

W A R R A N T

ANNUAL SPRING TOWN MEETING
TOWN OF WAREHAM

APRIL 26, 2021
(GENERAL BUSINESS PORTION)

WAREHAM HIGH SCHOOL
VIKING DRIVE
WAREHAM, MA 02571

7:00 O'CLOCK P.M.

MAY 4, 2021
(ELECTION)

DESIGNATED POLL LOCATIONS 8:00 O'CLOCK A.M. to 8:00 O'CLOCK P.M.

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, S.S.

TO EITHER OF THE CONSTABLES OF THE TOWN OF WAREHAM

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town qualified to vote in Town affairs Town Meeting shall commence on April 26, 2021 at 7:00 o'clock p.m. at the Wareham High School Auditorium, 7 Viking Drive, Wareham, MA at which time the general business of the Town shall be transacted to meet and act upon the articles below; following the conclusion of which the meeting shall be adjourned until the commencement of the Annual Town Election for Town Officers designated in the official ballot on May 4, 2021 at 8:00 o'clock a.m., said Election to take place in: **Precinct 1:** Wareham Town Hall, 54 Marion Road, Wareham; **Precinct 2 and Precinct 3:** Ethel E. Hammond Elementary School, 13 Highland Avenue, Onset; **Precinct 4 and Precinct 5:** Redmen Hall, 745 Main Street, West Wareham; **Precinct 6:** Wareham Town Hall, 54 Marion Road, Wareham on Tuesday, with dissolution of Town Meeting taking place at the end of the Election on May 4, 2021 at 8:00 o'clock p.m.

ARTICLE 1 - ELECTION OF OFFICERS

To choose the following officers: one Selectman for a term of three (3) years, two Assessors for a term of three (3) years, two School Committee members for a term of three (3) years, one Deputy Moderator for a term of three (3) years, one Sewer User Commissioner for a term of three (3) years, one Sewer Non-User Commissioner for a

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SPRING TOWN MEETING WARRANT (CONT'D.)

of three (3) years, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 2 - RECURRING BUSINESS

- A. 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

- B. To see if the Town will authorize its Town Treasurer/Collector to enter into compensating balance agreements for fiscal year 2022 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

- C. To hear the reports of the Selectmen, School Committee, and the Capital Planning Committee, and 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

- D. To see if the Town will vote to expend interest earned from loan repayments made between the Town of Wareham and Wareham residential property owners as authorized under Chapter 111, Section 127B1/2 and/or Chapter 29C of the General Laws for use for the administration of the Septic Loan Program and for additional so-called betterment loan projects, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Director of Planning and Community Development

ARTICLE 3 - COMPENSATION OF CERTAIN OFFICIALS

To see if the Town will vote pursuant to G.L. c. 41, Section 108 to set the compensation of elected officials, and further, to set the compensation of certain appointed officials, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

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 SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 4 – FY22 REVOLVING FUNDS

To see if the Town will vote to approve all of the following G.L. c. 44, Section 53½ revolving funds, or to do or act in any manner relative thereto:

<u>Revolving Fund</u>	<u>Authorizing to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY22 (current) Spending Limit</u>	<u>Disposition of FY 21(prior) Fund Balance</u>
COA/ Transportation	COA/ Transportation	User Fees/	Transportation	200,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Library	Library	Fines/fees/ Fund Raising	Supplies, books	20,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
COA/Social Programs/ Daycare	COA/Social Programs	User Fees/ Fund Raising	Programs, supplies, equipment, contracted instructors and any other related expenses	50,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
COA/Activities	COA/Activities	User Fees/ Fund Raising	Programs, supplies, equipment, contracted instructors and any other related expenses	50,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Hammond Rental	Director of Municipal Maintenance	Rent from former Hammond School	Operating costs of buildings and grounds	50,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Recycling	Chair of Recycling Committee with approval of Town Administrator	User Fees/ Fund Raising	Programs, supplies, equipment, contracted instructors and any other related expenses	50,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Shellfish Propagation	Shellfish Constable and Town Administrator	Shellfish permits fees + 20% of all fees derived from shellfish permits	Shellfish Propagation and enhancement of shellfish resources	30,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Board of Health	Health Department	Fees from Rental Inspection program	Fund Rental Inspection Program	75,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Treasurer	Director of Finance	Tax Title Collections	Necessary and related Tax Title Fees	150,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Code Enforcement	Building Commissioner	Fines, Fees and Funds from Enforcement	Fund Code Enforcement	100,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Solid Waste and Recycling	Town Administrator, Municipal Maintenance Director	Beginning 7/1/2019 all revenue from solid waste and recycling programs including sticker fees and any other revenue associated with solid waste, recycling, bulky items and white goods	Pay for all operational and disposal costs of solid waste, recycling, bulky items white goods and associated costs, including assessments for transfer station	2,500,000	Unencumbered balance from FY21 funds transferred to FY22 revolving fund
Tremont Nail Factory Buildings & Grounds	Director of Municipal Maintenance	Rent, Fees, Charges, Fund Raising	Operating costs of buildings and grounds	500,000	Unencumbered balance from FY 21 funds transferred to FY22 revolving fund

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

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SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 5 - OCCASIONAL REPORTS

To receive and hear reports regarding the Redevelopment Authority or any other reports from committees who deem it necessary, or to do or act in any other manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 6 – FY22 CAPITAL PLAN

To see if the Town of Wareham will vote to raise and appropriate and/or transfer a sum of money from available funds and authorize borrowing subject to MGL Chapter 44, Sections 7 or 8 or any other enabling authority, for the purpose of capital improvement projects including replacement of vehicles and equipment and repairs to and improvements to town buildings, facilities and waterways, or to do or act in any manner relative thereto.

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

ARTICLE 7 – FY22 BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow such sums of money as are necessary to fund the annual operating budget of the Town for Fiscal Year 2022, or take any other action relative thereto.

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

ARTICLE 8 - EMERGENCY MEDICAL SERVICES BUDGET

To see if the Town will vote to appropriate a sum of money to the Emergency Medical Services salaries and wages account, the Emergency Medical Services general expense account, and further, to authorize a sum of money in estimated receipts of the Emergency Medical Services to be used to offset said appropriation in accordance with M.G.L. Chapter 44, Section 53E, or to do or act in any manner relative thereto.

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

ARTICLE 9 - UPPER CAPE COD REGIONAL TECHNICAL SCHOOL

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money as its share of the operating and capital costs of the Upper Cape Cod

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SPRING TOWN MEETING WARRANT (CONT'D.)

Regional Technical High School District for the Fiscal Year July 1, 2021 through June 30, 2022, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Upper Cape Cod Regional Technical School District

ARTICLE 10 - WPCF ENTERPRISE FUND

To see if the Town will vote to appropriate a sum of money from the Water Pollution Control Enterprise Fund: Salary and Wages; Expenditures (includes debt), 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, 2021, and ending June 30, 2022, or to do or act in any manner relative thereto.

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

ARTICLE 11 - UNION CONTRACTS

To see if the Town will vote to approve and fund the Collective Bargaining Agreement between the Town of Wareham and Wareham Sergeants, NEPBA Local 181.

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

ARTICLE 12 - SIGN ZONING BY-LAW AMENDMENT

To see if Town Meeting will vote to amend the Wareham Zoning By-Laws, Article 11: Signs, by deleting Article 11 in its entirety and replacing Article 11 with language on file in the office of the Town Clerk, or to take any other action relative thereto.

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

ARTICLE 13 - DEFINITION OF A 2-FAMILY OR DUPLEX DWELLING

To see if the Town will vote to amend Section 340.4 entitled "Residential Uses" of the Zoning By-Laws of the Town of Wareham, by adding the language shown in bold italics, or to take any other action relative thereto.

Section 340.4

2-family dwelling

A building containing two dwelling units, ***sharing a common demising wall, floor or ceiling***, constructed on a single lot.

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Also known as a duplex.

3 to 4 family dwelling

A dwelling containing at least three but no more than four separate dwelling units, ***each unit sharing a common demising wall***, floor or ceiling, with its neighbors.

5 or more family dwelling

A dwelling containing five or more separate family dwelling units, each unit containing a minimum of 650 square feet of livable floor space, exclusive of closets and bathrooms, ***each unit sharing a common demising wall, floor or ceiling***, with its neighbors.

Inserted by the Board of Selectmen at the request of the Department of Planning and Community Development

ARTICLE 14 - DRIVE THROUGHS IN CS DISTRICT

To see if Town Meeting will vote to amend the Zoning By-Laws, by changing the lines for: "Restaurant Drive through" and "Non-food Drive in/ Drive through establishment,"

In the 'CS' column for both lines change the 'N' not permitted, to "SPZ" allowed by Special Permit from the Zoning Board of Appeals

and

amend section 386 by adding "Strip Commercial" to the first line so that it reads:

"A Drive-through Restaurant and Non-food Drive In/Drive through establishment shall be permitted in the General Commercial [CG] and Strip Commercial [CS] districts by Special Permit issued after the following conditions are met:"

or to take any other action relative thereto.

Inserted by the Board of Selectmen at the request of the Zoning Board of Appeals

ARTICLE 15 – AMEND ZONING BY-LAW RE: SETBACKS FOR MARIJUANA TESTING LABS FROM SCHOOLS

To see if Town Meeting will vote to amend the Zoning By-Laws as follows:

Amend Article 390, by adding a new section, 392.1, to read as follows:

'An exception shall be made for an existing laboratory adding independent marijuana product testing to its services. This use may be authorized by Special Permit in the district in which it is located.'

And by adding a new section 395.1 to read as follows:

'As allowed by 935 CMR 500.110. 3 Buffer Zone, there shall be a zero-foot setback from a public or private school, where the proposed marijuana establishment is an independent marijuana testing laboratory.' or to take any other action relative thereto.

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SPRING TOWN MEETING WARRANT (CONT'D.)

Inserted by the Board of Selectmen at the request of the Department of Planning and Community Development

ARTICLE 16 - WAREHAM VILLAGE 1 REINVESTMENT SUBDISTRICT REZONING

To see if the Town will vote to amend the Zoning By-Law, by adding a new WV-1R Reinvestment Subdistrict including the following parcels, or portions of parcels shown on the Town of Wareham Assessor's Map 47:

Lots 1056, 1057, 1058, 1059, 1064-A, 1064-D, 1072, 1073, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103-A, 1103-B, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1137, 1138, 1139, 1140, 1141, 1142, 1143-A, 1143-B, 1144, 1145, 1146, 1147, 1148-A, 1148-B, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1161;

and, further, to amend the ZONING MAP to create a new WAREHAM VILLAGE REINVESTMENT SUBDISTRICT / WV-1R; all as shown on file in the office of the Town Clerk in a document titled "VILLAGE 1: REINVESTMENT SUBDISTRICT / WV-1R"; or to take any other action relative thereto.

Inserted by the Board of Selectmen at the request of the Redevelopment Authority

ARTICLE 17 - TOWN MEETING ENDORSEMENT OF 2020 MASTER PLAN

To see if the Town will vote to accept the following Resolution to endorse the 2020 Wareham Master Plan:

Whereas the 2020 Wareham Master Plan for the town of Wareham has been created with the input of the Wareham citizens, local government representatives, and town administration;

And whereas the Wareham Planning Board has approved said 2020 Wareham Master Plan, consisting of 20 Goals and 52 specific strategies, in 8 different categories as outlined by Massachusetts General Laws Chapter 41, Section 81D;

And whereas the Wareham Master Plan has been posted on the Town of Wareham Planning Board website at the following URL:

https://www.wareham.ma.us/sites/warehamma/files/uploads/wareham_master_plan_final_2020-01-27.pdf

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SPRING TOWN MEETING WARRANT (CONT'D.)

Now, therefore, be it hereby resolved that the 2020 Wareham Master Plan, as approved by the Wareham Planning Board on January 27, 2020, is endorsed by the Wareham Town Meeting.

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

ARTICLE 18 - FY 2022 COMMUNITY PRESERVATION FUND RESERVES

To see if the Town will vote to reserve for future appropriation from Community Preservation Funds FY 2022 estimated annual revenues for the following amounts (1) \$65,000 .00 for administrative expenses ; (2) \$130,000.00 to Open Space Reserves; (3)\$130,000.00 to Historical Preservation Reserves; and (4) \$130,000.00 to Affordable Housing Reserves or to do or act in any manner relative thereto.

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

ARTICLE 19 - WAREHAM LITTLETON DRIVE CPA FUNDING REQUEST

To see if the Town will vote to appropriate from the Community Preservation Undesignated Funds or any other available monies in the Community Preservation Act Fund, under the category of Affordable Housing, a grant to Penrose, LLC , 50 Milk Street, Boston, a grant for the sum of \$830,000. , to construct 83 affordable housing units, and further to authorize the Wareham Redevelopment Authority to acquire on behalf of the Town of Wareham a 40 year affordable deed restriction on the land and structures at 4 Littleton Drive (Assessors map 56, lot1) or to do or act in any manner relative thereto.

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

ARTICLE 20 - HARBOR SERVICES PERMITS RECEIPTS RESERVED FOR APPROPRIATIONS ACCOUNT

To see if the Town will vote to transfer the sum of \$67,900.00 from the Harbor Services Permits Receipts Reserved for Appropriations Account, to be transferred to the Harbormaster's Maintenance and Improvements account or take any other action relative thereto.

ARTICLE 21 - HARBOR SERVICES PERMITS RECEIPTS RESERVED FOR APPROPRIATIONS ACCOUNT

To see if the Town will authorize, under General Laws Chapter 44, Section 21C, upon the recommendation of the Board of Selectmen, transfer the sum of \$3,800.00 from the Harbor Services Permits Receipts Reserved for Appropriations Account to be transferred to the Harbormaster's Maintenance and Improvements account to pay for the payment of the Bond Anticipated Note interest for the previously authorized Onset Floating Dock Project, or take any other action relative thereto.

ARTICLE 22 - TOWN CHARTER CHART 1

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for Special Legislation that amends the Wareham Home Rule Charter as shown in a document on file in the Office of the Town Clerk titled "Proposed Charter Changes Chart 1, Fall Town Meeting 2020" and as further shown in a document titled "Town of Wareham Charter Review Group Final Report 2020" dated September 16, 2020, or to take any other action relative thereto.

Inserted by the Board of Selectmen at the request of the Charter Review Group

ARTICLE 23 - TOWN CHARTER CHART 2

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for Special Legislation that amends the Wareham Home Rule Charter as shown in a document on file in the Office of the Town Clerk titled "Proposed Charter Changes Chart 2, Fall Town Meeting 2020" and as further shown in a document titled "Town of Wareham Charter Review Group Final Report 2020" dated September 16, 2020, or to take any other action relative thereto with respect to the following subcategories.

Subcategories:

- a) Definitions
- b) Transitional Provisions
- c) Capital Planning
- d) Sewer
- e) Assessors
- f) Charter Changes
- g) Town Clerk
- h) Town Administrator
- i) Road Commissioners

Inserted by the Board of Selectmen at the request of the Charter Review Group

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SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 24 - BAN OF SALES OF 'NIPS'

To see if the town will vote to adopt the following ban on the sale of miniature single use containers for alcoholic beverages as a general by-law and to insert into the Wareham Town By-Law Division XIII Article 1. The sale of alcoholic beverages in containers less than or equal to 100 milliliters is prohibited within the Town of Wareham effective May 1 1, 2022, or to take any action relative there to.

Inserted by the Board of Selectmen

ARTICLE 25 - PETITION ARTICLE: NAMING OF THE NEW ELEMENTARY SCHOOL LOCATED AT 63 MINOT AVENUE, WAREHAM, MA

To see if the Town will vote to name the new elementary school currently under construction at 63 Minot Ave and scheduled to open January 2022 as the "Wareham Elementary School".

Inserted by Michael S. Flaherty et al.

ARTICLE 26 – PETITION ARTICLE: LOCAL INITIATIVE PROGRAM – LOCAL ACTION UNITS – AFFORDABLE HOUSING - NEW CONSTRUCTION (830) & EXISTING CONSTRUCTION (840)

To see if the Town will vote to amend the Wareham Zoning Bylaws by adding the following Sections to Article 8, namely 830 through 844, or to take any relative action thereto.

Inserted by Brenda Eckstrom et al.

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SPRING TOWN MEETING WARRANT (CONT'D.)

To the Constables of the Town of Wareham:

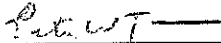
Greetings:

You are hereby directed to serve this Warrant by posting attested copies thereof on or before March 8, 2021 upon the principle town bulletin board outside of the Town Clerk's office.

Hereof fail not and make sure due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 2nd day of March 2021.

WAREHAM BOARD OF SELECTMEN



Peter W. Teitelbaum, Esq., Chairman

Judith Whiteside, Clerk



Alan H. Slavin

Patrick G. Tropeano



James M. Munise

A True Copy

ATTEST:

DATE: March, 2021



Constable of Wareham

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SPRING TOWN MEETING WARRANT (CONT'D.)

Plymouth, S.S.

Pursuant to the within Warrant, I have notified the inhabitants of the Town of Wareham herein described, to meet at the time and place for the purpose within mentioned by posting attested copies thereof upon the Town's principal bulletin board within the Town on or before March 8, 2021.

Date: March, 2021

Robert E. Shurt
Constable of Wareham

The original posting with return made was delivered to Michele Bissonnette, Town Clerk.

Date: March, 2021

Robert E. Shurt
Constable of Wareham

In accordance with the Wareham Charter, Article 2 - Legislative Branch - Section 2-4(d) Town Meeting Warrants, I have hand delivered a copy of the Warrant for the Annual Fall Town Meeting to be held on April 26, 2001 at 7:00 o'clock p.m. to the Town Moderator and the Chairman of the Finance Committee.

Date: March, 2021

Robert E. Shurt
Constable of Wareham