, driveways and septic systems), and site work (including, but not limited to, landscaping and grading) within the Buffer Zone. In the event that there are multiple resource areas at a given site with associated Buffer Zone, the 30-Foot No Activity Zone shall be measured from the boundary of the resource area closest to the work.

Developments of four or more residential units shall be subject to the requirements for commercial/industrial development in Subsection B.

#### **B. Commercial/Industrial Development and Residential Construction of Four Units or More**

A 50-foot No Activity Zone shall be required for all new commercial and industrial developments (including, but not limited to, strip malls, office buildings, retail stores, automotive uses, warehouses, and industrial buildings), and developments of four or more residential units, that will alter 2500 square feet or more of Buffer Zone. In the

event that there are multiple resource areas at a given site with associated Buffer Zone, the 50-foot No Activity Zone shall be measured from the boundary of the resource area closest to the work. For commercial/industrial developments and developments of four or more residential units that will alter less than 2500 square feet of Buffer Zone, the Conservation Commission may permit a No Activity Zone less than 50 feet in width, but not less than 30 feet in width.

### C. Exceptions

1. The Conservation Commission may waive or reduce the No Activity Zone requirements listed above for the redevelopment of sites that are currently paved or altered with other impervious surfaces within Buffer Zone.
2. The Conservation Commission may waive or reduce the No Activity Zone requirements listed above for projects involving work necessary to access buildable upland (including access roads, driveways, and utilities) as long as there is no other means of accessing said buildable upland, and said work meets all the other requirements of the Massachusetts Wetlands Protection Act and this By-law.
3. The Conservation Commission may waive or reduce the No Activity Zone requirements listed above if in its judgment such a reduction is necessary to accommodate a project that will have an overall benefit to the public and/or to the environment (such as a sewer expansion project, or a wildlife enhancement project).
4. The No Activity Zone requirements set forth in this Section shall not apply to any structures or site work that is defined as the normal maintenance or improvement of Land In Agricultural Use under 310 CMR 10.04, "Agriculture".
5. The No Activity Zone requirements set forth in this Section shall not apply to projects requiring Chapter 91 Licenses, freshwater dock projects, repairs of existing Chapter 91 Licensed structures, or to other coastal engineering structures deemed by the Conservation Commission to be necessary to protect the interests of the Massachusetts Wetlands Protection Act and this By-law.
6. The No Activity Zone requirements set forth in this Section shall not apply to projects involving the repair, but not expansion of, existing and lawfully located buildings and structures, including roads, culverts, utilities, septic systems, or storm water drainage structures, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Conservation Commission

**The Board of Selectmen Voted:           Favorable Action 4-0-1**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

### **Explanation:**

**This article seeks to amend Article I to Division VI of the General Bylaws known as the "Wareham Wetland Protective Bylaw" by adding the**

definitions of "Buffer Zone" and "No Activity Zone" to Subsection 1, Section VII (Definitions). *In addition*, a new section, Section XVIII (Buffer Zone) is inserted which sets forth specifications for and prohibitions in the "No Activity Zone" for both residential construction and commercial/industrial development and residential construction of four (4) units or more. A number of exceptions to Section XVIII of the Bylaw are also indicated.

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

ARTICLE 28

To see if the Town will vote to appropriate and transfer from available funds a sum of money to pay unpaid bills of prior fiscal years as follows:

From Town Administrator's Office – Hancock Associates - \$1,200.00; IKON Office Solutions - \$99.84

From Wareham Free Library - Random House, Inc. - \$64.00

From Veterans Services Dept. - Southcoast Physician Services - \$297.88;

or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Town Administrator

**The Board of Selectmen Voted:           Favorable Action 5-0-0**

**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**Several bills remain unpaid from prior fiscal years. This article requests authority to pay those bills as indicated in the article. The total of the four outstanding bills is one thousand six hundred sixty-one dollars and seventy-two cents (\$1,661.72)**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article to pay several bills remaining from prior fiscal years.**

ARTICLE 29

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for miscellaneous equipment to authorize the Town Administrator to expend such funds that are necessary for this action, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Town Administrator

**The Board of Selectmen Voted:       No Action 5-0-0**

**The Finance Committee Voted:        No Action 7-0-0**

**Explanation:**

**Under the authority granted to the Town Administrator by Section 4-2, Article 4, Wareham Charter (pg. 18), the Town Administrator is the procurement officer for the Town. This article seeks to appropriate funds for purchase of miscellaneous equipment as proposed.**

**Recommendation:**

**The Finance Committee recommends No Action on this article by a vote of 7-0-0, upon receipt of additional information from the Assistant to the Selectmen.**

ARTICLE 30

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ninety-nine thousand two hundred twenty four dollars and no cents (\$99,224.00) to pay for the first year of a three year lease for 8 police cruisers and 1 police SUV and to authorize the Town Administrator to expend such funds that are necessary for this action, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Capital Planning Committee

**The Board of Selectmen Voted:        Favorable Action 5-0-0**  
**The Finance Committee Voted:        Favorable Action 7-0-0**

**Explanation:**

**This article seeks to raise and appropriate and/or transfer from available funds the amount of \$99,224.00 to pay for the first year of a three year lease for eight (8) police cruisers and one (1) police SUV & to authorize the Town Administrator to expend such funds.**

**Recommendation:**

**The Finance Committee and the Capital Planning Committee recommend Favorable Action of this article.**

**The need to replace police cruisers was necessitated by their extremely poor shape and this was self-evident. Monies through a grant was immediately available and action was taken. Given that the cruisers are the officers' office for recording devices, computers, communications, transportation, heating and cooling, we should ensure that they have adequate facilities. Regardless of procedural issues, the need and grant money were available. In coordination with the Police Chief, as well as the Capital Planning Committee and the Finance Committee, the Town Administrator took**

**immediate and necessary action.**

ARTICLE 31

To see if the Town will vote to authorize the Community Events Committee to expend Fifty three thousand seven hundred twenty five thousand dollars and no cents (\$53,725), 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, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Events Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article authorizes the Community Events Committee to help support various community activities, projects, and public improvements which are of interest to the residents and visitors of Wareham.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article and the continuing positive works of the Community Events Committee.**

ARTICLE 32

To see if the Town will vote to rescind Twelve thousand Six hundred thirty one dollars and no cents (\$12,631) which represents the unissued portion of a bond authorization approved in Article 17 at the April 23, 2001 Town Meeting for the purposes of rehabilitating and expanding the Wareham Middle School, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Wareham Middle School project.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 33

To see if the Town will vote to rescind Three hundred Fifty Five thousand Six hundred twenty four dollars and no cents (\$355,624.00) which represents the unissued portion of a bond authorization approved in Article 18 at the April 23, 2001 Town Meeting for the purposes of financing the construction of Water Pollution Control Facility Modifications, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Water Pollution Control Facility modification project.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 34

To see if the Town will vote to rescind Two hundred thousand dollars and no cents (\$200,000) which represents the unissued portion of a bond authorization approved in Article 27 at the April 29, 2003 Town Meeting for the purposes of financing the construction of the sewage system in the Weweantic Shores section of Town, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Weweantic Shores sewer project.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 35

To see if the Town will vote to rescind Sixty five thousand dollars One hundred eighty-four dollars and no cents (\$65,184) which represents the unissued portion of a bond authorization approved in Article 1 at the October 27, 2003 Town Meeting for the purposes of the taking of land described in the original article as Parcel I and Parcel II and Parcel IIII financing the purchase of property called Swifts Beach, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Swifts Beach property purchase.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 36

To see if the Town will vote to rescind Four hundred ten thousand dollars and no cents (\$410,000) which represents the unissued portion of a bond authorization approved in Article 17 at the October 27, 2003 Town Meeting for the purposes of renovating the Oak Grove School, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Oak Grove School renovation.**



**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 37

To see if the Town will vote to rescind one hundred twenty thousand dollars and no cents (\$120,000) which represents the unissued portion of a bond authorization approved in Article 57 at the May 1, 2006 Town Meeting for the purposes of renovating the Oak Grove School, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Oak Grove School renovation.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 38

To see if the Town will vote to rescind two million, one hundred thousand dollars and no cents (\$2,100,000) which represents the unissued portion of a bond authorization approved in Article 27 at the October 25, 2004 Town Meeting for the purposes of financing the construction of the sewage system in the Rose Point, Brairwood Beach, and Beaver Dam Estates section of town, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Town Treasurer/Collector.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the Town Accountant to remove from the Town's books, the amount listed that was not borrowed through bond for the Rose Point, Briarwood Beach, & Beaver Dam Estates sewer project.**

**Recommendation:**

**The Finance Committee recommends Favorable Action of this article to help improve our future bond rating.**

ARTICLE 39

To see if the Town will vote to rescind one hundred seventy nine thousand, two hundred thirteen dollars and sixty cents (\$179,213.60) which represents the unissued portion of a bond authorization approved in Article 25 at the October 23, 2007 Town Meeting for the purposes of restoration of the slate roof of Memorial Town Hall, or take any action relative thereto.

Inserted by the Board of the Selectmen from the Community Preservation Committee.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       No Action 7-1-0**

**Explanation:**

**This article would allow that portion of money which was approved at a prior Town Meeting in connection w/ the restoration of the Town Hall roof, but which was not included in the bond, to be removed from the books.**

**Recommendation:**

**The Finance Committee originally voted Favorable Action on this article, but at the request of the Community Preservation Committee, the Finance Committee changed their vote to No Action. It is the understanding that the work is not yet complete.**

ARTICLE 40

To see if the Town will vote to rescind Four hundred thousand dollars and no cents (\$400,000) which represents the entire and unissued portion of a bond authorization approved in Article 26 at the October 23, 2007 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 Phased 2, or take any action relative thereto.

Inserted by the Board of the Selectmen at the request from the Community Preservation Committee.

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       No Action 7-1-0**

**Explanation:**

**This article would allow money which was approved at a prior Town Meeting in connection with the Great Neck Conservation project, but which was not bonded, be removed from the books.**

**Recommendation:**

**The Finance Committee originally voted Favorable Action on this article, but at the request of the Community Preservation Committee, they asked to hold off on this article since the CPC had not voted on this article.**

ARTICLE 41

To see if the Town will vote to hear and act on the report of the Community Preservation Committee, on the Fiscal Year 2011 Community Preservation budget and further to reserve for future appropriation from Community Preservation Fund FY 2011 estimated annual revenues the following amounts as recommended by the Community Preservation Committee: **(1) \$25,000** to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year 2011; **(2) \$50,000** for the acquisition, creation and preservation of open space, excluding land for recreational use; **(3) \$50,000** for the acquisition, preservation rehabilitation and restoration of historic resources; and **(4) \$50,000** for the creation, preservation and support of community housing or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article provides for annual allocation of funds to be received under the Community Preservation Act. It includes the payment of administrative expenses and apportions money equally between open space and recreation, historic purposes, and community housing.**

**Recommendation:**

**This article is basically a housekeeping item. The Finance Committee recommends Favorable Action on this article.**

## ARTICLE 42

To see if the Town will vote to appropriate from the Community Preservation Fund unallocated fund balance, or any other available monies in the Community Preservation fund, the sum of \$50,416.67 for debt payment on the Tremont Nail Structural Feasibility Survey, as originally approved under article 28, October 2007 Town Meeting, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

### **Explanation:**

**This article is for the debt payment for the Tremont Nail Structural Feasibility Survey as originally approved at a prior Town Meeting.**

### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

## ARTICLE 43

To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Reserve Fund, the sum of \$50,000 to hire a consultant for the Agawam Village Reconstruction and Design Project, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

### **Explanation:**

**This article is intended to provide \$50,000.00 to the Wareham Housing Authority to walk the existing Agawam Village reconstruction design project to fruition. This project has been studied at length and this article will move this project forward in obtaining permits to install additional units at Agawam Village.**

### **Recommendation:**

**The FinCom voted unanimously in December 2009 to support the Wareham Housing Authority's desire to build new units at Agawam Village, move**

**current residents to the new units, and then rehab the existing units, thus, adding approximately 40 new residences to our housing. An added benefit would be that the population density in the downtown area would be increased; a benefit to downtown merchants. The Favorable Action vote by the FinCom on this article continues that support.**

#### ARTICLE 44

To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Reserve Fund, a transfer of \$60,000 to the Wareham Affordable Housing Trust Fund, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

#### **Explanation:**

**This article will provide additional funds, in the amount of \$60,000.00 for the Wareham Affordable Housing Trust Fund.**

#### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

#### ARTICLE 45

To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Reserve Fund the sum of \$50,000 for the purchase of an affordable housing restriction establishing an affordable housing unit in Wareham; and further, that the purchase agreement between the Town and the owner of the unit shall include a requirement that the creation and use of the unit shall conform to the Local Initiative Program so that the restricted property 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, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           No Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

#### **Explanation:**

**This article is designed to provide a subsidy in the amount of \$50,000.00 to a**

**private contractor as long as the contractor agrees to a restriction that makes the housing unit part of our affordable housing stock.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. This article is quite unusual. The Community Preservation Committee wants to embark on what amounts to a new path; to provide funding as a grant to a developer (in this case) to either rehab or build a home. Discussion within the Finance Committee centered, in part, as to whether the Town might also have a modest equity interest. The Finance Committee is totally supportive of the idea of rehabbing residences where possible.**

ARTICLE 46

To see if the Town will vote to appropriate from the Community Preservation Fund unallocated fund balance, or any other available monies in the Community Preservation fund, under the category of Historic Preservation, the sum of \$20,500 as a grant to the American Legion Post #220 for the roof project at the South Wareham School House, so-called, also known as American Legion Post #220, and located at 777 Main Street, Wareham, and further, that a grant agreement shall require the grantee to grant to the Town a preservation restriction in said building, and to authorize the Board of Selectmen to accept said restriction, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article will allow the transfer of Community Preservation Funds in the amount of \$20,500.00 to install a much needed roof to the South Wareham School House, so-called, also known as American Legion Post #220 located at 777 Main Street.**

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article. It is the understanding of the Finance Committee that the State mandates that the American Legion, as an organization, receives certain benefits, including in this case, needed repairs to the South Wareham School House where the American Legion resides, hence the request.**

**Strictly an aside, the Town should be giving more consideration to preventative maintenance. Leaking roofs are much too common in Town and are symptomatic of not taking care of a problem before it escalates into**

**a more serious issue.**

#### ARTICLE 47

To see if the Town will vote to appropriate from the Community Preservation Fund FY 2011 estimated annual revenues, or any other available monies in the Community Preservation Fund, the sum of \$245,000 under the category of Historic Preservation, for the roof restorations of the Town-owned Tremont Nail Main factory building and the Freight building, located at 15 Elm Street, Wareham, MA, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           No Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

#### **Explanation:**

**This article seeks to appropriate from the Community Preservation Fund the sum of \$245,000.00 for the roof restorations of the Town-owned Tremont Nail Main Factory building and the Freight building, located at 15 Elm Street.**

#### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. The intent is to try and secure structures and keep them from further harm. While not quite on point, the suggestion about preventative maintenance in Article 46 above, has some relevancy here as well.**

#### ARTICLE 48

To see if the Town will vote to appropriate from the Community Preservation Fund unallocated fund balance, or any other available monies in the Community Preservation fund, under the category of Open Space; the sum of \$275,000 for the purchase of a conservation restriction for the Wareham Land Trust, Inc. with respect to approximately 35+/- acres of the property commonly known as the Former Robbins Trout Hatchery, located at Main Street, West Wareham, and designated as follows: Assessor's Map 80, Lot 1004; Assessor's Map 86, Lots A and B; Assessor's Map 88, Lot 1008; and a portion of Assessor's Map 88, Lot 1007A, to include all but approximately one acre of the existing parcel (as shown on a sketch plan on file with the Town Clerk), and to authorize the Conservation Commission to accept such restriction; all as recommended by the Community Preservation Committee for meeting the Open Space Goal of the Wareham Community Preservation Plan, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation

Committee

**The Board of Selectmen Voted: No Action 5-0-0**  
**The Finance Committee Voted: No Action 6-2-0**

**Explanation:**

**This article deals with the potential purchase of land and subsequent Conservation Restriction. It is somewhat complicated because the land is involved in bankruptcy proceedings.**

**Recommendation:**

**The Finance Committee first voted Favorable Action on this article, but then reconsidered that action in large part because of concerns that legal entanglements loomed in the horizon and that we felt uncomfortable with getting in the "middle" of this while the legal issues were still in discussion.**

ARTICLE 49

To see if the Town will vote to appropriate from Community Preservation Fund unallocated fund balance, or any other available monies in the Community Preservation fund, under the category of Open Space, the sum of \$100,000 and appropriate from Community Preservation FY2011 estimated annual revenues, or any other available monies in the Community Preservation fund, the sum of \$155,000 under the category of Open Space, for the acquisition of the Northern portion of the parcel of land now or formerly owned by BKT Realty Trust; Tucs Enterprises Inc., Trustee, described as Assessors Map 117, Lot 1005A, containing 110 +/- acres, (as shown on a sketch plan on file with the Town Clerk); and to authorize the Board of Selectmen to acquire said property; and further, to authorize the Board of Selectmen to grant to 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; or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted: Favorable Action 3-2-0**  
**The Finance Committee Voted: Favorable Action 7-0-0**

**Explanation:**

**This article deals with the potential purchase of land and a subsequent Conservation Restriction on said land.**

**Recommendation:**

**The Finance Committee voted Favorable Action on this article. This article**



**potentially has some ingredients of Article 48, but there seems to be no controversy at this current time.**

#### ARTICLE 50

To see if the Town will vote to amend the vote taken under Article 11 of the 2009 Fall Town Meeting that appropriated \$200,000 from Community Preservation Fund FY2010 estimated annual revenues for the design and engineering phase of the Wareham Community Pathway, by reducing the amount appropriated from the Community Preservation Fund FY2010 estimated annual revenues to \$50,000 and by appropriating the sum of \$150,000 from the Community Preservation Fund unallocated fund balance, or any other available monies in the Community Preservation fund, for such purposes, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

**The Board of Selectmen Voted:           Favorable Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

#### **Explanation:**

**This article does not change the "amount", but only changes the internal (to Community Preservation) sources.**

#### **Recommendation:**

**The Finance Committee recommends Favorable Action on this article. This article deals with reallocation of funds and while not quite a "housekeeping" item, it tends in that direction.**

#### ARTICLE 51

A.

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007 by changing land previously zoned Commercial Strip to Commercial General with the following description;

Beginning at the Centerline of the intersection of Doty Street, Carver Road and Route 28 as shown on Wareham Assessors Map 103;

Thence North along the Centerline of Carver Road to the Southern Right of Way line for Route 25 as shown on Wareham Assessors Map 103;

Thence Westerly along the Southern Right of Way line of Route 25 to the Centerline of Route 58 as shown on Wareham Assessors Map 103;

Thence South along the Centerline of Route 58 across Route 28 and along the

Centerline of County Road to a point 500' back from of Lot 1000 as shown on Wareham Assessors Map 99;

Thence Easterly along the Southern property lines Lot 1000 and Lot 1001 to the Southeastern corner of Lot 1001 as shown on Wareham Assessors Map 99;

Thence North along the Eastern property line of Lot 1001 to the Southern property line of Lot 1 as shown on Wareham Assessors Map 99;

Thence Easterly along the Southern property line of Lot 1 Across RAE Avenue at an angle to the Southeastern corner of Lot 1003 as shown on Wareham Assessors Map 99;

Thence Easterly along a line following the southern property lines of Lots 1003, 1004, 1005, 1006, 1007B, 1008, 1011 as shown on Wareham Assessors Map 99 to the Western property line of Lot 1004 as shown on Wareham Assessors Map 100;

Thence Northeasterly along the Western property line of Lot 1004 to the intersection with Lots 1008 and 1009 as shown on Wareham Assessors Map 100;

Thence South and East along the Western and Southern property lines of Lot 1008 to the Centerline of Carver Road as shown on Wareham Assessors Map 100;

Thence North along the Centerline of Carver Road to the Point of beginning.

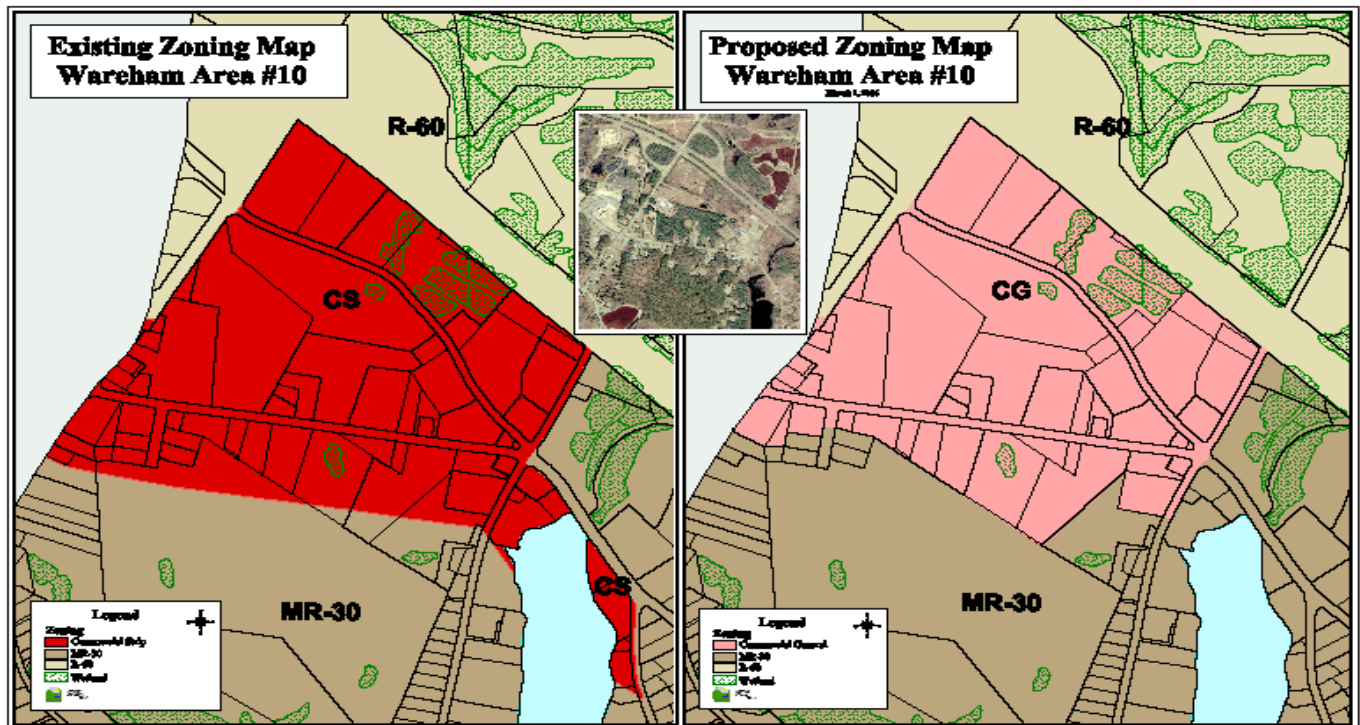
B.

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007, by changing land previously zoned Strip Commercial (CS) to Mr-30 with the following description and amending any descriptions in Appendix I.

Beginning at the northernmost apex of Lot 1044, thence Southerly along Cranberry Highway along the Western Lot lines of Lots 1044, 1043, T-1A, 1042, F-B and a portion of F-C;

Thence, Northwest, to a point at the edge of Tremont Mill Pond;

Thence, Northerly along the edge of Tremont Mill Pond along a portion of Lot F-C, F-B, 1042, 1043 and 1044 to Point of beginning.



Inserted by the Planning Board

**The Board of Selectmen Voted:**  
**The Finance Committee Voted:**

**No Action 5-0-0**  
**Favorable Action 7-0-0**

#### **EXPLANATION:**

This is a map change that went before the April 2006 Town Meeting and was voted to Further Study. The Planning Board wants to revisit this change and recommends this change that affects properties on the Rochester Town Line that are now designated as Strip Commercial. The perpendicular strip of Strip Commercial properties just east of Tremont Mill Pond is proposed to change to MR-30.

#### **Recommendation:**

The Finance Committee recommends Favorable Action on this article, in the spirit of clarifying an existing map and insuring the Town has the opportunity to influence the type of commercial development in the defined areas and concurrently protecting residential areas adjacent to Tremont Mill Pond.

## ARTICLE 52

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007 by changing land previously zoned Industrial, Commercial Strip and MR 30 to Commercial General with the following description;

Beginning at the Intersection of the Centerlines of Route 28 and Seth Tobey Road Southeasterly a distance of 500 feet as shown on Wareham Assessors Map 87;

Thence Westerly by a line Parallel to and 500 feet from the Centerline of Route 28 to the Western property line of Lot 1039B2 as shown on Wareham Assessors Map 90;

Thence Northerly at an angle to the Southeastern corner of Lot 1038 as shown on Wareham Assessors Map 90;

Thence North along the Eastern property line of Lot 1038 to the Center line of Route 28 as shown on Wareham Assessors Map 90;

Thence Westerly along the Centerline of Route 28 to a point directly across from the Northeastern corner of Lot 1018 as shown on Wareham Assessors Map 90;

Thence Southwesterly to and along the eastern and southern property lines of Lot 1018 to the Southwestern corner of Lot 1018 as shown on Wareham Assessors Map 90;

Thence North along the Western property line of Lot 1018 to the Southeastern corner of Lot 1017 as shown on Wareham Assessors Map 90;

Thence Westerly along the Southern property lines of Lots 1017, 1016, 1015 to the Southwestern corner of Lot 1014 as shown on Wareham Assessors Map 90;

Thence Northeasterly along the Western property line of Lot 1014 to the Center line of Route 28 as shown on Wareham Assessors Map 90;

Thence West along the Centerline of Route 28 to a point directly across from the Southeastern corner of Lot 1039 as shown on Wareham Assessors Map 105;

Thence North along the Eastern property line of Lot 1039 to a point directly across from the rear property line of Lots 1040, 1041, and 1042 as shown on Wareham Assessors Map 105;

Thence Easterly along the rear property lines of Lots 1040, 1041, 1042, 1043A, 1043C, across Charlotte Furnace Road and the rear property line of 1046 to the Western property line of Lot 1026 to a point 500 feet from the Centerline of Route 28 as shown on Wareham Assessors Map 105;

Thence Easterly from the western property line of Lot 1026, as shown on Wareham Assessors Map 105, by a line Parallel to and 500 feet from the Centerline of Route 28 to the Eastern property line of Lot 1004 A2 as shown on Wareham Assessors Map 108;

Thence South along the Eastern property lines of Lot 1004 A2 and 1019 to the Centerline of Route 28 as shown on Wareham Assessors Map 108;

Thence Northwesterly along the Centerline of Route 28 to the Point of beginning.

Inserted by the Planning Board

**The Board of Selectmen Voted:           No Action 5-0-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**This article seeks to amend the Wareham Zoning Bylaw, dated May 14, 2007. The parcels described in the article are currently zone Industrial, Commercial Strip, & MR-30. The article proposes to change the zoning of the parcels described to Commercial General.**

**Recommendation:**

**The Finance Committee recommends Favorable Action. The Committee supports the extension of Commercial General along Rte. 28 as more properly representing existing enterprises and providing space for industrial expansion a distance from the highway.**

ARTICLE 53

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$100,000 to the Stabilization Fund, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

**The Board of Selectmen Voted:           Favorable Action 4-1-0**  
**The Finance Committee Voted:       Favorable Action 7-0-0**

**Explanation:**

**Wareham used to have a Stabilization Fund, but over the past several years, it served as a mechanism to balance the Town budget and as a consequence, we have had no buffer against any of the financial vagaries that beset us. To put this in perspective, as of fiscal 2008, in a Department of Revenue document, Wareham was fifth worst out of over 350 cities & towns by one measure of our fiscal probity, and to the Finance Committee, that was not company that we wanted to keep. Quite to the contrary. The amount that we are suggesting is modest to be sure, but we all want to develop a mindset that in effect says we are going to save money and yes, we know that we are going to forgo something in the interim, but we the Town agree, we have to**

be more “prudent”.

In addition, the new administration has agreed that we should develop some sort of “formula” that we can look to and use on a going-forward basis in order to know that each year, we will set money aside. Many towns will set aside a percentage of the Town budget as a reasonable goal, and while we have not as yet set such a target, we would hope that we might reach perhaps 1% of each fiscal budget, which if based on our average tax revenues of approximately \$30 million a year. This would have us setting aside \$300,000.00 per year for Stabilization. The current buzz-word around the Town and the State is “economic development”.

While it is attractive to think of local businesses expanding, businessmen and women, *who know nothing about Wareham*, are much more likely to be attracted to moving their operations here, to Wareham, if they both see *and* sense that we truly want to run a focused, well disciplined, operation. They have to on a day-to-day basis and they would expect their one-step removed partner, the Town, to act in the same manner.

In putting money aside, we forego or delay current activities, but we help to ensure our future.

**Recommendation:**

**The Finance Committee recommends Favorable Action on this article.**

#### ARTICLE 54

To see if the Town will vote to accept the layout of Bethel Way (assessor’s Map 95, Lot 1012, County Road, West Wareham) as a public way and to raise and appropriate or transfer a sum of money to reconstruct the roadways, or to do or act in any manner relative thereto.

NOTE: This article has been reproduced exactly as presented, in accordance with the law.

Inserted by Leo Sullivan, et al.

<b>The Board of Selectmen Voted:</b>	<b>No Action 5-0-0</b>
<b>The Finance Committee Voted:</b>	<b>No Action 7-0-0</b>

**Explanation:**

**This article seeks to have the Town vote to accept the layout of Bethel Way as a public way and to raise and appropriate or transfer a sum of money to reconstruct the roadways.**

## **Recommendation:**

**The Finance Committee recommends No Action on this article. The Finance Committee feels the acceptance of roads and byways is a function of the Board of Selectmen and other Town bodies having responsibility for planning and zoning. The Finance Committee feels that the established procedures are adequate.**

## ARTICLE 55

To see if the Town will vote to establish a committee to research and evaluate the potential uses and long term leasing of the property known as the Swifts Beach property, which was taken by the Town by eminent domain, or to do or act in any manner relative thereto.

The committee shall be appointed by the Town Moderator and shall consist of the Chairperson of the Board of Selectmen, Chairperson of the Finance Committee, Chairperson of the Planning Board, Chairperson of the Community Preservation Committee, or a member of such boards and committees designated by their respective Chairperson, and three volunteer citizens of the Town.

The committee shall report their findings to the Town Meeting members at the October 2010 Town Meeting.

NOTE: This article has been reproduced exactly as presented, in accordance with the law.

Inserted by Joe Chiaraluce, et al.

<b>The Board of Selectmen Voted:</b>	<b>Indefinite Postponement 4-0-1</b>
<b>The Finance Committee Voted:</b>	<b>Favorable Action 6-1-0</b>

## **Explanation:**

**This article is a citizen's petition article that seeks to create a committee to study the potential uses and long-term leasing of the property taken by eminent domain at Swifts Beach.**

## **Recommendation:**

**A majority of the Finance Committee recommends Favorable Action on this article. This article has come up previously and the Finance Committee felt that it would be advisable to adopt the article for what amounts to further study by a select group.**

## ARTICLE 56

To see if the Town will vote to amend the Wareham Zoning Bylaw by rezoning the parcels of land and buildings thereon located on Cranberry Highway and shown on Wareham Assessors Map 133 as Lots 1000, 26 & 27 respectively from MR-30 to General Commercial, or to take any action in relation thereto.

NOTE: This article has been reproduced exactly as presented, in accordance with the law.

Inserted by Albert W. Gregory, et. al.

**The Board of Selectmen Voted:        No Action 5-0-0**  
**The Finance Committee Voted:        No Action 5-2-0**

### **Explanation:**

**This petitioner's article seeks to amend the Wareham Zoning Bylaw. Currently, parcels identified on Assessors Map 133 as Lots 1000 & 27 (across Cranberry Highway from Perry's Ice Cream, between Meadowlark Drive and Sandusky Drive) and Lot 26 entirely on Meadowlark Drive are zoned MR-30 (Multiple Residence on 30,000-45,000 sq. ft. lots). The requested Bylaw change would make these three lots General Commercial.**

### **Recommendation:**

**The Finance Committee voted No Action by a vote of 5-2-0. The majority of the Finance Committee felt that rezoning articles of this nature should be reviewed by the Planning Board before being presented to Town Meeting. The minority recognized that a Variance has already been granted for a portion of Lot 1000 and that this article simply expanded the Commercial General to two adjacent lots.**



