

TOWN OF WAREHAM



ANNUAL TOWN REPORT
FY'07

WAREHAM AT A GLANCE

INCORPORATED:
July 10, 1739

FIRST TOWN MEETING
August 6, 1739

NEPINNAE KEKIT:
Summer Homes

TYPE OF GOVERNMENT
Charter
Open Town Meeting
Town Administrator
5 Part-time Selectmen

POPULATION
Winter: 21,224
Summer: 43,000

VOTERS: 13,828
COUNTY: Plymouth

TOTAL AREA: 39.7 Square Miles
WATERFRONT: 25,408 Acres - 54 Miles

VALUATION FISCAL YEAR 2007

Town Real Estate \$3,777,712,100
Personal Property \$68,026,100
Total Valuation: \$3,845,738,200

TAX RATE FISCAL YEAR 2007

Town of Wareham \$6.81
Wareham Fire District \$1.26
Onset Fire District \$1.39

CPA (Community Preservation Act) 3% CPA Surcharge:

- 1) Commercial and industrial property
- 2) Residential property parcel value in excess of \$100,000

State Representative

Susan Williams Gifford
2nd Plymouth District
Room 540, State House
Boston, MA 02133

State Senator

Marc Pacheco
2nd Plymouth District
Room 312-B, State House
Boston, MA 02133

Representative in Congress

Barney Frank
10th District
558 Pleasant Street, Rm. 30
New Bedford, MA 02740

Senators in Congress

Edward M. Kennedy
Room 2400A
J.F.K. Federal Building
Boston, MA 02203

John F. Kerry
One Bowdoin Square, 10th Floor
Boston, MA 02114

In Memoriam

Evelyn Crocker

April 25, 1919 – July 25, 2006

Faithfully served the Town of Wareham as a School Nurse from 1970 - 1982

Harry J. Schmidt

April 29, 1930 – December 30, 2006

Faithfully served the Town of Wareham as a Public Prosecutor
from 1968 – 1996

Virginia Besse

August 15, 1918 – March 22, 2007

Faithfully served the Town of Wareham School Department
as a Cafeteria Manager from 1949 - 1980

Emilie A. Rose

October 11, 1921 – July 20, 2006

Faithfully served the Town of Wareham as a member to the
Board of Health from 1987 – 2006

Barbara Massie

November 18, 1931 – July 28, 2006

Faithfully served the Town of Wareham as a clerk in the
Assessors' Office from 1977 - 1997

Norman Hall

December 18, 1919 – December 27, 2006

Faithfully served the Town of Wareham as a Mechanic at the
Municipal Maintenance Department from 1973 - 1977

**ELECTED TOWN OFFICERS
FY08**

BOARD OF SELECTMEN

James L. Potter, Chairman	2009
Bruce D. Sauvageau, Clerk	2010
Brenda Eckstrom	2011
Margaret Jane Donahue	2011
John P. Cronan	2010

ASSESSORS

Steven F. Curry, MAA, Chairman	2009
James G. Makrys, MMA, Vice-Chair	2009
Dorothy L. Vicino, Clerk	2011
Robert J. Barry	2010
James M. McCahill	2011

TOWN CLERK

Mary Ann Silva	2010
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SCHOOL COMMITTEE

Jerry Young, Chairman	2009
Robert L. Brousseau, Vice Chairman	2010
Anna Christina Cabral, Secretary	2009
Clifford W. Sylvia	2011
Kenneth W. Fontes	2011

MODERATOR

John T. Donahue	2010
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DEPUTY MODERATOR

CONSTABLE

Steven P. Coughlin, Sr.	2011
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HOUSING AUTHORITY

State Appointment	
Pamela Sequeira, Exec. Dir. (Bd. Of Dirs. Appointee)	
Martin L. Benoit, Sr.	2012
Donald B. Hall,	2010
Paul F. Innis	2009
Rosemary Connolly	2008

**UPPER CAPE COD REGIONAL VOCATIONAL
TECHNICAL DISTRICT SCHOOL COMMITTEE**

Kent V. Pearce	2010
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BOARD OF SELECTMEN APPOINTMENTS

TOWN ADMINISTRATOR

John F. McAuliffe 2007

AFFIRMATIVE ACTION OFFICER

BIKE PATH COMMITTEE

Lois Fountain..... 2009
Deborah L. Haskell..... 2010
Michael G. Langford 2009
Louise Paoella 2009
Dale G. Scott 2009
David A. Smith..... 2010

BOARD OF APPEALS

Kenneth R. Ferreira, Chairman 2011
Michael A. Martin 2009
Michelle B. Zollo 2010
David A. Sharkey 2013
Mary Scarsciotti 2012
Richard Secher 2010
Ticia L. Weare, Associate Member..... 2008
Wilma Engerman, Associate Member... 2008
John P. Cronan, Selectmen's Liaison

BUZZARDS BAY COMMITTEE

John J. Sanguinet, Planning & Resource Mgmt.
Dir./Environmental Certifying Officer
(Delegate)
John F. McAuliffe, Town Administrator
(Alternate)

CARVER, MARION, WAREHAM REGIONAL REFUSE DISPOSAL DISTRICT COMMISSION

Marietta Maraccini
Ellen Nelson 2008
Robert Ethier. 2008

CEMETERY COMMISSIONERS

Andrew Griffith..... 2011
Christian J. Consoletti 2009
Nancy J. Miller 2010
Mark Gifford, Municipal Maintenance Director
(Ex-Officio)

COMMUNITY DEVELOPMENT ADVISORY COUNCIL

Earl Dalrymple 2008

COMMUNITY DEVELOPMENT ADVISORY COUNCIL (CONT'D)

Earl Dalrymple..... 2008
Mary Louise Payton..... 2008
Denise M. Valenti 2008

COMMUNITY & ECONOMIC DEVELOPMENT AUTHORITY

Jean Connaughton, Chairman 2009
Sandra Besse 2009
Meg Kistin 2009
Paul Willard 2008
Earl Dalrymple..... 2008

COMMUNITY PRESERVATION COMMITTEE

Michael Ponte (R) 2007
Christy Gunnels(R) 2009
Donald Hall 2010
Susan Mellon 2008
Nancy J. Miller..... 2008
Peter Tamagini 2007
Mary E. Taggart 2008
Sherbie Worthen 2007

CONSERVATION COMMISSION

Douglas S. Westgate, Chairman 2008
Kenneth J. Baptiste 2008
John Connolly, Jr. 2009
Michael Ponte 2008
Donald J. Rogers 2009
Louis C. Caron, Jr., 2007
Manuel S. Barros, Associate 2008
Debra Paiva, Associate 2008
Brenda Eckstrom,
Board of Selectmen Liaison

CONSTABLES

Steven P. Coughlin (elected)..... 2008
Michael Diesso..... 2008
Cynthia A. Follis..... 2008
Gregory S. Kamon 2008
William J. McCusker 2008
Robert E. Short..... 2008
Robert A. Tirrell..... 2008
Herve W. Vandal, Jr..... 2008

COMMISSION ON DISABILITY

Suzanne Allen 2007

Mary Louise Payton 2008
Denise Valenti 2008
Bruce D. Sauvageau, Selectmen's Liaison

COUNCIL ON AGING BOARD OF DIRECTORS

James A. Nordquist, Chairman (R) 2009
Dennis Allen 2008
Donna Hagopian-Barros 2012
Earl E. Dalrymple (R) 2009
Mae Dickinson(R) 2009
Rev. Arnold R. Medeiros(R) 2010
Ellen MacFarlane 2009
Yvonne Stone 2008
Marion R. Walsh (R) 2010
Barbara Ann Zoia 2010
Alice Wing 2010
Ellen MacFarlane 2009
M. Jane Donahue, Selectmen's Liaison

ECONOMIC ADVISORY COUNCIL

Melodye Conway (R) 2007

ELECTION/POLL WORKERS

PRECINCT 1

Judith Niemi, Clerk 2007
Joanne Savastano, Deputy Clerk 2007
Kathleen Clements 2007
Marie Cooney 2007
Barbara Giberti 2007
Glenn Sherman, Deputy Warden 2007
Phoebe Sherman, Warden 2007
Hazel Taber 2007
June Lynch 2007

PRECINCT 2

Barbara Porter, Warden 2007
Joann R. Senna, Deputy Warden 2007
Eleanor C. Senay, Clerk 2007
Marlene DeCoster, Deputy Clerk 2007
Ramona Barros 2007
Sheila Evans 2007
Mary J. Paulette 2007
Linda Perkoski 2007
Diane M. Wolstencroft 2007

PRECINCT 3

Joanna DaSilva, Warden 2007
Margaret Gomes, Deputy Warden 2007
Billie Sleightholm, Clerk 2007
Elizabeth Morrison, Deputy Clerk 2007
Geraldine Barros 2007

Robert DaSilva 2007
Patricia Evans 2007
Anne Hunter 2007
Deborah J. Rose 2007
Gertrude Sullivan 2007

PRECINCT 4

John Durham, Clerk 2007
Antone Fernandes 2007
Diane Lazarus 2007
Jack M. Silva 2007
Dorothy Vicino, Warden 2007
Elaine Butler 2007
Sherren Frazier 2007
Brandy Gomes 2007
Patricia Harju-Zimmer 2007
Robert E. Short 2007
Deborah A. Soule 2007
Peter A. Spertini 2007
Francis Vicino 2007
Susan Wells 2007

PRECINCT 5

Lorraine Gregoire, Warden 2007
Katherine Britt, Clerk 2007
George Choquette 2007
Hannah Gregoire 2007
Theresa A. Gregoire 2007
Barbara Hunter 2007
Kim McNair, Deputy Warden 2007
Norma White 2007
Leonora Fernandes, Deputy Clerk 2007
Joyce Veiga 2007
June Woodland 2007

PRECINCT 6

Julianne Cummings 2007
Elizabeth Diliddo, Deputy Warden 2007
Alberta Joy 2007
Robert Joy, Warden 2007
NanC Marshall, Clerk 2007
James A. Magnan 2007
James Newman 2007
Nancy Schultz 2007
Carol MacGray 2007
Frances Murphy 2007

FENCE VIEWERS

Gail A. Murphy 2007
Arthur D. Page 2008

GREATER ATTLEBORO-TAUNTON REGIONAL TRANSIT AUTHORITY

(GATRA) ADVISORY BOARD

Michael J. Hartman, Town Administrator, Rep.
Deborah Bell, Council On Aging Director
(Alternate Representative)

BOARD OF HEALTH

Ralph R. Thompson, Chairman..... 2007
Charles S. Gleason 2008
Sandra Schutt, Associate Member..... 2007
Deborah J. Rose..... 2009

HERRING AGENTS

John Dixon 2007
George Funnell, Assistant 2007

HERRING COMMISSIONERS

John A. Kornechuk..... 2008
Ernest M. Margeson 2008

HISTORICAL COMMISSION

James Mellon, Chairman 2007
Barbara Bailey 2009
Leonard Boutin..... 2010
Angela Dunham, Clerk..... 2009
Andrew Griffith..... 2007
Susan Mellon, Treasurer (R) 2008
Malcolm B. Phinney..... 2008
William Hough, III (R)..... 2009

HISTORIC DISTRICT COMMISSION

Robert G. Blair, Chairman 2009
Robin Ragle-Davis 2009
Nancy J. Miller 2008
Carolyn McMorrow 2008
James Mellon..... 2010
John Perry..... 2009

MARINE RESOURCES COMMISSION

Frank A. Tramontozzi, Chairman..... 2009
Robert J. Barry 2008
Brian D. Miller(R)..... 2009
Frank E. O'Brien..... 2008
Craig C. Schluter 2007
Alan Slavin, Associate 2008
Bruce D. Sauvageau, (Selectmen's Rep)
Michael Parola (Liaison)

MBTA ADVISORY BOARD

Margaret A. Ishihara, Representative..... 2007

MINOT FOREST COMMISSION

William Minot, Chairman(R) 2008

Angela Dunham, 2009
Richard Kent, (Chairman)..... 2011
Sandra Slavin 2010
Marjorie Teitelbaum 2009
Jimmy Walker 2011

**MYLES STANDISH STATE FOREST
ADVISORY COMMITTEE**

Brenda Eckstrom, Selectman & Member

**OLD COLONY ELDERLY SERVICES,
INC. BOARD OF DIRECTORS**

Deborah Bell, Delegate 2007
Dennis Allen, Alternate Member 2007
Constance G. Perry, Alternate Member 2007

**OLD COLONY PLANNING COUNCIL -
AREA AGENCY ON AGING ADV.
COMMITTEE**

Deborah Bell 2007
Constance Perry, Alternate Delegate 2007

OPEN SPACE COMMITTEE

Donald Hall, Co-Chairman 2008
Anne I. Campbell Co-Chairman 2007
Sandra Slavin 2009
Marjorie M. Teitelbaum 2008

PEG ACCESS BOARD OF DIRECTORS

John White, Chairman 2009
Peter Barrows 2008
Sandra Bell 2009
Joseph Heard 2009
Sally Morrison 2008
James B. Newman, Jr. 2008
Ramona O'Heerne 2008

PERSONNEL BOARD

Janice Churchill 2009
Mike Ligor 2010
Deborah Pfnister 2009
Kenneth Sleightholm 2010

**PLYMOUTH COUNTY ADVISORY
BOARD**

Brenda Eckstrom, Selectman 2007

**POLICE FEASIBILITY STUDY
COMMITTEE**

Claire Smith, Chairman 2007
Melodye Conway 2007

Dennis Damata	2007
Renée Fernandes-Abbott	2007
Patricia Rumney	2007
Gardner McWilliams	2007
John Mcgonnell	2007

RECREATION COMMISSION

Joseph Chiaraluce.....	2007
Tracey Cunningham	2009
Melvin Lazarus(R)	2008
Sherbie Worthen.....	2008
John H. Wyld	2010

RECYCLING COMMITTEE

Philip Kunces, Chairman.....	2008
John B. Dixon	2008
Marilyn Field.....	2009
Jennifer Gady	2009
Ellen Nelson	2009
Charlene L Price	2009
Charles S. Gleason, Board of Health	
John P. Cronan, Selectmen’s Rep.	

REGISTRAR OF VOTERS

Mary Ann Silva, Town Clerk while in office	
Francis F. Carmichael, Jr.....	2009
Linda MacKenzie	2007
Dorothy Taylor	2008

COUNCIL OF SEMASS COMMUNITIES

Michael J. Hartman, Town Administrator
(Representative)

SEWER BETTERMENT ABATEMENT REVIEW COMMITTEE

James J. Makrys, Chairman.....	2008
Gardner S. McWilliams.....	2007
Richard W. Post, Jr.....	2007

SOUTHEASTERN REGIONAL PLANNING & ECONOMIC DEVELOPMENT (SRPEDD)

Michael J. Hartman, Delegate	2007
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SRPEDD JOINT TRANSPORTATION GROUP

Michael J. Hartman, Representative.....	2007
Mark Gifford, Alternate Representative	2007

TOWN COUNSEL

Kopelman & Paige, P.C.	2007
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TREMONT NAIL MASTER PLAN COMMITTEE

James B. Newman, Jr.....	2009
Malcolm B. Phinney	2009
Robert E. Short.....	2009
Alan H. Slavin.....	2009

VETERANS' GRAVE OFFICER

Donald F. Lombard(R).....	2007
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WAREHAM CULTURAL COUNCIL

Naomi Arenberg, Chairman.....	2009
Marilyn Brown.....	2009
Doreen Besso	2007
Jackson Gillman.....	2007
Caroline McGowan.....	2006
Steve Ruiz	2008
Cheryl Scannell.....	2007

WAREHAM HOUSING PARTNERSHIP

Earl Dalrymple (CEDA Rep).....	2007
Donald Hall (Housing Authority)	2008
Denise Kashner	2009
Anthony Scarsciotti (Planning).....	2010
Mary Scarsciotti (ZBA)	2010
Donna M. Hagopian-Barros.....	2010
Francis J. Gay (Bus. Rep)	2010
Bruce D. Sauvageau, Selectmen’s Rep	

WEIGHERS (CERTIFIED)

Lester D. Andrews, Jr.	2007
Leonard Bessette	2007
David St. Germain	2007
Ashley St. Germain.....	2007
Brett Walecka.....	2007
Brian Walecka.....	2007
Daniel A. Walecka	2007
Kenneth P. Walecka.....	2007
Norris A. Walecka, Jr.....	2007

WEST WAREHAM STRATEGIC PLANNING COMMITTEE

Barbara E. Bailey (Historical Rep)	2007
Michael A. Baptiste (Planning Rep)	2007
Michael J. Cicoria (D).....	2007
Dan Goodchild (FinCom) Non-Voting...	2007
Bob Moshiri	2007
Kathy Pappalardo.....	2007
Emilie A. Rose (BOH Rep)(D).....	2007
Paul Willard (CEDA Rep)	2007

D = Deceased

R = Resigned

CHARTER APPOINTING AUTHORITY

CAPITAL PLANNING COMMITTEE

Robert S. Bliss, Chairman
(Town Accountant)
Marilyn Field, Citizen-at-large
Vacancies - 4 Citizens-at-large
Bruce D. Sauvageau,
Board of Selectmen Liaison

Dennis Allen 2007
John H. Wylde 2007
Candice Hemenway, Employee
Representative (R) (Elected)

FINANCE COMMITTEE

Carl St. Pierre, Chairman 2008
Daniel S. Cheever, Jr. Vice-Chair 2010
Donna Bronk 2010
Dominic A. Cammarano, Jr. 2009
Bonnie Jean Cottuli 2009
Christopher A. Teves 2010
David P. Trudell 2008
Richard Paulsen 2009
Bruce D. Sauvageau, James L. Potter
(Board of Selectmen Liaisons)

LIBRARY BOARD OF TRUSTEES

Priscilla Porter, Chairman 2009
Michelle A. Baum 2007
Yelena Farioli-Beaupre 2009
Ann Bower 2009
John Lanci 2009
Diane Lazarus 2008
Martha Maguire 2007
Marsha Markir(R) 2009
Jack Murphy (R) 2008
Mary Nyman 2007
Priscilla Porter 2009
Hazel E. Taber 2008
Richard C. Wheeler 2007
Sandra Wheeler 2007

PLANNING BOARD

Michael A. Baptiste, Sr. 2008
Mary Davey Morley 2009
George T. Barrett 2009
Mary E. Taggart 2008
Robert Blair 2010
Barbara Gomes-Beach, Associate 2008
John P. Cronan,
Board of Selectmen Liaison

TOWN MODERATOR APPOINTMENTS

FIELDS AND GROUNDS COMMITTEE

Marcine Fernandes 2007
(town administrator appointee)
Michael F. Sirrico
(school superintendent appointee)
John H. Wylde 2007
(appointing authority appointee)
Vacant (appointing authority appointee)
Vacant (appointing authority appointee)

SCHOOL BUILDING COMMITTEE

Robert Brousseau, Chairman,
School Committee
Michael Houdlette, Vice Chairman,
School Committee
Bruce D. Sauvageau, Board of Selectmen
Mary E. Taggart, Planning Board
James Cormier, Finance Committee
Peter R. Latham, Parent
Joseph M. Repetti, Parent
Robert A. MacKenzie, Citizen-at-large

PERSONNEL BOARD

TOWN ADMINISTRATOR APPOINTMENTS

ADA Enforcement Officer

Theodore Misiaszek Indefinite

Animal Control Officer & Inspector

Carlston Wood Indefinite

Building Inspector

Jay Collins..... Indefinite

**Community & Economic
Development Director**

Marilyn Whalley Indefinite

Conservation Administrator

David Pichette Indefinite

Senior/Social Services Director

Deborah Bell Indefinite

Director of Assessment

Paul Keefe February 2007
Richard Gonsalves Indefinite

Director of Inspectional Services

Theodore Misiaszek Indefinite

Emergency Medical Services Director

David Evans Indefinite

Emergency Management Director

David Evans September 2006
Lt. Irving Wallace Indefinite

Environmental Certifying Officer

Charles Gricus Indefinite

Harbormaster & Shellfish Constable

Michael L. Parola..... Indefinite

Municipal Maintenance Director

Mark Gifford Indefinite

Personnel Administrator

Patricia King June 2007

**Director of Planning & Resource
Management**

Charles Gricus Indefinite

Plumbing Inspector

Paul Maloney Indefinite

Police Chief

Thomas A. Joyce..... Indefinite

Purchasing Administrator

Margaret Smith June 2007

Town Accountant and Financial Director

Robert S. Bliss Indefinite

Town Treasurer/Collector

John D. Foster Indefinite

Wareham Free Library Director

Mary Jane Pillsbury Indefinite

Weights and Measures

Jack Savastano Indefinite

Wiring Inspector

James Parker Indefinite

Zoning Enforcement Officer

Theodore Misiaszek Indefinite

DON AND ANNE CAMPBELL

For your recognition by the Onset Protective League. We commend you for the many years of unselfishly devoting your time to the community. We thank you and congratulate you and wish you the best as you are honored as the 2006 Onset Persons of the Year.

Signed this 18th day of July 2006.

COLLEEN MCADAMS

In honor of becoming the Great Pocahontas of Massachusetts and your continuous dedicated service to the community and successful efforts in raising money for your project this year.

Signed this 10th day of November 2006.

EVELYN TAMAGINI

In recognition of the honor bestowed you as the town's "Oldest Citizen" in keeping with the tradition of the Boston Post Cane. We, the Board of Selectmen extend our wishes for health happiness and good fortune.

Signed this 8th day of November 2006.

TONY MULA

On behalf of the citizens of the Town of Wareham, we, the Board of Selectmen congratulate you on forty-two years of dedicated service to the patrons at the Onset Post Office. As you retire, we wish you good health and good fortune in your future endeavors.

Signed this 11th day of November 2006

DONALD B. HALL

For your dedicated service to the Town of Wareham as exhibited by your role in serving on the Conservation Commission. We, the Board of Selectmen commend you for the many years of unselfish devotion of your time to the community.

Signed this 19th day of December 2006.

TRACY DONOVAN-LYNCH

In recognition of successfully achieving the designation as a Certified Massachusetts Municipal Assistant Collector after completion of the rigorous courses at the Massachusetts Collectors & Treasurers Association School and the Certification Board's examination.

Congratulations!

Signed this 19th day of December 2006.

MARIA CHILDRESS

For twenty-eight years of service beginning with Community Development on a funded project and in 1986 with the Town as clerk in the Town Administrator's office, the Veteran's department and then in 1996 began working as a dispatcher with the Council on Aging. We thank you for your dedicated commitment of service to the Town and as you retire we wish you good health and good fortune.

Awarded this 13th day of April 2007

REPORT OF THE BOARD OF SELECTMEN

To the Citizens of Wareham:

If the workings of government could be compared to an amusement ride, then this past year would be the roller coaster!

The most prominent decision by the Board of Selectmen was to not renew the Town Administrator's contract in September of 2006. It was a difficult decision, and caused a strain within the Board of Selectmen, but the majority of the Board felt it was necessary in order to change the direction of the Town.

The Town Administrator served out his contract and departed in March of 2007. The Town's Treasurer-Collector, John Foster was asked by the Board of Selectmen to step in to be the Interim Town Administrator and he generously agreed. The Town owes Mr. Foster a debt of gratitude for stepping into a difficult position and successfully holding the day-to-day operations together during the search process for a new Town Administrator as well as stepping into the task of preparing for the Annual Town Meeting in April of 2007. Under normal conditions it would be challenging; given these circumstances, it was daunting, yet Mr. Foster handled it with great fortitude.

This past year the Town took the final steps in completing renovations to the Oak Grove School. The Oak Grove School was used in the early part of the twentieth century (before Supreme Court case *Brown v. Board of Education*) as a school that segregated the children of the Cape Verdean community. \$410,000 that was approved at Town Meeting previously was not able to be used, due to timeline considerations (that were part of the motion) were not met, so CEDA had to arrange other financing to complete the project. The lease needed to be reconfigured to ensure the Town would not be

supplementing the cost of the project. With the renovations nearly complete and proper procurement procedures followed, the Town signed a long-term lease with Cape Cod Child Development, which operates Head Start. The Town looks forward to a productive partnership with Cape Cod Child Development and hopes that using the once dilapidated building as home for preschool education will bring the meaning of the building full circle. To compliment the history of the building, the Board of Selectmen signed a Memorandum with the Oak Grove Resource Committee and the Town voters approved unanimously to allow an addition to the building to house a Cape Verdean Cultural and Resource Center to preserve the past, experience the present and look towards the future of the Cape Verdean community.

The much anticipated plaza broke ground and is moving along at a record pace for Wareham! It is anticipated that the stores will be ready to welcome shoppers well before the holiday season of 2007!

The PEG (Public, Education and Government) Access Board for Wareham Cable Television was fully appointed, has been incorporated and has been very busy working on finding a location for our local cable station studio. The Town signed a contract with Verizon, similarly to the one signed with Comcast, which ensures the viability for the Access Board and Public Television in Wareham.

The Police Station Feasibility Study Committee that was established in 2005 finished their work in June of 2007. They made a presentation to the Board of Selectmen which confirmed what the last three studies have showed: the police station is too small and is inadequately upgraded to address the needs currently. Their recommendation was a new 32,000 square foot facility to be built on town-owned land off of Great Neck Road and Minot Avenue. The alternative presented would be expanding at the current location.

The costs were anticipated to be \$12 to \$14 million. Once the Board is given the written report, we will take it under advisement. While we are grateful to the Committee for their hard work, we were a bit disappointed that more financially realistic alternatives were not considered.

The Town passed a Community Events by-law and established a Community Events Committee. This allows the Town to use seventy-percent of the income from the hotel-motel tax and half of the parking revenues to promote the Town and the events that occur within the Town. This will enable the Town to use these monies for which they were intended for, rather than being placed in the general fund.

The Board of Selectmen began to scrutinize the "administrative costs" that are charged by the Town to the Sewer Enterprise Fund. While there are nominal charges that are allowed to be charge for services provided by the Town, the Board is concerned that these charges have ballooned up to over \$1 million annually! Discussions have taken place, but little could be done for this year's budget, but we will be diligently working on it. We will be initiating a time-rate study to be undertaken in the next fiscal year in order to get these costs to a more realistic number.

We have also seen the departure of two long-serving selectmen, R. Renee Fernandes-Abbott and Mary Jane Pillsbury. In January of 2007, Mrs. Pillsbury decided to resign her seat as Selectman after nearly seventeen years. It was also at that time that Mrs. Fernandes-Abbott announced that she would not seek re-election at the end of her term.

The April election returned Bruce Sauvageau to his seat on the Board for a third time and gave the Board John Cronan, a nine-year member of the Zoning Board of Appeals, to serve the three-year position and M. Jane Donahue, a former Finance Committee

member to serve out the remaining year of Mrs. Pillsbury's term.

With new members in place and the departure of the former Town Administrator, the Board prepared for the Annual Spring Town Meeting. Despite the Finance Committee's mass-resignation on Town Meeting floor, the Town got through the Annual Meeting. The Board of Selectmen is grateful to the many fine citizens who stepped up and applied to the Appointing Authority to replace the Finance Committee. Not only did enough people step up to fill the vacated seats, but also filled the unfilled seats and with several applicants to spare!

With new members on board and a marathon Town Meeting behind us, the Board of Selectmen set out to hire a new Town Administrator. The Board interviewed many fine applicants, but finally selected Mr. John McAuliffe of Somerset, who will join the Town mid August of 2007. The Town eagerly awaits his arrival, as many important decisions that need to be made have been held off in deference to him joining our Town.

This year was a year of change, and as it has been said, change is not easy, but is necessary.

Respectfully submitted,

Brenda Eckstrom, Chairman
James Potter, Clerk
Bruce Sauvageau
John Cronan
M. Jane Donahue

ANNUAL REPORT OF THE TOWN CLERK TO THE RESIDENTS OF WAREHAM:

We are preparing the Clerk's Office for a few life-altering changes. One in particular is welcoming our new Town Administrator. Other changes are working with a new Board of Selectmen, a new Finance Committee and possibly a new Planning Board. We are encouraged with this groundbreaking conversion and maintain hope that only positive changes are on the horizon.

We continue following election laws and one of the final phases of HAVA regarding receipt of our new voter handicap access machines and additional training. We were able to utilize the Auto-Mark machines during our April 3, 2007 Town Election, in preparation of what is to come. We have four elections schedule in 2008, three of which are state elections, and these machines have to be utilized. They are easy to operate and election workers would be happy to assist anyone desiring to use them.

We are optimistic that our town and the world, in general, will swing to the more positive side of the pendulum. Daily we receive word regarding the war in Iraq and how it has impacted so many lives. Our sympathies are extended to the many families, world wide, who have suffered personal loss due to this unfortunate war. We continue to keep vigil and extend our prayers to all families in Massachusetts, especially Wareham, who have endured having their soldiers serve in Iraq. But most especially, we pray for those families who have endured the tragic loss of a loved one having perished in the line of duty preserving our right to freedom.

Last year we had to function under the doom and gloom of financial constraints. We have witnessed many layoffs and positions eliminated on the Administrative level, and I am sure it is not over yet. We have been asked to tighten our belts and spend cautiously. This year the summer schedule was eliminated, and we continued with regular business hours. We persevere and continue to focus on providing quick and efficient service to voters, residents and summer residents, alike, despite the ominous conditions.

We were fortunate to be blessed with another successful year here in the Town Clerk's Office. We completed our Fall Annual Town Meeting of October 23, 2006 in three days. We conducted our annual town election on April 3, 2007. We concluded with the Annual Town Meeting beginning on April 23rd, April 30th, May 1st, May 7th, May 8th, and concluding on May 14th, 2007. We look forward to the Annual Fall Town Meeting, tentatively scheduled for October 22, 2007. We have a Presidential Primary on Tuesday, March 4, 2008, and another town election on Tuesday, April 1, 2008. We anticipate working extra hard regarding compliance with the Help America Vote Act (HAVA) and utilizing the new touch-screen voting machines at all six precincts. The fall schedule pertaining to state elections is as follows: State Primary is Tuesday, September 16, 2008, and the State Election is Tuesday, November 4, 2008.

Once the Fall Town Meeting is over, here in the Clerk's Office we turn our attention and concentration to other pending matters, i.e. such as the annual census, printing of street list, licensing of dogs, and the annual town report. This does not include the day-to-day operation of providing a multitude of services to residents, town departments and state level departments, i.e. Attorney General, Secretary of State, Division of Local Services (DOR), Ethics Commission, Campaign and Political Finance, to name a few. Along with creating, recording and maintaining vital records, i.e. birth records, marriage intentions/licenses and death records, we provide a web of information via the telephone and computer, as well as processing passports. We do this all while trying to attend trainings and keep abreast of ever-changing procedures and laws pertaining to Town Clerks and their many duties and obligations.

We mailed out the census forms around December 29, 2006. We began to receive our first census forms one week after mailing them. We completed the bulk of the census in May of 2007 and continue to receive census forms at this writing. This continues to be accomplished through the committed cooperation of our residents. As the years pass, it becomes a more organized task as far as adding new residents or voters, updating or changing information regarding our residents and voters, and keeping as accurate a count of the Wareham populace as is possible under the circumstances of our changing world. Currently, we are awaiting copies of our street list from our printer, Mark Altman & Associates. As a reminder, we ask that if you have not answered a census in recent years, please call the Clerk's Office, and we will send you a form. Thank you!

We mailed out the cards for the dogs licenses on December 4, 2006, allowing owners to come in on December 11, 2006, to start licensing their dogs for 2007. We had an excellent response. We licensed almost 900 dogs by March of 2007. As a reminder, our dog program operates by calendar year, not fiscal year. The licensing period is from January 1st through to December 31ST of each year. We will continue sending reminder post cards as a courtesy to dog owners as long as our budget allows. So far this year we have licensed 1,281 dogs for 2007. However, it has been noted that we have many more dogs in town than what has actually been licensed. Please get in and license your dog (state mandate/town regulations). Late fees for renewals do not go into effect until April 1st (up \$10) and June 1st (up \$10). However, on August 1st and after, the late fee is a flat \$50 for renewals on any and all dogs.

The annual town report for the Town Clerk involves combining all elections, town meetings, and Attorney general information and submitting this information to the Board of Selectmen for inclusion in the Town Report, which is made available at the end of the year. This entails making sure that all information is accurate and complete.

Over the past several years, we have waited for interest to decline regarding ones family ancestral roots. However, more than ever, we continue to see an upswing. At one time, it was the retired folks, who had more time to research their family tree. However, we have witnessed more and more family members taking on this challenge at an earlier time in their life; thus, spreading the time consuming commitment over several years until they are ready to enter retirement. But, we continue to persevere and strive to provide this service in an appropriate timeframe, with the utmost accuracy and at a minimal fee.

The Town Clerk's Office continues as an agent of the Boston Passport Agency. We have had the pleasure of processing passports since April of 2003 on a voluntary basis. For each passport processed, the town receives a \$30 processing fee. This is paid whether it takes us five minutes or one hour to assist residents or visitors alike. As of July 20th, we have processed 259 passports, contributing \$7,770 to town coffers. At the end of last summer, we added the service of providing passport pictures for applicants. We charge a \$10.00 fee for this service. We have taken 108 passport pictures since November 3, 2006. This fee is separate from the processing fee, adding another \$1,080 to town coffers. The Town Clerk, as a courtesy to allow for a more convenient location and added time to apply for passports and pictures for residents and travelers in our area, chose to institute this voluntary practice with the added bonus of raising extra revenue for the Clerk's Office. A prior Town Administrator encouraged us to explore alternative ways to generate extra revenue; thus, easing the burden when the Clerk requested a yearly salary increase, with the exception of FY 2008. Town Clerks are no longer allowed to issues passports. Clerks who were issuing them were grandfathered in and allowed to continue. Should one chose to eliminate this service, the town would lose this source of revenue. However, with our ever-changing world, it has become necessary to obtain a passport when traveling by air or sea. In 2008, it will be necessary to

have a passport to travel anywhere in the world, other than state to state, and will increase the volume of passports processed through our office and through the Boston Passport Agency.

On June 13th, 14th, and 15th, the Clerk and her Assistant attended the training at Sea Crest in Falmouth. It was very interesting and we learned about the changes coming to election laws and our roles as Town Clerks. It never ceases to amaze me that when I think I have elections down pat, I always manage to learn something new. Due to budget cuts we have been limited in the number of paid trainings we attend.

As Clerk, I also continue to attend meetings, as a member in good standing, held by many of the organizations such as the Association of City and Town Clerks; Massachusetts Town Clerks' Association; Tri-County Clerks' Association; Cape and Island Clerks' Association, and the International Institute of Municipal Clerks'. These organizations continue to offer their support, encouragement, and experience as tools to supplement and assist all Town Clerks in this endeavor. These prestigious organizations continue to elevate the responsibility and desire to further ones= knowledge, which allows Town Clerks the opportunity to keep pace with the ever-changing face of town government and state laws as it affects elections, census, town meetings, raffle permits, business certificates, zoning, planning, and other responsibilities of Town Clerks across the state.

As Town Clerk, I continue to encourage and support the residents and/or voters by providing them with alternate means of keeping in touch with our office regarding information or assistance in their daily lives. We are not just a phone call away anymore, but an email address away. Should anyone need to request information or touch base with the Clerk, your email may be addressed to masilva@wareham.ma.us or clerk@wareham.ma.us. My assistant can also be reached at egonsalves@wareham.ma.us. The office secretary can be reached at drhodes@wareham.ma.us. We would be happy to hear from you and provide you with our assistance.

As I close, I would like to take this opportunity to thank all those who continue to support the Town Clerk's Office. "Thank you" is extended to staff in the Clerk's Office and town hall occupants. Also "Thank You" to the Board of Selectmen, as they continue to extend their assistance to our office in so many different areas and strive to make the Town of Wareham a better place for one and all. Health, Happiness, Prosperity and the Lord's Blessing over the next year!!

Sincerely,
Mary Ann Silva
Town Clerk

DOG LICENSES FOR 2006

MALE	227
NEUTERED	542
FEMALE	106
SPAYED	<u>600</u>
	1,475

KENNELS:

SMALL	1
HOBBY	2
COMMERCIAL	3

**ELECTION RESULTS: FY 2006-2007
STATE DEMOCRATIC PRIMARY - SEPTEMBER 19, 2006:**

SENATOR IN CONGRESS

Edward M. Kennedy	2,172
*Howard L. Carr	6
*Kenneth G. Chase	0
Kevin P. Scott	0
All Others	35
Blanks	351
Total Votes Cast	2,564

GOVERNOR

Christopher F. Gabrieli	578
Deval L. Patrick	1,365
Thomas F. Reilly	607
*Kerry Healey	0
All Others	3
Blanks	11
Total Votes Cast	2,564

LIEUTENANT GOVERNOR

Deborah B. Goldberg	829
Timothy P. Murray	707
Andrea C. Silbert	846
All Others	5
Blanks	177
Total Votes Cast	2,564

ATTORNEY GENERAL

Martha Coakley	2,017
*Larry Frisoli	0
*Thomas F. Reilly	0
All Others	10
Blanks	537
Total Votes Cast	2,564

SECRETARY OF STATE

William Francis Galvin	1,935
John Bonifaz	343
All Others	4
Blanks	282
Total Votes Cast	2,564

TREASURER

Timothy P. Cahill	2,041
*John J. Manzi, Jr.	0
All Others	7
Blanks	516
Total Votes Cast	2,564

AUDITOR

A. Joseph DeNucci	1,966
*John J. Manzi, Jr.	0
All Others	7
Blanks	591
Total Votes Cast	2,564

**REPRESENTATIVE IN CONGRESS
FOURTH DISTRICT**

Barney Frank	2,189
All Others	18
Blanks	357
Total Votes Cast	2,564

**COUNCILLOR
FIRST DISTRICT**

Carole A. Fiola	1,033
Kelly Kevin Lydon	1,006
All Others	3
Blanks	522
Total Votes Cast	2,564

**SENATOR IN GENERAL COURT
FIRST PLYMOUTH & BRISTOL DISTRICT**

Marc R. Pacheco	2,083
All Others	15
Blanks	466
Total Votes Cast	2,564

**REPRESENTATIVE IN GENERAL COURT
SECOND PLYMOUTH DISTRICT**

Margaret A. Ishihara	1,978
All Others	11
Blanks	575
Total Votes Cast	2,564

DISTRICT ATTORNEY

No Nomination	0
All Others	193

Blanks	2,371
Total Votes Cast	2,564

CLERK OF COURTS

Francis R. Powers	1,307
Mark Adams	771
All Others	6
Blanks	480
Total Votes Cast	2,564

REGISTER OF DEEDS

John R. Buckley, Jr.	1,937
All Others	6
Blanks	621
Total Votes Cast	2,564

**COUNTY COMMISSIONER
PLYMOUTH COUNTY**

Timothy J. McMullen	760
Lisa C. Clark	466
Robert Sullivan	921
*Olly deMacedo	0
All Others	3
Blanks	414
Total Votes Cast	2,564

*** WRITE-IN CANDIDATES**

STATE REPUBLICAN PRIMARY - SEPTEMBER 19, 2006

SENATOR IN CONGRESS

Kenneth G. Chase	164
Kevin P. Scott	129
*Edward M. Kennedy	0
*Olly DeMacedo	0
*Thomas F. Reilly	0
All Others	2
Blanks	57
Total Votes Cast	352

GOVERNOR

Kerry Healey	287
*Christopher F. Gabrieli	0
*Deval L. Patrick	0
*Thomas F. Reilly	0

All Others	12
Blanks	53
Total Votes Cast	352

LIEUTENANT GOVERNOR

Reed V. Hillman	269
*Andrea C. Silbert	0
*Deborah B. Goldberg	0
*Timothy P. Murray	0
All Others	5
Blanks	78
Total Votes Cast	352

ATTORNEY GENERAL

Larry Frisoli	251
All Others	3
Blanks	98
Total Votes Cast	352

SECRETARY OF STATE

*John C. Bonifaz	0
*Olly DeMacedo	0
*William Francis Galvin	0
All Others	17
Blanks	335
Total Votes Cast	352

TREASURER

*Timothy P. Cahill	0
All Others	12
Blanks	340
Total Votes Cast	352

AUDITOR

*A. Joseph DeNucci	0
All Others	11
Blanks	341
Total Votes Cast	352

REPRESENTATIVE IN CONGRESS

FOURTH DISTRICT

*Charles A. Morse	0
*William W. Whittlesey	0
All Others	12
Blanks	340

Total Votes Cast 352

**COUNCILLOR
FIRST DISTRICT**

Philip C. Paleologos 236
All Others 0
Blanks 116
Total Votes Cast 352

**SENATOR IN GENERAL COURT
FIRST PLYMOUTH & BRISTOL DISTRICT**

No Nomination 0
All Others 25
Blanks 327
Total Votes Cast 352

**REPRESENTATIVE IN GENERAL COURT
SECOND PLYMOUTH DISTRICT**

Susan Williams Gifford 304
All Others 3
Blanks 45
Total Votes Cast 352

DISTRICT ATTORNEY

Timothy J. Cruz 273
All Others 0
Blanks 79
Total Votes Cast 352

CLERK OF COURTS

Frederick M. McDermott 249
All Others 1
Blanks 102
Total Votes Cast 352

REGISTER OF DEEDS

No Nomination 0
All Others 14
Blanks 338
Total Votes Cast 352

**COUNTY COMMISSIONER
PLYMOUTH COUNTY**

Olly deMacedo 242
All Others 1

Blanks	109
Total Votes Cast	352

*** WRITE-IN CANDIDATES**

ELECTION RESULTS: FY 2006 - 2007
STATE ELECTION - NOVEMBER 7, 2006:

SENATOR IN CONGRESS

Edward M. Kennedy	5,077	Democratic
Kenneth E. Chase	2,497	Republican
All Others	11	
Blanks	162	
Total Votes Cast	7,747	

**GOVERNOR AND
LIEUTENANT GOVERNOR**

Healey and Hillman	2,693	Republican
Patrick and Murray	4,082	Democratic
Mihos and Sullivan	768	Independent
Ross and Robinson	150	Green-Rainbow
All Others	9	
Blanks	45	
Total Votes Cast	7,747	

ATTORNEY GENERAL

Martha Coakley	5,248	Democratic
Larry Frisoli	2,165	Republican
All Others	4	
Blanks	330	
Total Votes Cast	7,747	

SECRETARY OF STATE

William Francis Galvin	5,835	Democratic
Jill E. Stein	1,196	Green-Rainbow
All Others	18	
Blanks	698	
Total Votes Cast	7,747	

TREASURER

Timothy P. Cahill	5,767	Democratic
James O'Keefe	1,247	Green-Rainbow
All Others	18	
Blanks	715	
Total Votes Cast	7,747	

AUDITOR

A. Joseph DeNucci	5,343	Democratic
Rand Wilson	1,617	Unenrolled
All Others	12	

Blanks	775	
Total Votes Cast	7,747	

**REPRESENTATIVE IN CONGRESS
FOURTH DISTRICT**

Barney Frank	5,978	Democratic
All Others	174	
Blanks	1,595	
Total Votes Cast	7,747	

**COUNCILLOR
FIRST DISTRICT**

Carole A. Fiola	3,979	Democrat
Philip C. Paleologos	2,506	Republican
Paul R. Viveros	667	Unenrolled
All Others	5	
Blanks	590	
Total Votes Cast	7,747	

**SENATOR IN GENERAL COURT
FIRST PLYMOUTH & BRISTOL DISTRICT**

Marc R. Pacheco	6,051	Democrat
All Others	84	
Blanks	1,612	
Total Votes Cast	7,747	

**REPRESENTATIVE IN GENERAL COURT
SECOND PLYMOUTH DISTRICT**

Susan Williams Gifford.	4,015	Republican
Margaret A. Ishihara	3,466	Democratic
All Others	9	
Blanks	257	
Total Votes Cast	7,747	

**DISTRICT ATTORNEY
PLYMOUTH DISTRICT**

Timothy J. Cruz	5,585	Republican
All Others	88	
Blanks	2,074	
Total Votes Cast	7,747	

**CLERK OF COURTS
PLYMOUTH COUNTY**

Francis R. Powers	4,487	Democratic
Frederick M. McDermott	2,602	Republican

All Others	9
Blanks	649
Total Votes Cast	7,747

**REGISTER OF DEEDS
PLYMOUTH DISTRICT**

John R. Buckley, Jr.	5,978	Democratic
All Others	51	
Blanks	1,718	
Total Votes Cast	7,747	

**COUNTY COMMISSIONER
PLYMOUTH COUNTY**

Timothy J. McMullen	4,454	Democratic
John P. Cafferty	2,217	Republican
Thomas Jones	428	Unenrolled
All Others	8	
Blanks	640	
Total Votes Cast	7,747	

REGIONAL TECHNICAL SCHOOL COMMITTEE

Upper Cape Cod (4 Years) Bourne

Kenneth G. Pereira	5,625
All Others	36
Blanks	2,086
Total Votes Cast	7,747

REGIONAL TECHNICAL SCHOOL COMMITTEE

Upper Cape Cod (4 Years) Falmouth

Edmund J. Zmuda	5,280
All Others	32
Blanks	2,435
Total Votes Cast	7,747

REGIONAL TECHNICAL SCHOOL COMMITTEE

Upper Cape Cod (4 Years) Sandwich

Penelope J. Blackwell	5,234
All Others	30
Blanks	2,483
Total Votes Cast	7,747

REGIONAL TECHNICAL SCHOOL COMMITTEE

Upper Cape Cod (4 Years) Wareham

Kent V. Pearce	5,640
All Others	40

Blanks	2,067
Total Votes Cast	7,747

QUESTION 1: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow local licensing authorities to issue licenses for food stores to sell wine. The proposed law defines a "food store" as a retail vendor, such as a grocery store, supermarket, shop, club, outlet, or warehouse-type seller, that sells food to consumers to be eaten elsewhere (which must include meat, poultry, dairy products, eggs, fresh fruit and produce, and other specified items), and that may sell other items usually found in grocery stores. Holders of licenses to sell wine at food stores could sell wine either on its own or together with any other items they sell. The licensing authorities in any city or town of up to 5000 residents could issue up to 5 licenses for food stores to sell wine. In cities or towns of over 5000 residents, one additional license could be issued for each additional 5000 residents (or fraction of 5000). No person or business could hold more than 10% of the total number of the licenses that could be issued under the proposed law. Such licenses would not be counted when applying the laws that limit the number of other kinds of alcoholic beverage licenses that may be issued or held. Any applicant for a license would have to be approved by the state Alcoholic Beverages Control Commission, and any individual applicant would have to be at least 21 years old and not have been convicted of a felony. In issuing any licenses for food stores to sell wine, local licensing authorities would have to use the same procedures that apply to other licenses for the retail sale of alcoholic beverages. Except where the proposed law has different terms, the same laws that apply to issuance, renewal, suspension and termination of licenses for retail sales of alcoholic beverages which are not to be consumed on the seller's premises, and that apply to the operations of holders of such licenses, would govern licenses to sell wine at food stores, and the operation of holders of such licenses. Local authorities could set fees for issuing and renewing such licenses.

A YES VOTE would create a new category of licenses for food stores to sell wine, and it would allow local licensing authorities to issue such licenses.

A NO VOTE would make no changes in the laws concerning the sale of wine.

YES 2,702 NO 4,428 BLANKS 617 TOTAL: 7,747

QUESTION 2: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow candidates for public office to be nominated by more than one political party or political designation, to have their names appear on the ballot once for each nomination, and to have their votes counted separately for each nomination but then added together to determine the winner of the election.

The proposed law would repeal an existing requirement that in order to appear on the state primary ballot as a candidate for a political party's nomination for certain offices, a person cannot have been enrolled in any other party during the preceding year.

The requirement applies to candidates for nomination for statewide office , representative in Congress, governor's councillor, member of the state Legislature, district attorney, clerk of court, register of probate, register of deeds, county commissioner, sheriff, and county treasurer. The proposed law would also allow any person to appear on the primary ballot as a candidate for a party's nomination for those offices if the party's state committee gave its written consent. The proposed law would also repeal the existing requirement that in order to be nominated to appear as an unenrolled candidate on the state election ballot, or on any city or town ballot following a primary, a person cannot have been enrolled in any political party during the 90 days before the deadline for filing nomination papers.

The proposed law would provide that if a candidate were nominated by more than one party or political designation, instead of the candidate's name being printed on the ballot once, with the candidate allowed to choose the order in which the party or political designation names appear after the candidate's name, the candidate's name would appear multiple times, once for each nomination received. The candidate would decide the order in which the party or political designation nominations would appear, except that all parties would be listed before all political designations. The ballot would allow voters who vote for a candidate nominated by multiple parties or political designations to vote for that candidate under the party or political designation line of their choice. If a voter voted for the same candidate for the same office on a multiple party or political designation lines, the ballot would remain valid but would be counted as a single vote for the candidate on a line without a party or political designation. If voting technology allowed, voting machines would be required to prevent a voter from voting more than the number of times permitted for any one office.

The proposed law would provide that if a candidate received votes under more than one party or political designation, the votes would be combined for purposes of determining whether the candidate had won the election. The total number of votes each candidate received under each party or political designation would be recorded. Election officials would announce and record both the aggregate totals and the total by party or political designation.

The proposed law would allow a political party to obtain official recognition if its candidate had obtained a least 3% of the vote for any statewide office at either of the two most recent state elections, instead of at only the most recent state election as under current law.

The proposed law would allow a person nominated as a candidate for any state, city or town office to withdraw his name from nomination within six days after any party's primary election for that office, whether or not the person sought nomination or was nominated in that primary. Any candidate who withdrew from an election could not be listed on the ballot for that election, regardless of whether the candidate received multiple nominations.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would allow a candidate for public office to be nominated for the same office by more than one political party or political designation at the same election.

A NO VOTE would make no changes in the laws concerning nomination of candidates for public office.

YES 2,294 NO 4,451 BLANKS 1,002 TOTAL: 7,747

QUESTION 3: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House

of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow licensed and other authorized providers of child care in private homes under the state's subsidized child care system to bargain collectively with the relevant state agencies about all terms and conditions of the provision of child care services under the states child care assistance program and its regulations.

Under the proposed law, these family child care providers who provide state-subsidized child care would not be considered public employees, but if 30% of the providers gave written authorization for an employee organization to be their exclusive representative in collective bargaining, the state Labor Relations Commission would hold a secret mail ballot election on whether to certify that organization as the exclusive representative. Parts of the state's public employee labor relations law and regulations would apply to the election and collective bargaining processes. The proposed law would not authorize providers to engage in a strike or other refusal to deliver child care services. An exclusive representative, if certified, could then communicate with providers to develop and present a proposal to the state agencies concerning the terms and conditions of child care provider services. The proposed law would then require the parties to negotiate in good faith to try to reach a binding agreement. If the agreed-upon terms and conditions required changes in existing regulations, the state agencies could not finally agree to the terms until they completed the required procedures for changing regulations and any cost items agreed to by the parties had been approved by the state Legislature. If any actions taken under the proposed law required spending state funds, that spending would be subject to appropriation by the Legislature. Any complaint that one of the parties was refusing to negotiate in good faith could be filed with and ruled upon by the Labor Relations Commission. An exclusive representative could collect a fee from providers for the costs of representing them.

An exclusive representative could be de-certified under Commission regulations and procedures if certain conditions were met. The Commission could not accept a decertification petition for at least 2 years after the first exclusive representative was certified, and any such petition would have to be supported by 50% or more of the total number of providers. The Commission would then hold a secret mail ballot election for the providers to vote on whether to decertify the exclusive representative.

The proposed law states that activities carried out under it would be exempt from federal anti-trust laws. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would allow licensed and other authorized providers of child care in private homes under the state's subsidized child care system to bargain collectively with the state.

A NO VOTE would make no changes in the laws concerning licensed and other authorized family Child care providers.

YES 3,295 NO 3,484 BLANKS 968 TOTAL: 7,747

ANNUAL TOWN ELECTION - APRIL 3, 2007 - ARTICLE ONE - ANNUAL TOWN MEETING

BOARD OF SELECTMEN

Three Year Term - Vote for Two

Bruce D. Sauvageau...(2010).....1,434*
John P. Cronan.....(2010).....1,378*
William G. Heaney.....1,204
Patrick G. Tropeano.....924
Write-Ins.....41
Blanks.....657
Total Votes Cast.....2,819

BOARD OF SELECTMEN

One Year Term – Vote for One

Samuel J. Corbitt, Jr.....818
Margaret Jane Donahue...(2008).....1,489*
Kenneth R. Sleightholm.....462
Write-Ins.....7
Blanks.....43
Total Votes Cast.....2,819

TOWN CLERK

Three Year Term – Vote for One

Mary Ann Silva...(2010).....2,254*
Write-Ins.....12
Blanks.....553
Total Votes Cast.....2,819

TOWN MODERATOR

Three Year Term – Vote for One

John T. Donahue...(2010).....1,986*
Write-Ins.....41
Blanks.....792
Total Votes Cast.....2,819

ASSESSOR

Three Year Term - Vote for Two

Robert J. Barry....(2010).....2,063*
Write-Ins.....16
Blanks.....740
Total Votes Cast.....2,819

SCHOOL COMMITTEE

Three Year Term - Vote for Two

Robert L. Brousseau.....(2010).....2,103*
Write-Ins.....17
Blanks.....699

Total Votes Cast.....2,819

HOUSING AUTHORITY

Five Year Term - Vote for One

Martin L. Benoit, Sr...(2012).....2,001*

Write-Ins.....14

Blanks.....804

Total Votes Cast.....2,819

**FALL TOWN MEETING WARRANT
TOWN OF WAREHAM
OCTOBER 23, 2006**

**WAREHAM HIGH SCHOOL
7 VIKING DRIVE
WAREHAM, MA
7:00 PM**

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH §.

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 to meet in the High School Auditorium, 7 Viking Drive, Wareham, MA on Monday, October 23, 2006 to act on the following articles:

ARTICLE: 1

To see if the Town will vote to raise and appropriate or appropriate and transfer from available funds a sum of money to supplement fiscal 2007 operating budget and adjust fiscal 2007 operating budget to reflect changes in State Aid, or to do or act in any manner relative thereto.

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

MOTION: Mr. Heaney

1. I move to reduce the line item appropriations voted at the April 24, 2006, Annual Town Meeting in the total amount of \$1,409,051 by the following amounts:

<u>Line Item:</u>	<u>Reduce by:</u>
Police S&W	\$250,562
Police Exp	230,238
Library S&W	33,435
Library Exp	25,000
Engineering S&W	170,052

Engineering Exp	4,800
Municipal Maintenance S&W	38,000
Town Buildings S&W	17,000
Recreation Exp	14,500
Parking Attendants S&W	1,960
Beaches Exp	7,350
Personnel Exp	3,205
Selectmen Exp	12,686
Clerical Pool S&W	2,500
CEDA Exp	10,000
Board of Health S&W	13,805
Inspections S&W	6,735
COA S&W	6,116
Harbor Master S&W	125,000
ST Debt Middle School	250,000
Health Trust fund	<u>186,107</u>
Total	1,409,051

2. I move to Raise and Appropriate \$23,358 to be added to the Town Administrator Expense budget line item as voted at the April 24, 2006, Annual Town Meeting.

3. I move to appropriate from Free Cash the sum of \$1,150,000 to increase the following budget line items as voted at the April 24, 2006 Annual Town Meeting:

<u>Line Item</u>	<u>Increase by:</u>
School	368,893
Health Trust Fund	781,107

4. I move to appropriate a total of \$455,000 from other available funds to increase the following budget line items as voted at the April 24, 2006, Annual Town Meeting:::

<u>Line Item</u>	<u>Increase By:</u>
Harbor Master S&W	31,000 (From Waterways Improvement Fund)
Harbor Master S&W	94,000 (From Harbor Permit Service Fund)
Police S&W	59,858 (From Stabilization fund)
Police Exp	185,000 (From stabilization Fund)
Town Administrator Exp	5,142 (From Stabilization Fund)
Veterans Benefits Exp	80,000 (From Stabilization Fund)

5. I move to make the following Departmental Budget transfers as previously voted at the April 24, 2006, Annual Town Meeting:

Transfer to COA Exp	4,440
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From COA S&W	(4,440)
Transfer Clerical Pool S&W	3,500
From Selectmen Exp	(1,000)
From Finance Committee Exp	(2,500)
Transfer to Inspectional Services Exp	18,932
From Inspectional Services S&W	(18,932)

6. I move to Appropriate From WPCF Retained Earnings the amount of \$113,715 to meet the operating expenses of the WPCF for Fiscal year 2007.

AMENDMENT: Cliff Sylvia

I move the Town transfer \$54,000 from non-net school spending budget account to net school spending budget account. Moved and seconded.

VOTE ON

AMENDMENT: MAJORITY – FAVORABLE ACTION

AMENDMENT: Robert Brousseau

I move that the Town raise and appropriate \$38,500 to the Police Wages Account and \$2,500 to Police Expenses. Moved and seconded.

VOTE ON

AMENDMENT: 194 AFFIRMATIVE AND 138 NEGATIVE – FAVORABLE ACTION

The Moderator declared a 2/3 majority. A request was then made for a hand count. The Moderator stated it would take seven or more members. More than seven members rose, and the Moderator called for a hand count.

MAIN MOTION

AS AMENDED: 255 AFFIRMATIVE AND 83 NEGATIVE – FAVORABLE ACTION

MOTION: Patrick Tropeano

I move reconsideration of Article One. Moved and seconded.

VOTE: MAJORITY – MOTION FAILS – UNFAVORABLE ACTION

The Board of Selectmen voted: No Action (2-2-1)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 2

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

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

MOTION: Mr. Heaney

I move no action on Article 2.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 3

To see if the Town will vote to appropriate and transfer a sum of money from available funds and appropriate funds and authorize borrowing subject to Chapter 44, Sections 7 or 8 of Massachusetts General Laws, or any other enabling authority, for the purpose of capital improvement projects including replacement of vehicles and equipment and repairs 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

MOTION: Mr. Giberti

I move no action on Article 3.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (6-0-0)

ARTICLE: 4

To see if the Town will vote to transfer \$10,000 from the Parking Meter Fund to the Municipal Maintenance Department Sign Materials account, or to do or act in any manner relative thereto.

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

MOTION: Ms. Rumney

I move to transfer \$10,000 from the Parking Meter Fund to the Municipal Maintenance Department Sign Materials account.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 5

To see if the Town will vote to transfer \$10,000 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 Town Administrator

MOTION: Ms. Rumney

I move to transfer \$10,000 from the Parking Meter Fund to the Municipal Maintenance Line Painting Account.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 6

To see if the Town will vote to appropriate from available funds the sum of \$188,290.00 in accordance with Chapter 122 of the Acts of 2006, under the provisions of §34 (2) (a) of Chapter 90 of Massachusetts General Laws for the purpose of constructing, reconstructing and improving primary roads and local roads eligible for reimbursement, and all other eligible transportation enhancement projects, or to do or act in any manner relative thereto.

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

MOTION: Mr. Cormier

I move to appropriate from available funds the sum of \$188,290.00 in accordance with Chapter 122 of the Acts of 2006, under the provisions of §34 (2) (a) of Chapter 90 of Massachusetts General Laws for the purpose of constructing, reconstructing and improving primary roads and local roads eligible for reimbursement, and all other eligible transportation enhancement projects.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 7

To see if the Town will vote to transfer \$25,000.00 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 Town Administrator

MOTION: Mr. Richards

I move No Action on Article 7.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

ARTICLE: 8

To see if the Town will vote to raise and appropriate or to transfer \$100,000.00 from the Harbor Service Permit Reserved for Appropriations Account, to the Harbormaster Departmental Expense Budget, or to do or act in any manner relative thereto.

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

MOTION: Mr. Richards

I move No Action on Article 8.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: Favorable Action (5-1-0)

ARTICLE: 9

To see if the Town will vote to amend the General By-laws by inserting a new by-law, Division I, Article II, Section 3, Residency Requirements for Appointment to Multiple-Member Boards, Committees, Commissions and Authorities, as follows:

All persons appointed to multiple member boards, committees, commissions and authorities shall be residents of the Town of Wareham who are eligible to be or who are registered to vote in the Town of Wareham; provided, however, that this by-law shall not apply to appointments to those boards, committees, commissions or authorities whose charge or enabling legislation specifically allows for or requires appointment of non-resident members. If an appointed member of a multiple member board, committee, commission or authority shall remove from the Town, such member shall, after a hearing held by the Board of Selectmen, be deemed to have vacated his office. If an appointed member of a multiple member board, committee, commission or authority moves within the Town, notice shall be provided to the Board of Selectmen within 30 days of such move.

Applicants for appointment and reappointment to multiple member municipal boards, committees, commissions and authorities shall provide to the appointing authority proof of residence in the Town. For purposes of this by-law, proof of residence shall include, but not be limited to, a driver's license, recent utility bill, rent receipt on a landlord's printed letterhead, lease, duplicate copy of a voter registration affidavit, or any other government-issued printed identification which contains the person's name and address. The appointing authority may require provision of additional evidence of residence, or to do or act in any manner relative thereto.

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

MOTION: Mr. Meyers

I move to amend the General By-laws by inserting a new by-law, Division I, Article II, Section 3, Residency Requirements for Appointment to Multiple-Member Boards, Committees, Commissions

and Authorities, as printed in the warrant.

(Majority)

AMENDMENT: Rose Renee Fernandes-Abbott

I move to amend the main motion by changing the referenced to Board of Selectmen where it appears in two places to

“respective Appointing Authority.

VOTE ON

AMENDMENT: MAJORITY – FAVORABLE ACTION

VOTE ON MAIN

MOTION AS AMENDED: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (as amended) (5-0-0)

The Finance Committee voted: No Action (4-1-0)

ARTICLE: 10

To see if the Town will vote to amend the General By-laws of the Town of Wareham, Division VI, Article I, “Wetland Protective By-law” by adding a new Section XV, thereto, in order to enact a temporary moratorium on the construction of new piers and docks and the expansion of existing docks and piers on all bodies of water within the Town, while still allowing repairs to existing docks and piers under the existing requirements, until November 1, 2007 as follows:

XV. Temporary Moratorium on New Piers and Docks and Replacement and Expansion Until November 1, 2007.

Whereas the boundary of the Town of Wareham encompasses various bodies of water; and whereas such bodies of water are for the enjoyment of all the inhabitants of and visitors to the Town of Wareham; therefore, all private entities (individuals, groups, associations, corporations, non-profits or other entities) shall be prohibited from obtaining permission under this By-law to construct any new dock or pier in the Town (whether temporary or permanent) or to expand any existing dock or pier in the Town in any water body or waterway in the Town from the date of passage of this moratorium until November 1, 2007. Any work that would result in the reconfiguration of a dock or a pier’s pilings to a new location shall be deemed to be an expansion. The moratorium shall not apply to any dock or pier permit issued prior to September 6, 2006, or any pier application that is currently under review through a public hearing before the Conservation Commission. Permission under the By-law to repair (but not expand) any dock or

pier in existence upon adoption of this provision will be granted on a case-by-case basis under this By-law, or to do or act in any manner relative thereto.

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

MOTION: Mr. Tropeano

I move No Action on Article 10.

(Majority Vote)

AMENDMENT: Bruce Sauvageau

I move to amend the main motion for “No Action” to “Favorable Action.”

VOTE: 123 AFFIRMATIVE AND 67 NEGATIVE – FAVORABLE ACTION

AMENDMENT: Charles Rowley

I would like to make an amendment to the motion and that the date of September 6, 2006 be changed to November 1, 2006.

VOTE ON

AMENDMENT: 96 AFFIRMATIVE AND 58 NEGATIVE – FAVORABLE ACTION

VOTE ON MAIN

MOTION AS AMENDED: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (as amended) (5-0-0)

The Finance Committee voted: No Action (5-0-0)

ARTICLE: 11

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation relative to the provision of health insurance to surviving spouses of long-term employees of the Town of Wareham, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, or to do or act in any manner relative thereto.

AN ACT RELATIVE TO PROVISION OF HEALTH INSURANCE TO SURVIVING SPOUSES OF LONG-TERM EMPLOYEES OF THE TOWN OF WAREHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding the provisions of chapter 32B of the General Laws, or of any other general or special law to the contrary, upon the death of an employee or a retired employee who has been continuously employed by the town of Wareham for at least 10 years, the surviving spouse may continue the group general or blanket insurance coverage for the surviving spouse and dependents of the deceased employee providing hospital, surgical, medical, dental and other health benefits on the same terms and conditions and upon payment of the same premium as retired employees of the town, until the remarriage or death of said surviving spouse; provided, that application for such insurance coverage shall be filed with the appropriate public authority and a method for the payment of premiums shall be determined in accordance with the appropriate public authority's rules and regulations.

Section 2. Upon the death of any other employee or retired employee of the town of Wareham, the surviving spouse may continue the group general or blanket insurance coverage for the surviving spouse and dependents of the deceased employee providing hospital, surgical, medical, dental and other health benefits, until the remarriage or death of said surviving spouse; provided, that application for such insurance coverage shall be filed with the appropriate public authority and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further, that said surviving spouse shall pay the entire cost of such premiums without any contribution by the town of Wareham.

Section 3. The provisions of this act shall be applicable to all surviving spouses of a deceased employee or retired employee who has been continuously employed by the town of Wareham for at least 10 years and who are participating in the town's health insurance plans as of the effective date of this act.

Section 4. The Wareham board of selectmen is hereby authorized to promulgate regulations, as may be necessary or desirable to implement the provisions of this act.

Section 5. This act shall take effect upon passage.

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

MOTION: Mr. Heaney

I move No Action on Article 11.

(Majority Vote)

AMENDMENT: Rose Renee Fernandes-Abbott

I move to amend the main motion for “No Action” to “Favorable Action”, with the following change to the text: In sections one and three change the reference from ten years to twenty years.

VOTE ON

AMENDMENT: MAJORITY – FAVORABLE ACTION

VOTE ON MAIN MOTION

AS AMENDED: MAJORITY – FAVORABLE ACTION – AS DECLARED BY THE MODERATOR

MOTION: Peter Murphy

I like to reconsider article number eleven, please.

VOTE: MAJORITY – MOTION FAILS – UNFAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (4-0-1)

The Finance Committee voted: No Action (5-0-0)

ARTICLE: 12

To see if the Town will vote to act upon the reports of the Board of Selectmen and School Committee as required by stature 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 at the request of the Town Administrator

MOTION: Mr. Heaney

I move to act upon the reports of the Board of Selectmen and School Committee as required by Statute and upon any other reports from officers and committees who consider it expedient to do so.

(Majority Vote)

VOTE: No reports given

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 13

To see if the Town will vote from Community Preservation funds estimated annual revenues the sum of \$155,572.78 for payment of debt service on the Tremont Nail property and \$11,752.22 for payment of debt service on the property known as Bryant Farm, both voted for purchase by Town Meeting in April 2004, or to do or act in any manner relative thereto.

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

MOTION: Mr. Giberti

I move to appropriate from Community Preservation funds estimated annual revenues the sum of \$155,572.78 for payment of debt service on the Tremont Nail property and \$11,752.22 for payment of debt service on the property known as Bryant Farm, both voted for purchase by Town Meeting in April 2004.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 14

To see if the Town will vote to transfer \$350,000 reserved under Article 24 of the October 2004 Town Meeting for the acquisition of 9.37 acres more or less, shown as Lot 1018 on Map 81, 36 Station Street, to the unrestricted Community Preservation fund account, or to do or act in any manner relative thereto.

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

MOTION: Mr. Giberti

I move to transfer \$350,000 reserved under Article 24 of the October 2004 Town Meeting for the acquisition of 9.37 acres more or less, shown as Lot 1018 on Map 81, 36 Station Street, to the unrestricted Community Preservation fund account.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)
The Finance Committee voted: Favorable Action (6-0-0)
Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 15

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Historic Preservation \$341,400 more or less for the restoration and rehabilitation of Oak Grove School, or to do or act in any manner relative thereto.

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

MOTION: Ms. Rumney

I move to appropriate from Community Preservation funds estimated annual revenues under the category of Historic Preservation \$341,400 for the restoration and rehabilitation of Oak Grove School.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (4-1-0)
The Finance Committee voted: Favorable Action (6-0-0)
Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 16

To see if the Town will vote to authorize the appropriation from Community Preservation funds estimated annual revenues, under the category of Open Space, up to \$300,000 for the acquisition of a conservation restriction from the Wareham Land Trust with respect to 63.4 acres of pine barrens in Wareham on Glen Charlie Pond designated on Assessor's Map 117, Lot 1012 as recommended by the Community Preservation Committee for meeting the Open Space goal of the Wareham Community Preservation Plan, such conservation restriction to be under the care, custody, management, and control of the Conservation Commission, or to do or act in any manner relative thereto.

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

MOTION: Mr. Cormier

I move to appropriate from Community Preservation funds estimated annual revenues, under the category of Open Space, \$300,000 for the acquisition of a conservation restriction from the

Wareham Land Trust with respect to 63.4 acres of pine barrens in Wareham on Glen Charlie Pond designated on Assessor's Map 117, Lot 1012 as recommended by the Community Preservation Committee for meeting the Open Space goal of the Wareham Community Preservation Plan, such conservation restriction to be under the care, custody, management, and control of the Conservation Commission.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 17

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenue under the category of Open Space the amount of \$6,000 more or less for trail improvements and signage on the town-owned Minot Forest, or to do or act in any manner relative thereto.

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

MOTION: Mr. Richards

I move to appropriate from Community Preservation funds estimated annual revenue under the category of Open Space the amount of \$6,000 for trail improvements and signage on the town-owned Minot Forest.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 18

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$25,000 more or less for the preservation and restoration of two tennis courts on town-owned property behind the Wareham Middle School, or to do or act in any manner relative thereto.

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

MOTION: Mr. Meyers

I move the Town vote to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$25,000 for the preservation and restoration of two tennis courts on town-owned property behind the Wareham Middle School.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (2-3-0) (motion failed)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 19

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$68,500 more or less for additional expenses incurred in the development of four athletic fields at the recreation complex known as Westfield located off Charge Pond Road, or to do or act in any manner relative thereto.

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

MOTION: Mr. Meyers

I move to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$68,500 for additional expenses incurred in the development of four athletic fields at the recreation complex known as Westfield located off Charlotte Furnace Road.

(Majority Vote)

VOTE: 120 AFFIRMATIVE AND 39 NEGATIVE - FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (4-1-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 20

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$124,562 more or less to restore and preserve Spillane Field on the grounds of the Wareham Public Schools behind 48 Marion Road, work to include renovation of irrigation system, new well, fencing and sod surface, or to do or act in any manner relative thereto.

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

MOTION: Mr. Tropeano

I move to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$124,562 to restore and preserve Spillane Field on the grounds of the Wareham Public Schools behind 48 Marion Road, work to include renovation of irrigation system, new well, fencing and sod surface.

(Majority Vote)

AMENDMENT: Brenda Eckstrom

I move to amend this article for Further Study.

MOTION: James Newman

I want to move the question.

VOTE: UNANIMOUS – FAVORABLE ACTION

VOTE ON

AMENDMENT: 80 AFFIRMATIVE AND 88 NEGATIVE – MOTION FAILS

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: No Action (3-2-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 21

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$200,800 more or less for the preservation and restoration of the Andersson Track, located off Viking Drive, or to do or act in any manner relative thereto.

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

MOTION: Mr. Tropeano

I move to appropriate from Community Preservation funds estimated annual revenues under the category of Recreation the amount of \$200,800 for the preservation and restoration of the Anderson Track, located off Viking Drive.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (3-2-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 22

To see if the Town will vote to appropriate up to \$17,500 more or less from the Community Preservation fund estimated annual revenues under the category of Historical Preservation for the purpose of developing a town historic preservation plan including the hiring a preservation consultant who will prepare the document for approval by the Wareham Board of Selectmen and by the Massachusetts Historical Commission, or to do or act in any manner relative thereto.

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

MOTION: Mr. Giberti

I move to appropriate \$17,500 from the Community Preservation fund estimated annual revenues under the category of Historical Preservation for the purpose of developing a town historic preservation plan including the hiring of a preservation consultant who will prepare the document for approval by the Wareham Board of Selectmen and by the Massachusetts Historical Commission.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-1-0)

ARTICLE: 23

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenue under the category of Historic Preservation the amount of up to \$34,000 more or less for the restoration and rehabilitation of the roof and related structures of the On-I-Set Wigwam and a similar structure, the so-called Ticket Booth at 9 Crescent Place in Onset, Lot 357 on Assessor's Map 1, or to do or act in any manner relative thereto.

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

MOTION: Ms. Rumney

I move to appropriate from Community Preservation funds estimated annual revenue under the category of Historic Preservation the amount of up to \$34,000 for the restoration and rehabilitation of the roof and related structures of the On-I-Set Wigwam and a similar structure, the so-called Ticket Booth at 9 Crescent Place in Onset, Lot 357 on Assessor's Map 1.

(Majority Vote)

VOTE: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-1-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 24

To see if the Town will vote to appropriate from Community Preservation funds estimated annual revenues under the category of Historic Preservation the amount of \$4,537 more or less for the acquisition of a historic preservation restriction from the Wareham Historical Society, Inc., with respect to Fearing Tavern, in Wareham, designated on Assessor's Map 132 as Lot 1000 B1, as recommended by the Community Preservation Committee, such real property interest to be under the care, custody, management and control of the Wareham Historical Commission, or to do or act in any manner relative thereto.

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

MOTION: Mr. Richards

I move to appropriate from Community Preservation funds estimated annual revenues under the category of Historic Preservation the amount of \$4,537 for the acquisition of a historic preservation restriction from the Wareham Historical Society, Inc., with respect to Fearing Tavern, in Wareham, designated on Assessor's Map 132 as Lot 1000 B1, as recommended by the Community Preservation Committee, such real property interest to be under the care, custody, management and control of the Wareham Historical Commission.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 25

To see if the town will vote to amend the By-Laws of the Town of Wareham Division IV, Article III, Earth Removal Regulations by deleting Section 4 (i): Validity and by adding Section 4 (j): Validity, or to do or act in any manner relative thereto.

EXPLANATION:

This additional subject to Section 4 of the Earth Removal Regulations was approved at the April 24, 2006 special town meeting Article 38. The intent was not to duplicate (i), of Section 4, but to add (j).

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

MOTION: Mr. Meyers

I move to amend the By-Laws of the Town of Wareham Division IV, Article III, Earth Removal Regulations by deleting Section 4 (i): Validity and by adding Section 4 (j): Validity, as printed in the warrant.

(Majority Vote)

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (5-0-0)

Community Preservation voted: Favorable Action (9-0-0)

ARTICLE: 26

To see if the Town will vote to transfer to the Board of Selectmen for the purpose of conveyance and to authorize the Board of Selectmen to convey a fee simple interest or a long-term lease interest for a term of up to ninety-nine (99) years in a portion of the Town-owned land known as “Westfield,” located off Charlotte Furnace Road, Wareham, shown as Assessors’ Map 105, Parcels 1001, 1006, 1009, 1010, 1011, 1048 and Assessors’ Map 105A, Parcels 90 through 137,

153 through 190, and 192 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 or less, (the “Affordable Housing Land”), and to authorize the Board of Selectmen to convey as appurtenant to said Affordable Housing Land with respect to an abutting portion of said “Westfield” land, said portion containing 5 acres, more or less, an easement or license for subsurface sewage disposal system purposes, both conveyances to be for such monetary or non-monetary consideration and upon such terms and conditions as the Board of Selectmen shall determine to be appropriate for the purpose of ensuring the development of affordable housing, or to do or act in any manner relative thereto.

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

MOTION: Mr. Tropeano

I move Further Study on Article 26.

(Majority Vote)

AMENDMENT: Mr. Sauvageau

I move to amend the main motion for No Action to Favorable Action.

MOTION: Clifford Sylvia

Move the question on the amendment.

VOTE: UNANIMOUS - FAVORABLE ACTION

VOTE ON

AMENDMENT: MAJORITY – UNFAVORABLE ACTION – MOTION FAILS

VOTE ON ORIGINAL

MOTION: MAJORITY – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (4-0-1)

The Finance Committee voted: Further Study (5-0-0)

ARTICLE: 27

To see if the Town will vote to authorize the Board of Selectmen to file a home rule petition with the General Court in the following form:

AN ACT RELATIVE TO INTEREST RATES TO BE CHARGED UPON APPORTIONED
BETTERMENT ASSESSMENTS IN THE TOWN OF WAREHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1: Notwithstanding the provisions of any general or special law to the contrary, the town of Wareham is hereby authorized with respect to betterment assessments for any or all projects assessed after the effective date of this act, to assess interest on apportionments of such assessments at the rate of interest set by the Town by bylaw, or by vote with respect to a particular project, provided that that no such rate shall exceed the rates permitted by section 13 of chapter 80 of the general laws and provided that if the Town does not elect to set lower rates as authorized under this act, the town shall charge interest at the rates permitted by section 13 of chapter 80 of the general laws.

Section 2. This act shall take effect upon its passage.

The General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition; or to do or act in any manner relative thereto.

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

MOTION: Mr. Giberti

I move to authorize the Board of Selectmen to file a home rule petition with the General Court relative to interest rates to be charged upon apportioned betterment assessments as printed in the warrant.

(Majority Vote)

AMENDMENT: Edward Pacewicz

I move to amend Article 27 Section One to read: Notwithstanding the provisions of any general or special law to the contrary the Town of Wareham, with respect to betterment assessments for any and all projects assessed after the effective date of this act shall be required to assess interest on apportionments of such assessments at the same rate of interest charged to the town for the bonds issued for each such project. In addition: I would like to add Section three: The Town of Wareham is required to request an audit of the Water Pollution Control Facility Administration Costs Account to be conducted by the Massachusetts Department of Revenue.

The Moderator stated that he would allow debate on the amended first section, but he was compelled to rule out of order the addition of a section three. He stated that this would go to the scope question. He stated that the proposed article as printed in the warrant anticipated that type of amendment and there is also some questions about whether there maybe some cost involved or associated with this which would be difficult for this body and/or the Legislature to address. He added that he was also concerned about the language itself in terms of requiring or requesting an audit.

CORRECTED AMENDMENT: Section One: Notwithstanding the provisions of any general or special law to the contrary the Town of Wareham, with respect to betterment assessments for any or all projects assessed after the effective date of this act shall be required to assess interest on apportionments of such assessments at the same rate of interest charged to the town for bonds issued for each such project. Section two is as printed in the warrant. This act shall take affect upon its passage.

VOTE ON

AMENDMENT: 87 AFFIRMATIVE AND 30 NEGATIVE – FAVORABLE ACTION

VOTE: MAJORITY – FAVORABLE ACTION

MOTION: Reconsideration of Article 27.

VOTE: MAJORITY – UNFAVORABLE ACTION – MOTION FAILS

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (3-1-1)

ARTICLE: 28

To see if the Town will vote to authorize the Board of Selectmen to file a home rule petition with the General Court in the following form:

AN ACT RELATIVE TO THE INTEREST RATE TO BE CHARGED UPON APPORTIONED BETTERMENT ASSESSMENTS FOR THE WEWEANTIC SEWER PROJECT IN THE TOWN OF WAREHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1: Notwithstanding the provisions of any general or special law to the contrary, the town of Wareham shall assess interest on apportionments of sewer betterment assessments for the Weweantic sewer project, the betterment assessment statement for which was recorded with the Plymouth County Registry of Deeds on November 14, 2003, in Book 27023, Page 221, at a rate of one-half of one percent.

Section 2: If upon the effective date of this act such assessments have already been apportioned and one or more portions with interest at the rates allowed under section 13 of chapter 80 of the general laws have been added to the annual tax assessed with respect to the assessed properties, then from the first day of October after the effective date of this act, such apportioned assessments shall bear interest at the rate authorized by Section 1 of this act.

Section 3. This act shall take effect upon its passage.

The General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition; or to do or act in any manner relative thereto.

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

MOTION: Mr. Cormier

I move to authorize the Board of Selectmen to file a home rule petition with the General Court relative to the interest rate to be charged upon apportioned betterment assessments for the Weweantic sewer project as printed in the warrant.

(Majority Vote)

AMENDMENT: Ms. Fernandes-Abbott

I would ask that the rate of one half of one percent in the warrant be reduced to zero. This would appear in Section One.

Ms. Fernandes-Abbot rescinded the above motion and stated the following:

CORRECTED AMENDMENT:

The amendment would be that we change the last line of Section One where it reads at a rate of one half of one percent to the same rate of interest charged to the Town on the bonds issued for the project.

VOTE ON AMENDMENT: UNANIMOUS – FAVORABLE ACTION

VOTE ON MAIN

MOTION AS AMENDED: UNANIMOUS – FAVORABLE ACTION

MOTION: Reconsideration of Article 28.

VOTE: UNANIMOUS – UNFAVORABLE ACTION – MOTION FAILS

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (4-0-1)

ARTICLE: 29

To see if the Town will vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town of Wareham, the provisions of G.L. c.39, §23D, which provides that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member’s absence from one session of such hearing, provided that certain conditions are met, or to do or act in any manner relative thereto.

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

MOTION: Mr. Heaney

I move the Town vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town of Wareham, the provisions of G.L. c.39, §23D, which provides that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member’s absence from one session of such hearing, provided that certain conditions are met.

(Majority Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted:

The Finance Committee voted: Favorable Action (5-0-0)

ARTICLE: 30

To see if the Town will vote to amend the zoning by-laws by adding a new zoning district entitled East Wareham Village by re-zoning a portion of land currently zoned as Strip Commercial.

Add to Article 2: “Zoning Districts” the following definition for East Wareham Village: “211.2 e) East Wareham Village (EWV): East Wareham Village is intended to promote business and moderate density residential development that provides a stable economic base, fosters the re-use of existing buildings and promotes visual connections to the waterfront”

Add to the Use Tables at Article 3, Table 320 “Table of Principal Use Regulations” the following uses for EWV (see EWV Uses below):

Add to Article 6 “Density and Dimensional Regulations at OV2 (Onset Village 2)

Add the EWV map description to “APPENDIX 1 Boundaries of Districts”, deleting the language for the current Strip Commercial District this language replaces and; to replace the current Strip Commercial map designation of the Wareham Zoning Map with EWV (see Map #3).

EXPLANATION:

This article bundles together several amendments that work in conjunction with one another; without one of the pieces, the remainder will not work. This article adds a new zoning designation to the By-Law’s Zoning Map, by rezoning a portion of land that is currently zoned Strip Commercial, Use Tables, Zoning District Boundaries and Density and Dimensional Regulations. The Dimensional Regulations for the new district are the same as those for Onset Village 2 (OV2). By changing this existing Strip Commercial area to a Village District, the area will be allowed to develop as it has in the past, as a village.

Zoning Map Amendment for East Wareham Village (Map #3):

East Wareham Village District

c) Beginning at the Southeasterly corner of Lot 1001 (Adjacent Beaver Dam Pond) along the Southern property line of Lot 1001 as shown on Wareham Assessors Maps 14 (as of 2005) across Onset Avenue to Lot 1001 as shown on Wareham Assessors Map17 (as of 2005);

Thence Southerly along the Southern Right of Way of Onset Avenue to the Southeast corner of Lot 1005 as shown on Wareham Assessors Map17 (as of 2005);

Thence Westerly along the Southern lot lines of Lots 1005 and 1004 to the Easterly boundary of the Right of Way for Great Neck Road as shown on Wareham Assessors Map17 (as of 2005);

Thence Northerly along the Eastern Right of Way of Great Neck Road to the Intersection with Minot Avenue as shown on Wareham Assessors Map17 (as of 2005);

Thence Northerly along the Western Right of Way of Depot Street to the Southeastern corner of Lot 1070A as shown on Wareham Assessors Map 43 (as of 2005);

Thence Westerly to the Southwesterly corner of Lot 1070A as shown on Wareham Assessors Map 43 (as of 2005);

Thence Northerly along the Western property line of Lot 1070A to the Southern Right of Way of the Railroad (Former New Haven RR) as shown on Wareham Assessors Map 43 (as of 2005);

Thence Westerly Along the Southern Right of Way of the Railroad (Former New Haven RR) to the Southwestern corner of Lot 1082B as shown on Wareham Assessors Map 43 (as of 2005);

Thence Northerly along the Western property lines of Lots 1082, 1081 and 1067 to the Southern Right of Way line of Knowles Avenue as shown on Wareham Assessors Map 43 (as of 2005);

Thence Easterly along the Southern Right of Way line of Knowles Avenue to the Northeasterly corner of Lot 1066 as shown on Wareham Assessors Map 43 (as of 2005);

Thence Southerly along the Eastern property line of Lot 1006 to the Southwesterly corner of Lot 1054 as shown on Wareham Assessors Map 43 (as of 2005);

Thence Easterly along the Southern property lines of Lot 1054, Lot 1055 and Lot 1056 to the Northeasterly corner of Lot 1065A as shown on Wareham Assessors Map 43 (as of 2005);

Thence South along the properties lines of Lots 1058 and 1059 to the Southwestern corner of Lot 1059 as shown on Wareham Assessors Map 43 (as of 2005);

Thence Easterly along the Northern property lines of Lots 1064, 1063 and 1061 to the Western Right of Way line of Depot Street as shown on Wareham Assessors Map 43 (as of 2005);

Thence Southerly Along the Right of Way of Depot Street to a point directly across from the Northwesterly corner of Lot 1000 as shown on Wareham Assessors Map 14 (as of 2005);

Thence Easterly across Depot Street along the Northern property line of Lot 1000 to the Northeasterly corner of Lot 1000 as shown on Wareham Assessors Map 14 (as of 2005);

Thence Southerly along the Eastern property line of Lots 1000 and 1001 (Adjacent Beaver Dam Pond) to the Point of beginning

Zoning Amendment: Table of Use Changes for the East Wareham Village:

PRINCIPAL USE DISTRICT

AGRICULTURAL AND RURAL USES EWV

Agricultural uses upon tracts less than 5 acres	N
Agricultural uses upon tracts of 5 acres or more	Y
Cider mill, ice house, temp. sawmill less than 5 acres	SPZ
Cider mill, ice house, temp. sawmill more than 5 acres	Y
Horticulture on less than 5 acres	SPZ

ANIMAL-RELATED USES EWV

Animal kennels less than 5 acres	SPZ
Animal kennels more than 5 acres	Y
Riding stable less than 5 acres	N
Riding stable more than 5 acres	Y
Piggeries, fur farms less than 5 acres	N
Piggeries, fur farms more than 5 acres	Y
Veterinary hospital less than 5 acres	Y
Veterinary hospital more than 5 acres	Y

RECREATIONAL USES EWV

Campground	SPZ
Golf course or golf club	N
Non-profit recreation	Y
Health or athletic facility	Y
Tennis club	Y
Youth camp	SPZ

RESIDENTIAL USES EWV

1-family detached dwelling	Y
2-family dwelling	Y
3 to 4 family dwelling in existing structure	SPZ
3 to 4 dwelling in new structures	N
5+family dwelling in existing structures	SPZ
5+dwelling in new structures	N
Apartments in mixed use building	SPZ
Manufactured home	Y
Residential Cluster Development	SPP
Seasonal conversion	SPZ

COMMERCIAL USES EWV

Banks	Y
Offices	Y
Retail businesses	Y
Service establishments not involving manufacture on premises	Y
Motor vehicle service	SPZ
Motor vehicle sales	SPZ
Filling stations for gasoline, diesel fuel, liquid propane	N
Dry cleaning / laundromat	N
Conference center	Y
Motel, hotel	Y
Bed & breakfast	Y
Guest house	SPZ
Neighborhood grocery store	Y

Wholesale business
Restaurants Y
Drive-in establishment N
Commercial recreational facilities Y
Other places of amusement Y
Adult use N

EDUCATIONAL AND INSTITUTIONAL USES EWV

Municipal use Y
Hospital, hospital connected facilities N
Nursing home, intermediate care center, day care center SPZ
Educational use, non-exempt Y
Educational use, exempt Y
Oceanographic and engineering research SPZ
Membership club Y
Religious use Y
Other places of assembly Y
Cemetery SPZ

INDUSTRIAL USES EWV

Manufacturing of products produced on premises the major portion of which are sold
on premises from producer to consumer SPZ
Light manufacturing N
Manufacture of marine vessels SPZ
Industrial (except earth removal) N
Gravel, loam, sand, stone, or earth removal N
Fish processing plants N
Storage facilities N
Junkyards and salvage yards N
Hazardous waste facility N
Solid waste facility N

TRANSPORTATION USES EWV

Aviation field N
Public service or other passenger stations Y
Trucking and transportation terminals N

MARINE USES EWV

Marinas
SPZ
Retail sale of marine equipment and supplies (not including fish products or food) Y

UTILITY EWV

Public utility Structures for public utility use not including repair stations or outside storage of supplies SPZ

Wireless communication facility, not exceeding 40 feet in height Y

Wireless communication facility, exceeding 40 feet in height SPZ

340 TABLE OF ACCESSORY USE REGULATIONS

ACCESSORY USE DISTRICT

AGRICULTURAL AND RURAL USES EWV

Farm-stand or roadside-stand Y

RECREATIONAL USES

Food and beverage services and accessory uses related to permitted recreational activities Y

Food and beverage services and accessory uses related to permitted motels, hotels, and conference centers SPZ

RESIDENTIAL USES

Accessory apartment Y

Home occupation Y

Home office of profession or trade conducted by a resident of the premises Y

Taking of boarders or lodgers SPZ

EDUCATIONAL AND INSTITUTIONAL USES SPZ

Accessory uses for scientific research, scientific development, or related production activities.

COMMERCIAL USES

Outdoor advertising N

MARINE USES

Filling stations for marine vessels N

Marine connected uses N

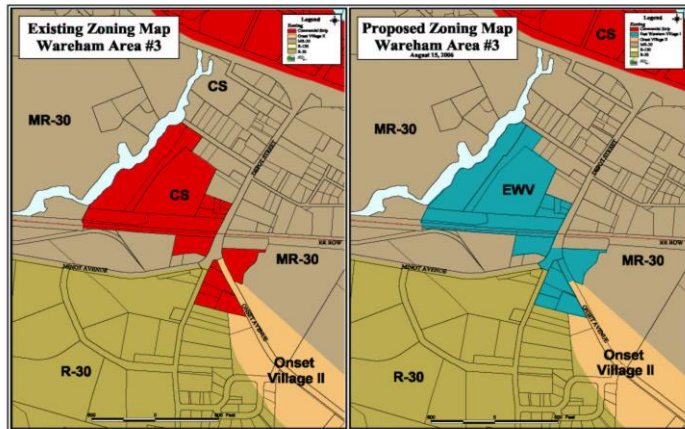
UTILITIES

Direct antenna 5 feet or more in diameter SPZ

Direct broadcast antenna, under five feet in diameter Y

Wireless communications facility enclosed Y

Wireless communications facility, attached to existing structure not exceeding 40 feet in height Y



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

MOTION: Anthi Frangiadis

I move to amend the zoning by-law by adding a new zoning district entitled East Wareham Village by re-zoning a portion of land currently zoned as Strip Commercial as printed in the warrant correcting the following scrivener’s error:

(fourth paragraph) Add EWV to Article 6 “Density and Dimensional Regulations at OV2 (Onset Village 2)

This article bundles together several amendments that work in conjunction with one another; without one of the pieces, the remainder will not work. This article adds a new zoning designation to the By-Law’s Zoning Map, by rezoning a portion of land that is currently zoned Strip Commercial, Use Tables, Zoning District Boundaries and Density and Dimensional Regulations . The Dimensional Regulations for the new district are the same as those for Onset Village 2 (OV2). By changing this existing Strip Commercial area to a Village District, the area will be allowed to develop as it has in the past, as a village.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 31

To see if the Town will vote to amend Article 5 of the Wareham Zoning By-Law “Supplemental Regulations” by adding the following language entitled “INCLUSIONARY ZONING”

580 INCLUSIONARY ZONING

580.1 Purpose and Intent

The purpose of this bylaw is to outline and implement a coherent set of policies and objectives for the development of affordable housing in compliance with the Wareham Comprehensive Housing Plan, M. G.L. c 40B sec. 20-23 and ongoing programs within the Town to increase the supply of affordable housing that is permanently available to and affordable by low and moderate income households.

In addition this bylaw/ordinance is intended to:

Allow greater flexibility and creativity in the design of residential developments.

Encourage a greater diversity of housing accommodations to meet the needs of families and other Wareham residents.

Maintain the Town’s traditional character and land use patterns.

Encourage reduced sprawl and a more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional or grid subdivision.

580.2 Definitions

Affordable housing units - A dwelling unit available at a cost of no more than 30% of gross household income of households at or below 70% of median income as reported in the most recent information from the U. S. Department of Housing and Urban Development (HUD), including units listed under M.G.L. c 40B sec. 20-23 and the Commonwealth's Local Initiative Program.

Qualified affordable housing unit purchaser - The median annual income for Boston metropolitan area (PMSA) shall be used to determine the ranges of annual income for low-income, and moderate-income households with adjustments for household size, as reported in the most recent information from the United States Department of Housing and Urban Development (HUD)

Low Income Household - below 50% of Boston SMSA median income

Moderate Income Household - 50 to 70% of Boston SMSA median income

Monitoring Authority – A qualified agent selected from a pre-approved list provided by the Planning Board who shall be responsible for insuring that the income and asset eligibility requirements of potential homeowner households for low or moderate-income units have been met.

Off-Site Location - Located on a site other than the primary subdivision or development location and must be in a residential and/or village-zoning district approved by the Planning Board.

580.3 Applicability

In order to obtain a favorable recommendation and/or action, where applicable, from a Granting Authority, which increases the value of a residential property, by permitting higher density, or reduces a developer's expense, by granting a waiver or variance from normal standards, the Town should receive a benefit, such as some type of affordable housing, in return. Further, the Town should refrain from actions that increase value, or reduce expenses, unless it does receive such a benefit.

580.3A Division of Land - This Bylaw shall apply in the division of any land into ten (10) or more residential lots, including Article 8 Alternative Residential Site Development, as well as for "conventional" or "grid" divisions allowed by G.L. c. 41 sec. 81-L and sec. 81U, including those divisions of land not requiring subdivision approval (Form A or ANR).

580.3B Non-Division of Land - Multi-Family Units in excess of 10 units and as stated in Article 8 section 820.

580.3C Segmentation or Phasing: A development project or the creation of new lots shall not be segmented or phased to avoid compliance with this requirement. Divisions of land under ten (10) lots/units shall provide a restriction, suitable in the opinion of the Planning Board, recorded at the Plymouth Registry of Deeds prohibiting the creation of additional lots/units on the property for a period of not less than 5 years.

580.4 Mandatory Provision of Affordable Units

The Planning Board shall, as a condition of approval of any development referred to in Section 582, require that the applicant comply with the obligation to provide affordable housing pursuant to this Bylaw and more fully described in this Section.

580.4A At least ten (10) percent of the selling units in a division of land or units in a multiple unit development subject to this Bylaw shall be established as affordable housing units in any one or combination of methods provided below. Unit between each multiple of 10 shall be assessed as follows: (Note: the contribution/unit is subject to the provisions of 580.4D.)

Units	Contribution/unit	Additional unit
11-13	N/A	N/A
14-16	\$150,000.00	1
17-19	\$250,000.00	1

580.4B An applicant may offer, and the Housing Trust Fund, may accept donations of land in fee simple, off-site that the Planning board determine are suitable for construction of affordable housing units. The value of donated land shall be equal to or greater than the value of the construction or set-aside of the affordable units. The applicant shall provide an appraisal of the

land in question, as well as information from the Board of Health and Conservation Commission as to the suitability of the lot(s) for construction of housing.

580.4C As an alternative to the requirements of 583-2, an applicant may contribute to the Housing Trust Fund to be used for affordable housing needs in lieu of constructing and offering affordable units within the locus of the proposed development or off-site location.

580.4D Fees-in-lieu of Affordable units - Subject to this Bylaw, the applicant may pay a fee in lieu of construction of affordable units, on-site or off-site, to the Housing Trust Fund. The fee in lieu of the construction of affordable units is determined to be \$250,000 per unit ($\$250,000 \times$ number of affordable units = fee). Unless or until the cost of an affordable unit is adjusted by Town Meeting, the fee in lieu of construction of affordable units/lots shall increase four and one half (4.5%) percent every twelve (12) months from the effective date of this Bylaw. Based on market conditions, applicants may petition the Zoning Board of Appeals for reductions in either the unit price or yearly percent increase. These petition must be supported by both private and government data supporting a reduction.

580.5 Provision of Affordable Housing Units Off-Site An applicant subject to this Bylaw may develop, construct or otherwise provide affordable units equivalent to those required by section 583-1 off-site. All requirements that apply to on-site provisions of affordable units shall apply to off-site affordable units. In addition, the Planning Board shall approve the location of the off-site units to be provided as an integral element of the approval process.

580.6 Maximum Incomes and Selling Prices: Initial Sale In order to ensure only eligible households purchase affordable housing units, the purchaser shall be required to submit copies of the last three (3) years' federal and state income tax returns and certify, in writing prior to transfer of title, to the Monitoring Authority or their agent and within thirty (30) days following transfer of title, that his/her or their family's annual income level does not exceed the median income based on household size as determined by HUD. The household shall not have owned a home within three years preceding the application, with the exception of displaced homemakers and elderly households (where at least one household member is 55 or over).

580.7 Preservation of Affordability: Restrictions on Resale All affordable units created under this Bylaw shall, through controls on rental levels or the resale value, remain affordable. The rental levels or resale value should be determined primarily by the ability of targeted income groups to rent or purchase and only secondarily related to indices of inflation. The resale controls shall be established through a deed restriction on the property, recorded at the Plymouth County Registry of Deeds or Land Court and shall be in force in perpetuity or as long a period as is lawful. A monitoring authority selected from a pre-approved list provided by the Planning Board must monitor sales and rentals to:

insure the acquisition price or rent levels of housing units remain affordable to target income groups, and

Avoid windfall profits to subsequent occupants if inclusionary units (which are produced by some form of public assistance) were to be sold at then prevailing market rates.

580.7A The Planning Board shall require, under this Bylaw, that the deeds to affordable housing units contain restrictions on renting or leasing said units during the period which the housing unit contains a restriction on affordability. The Zoning Enforcement Officer shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded at the Plymouth County Registry of Deeds or Land Court.

580.7B Resale Price Multiplier - Sales beyond the initial sale to a qualified purchaser set forth in the most recently recorded Resale Price Certificate. The original Resale Price Multiplier as calculated by Mass Housing by dividing the initial sale price by the base income number at the time of the initial sale from the developer to the first eligible purchaser. The Base Income Number will multiply this number at the time of resale by the Grantee to determine (in part) the maximum Resale Price on such resale. In the event improvements have been made to the property, the Monitoring Authority will recalculate the Resale Price Multiplier by dividing the purchase price (not including the Resale fees) by the base income number at the time of such purchase. And a new Resale Price Certificate will be recorded immediately following the recording of this deed.

Example – The Base Income Number at the time of the initial sale is \$80,800 and the initial sale price is \$150,000. The Resale Price Multiplier would equal 1.86 ($150,000/80,800 = 1.86$). At the time the initial purchaser sells the unit, the Base Income Number has increased to \$88,072 and the cost of Approved Capital Improvements (a new roof) equals \$5,000, the Maximum Resale Price would be calculated as follows: $\$88,072 \times 1.86 = \$163,814 + \text{the resale fee} + \$5,000$. If the subsequent purchaser sells the unit at the time when the Base Income Number is \$85,000, the Maximum Resale Price would be calculated as follows: (a) recalculated Price Multiplier would = ($168,814/88072 = 1.92$); (b) $\$85,000 \times 1.92 - \$163,200 + \text{Resale Fee} + \text{Approved Capital Improvements}$, if any.

580.7C Determination of Offer to Sell - If the Monitoring Authority determines that a purchase and sale agreement does not contain a bona fide offer, it shall so advise the Owner who shall not proceed with the sale. The Owner may dispute the Monitoring Authorities determination in arbitration by an arbitrator named by the Greater Boston Real Estate Board and paid for at the Owners expense.

580.7D Right of first refusal to purchase - The purchaser of an affordable housing unit developed as a result of this Bylaw shall agree to execute a deed rider prepared by the Town, granting, among other things, the Towns right of first refusal for a period of not less than one hundred eighty (180) days to purchase the property or assignment thereof, in the event a qualified affordable purchaser cannot be located, despite the diligent efforts to sell the property. The Owner shall give notice of their intention to sell, transfer or otherwise dispose of the property in a written notice which shall be mailed to the monitoring authority both by regular mail and by

certified mail, return receipt requested. The notice shall include the name and address of the Owner, a description of the premises, including a title reference, and shall specify an intent to sell, convey or dispose, and shall reference the first refusal option and shall include a copy of the purchase and sale agreement.

580.7E Exercise of Option - A written notice signed by a representative who has been designated by the Monitoring Authority or its assignee shall exercise the first refusal option. The notice (exercising the option) shall be mailed to the Owner by certified mail, return receipt requested, at the address specified in the Owner's prior notice. The notice (exercising the option) shall be recorded with the Plymouth County Registry of Deeds or, with the Land Court. The notice (exercising the option) shall reference the Owner, the property, including a title reference, a statement that the first refusal option will be exercised, and the price. If the Monitoring Authority has assigned the first refusal option, the notice (exercising the option) shall also state the name and address of the assignee and the terms and conditions of the assignment.

Non-Exercise of Option - In the event that the Monitoring Authority shall determine not to exercise the first refusal option, they will notify the Owner in writing. The notice of no exercise shall reference the Owner, the property, including a title reference, and state that the first refusal option will not be exercised; the Owner shall record such notice with the Registry of Deeds or Land Court.

580.8 Provisions Applicable to Affordable Housing Units On and Off – Site

580.8A Siting of Affordable Units – All affordable units constructed or rehabilitated under this Bylaw shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. Affordable housing units provided off-site shall compliment the surrounding neighborhood and be compatible in design, appearance, construction and quality of materials with surrounding units.

580.8B Design and construction standards – Affordable housing units shall be integrated with the rest of the neighborhood and shall be compatible in exterior design, exterior appearance, construction and use the same quality of materials as the other units.

580.8C Local Preference – The Planning Board shall require the applicant to comply with local preference requirements, as established by the Board of Selectmen.

580.8D Timing of construction or provision of affordable units or lots - Affordable housing units shall be provided coincident to the development of market-rate units. Building permits shall not be issued for the construction of any dwelling unit in the second 50% of the market rate dwelling units, which are linked to affordable dwelling units, on or off-site, until construction has begun on ALL affordable dwelling units.

580.9 Marketing Plan for Affordable Units Applicants under this Bylaw shall submit a marketing plan or other guidelines/standards for approval by the Planning Board. Affirmative fair marketing of all the affordable units shall be conducted to provide maximum opportunity for low and moderate-income households, including minority

EXPLANATION:

The amendment to Article 5 empowers the Town to maintain a supply of affordable housing thru a methodology that requires a developer of land to provide affordable units in subdivisions of 10 or more lots. There are two other methods of fulfilling this requirement: the first, by providing similar units on another appropriate site as approved by the Planning Board or; secondly, by providing a fee in-lieu of affordable units to Wareham's Housing Trust Fund. This amendment to the By-Law will allow the Town to keep pace with its state-mandated goal of providing 10% of its housing stock as affordable dwelling units.

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

MOTION: Anthi Frangiadis

I move to amend the zoning by-law, Article 5, "Supplemental Regulations" by adding Section 580 Inclusionary Zoning as printed in the warrant.

The amendment to Article 5 empowers the Town to maintain a supply of affordable housing thru a methodology that requires a developer of land to provide affordable units in subdivisions of 10 or more lots. There are two other methods of fulfilling this requirement: the first, by providing similar units on another appropriate site as approved by the Planning Board or; secondly, by providing a fee in-lieu of affordable units to Wareham's Housing Trust Fund. Once the 10% goal is met, this amendment to the By-Law will give Wareham another tool to assist the it in keeping pace with its state-mandated goal of providing 10% of its housing stock as affordable dwelling units.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (4-1-0)

ARTICLE: 32

To see if the Town will vote to add the following dimensional table to Article 6 to the Zoning By-laws of the Town of Wareham.

Dimensional Standards: Industrial District

Dimensional Standard	Use			
	Single Family	Duplex	Multifamily (3+ Units)	Other
Area (sq. ft.)	NA	NA	NA	
Sewer	NA	NA	NA	30,000 sq. ft.
Septic	NA	NA	NA	NA
Frontage (ft.)	NA	NA	NA	150 ft.
Setbacks (ft.)	NA	NA	NA	
Front	NA	NA	NA	50 ft. on Route 28; 20 ft. on internal streets
Side/Rear	NA	NA	NA	20 ft.
Maximum Building Height (ft.)	NA	NA	NA	
Principal	NA	NA	NA	50 ft.
Maximum % Coverage	NA	NA	NA	
Building	NA	NA	NA	50%
Lot	NA	NA	NA	70%
Minimum Distance of Structure from Residential Zone (ft.)	NA	NA	NA	50 ft.

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

MOTION: Anthi Frangiadis

I move to amend the zoning by-law by adding the Dimensional Table to Article 6 for the Industrial District as printed in the warrant.

This proposed article seeks to redefine the setbacks within the Industrial District. The intent of the new dimensional standards are to work in conjunction with the Design Standards for the Industrial District set forth in Section 740 of the By-Law which were voted by Town Meeting in October of 2005. These two sections of the By-Law will also work in tandem with the Industrial Use Tables to ensure quality development take place in our Industrial District.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)
The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 33

To see if the Town will vote to add the following dimensional table to Article 6 to the Zoning By-laws of the Town of Wareham.

Dimensional Standards: General Commercial (CG) District

Dimensional Standard	Use			
	Single Family	Duplex	Multifamily (3+ Units)	Other
Area (sq. ft.)				
Sewer	NA	NA	NA	20,000 sq. ft.
Septic	NA	NA	NA	40,000 sq. ft.
Frontage (ft.)	NA	NA	NA	150 ft.
Setbacks (ft.)				
Front	NA	NA	NA	20 ft. minimum /80 ft. maximum
Side/Rear	NA	NA	NA	15 ft.
Maximum Building Height (ft.)				
Principal	NA	NA	NA	42 ft. / 3 floors
Maximum % Coverage				
Building	NA	NA	NA	40%
Lot	NA	NA	NA	60%
Minimum Distance of Structure from Residential Zone (ft.)	NA	NA	NA	30 ft.
Minimum Lot Area / DU (Sq. ft. / DU) [Apartments in Mixed Use buildings]	NA	NA	5,000 sq. ft. / 1 st DU + 1,000 sq. ft. / add. DU	5,000 sq. ft. / 1 st DU+ 1,000 sq. ft. / add. DU.
Maximum Size Building Footprint (sq. ft.)	NA	NA	NA	30,000 sq. ft.

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

MOTION: Anthi Frangiadis

I move to amend the zoning by-law by adding the Dimensional Table to Article 6 for the General Commercial District as printed in the warrant.

These proposed Dimensional Standards also fill in a place-marker within Article 6 of the by-Law. The General Commercial District was voted upon at a previous Town Meeting (April 2006) and this dimensional table is a necessary progression in the Planning Board's efforts to complete this section of the By-Laws.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 34

To see if the Town will vote to amend the Zoning By-law by adding the following language to Article 7, Design Standards and Guidelines, a new section entitled "760 Design Standards & Guidelines for Commercial Districts"

760 Design Standards & Guidelines for Commercial Districts

761 Applicability

The design standards and guidelines in this section shall apply to all commercial development including multi-family housing in the Strip Commercial CS, General Commercial CG, and Planned Commercial CP districts

The illustrations address general principles and design criteria including but not limited to the following: lot and building dimensional controls, site access, parking, landscaping, building setbacks, facade design, and architectural building form and design; and are meant to facilitate the review by providing design/site planning criteria to evaluate proposed developments.

762 Access, Parking and Loading Design Standards

762.1 Shared curb cuts with abutters are encouraged.

762.2 On-site internal auto circulation aisles and pedestrian pathways between the parking lots of property abutters are encouraged so that vehicles and pedestrians are not required to egress onto the frontage road to travel to adjacent properties or businesses. The design intention is to minimize the amount of curb cuts on Rte 28 and other major thoroughfares.

762.3 Where possible, curb cuts shall be aligned with curb cuts on the opposite side of the adjacent primary frontage road or new internal street to allow the creation of 4-way intersections. The design intention is to create 90-degree intersections, wherever possible.

762.4 Large parking areas are discouraged at the front of buildings. No more than one double-loaded bay of parking (64 ft. wide) may be located in the required front yard setback, but it must

be visually screened from view by passing motorists on the adjacent primary road(s). Most parking is encouraged to be located at the side or rear of buildings.

762.5 Loading, service areas and dumpsters shall either be located so as to not be visible from adjacent primary road(s), or, at a minimum, if such loading areas are within sight of the primary road, they shall be screened from view by fences and / or landscaping.

762.6 New internal streets shall link to primary frontage public road and/or where feasible to existing adjoining neighborhood collector streets to the sides or the rear of the development site as long as such links do not cause adverse traffic or pedestrian safety impact to surrounding residential streets or neighborhoods based upon a traffic impact analysis.

762.7 New internal streets shall have a minimum of 64-foot right of way width to include sidewalks, curbs, street trees (planted in sidewalk or in landscape strip between curb and sidewalk,) and curbside parking along both sides of the new internal streets.

763 Landscaping Design Standards

763.1 A min. of 30% of the site must be landscaped and pervious; front yards shall be landscaped or surfaced with pervious materials. Paved seating areas, building appendages such as porticos, bay windows and porches are encouraged.

763.2 A portion of the minimum required landscaped area should be configured to provide a “useful” outdoor publicly-accessible landscaped open space – such as a park, town common, town green, green mall, or seating area - no less than 100 feet on a side in one direction and 50 feet in the other.

763.3 One tree for every 10 cars must be planted within parking lot aisles and islands. Aisles and islands with material shall be appropriately sized to allow for proper watering and growth. Where feasible, match the island or aisle width to the mature canopy size of the proposed tree.

763.4 A landscaped buffer zone of 15 ft. must be provided along the front street line. No cars may be parked within the 15-ft. wide landscaped buffer zone. The landscaped buffer shall include a soil berm of min. 24-inch height and be sufficiently planted so as to visually screen parked cars.

763.5 Planting a row of native street trees (shade-providing canopy) is encouraged within the 15-ft. wide landscaped buffer zone along the primary street frontage. Base of tree shall be no closer than 10 feet to edge of road pavement.

763.6 Commercial uses must be buffered from adjacent residential lots by landscaping and fences.

763.7 Within large lots, existing stands or clusters of mature trees and/or natural rock outcroppings should be preserved, if preservation of such features does not onerously prohibit the reasonable development of the site.

764 Architectural Design Guidelines

764.1 *Roof Forms:* A variety of roof lines is encouraged, including front gable, side gable, hip, and flat (with or without a parapet), particularly where buildings are to be sited close together within the same development. All buildings should have a defined cornice.

764.1.a) Dormers are encouraged on residential and mixed-use buildings, provided that the ridge of any dormer is below the ridge of the main roof.

764.1.b) Buildings sited at the intersection of two or more streets should consider the creation of a focal point on the streetscape, such as a tower or cupola; provided that the height of any such focal point does not exceed 1.25 times the building height.

764.1.c) Locate Accessory Rooftop Elements such as roof decks and railings, roof access hatches, mechanical equipment and elevator head houses out of view from the street wherever possible; screening may be required, by means of parapets, walls, fences, dense evergreen foliage or other suitable means, to reduce visual impact, provided that the screening itself does not exacerbate the problem of visibility.

764.1.c.1) Utilize skylights with a traditional flat or hipped profile; avoid bubble skylights.

764.1.c.2) provide roof decks with a low profile relative to the slope of the roof.

764.1.c.3) where railings are required, provide style that is visually permeable and no more than 4.5 feet tall, to reduce their visual impact

764.1.c.4) Screen all mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, with the intent of causing minimal acoustic intrusion on building occupants and adjacent uses.

764.2 *Windows*: Fenestration patterns may vary from building to building within the same development but should exhibit general consistency along a streetscape. Ground-floor windows should be provided for all buildings; upper floors windows may be enhanced with bays or balconies. Vertical proportions for windows are preferred; continuous horizontal bands of window glass are discouraged. Windows should be of clear glass to allow two-way visibility, which enhances safety on the street and creates a visually interesting pedestrian environment; dark tinted or mirrored glass is not permitted, but interior window treatments may be provided for privacy. Exterior shutters or blinds are encouraged, and should be designed to fit the size and shape of window openings.

764.3 *Exterior Materials*: Exterior building materials and finishes should convey an appearance of permanence and durability, and should reflect historical southern New England architecture. Natural materials are preferred, such as wood, masonry, stone, stucco, glass, terra cotta, tile, and metal; however, high quality synthetic materials may also be considered. Glass curtain walls, reflective glass, and dark tinted glass are not permitted. Variety in materials is encouraged, especially where a development includes multiple buildings.

764.4 *Building Façade Articulation*: All buildings should be designed with varied and articulated facades to provide visual interest and decorative patterning in exterior wall materials should be considered. Long expanses of blank walls facing the street or public open space are not encouraged, either on the ground floor or on upper floors. Where building frontage along a street is greater than 100 feet, architectural elements such as vertical piers, bay windows, and recessed entrances should be used to maintain variety along the streetscape.

764.5 *Transition Lines*: Non-residential and mixed use buildings of more than one story should provide a transition line above the first floor level, expressed architecturally by a storefront cornice, a belt course, a change in materials, a sign band, a canopy or awning, or similar element. Changes in the plane of the façade resulting in an overhanging second story are not encouraged; however a continuous roof, arcade, awning or canopy that shelters the public sidewalk may be considered. The transition line should be relatively consistent, but does not need to be at the exact same height, across buildings within the same block.

764.6 Building *Entries*: At least one building entry/entries should be located on the front of the building facing the adjacent highway or internal street. Such entry/entries shall be accessible by sidewalk and shall be open during all business hours. Building entries should be articulated in their exterior materials to express their purpose.

764.7 Typically, a minimum of 30% of a commercial building façade's surface area facing adjacent primary public roads should be glazed storefronts or windows.

764.8 Storefront windows may either provide views into the interior space used by a business, or be used for display only, enclosed on the interior by opaque walls. All storefront windows should be lit at night. Storefront entrances may be recessed.

765 Sustainable Design Guidelines

765.1 Rainwater collection. As part of the stormwater management plan, consideration should be given to rainwater collection systems to be utilized on site for irrigation and/or other landscape design features to minimize use of potable water.

765.2 Parking shall not exceed minimum zoning. The development plan should not exceed minimum zoning requirements in respect to number of parking spaces without documentation that the proposed use requires additional parking and the excess parking does not deem itself a hazard to the character and design of the overall development plan.

765.3 Alternative transportation. Access to public transportation shall be considered by the Applicant and incorporated into the design where feasible. Where public transportation is not accessible, consideration shall be given to providing preferred parking designated for car/van pool participants, covered bicycle storage, and fueling stations for electric powered vehicles.

765.4 Renewable Energy. Sources of renewable energy such as geo-thermal, solar panel, wind, and biomass shall be considered in conjunction with conventional sources of energy.

765.5 Recycled Materials. Re-use of recycled building materials, recycled content materials, and materials manufactured regionally are encouraged.

765.6 Stormwater Management. On-site stormwater retention basins are discouraged; where they are utilized they should be designed as landscaped site amenities.

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

MOTION: Anthi Frangiadis

I move to amend the zoning by-law by adding to Article 7, Design Standards and Guidelines, a new section entitled, "760 Design Standards & Guidelines for Commercial Districts" as printed in the warrant.

The intent of this article is to have all commercial and multi-family housing developments adhere to these proposed design standards and guidelines which will deal with: access and parking; landscape and architectural design; stormwater management and; sustainable design guidelines. Currently Wareham does not have this type of language within the by-Law. These standards and guidelines will work in conjunction with our existing Site Plan Review language and grant the Planning and Zoning Boards another tool to make certain that new commercial developments use the best available technologies and design to insure

that our commercial tax base is enhanced through the building of quality structures and appropriate landscaping.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 35

To see if the Town will vote to amend the Wareham Zoning Map, dated June 12, 2006 by changing the Commercial Strip CS (from east of I-195 to the present boundary of Wareham Village II) to Commercial General CG and changing the Appendix 1 Boundaries of Districts of the Zoning By-laws by removing portions of the old Strip Commercial District and replacing with the following description:

General Commercial District:

a) Beginning at the South westerly corner of Lot 1001A and Route 195 as shown on the assessors Map 84 (as of 2005);

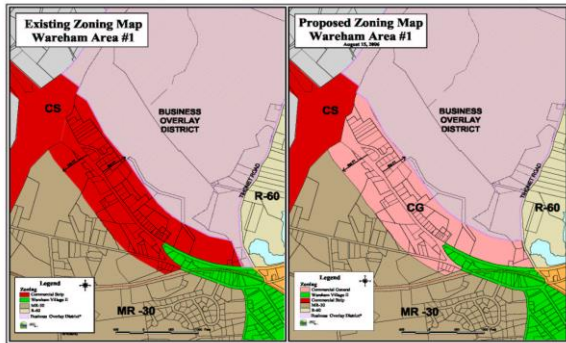
Thence Northerly along Route 195 across Route 28 along the western property lines of Lots 1018-A, 1018-B, 1017-A and 1002 to a depth of 500 feet north of the Northern Right of Way line of Route 28 as shown on the Assessors Map 109 and 109A (as of 2005);

Thence Southeasterly parallel to Route 28 at a depth of 500 feet from the Northern Right of Way line to the Western Right of Way line of Tihonet Road as shown on Assessors Maps 109 and 109 A (as of 2005);

Thence along the Northern Right of Way line of Route 28 Westerly to the intersection of Tremont Road as shown on Assessors Maps 109 (as of 2005);

Thence along the existing Wareham Village II and MR-30 districts westward along the Northern Boundary Line of the Railroad Right of Way (Former New Haven RR) to a depth of 560 feet north of the Northern Right of Way line of Route 28 as shown on the Assessors Maps 83 and 84 (as of 2005);

Thence Northwesterly parallel to Route 28 at a depth of 560 feet from the Northern Right of Way line to a point more or less of the beginning as shown on Wareham Assessors Maps 83 and 84 (as of 2005).



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

MOTION: Anthi Frangiadis

I move to amend the Wareham Zoning Map, dated June 12, 2006, by re-zoning from Strip Commercial (CS) to General Commercial (CG); and changing Appendix I Boundaries of Districts by removing portions of the old Strip Commercial District as printed in the warrant.

Articles 35 and 36 are proposed to change portions of the existing Strip Commercial District into a “General Commercial District” which has been a place marker in the By-Law’s Use Table from a previous Town Meeting. The General Commercial District “...is intended to provide for moderate-scale retail, service, office and related commercial uses”. The Dimensional Table in Article 33, that proposes to control the size of the buildings and lots within this district, serves to limit the size of buildings to no more than 30,000 square feet within the General Commercial District. The Zoning Rewrite Committee, West Wareham Strategic Planning Committee and Planning Board agree that limiting the size of commercial development in these areas of Town is an appropriate land use measure to control traffic on Cranberry Highway.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 36

To see if the Town will vote to amend the Wareham Zoning Map, dated June 12, 2006 by changing the Commercial Strip CS (from east of Parker Mill Pond to the Center line of Division

Avenue) to Commercial General CG and changing the Appendix 1 Boundaries of Districts of the Zoning By-laws by removing portions of the old Strip Commercial District and replacing with the following description:

General Commercial District

b) Beginning at the southwesterly corner of Lot 1044 and Wankinco River and running northerly across Route 28 to the Northwesterly corner of Lot 17 and Parker Mill Pond as shown on Wareham Assessors Map 132(as of 2005);

Thence Easterly by a line Parallel to and 500 feet from the Northern Right of Way line of Route 28 to the Center line of Charge Pond Road;

Thence Northeasterly along the Centerline of Charge Pond Road to the Southern Right of Way of Route 25;

Thence Easterly along the Southern Right of Way of Route 25 to Besse's Brook as shown on Wareham Assessors Maps 110 and 115 (as of 2005);

Thence Southerly along Besse's Brook to the South west corner of Lot 1020B as shown on Wareham Assessors Map 115 (as of 2005);

Thence Easterly along Southern property lines of Lot 1020B and 1020A across Willard Street to the rear Lot corner of Lot 9 as shown on Wareham Assessors Map 115 (as of 2005);

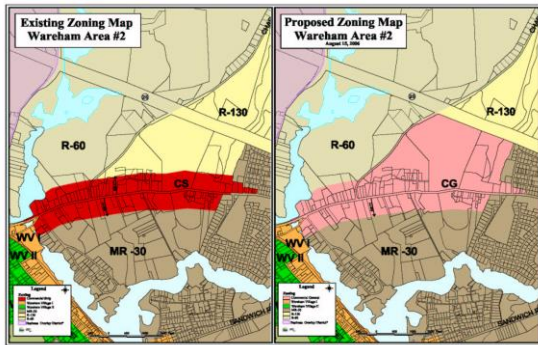
Thence Easterly along the rear lots lines of Lots 9, 8, 7A and 6 to Division Avenue as shown on Wareham Assessors Map 115 (as of 2005);

Thence South along the Property line of Lot 6 and Division Avenue to the Northern Right of Way of Route 28 as shown on Wareham Assessors Map 115 (as of 2005);

Thence West along the Northern Right of Way of Route 28 to a point directly across from the Northeast corner of Lot 1043A as shown on Wareham Assessors Map 132 (as of 2005);

Thence south across Route 28 and along the Eastern property line of Lot 1043A to a depth of 500 feet south of Route 28 as shown on Wareham Assessors Map 132 (as of 2005);

Thence Westerly by a line Parallel to and 500 feet from the Southern Right of Way line of Route 28 to the Point of beginning.



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

MOTION: Anthi Frangiadis

I move to amend the Wareham Zoning Map, dated June 12, 2006, by re-zoning from Strip Commercial (CS) to General Commercial (CG); and changing Appendix I Boundaries of Districts by removing portions of the old Strip Commercial District as printed in the warrant.

Articles 35 and 36 are proposed to change portions of the existing Strip Commercial District into a “General Commercial District” which has been a place marker in the By-Law’s Use Table from a previous Town Meeting. The General Commercial District “...is intended to provide for moderate-scale retail, service, office and related commercial uses”. The Dimensional Table in Article 33, that proposes to control the size of the buildings and lots within this district, serves to limit the size of buildings to no more than 30,000 square feet within the General Commercial District. The Zoning Rewrite Committee, West Wareham Strategic Planning Committee and Planning Board agree that limiting the size of commercial development in these areas of Town is an appropriate land use measure to control traffic on Cranberry Highway.

The Planning Board held a public hearing on September 25, 2006 in the Town Hall Cafeteria.

(Two-thirds Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: Favorable Action (5-0-0)

The Planning Board voted: Favorable Action (5-0-0)

ARTICLE: 37

We the undersigned registered voters of Wareham, hereby petition the Board of Selectmen to insert the following motion in the Warrant for the 2006 Fall Town Meeting: The town of

Wareham authorized the Board of Selectmen to petition the legislature to enact special legislation for the purpose, among others, allowing the sewer assessment of Briarwood beach, Beaver Dam Estates, and Rose Point to bear interest at a rate equal to the rate of interest chargeable to the town or the lowest allowable by law.

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

Inserted by Joseph E. Verderber, et al

MOTION: Mr. Cormier

I move No Action on Article 37.

(Majority Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (4-0-1)

ARTICLE: 38

We, the undersigned registered voters of the Town of Wareham, do hereby petition the Board of Selectman to insert the following in the Warrant for the Annual Town Meeting: To see if the Town will vote to accept all roads in the ROSE POINT area sewerred by the town:

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

Inserted by Lenora D. Levine, et al

MOTION: Mr. Cormier

I move No Action on Article 38.

(Majority Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (4-0-1)

ARTICLE: 39

We the undersigned registered voters of the Town of Wareham, do hereby petition the Board of Selectman to insert the following in the Warrant for the Annual Town Meeting: To see if the Town will authorize the Municipal Maintenance Department to apply for Coastal Zone Management Grant money for drainage and to apply for Chapter 90 Funding for the purpose of Paving and Reconstructing the accepted roads in the Rose Point area:

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

Inserted by Lenora D. Levine, et al

MOTION: Mr. Cormier

I move No Action on Article 39.

(Majority Vote)

VOTE: TOWN MEETING ADJOURNED – NO VOTE

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (4-0-1)

**The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629**

August 24, 2006

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

**RE: Wareham Annual Town Meeting of April 24, 2006 - Case # 3868
Warrant Articles # 23 (General)**

Dear Ms. Silva:

Article 23 - I return with the approval of this Office the amendments to the town by-laws adopted under this Article on the warrant for the Wareham annual town meeting that convened on April 24, 2006.

The vote under Article 23 includes a vote to accept the provisions of G.L. c. 44 § 55C and to add a Wareham Affordable Housing Trust Fund by-law to the town's general by-laws. We remind the town that we take no action on that portion of the vote under Article 23 to accept the provisions of G.L. c.44, § 55C. Votes to accept statutes are not by-law amendments and do not need to be submitted to the Attorney General for review.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect until the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

THOMAS F. REILLY
ATTORNEY GENERAL

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629

August 31, 2006

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

RE: Wareham Special Town Meeting of April 24, 2006 - Case # 3906
Warrant Articles # 7, 8, 9, 10, 12 and 13 (Zoning)

Dear Ms. Silva:

Articles 7, 8, 9, 10, 12 and 13 - I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham special town meeting that convened on April 24, 2006.

Article 12 – The amendments adopted under Article 12 amend the town’s Table of Principal Use Regulations by prohibiting retail businesses in the town’s Industrial Zone. During the course of our review, we received a letter recommending disapproval of the amendments adopted under Article 12 on the grounds that approval would be “spot zoning” as that term is understood in state law.

“Spot zoning” has been described as “the singling out of a particular parcel of land for special zoning treatment where such land is indistinguishable from surrounding land that has been held to be invalid as spot zoning.” Spot zoning is usually concerned with situations in which an economic benefit or detriment is made applicable to a particular landowner. See, e.g., Atherton v. Selectmen of Bourne, 337 Mass. 250 (1958)

It must first be noted that an economic benefit or detriment to the owner of land resulting

from the rezoning of the land from one district to another is alone insufficient to compel the legal conclusion that the amendment is “spot zoning.” It is rather the concomitant absence of traditional planning and zoning considerations that would compromise the legitimacy of town meeting’s action in rezoning the parcel. In other words, to arrive at the legal conclusion that town meeting “spot zoned” a parcel, we must first find that the traditional zoning factors were absent.

The courts have held that “the challenger bears a heavy burden of demonstrating that there is no zoning purpose to the amendment in the face of the presumption of validity that the amendment enjoys.” Beal v. Building Comm’r of Springfield, 353 Mass. 640 (1968); Smith v. Board of Appeals of Salem, 313 Mass. 622 (1943) (where there is room for reasonable doubt, judgment of local authorities must prevail). Such findings appropriate to the conclusion that Town Meeting’s action was an instance of “spot zoning” would ordinarily require information and evidence that could only be obtained from investigations in the town and in the neighborhood of the parcel in question. For example, firsthand observation of the existing character of the neighborhood and the patterns and trends of neighborhood change would be entirely appropriate for a judicial trier of fact in the courtroom setting, yet such inquiry is neither prescribed or even possible for the Attorney General to make in carrying out his mandate under Section 32.

Under Section 32, the Attorney General is charged with the review of by-laws adopted by town meeting for consistency with the laws and the Constitution of the Commonwealth. This review requires that the Attorney General ascertain whether there is a facial, rather than an “as applied,” inconsistency between the by-law and the laws and Constitution of the Commonwealth. Facial inconsistency means that there is a fundamental conflict between the by-law and the laws of the Commonwealth, such that there is or can be no instance in which the application of the by-law does not offend state law. This statutory review is made on the basis of materials submitted to the Attorney General by the Town Clerk. Clearly, Town Meeting members come better equipped than the Attorney General to make the findings appropriate to avoidance of “spot zoning.” Town Meeting members live in the town and have direct acquaintance with the character and development trends of the neighborhood. Moreover, they are acquainted with the character of those portions of the neighborhood further down the same street but lying on the Andover side of the town line. They were present during the debate on the Article on the floor of Town Meeting and had the opportunity to hear and ask questions of the proponents.

Without ruling out the possibility that there could be facts and circumstances that would warrant the Attorney General finding an instance of “spot zoning,” we nevertheless do not find on the facts before us a compelling case for that conclusion. Whatever weight we may otherwise be inclined to give the submissions to us to induce our disapproval of the amendments adopted under Article 12, we are nevertheless not persuaded to substitute our judgment for that of Town Meeting as to the factual rather than legal matters underlying that determination.

Accordingly, we approve the amendments to the town’s zoning by-laws adopted under Article 12.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of this section. Once this statutory

duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

THOMAS F. REILLY
ATTORNEY GENERAL

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629

September 5, 2006

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

RE: Wareham Special Town Meeting of April 24, 2006 - Case # 3920
Warrant Articles # 25, 28, 30, 36, and 37 (Zoning)

Dear Ms. Silva:

Articles 25, 28, 30, 36, and 37 - I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham special town meeting that convened on April 24, 2006, and the maps pertaining to Articles 25, 28, 30, and 36.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

**THOMAS F. REILLY
ATTORNEY GENERAL**

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

**The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629**

September 6, 2006

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

**RE: Wareham Special Town Meeting of April 24, 2006 - Case # 3905
Warrant Articles # 14, 15, 17, 21, and 22 (Zoning)**

Dear Ms. Silva:

Articles 15, 17, and 21 - I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham special town meeting that convened on April 24, 2006.

Article 14 – I return with the approval of this Office the amendments adopted under this Article, except as provided below.

The amendments adopted under Article 14 add to the town’s zoning by-laws a new Section 12 “Performance Standards.” Section 1240 pertains to lighting and would have provided in pertinent part as follows:

1242 General Requirements:

All outdoor light fixtures on a lot shall comply with the following regulations:

1. Applicability. The Lighting Regulations contained in this Section, unless specifically stated Otherwise, are applicable in all non residential zoning districts and to any pre existing, non conforming Non residential use or structure.

(Emphasis added.)

We disapprove and delete the above underlined text as inconsistent with the protections accorded to G.L. c. 40A, §

6. **[Disapproval #1 of 2]** General Laws Chapter 40A, Section 6 provides protection to structures or uses lawfully in existence or lawfully begun and provides in pertinent part as follows:

Except as hereinafter provided, a zoning...by-law shall not apply to structures or uses lawfully in existence or lawfully begun,
or to a building or special permit issued before the first publication of notice of the public hearing on such...by-law required by
section five, but shall apply to any change or substantial extension of such use, to b building or special permit issued after the first
notice of said public hearing, to any reconstruction, extension or structural change of such structure and to any alteration of a
structure begun after the first notice of said public hearing to provide for its use for a substantially different purpose or for the
same purpose in a substantially different manner or to a substantially greater extent except where alteration, reconstruction,
extension or structural change to a single or town-family residential structure does not increase the nonconforming nature of

said structure.

(Emphasis added.)

Article 17 – The amendments adopted under Article 17 make a number of changes to the town’s Site Plan Review Special Permit by-law. Section 1575 of the proposed by-law pertains to performance guarantees and provides in pertinent part as follows:

As a condition of the granting of special permits for any uses or structures requiring a special Permit under this section, the SPGA shall require that construction and site alteration permitted

and specified by said special permit be secured by one, or in part by one and in part by the other,

of the following methods, which method may be selected and from time to time varied by the applicant upon receiving written approval from the Planning Board.

1. By a proper bond or deposit of money or negotiable securities sufficient in the opinion of the SPGA to secure performance of the construction of buildings, parking areas and appurtenances thereto required for completion of the project as noted in the special permit and shown on any accompanying plans. The SPGA shall require that said construction shall be completed within a Specific period of time; or...

Section 1580 pertains to releases of performance guarantees and provides in pertinent part as follows:

Performance bonds, deposits or covenants may be released in whole or from time to time, in part, when the work has been satisfactorily completed in the opinion of the SPGA. The SPGA shall then release the interest of the town in such bond and return the bond or the deposit to the person who furnished the same or release the covenant by appropriate instrument duly acknowledged which shall be recorded at the Plymouth County Registry of Deeds.

In approving Sections 1575 and 1580, we remind the town of the requirements of G.L. c.44, § 53. General Laws Chapter 44, Section 53, provides that “[a]ll moneys received by a city, town or district officer or department, except as Otherwise provided by special acts and except fees provided for by statute, shall be paid by such officers or department upon Their receipt into the city, town or district treasury.” It is unclear, whether the means of security are directly paid over to the Town, whether in escrow or otherwise, so as to trigger general fund status. If the security is intended to be relinquished by the permittee, this is not unambiguously stated. Is the intent that if the permittee defaults the town somehow has access to the funds? Or is it only that upon default the town has placed fund beyond the

reach of the permittee and is postured to ask the court to attach them to satisfy a judgment favorable to the town?

We can only find few statutes that deal with monies held by a town for the performance of obligations by a private party. For example, G.L. c. 41, § 81U, authorizes acceptance of a cash deposit in lieu of a performance bond to secure installation of infrastructure required by planning board approval of subdivision plans and, by local acceptance, such a deposit may be spent By the board for the completion the work if it is under \$100,000. Absent statutory authority, it is unclear if treasurers can serve as an escrow agent if the money is not public funds or how the money could be spent without appropriation if the money is public funds. We suggest that the town discuss this issue in more detail with town counsel and the Department of Revenue.

Article 22 – I return with the approval of this Office the amendments adopted under this Article, except as provided
Below:

The amendments adopted under Article 22 amend the town’s Use Table by adding a new column for the Planned Commercial District (CP) and by filling in the column for the General Commercial District (CG), which “has been a place marker in our Use Tables since the April Town Meeting of 2005...” As amended, the Use Table provides in pertinent part as follows:

Use Restrictions

USE	<u>EXISTING</u>	DISTRICTS		PROPOSED	DISTRICTS
	MR-30	CS	I	CG	CP
Agricultural & Rural Uses					
Agricultural uses upon tracts less than 5 acres	Y	Y	N	N	N
Agricultural uses upon tracts of 5 acres or more	Y	Y	N	<u>N</u>	<u>N</u>
Cider mill, ice house, temporary sawmill	N	Y	N	N	N
Horticulture on less than 5 acres	SPZ	Y	N	Y	SPZ
Animal Related Uses					
Animal kennels	SPZ	SPZ	N	N	N
Riding stables SPZ	SPZ	Y	N	N	N
Piggeries, fur farms	SPZ	N	N	N	N
Educational and Institutional Uses					
Nursing home, intermediate care	N	Y	SPZ	SPZ	SPZ

center, day care center					
Utility Uses					
Public Utility	SPZ	N	Y	Y	Y
Industrial Uses					
Hazardous waste facility	N	N	N	N	N
Solid waste facility	N	N	N	N	N
Transportation Uses					
Aviation Field	N	N	N	N	N

(Emphasis added.)

In the town’s Use Table “Y” stands for a use allowed by right; “SPP” stands for use allowed by special permit from the planning board; “SPZ” stands for use allowed by special permit from the board of appeals; and “N” stands for use prohibited.

We call the town’s attention to that portion of the Use Table that pertains to agricultural uses on land greater than five acres. Agricultural uses would be prohibited on land greater than five acres in the new CG and CP districts. Although not subject to any changes under Article 22, such use is also prohibited in the I District. We disapprove and delete the above underlined text that prohibits agriculture on land over five acres in the CG and CP districts as inconsistent with the protections accorded to agriculture under state law. **[Disapproval #2 of 2]** The laws and Constitution of the Commonwealth have recognized the importance of agriculture and agricultural uses within the state.

Article 97 of the Massachusetts Constitution declares that the protection of people in their right to the utilization of agricultural resources is a public purpose in the Commonwealth. Moreover, there are numerous state laws and regulations that preclude agricultural uses from restriction by local legislation. See G.L. c. 40A, § 3, c. 111, § 125A, and c. 131, § 40. Specifically, G.L. c. 40A, § 3, states in part that no

Zoning by-law shall:

“...prohibit, unreasonably regulate or require a special permit for the use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture; nor prohibit, or unreasonably regulate, or require a special permit for the use, expansion, or reconstruction of existing structures thereon for the primary purpose of agriculture, horticulture, floriculture, or viticulture, including those facilities for the sale of produce, and wince and dairy products, provided that during the months of June, July, August, and September of every year or during the harvest season of the primary crop raised on land of the owner or lessee, the majority of such products for sale, based on either gross sales dollars or volume, have been produced by the owner or lessee of the land on which the facility is located, except that all such activities may be limited to parcels of more than five acres in area not zoned for agriculture, horticulture, floriculture, or viticulture. For such purposes, land divided by a public or private way or a waterway shall be construed as one parcel. No zoning ordinance or by-law shall exempt land or structures from flood plain or wetlands regulations established pursuant to general law. For the purpose of this section, the term horticulture shall include the growing and keeping of nursery stock and the sale thereof. Said nursery stock shall be considered to be produced by the owner or lessee of the land if it is nourished, maintained and managed while on the premises.”

(Emphasis added.)

General Laws Chapter 128, Section 1A provides as follows:

“Farming” or “agriculture” shall include farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.

(Emphasis added.)

General Laws Chapter 40A, Section 3, provides that all agricultural uses must be allowed as of right on land zoned for agriculture and on land greater than five acres in size; therefore, a municipality may not restrict agricultural uses in those areas. However, a municipality is allowed to restrict agricultural uses on land less than five acres that is not zoned for agriculture. Thus, it is inconsistent to prohibit agricultural uses on land greater than five acres. The “N” under the I district column in the existing by-law also suffers from the same inconsistency. The town may want to delete the “N” under the I district column at a future town meeting in order to be consistent with state law.

We next call the town’s attention to that portion of the Use Table that pertains to cider mills and sawmills. Such Uses are prohibited in the CG and CP districts. Although not subject to any changes under Article 22, such uses are prohibited in the MR-30 and I districts. General Laws Chapter 128, Section 1A, defines agriculture to include forestry. It also includes Activities conducted on a farm as an incident to or in conjunction with farming operations, “including preparations for market, delivery to storage or to market or to carriers for transportation to market.” In instances where sawmills are accessory to those activities protected under G.L.c.40A, § 3, it would be inconsistent with state law for the by-law to require a special permit for these activities. Therefore, in those instances where sawmills are an accessory use to agricultural activities protected under G.L.c. 40A, § 3, it would also be inconsistent with state law to require a special permit for such activities. We suggest that the town consult with town counsel on this possible as-applied inconsistency.

We next call the town’s attention to that portion of the Use Table that pertains to piggeries and fur farms. Such uses are prohibited in the CP and CG districts. Although not subject to any changes under Article 22,

piggeries and fur farms are allowed by special permit in the MR-30 district and prohibited in the CS and I districts. We caution the town that G.L.c. 128, § 1A, broadly defines agriculture to include fur farms, and piggeries.

Because G.L. c. 128, § 1A, defines agriculture to include piggeries, and the raising of fur-bearing animals, it would be inconsistent with state law to prohibit, unreasonably regulate, or require a special permit for such uses.

We next call the town's attention to that portion of the Use Table that pertains to kennels. Such uses are prohibited in the CG and CP districts. Although not subject to any changes under Article 22, kennels are allowed by special permit in the MR-30 and CS districts and prohibited in the I district. Animal kennels that include the breeding and raising of dogs are also agricultural uses and are subject to the protections provided under G.L. c. 40A, § 3. See Sturbridge v. McDowell, 35 Mass. App. Ct. 924, 926 (1993). It would be inconsistent with state law to prohibit, require a special permit, or unreasonably regulate kennels that enjoy the protections accorded under G.L.c. 40A, § 3.

We also call the town's attention to that portion of the Use Table that pertains to riding stables. Such uses are prohibited in the CP and CG districts. Although not subject to any changes under Article 22, riding stables are allowed by special permit in the MR-30 district and are prohibited in the I district. General Laws Chapter 128, § 1A, defines agriculture to include riding stables. The definition of "agriculture" in G.L.c.61A, § 1, and c. 128, § 1A, includes "the raising of livestock including horses" and "the keeping of horses as a commercial enterprise." See Steege v. Board of Appeals of Stow, 26 Mass. App. Ct. 970 1988). Therefore, these uses enjoy protections accorded under G.L. c. 40A, § 3. It would be inconsistent with state law to prohibit, Require a special permit, or unreasonably regulate riding stables.

We next call the town's attention to that portion of the Use Table that pertains to nursing homes and day care centers. Nursing homes and day care centers are allowed by special permit in the CG and CP districts. Although not subject to any changes under Article 22, such uses are allowed by special permit in the I district and prohibited in the MR-30 district. In approving this portion of the Use Table, we remind the town of the protections accorded to nursing homes and day care centers under state law.

General Laws Chapter 40A, Section 3, provides in pertinent part:

No zoning...bylaw in any...town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. As used in this paragraph, the term "child care facility" shall mean a day care center or a school age child care program, as those terms are defined in section nine of chapter twenty-eight A...

Notwithstanding any general or special law to the contrary, local land use and health and safety laws, regulations, practices, ordinances, by-laws and decisions of a city or town shall not discriminate against a disabled person. Imposition of health and safety laws or land-use requirements on congregate

living arrangements among non-related persons with disabilities that are not imposed on families and groups of similar size or other unrelated persons shall constitute discrimination. The provisions of this paragraph shall apply to every city or town, including, but not limited to the city of Boston and the city of Cambridge.

We caution the town that G.L.c. 40A, § 3, prohibits discrimination against disabled persons. We caution the town that it would be inconsistent with G.L.c.40A, § 3, for the town to apply or enforce its by-laws in a way that treats buildings and uses for the disabled with any less deference given to other similar types of buildings and uses projects. Such difference in treatment would violate the provisions of G.L. c. 40A, § 3. The town may wish to discuss these issues in more detail with town counsel.

It is unclear what the town means by “day care center.” If the town is referring to child care facilities, we point out that Section 3 provides exemptions from local zoning for the use of land or structures for child care facilities, but authorizes the reasonable regulation of such uses in exactly eight areas as indicated by the text underlined below. Such uses may be subject to reasonable regulations pertaining to bulk and height of structures, yard size, lot area, setbacks, open space, parking and building coverage requirements. Thus, it would be inconsistent with state law to prohibit or require a special permit for “day care centers.”

We next call the town’s attention to that portion of the Use Table pertaining to public utilities. Although not subject to any changes under Article 22, public utilities are allowed by special permit in the town’s MR-30 district and prohibited in the town’s CS district. We caution the town of the protections accorded to public utilities by G.L. c. 40A, § 3, which provides in pertinent part as follows:

Lands or structures used or to be used by a public service corporation may be exempted in particular respects from the operation of a zoning...by-law if, upon petition of the corporation, the department of telecommunications and energy shall...determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public...if lands or structures used or to be used by a public service corporation are located in more than one municipality such lands or structures may be the corporation, the department or telecommunications and energy shall after notice to all affected communities and public hearing in one of said municipalities, determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public.

Section 3 allows the Department of Telecommunications and Energy to exempt public service corporations from a town’s zoning by-laws. If a public service corporation is exempt from the town’s zoning by-laws, as provided under G.L. c. 40A, § 3, the town may not subject the use of land for a public utility to such zoning requirements. Therefore, we caution the town to limit the application of these provisions to those entities not enjoying the statutory exemption.

We also call the town’s attention to that portion of the Use Table that pertains to hazardous waste facilities. Hazardous waste facilities are prohibited in all of the town’s zoning districts. In approving this portion of the Use Table, we call the town’s attention to G.L.c. 40A, § 9, which pertains to hazardous waste facilities and provides as follows in pertinent part:

A hazardous waste facility as defined in section two of chapter twenty-one D shall be permitted to be constructed as of right on any locus presently zoned for industrial use pursuant to the...by-laws of any...town provided that all permits and licenses required by law have been issued to the developer and a siting agreement has been established pursuant to sections twelve and thirteen of chapter twenty-one D, provided however, that following the submission of a notice of intent, pursuant to section seven of chapter twenty-one D, a city or town may not adopt any zoning change which would exclude the facility from the locus specified in said notice of intent. This section shall not prevent any...town from adopting a zoning change relative to the proposed locus for the facility following the final disapproval and exhaustion of appeals for permits and licenses required by law and by chapter twenty-one D.

General Laws Chapter 40A, Section 9, allows hazardous waste facilities to be constructed on land presently zoned for industrial uses, providing all permits and licenses required by law have been issued and a siting agreement has been established. Therefore, the town cannot prohibit such facilities on land presently zoned for industrial use other than as provided in G.L.c. 40A, § 9. We caution the town to apply the Use Table in a manner consistent with G.L.c. 40A, § 9.

We next call the town's attention to that portion of the Use Table that pertains to solid waste facilities. Solid waste facilities are prohibited in all of the town's zoning districts. In approving this portion of the Use Table, we call the town's attention to G.L.c. 40A, § 9, which provides certain zoning protections to solid waste facilities, and provides in pertinent part as follows:

A facility, as defined in section one hundred and fifty A of chapter one hundred and eleven, which has received a site Assignment pursuant to said section one hundred and fifty A, shall be permitted to be constructed or expanded on any locus zoned for industrial use unless specifically prohibited by the...by-laws of the...or town in which such facility is proposed to be constructed or expanded, in effect as of July first, nineteen hundred and eighty-seven; provided, however, that all permits and licenses required by law have been issued to the proposed operator. A...town shall not adopt a...by-law prohibiting the siting of such a facility or the expansion of an existing facility on any locus zoned for industrial use, or require a license or permit granted by said...town, except a special permit imposing reasonable conditions on the construction or operation of the facility, unless such prohibition, license or permit was in effect on or before July first, nineteen hundred and eighty-seven;...No special permit authorized by this section may be denied for any such facility by any...town; provided, however, that a special permit granting authority may impose reasonable conditions on the construction or operation of the facility, which shall be enforceable pursuant to the provisions of section seven.

General Laws Chapter 40A, Section 9, precludes a town from adopting a by-law prohibiting the siting or expansion of solid waste facilities on land zoned for industrial use. However, any by-law that specifically prohibited landfills before July 1, 1987, remains valid. We remind the town that Section 9 does not prohibit new by-laws that regulate (as opposed to prohibit) solid waste facilities.

Section 9 expressly authorizes the town to impose reasonable conditions on the construction and operation of the facility by means of a special permit. Moreover, Section 9 expressly conditions the protections accorded to such facilities on first obtaining a site assignment pursuant to G.L.c. 111, § 150A. Therefore, although a town cannot prohibit such use on land zoned for industrial uses, the town is not without the ability to reasonably regulate such use.

Lastly, we next call the town's attention to that portion of the Use Table that pertains to aviation fields. Aviation fields are prohibited in all of the town's zoning districts. While we do not find this prohibition to be facially inconsistent with the laws or Constitution of the Commonwealth, we remind the town of the requirements of G.L.c. 90, § 39B. Section 39B conditions the effective date of any municipal law or regulation relative to the use and operation of aircraft (including helicopters) within the boundaries of any airport or restricted landing area within the Commonwealth upon approval of such laws and regulations by the Massachusetts Aeronautics Commission. See 702 C.M.R. §§ 1-7. In this regard, our approval and the subsequent publishing of these amendments may not alone be sufficient for the amendments to take effect, since their submission to and approval by the Massachusetts Aeronautics Commission may first be required. We suggest that the town discuss this issue in more detail with town counsel.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

**THOMAS F. REILLY
ATTORNEY GENERAL**

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor

Springfield, MA 01103-1629
(413) 784-1240, x 117

**The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629**

February 6, 2007

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

**RE: Wareham Fall Annual Town Meeting of October 23, 2006 - Case # 4128
Warrant Articles # 9, 10 and 25 (General)**

Dear Ms. Silva:

Articles 9, 10 and 25 - I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham fall annual town meeting that convened on October 23, 2006.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect until the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

**MARTHA COAKLEY
ATTORNEY GENERAL**

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

**The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629**

June 25, 2007

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

**Re: Wareham Annual Town Meeting of April 23, 2007 B Case #4307
Warrant Article # 27 (General)**

Dear Ms. Silva:

Article 27 - I return with the approval of this Office the amendments to the town by-laws adopted under this Article on the warrant for the Wareham special town meeting that convened on April 23, 2007.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect until the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval

Very truly yours,

**MARTHA COAKLEY
ATTORNEY GENERAL**

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x117

**The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629**

June 27, 2007

Mary Ann Silva
54 Marion Road
Wareham, MA 02571

**RE: Wareham Annual Town Meeting of April 23, 2007—Case # 4362
Warrant Articles # 31, 32, 33 (Zoning)**

Dear Ms. Silva:

Articles 31, 32, and 33 – I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham annual town meeting that convened on April 23, 2007.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect until the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of

any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

The Commonwealth of Massachusetts
Office of the Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, Massachusetts 01103-1629

July 17, 2007

Mary Ann Silva, Town Clerk
54 Marion Road
Wareham, MA 02571

RE: Wareham Annual Town Meeting of April 23, 2007—Case # 4400
Warrant Articles # 34 and 35 (Zoning)

Dear Ms. Silva:

Articles 34 and 35 – I return with the approval of this Office the amendments to the town by-laws adopted under these Articles on the warrant for the Wareham annual town meeting that convened on April 23, 2007 and the maps pertaining to these Articles.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect until the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the

date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

**MARTHA COAKLEY
ATTORNEY GENERAL**

By: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103-1629
(413) 784-1240, x 117

**WARRANT
TOWN OF WAREHAM
SPECIAL TOWN MEETING
APRIL 23, 2007**

**WAREHAM HIGH SCHOOL AUDITORIUM
Viking Drive
Wareham, MA 02571**

7:30 P.M.

Commonwealth of Massachusetts

Plymouth §

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 to meet in the Wareham High School Auditorium, Viking Drive, Wareham, MA on Monday, April 23, 2007 at 7:30 p.m. to act on the following articles:

ARTICLE: 1

To see if the Town will vote to appropriate and transfer from available funds a sum of money to supplement the Fiscal 2007 operating budget, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

MOTION: Mr. Heaney

I move the Town appropriate and transfer a total of \$4,028, 811. to supplement the Fiscal 2007 budget as voted in Article 6 and 7 of the April 24, 2006 Annual Town Meeting as follows:

From:

Medical Health & Dental Insurance \$200,000

To:

\$200,000 Legal Expense

From:

\$40,850 General Fund Principal on Long Term Debt

To:

\$40,850 to Upper Cape Cod Regional Vocational High School

From:

\$91,000 from the Reserve Fund Appropriation

\$29,000 from General Fund Principal on Debt Long Term

\$13,137 from Data Processing Wages

\$4,637 from Treasurer/Collector's Expense

\$10,187 from General Services Wages

To:

\$37,961 Sick Leave Buy Back

\$110,000 Police Wages

From:

\$40,000 Short Term Interest

To:

\$40,000 Medicare

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

ARTICLE: 2

To see if the town will vote to appropriate and transfer \$25,000 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

MOTION: Mr. Heaney

I move no action on Article Two.

VOTE: UNANIMOUS - FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

ARTICLE: 3

To see if the town will vote to transfer \$10,000.00 from the parking meter fund to the Municipal Maintenance Department 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

MOTION: Ms. Rumney

I move No Action on Article number three.

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (6-0-0)

ARTICLE: 4

To see if the town will vote to transfer \$10,000.00 from the parking meter fund to the Municipal Maintenance Department sign materials 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

MOTION: Mr. Richards

I move no action for Article Four.

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: No Action (5-0-0)

The Finance Committee voted: No Action (6-0-0)

ARTICLE: 5

To see if the Town will vote to appropriate and authorize borrowing \$20,000,000 for the purpose of constructing and supervising construction of a sewerage system in the Tempest Knob, Agawam Beach, Linwood and Ladd Ave, Parkwood Beach, Cromesett Park, Oakdale and Mayflower Ridge of sections of town as shown in the “Comprehensive Wastewater Management Plan/Single Environmental Impact Report” dated March 2002, and on file with the Town Administrator, with said indebtedness to be in accordance with Chapter 44, Section 7 or 8 of Massachusetts General Law, or any other enabling authority; and further that the Board of Selectmen and Town Administrator be authorized to file applications for grants or loans in connection with said project; that the Board of Selectmen, being the Board of Sewer Commissioners, is authorized to take all necessary action to carry out the project and take by eminent domain for and on behalf of the Town of Wareham under General Laws Chapter 79 and 83, acquire by lease, purchase or otherwise hold any lands, rights-of-way and other easements, public or private in the Town of Wareham that may be necessary in the construction and maintenance of said sewerage system; and finally, that the Board of Selectmen be authorized to assess betterments for the total design and construction costs by the uniform unit payment method in accordance with Chapters 80 or 83 of Massachusetts General Laws, or any other enabling authority, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

MOTION: Mr. Cormier

I move the Town will appropriate and authorize borrowing \$20,000,000 for the purpose of constructing and supervising construction of a sewerage system in the Tempest Knob, Agawam Beach, Linwood and Ladd Ave, Parkwood Beach, Cromesett Park, Oakdale and Mayflower Ridge of sections of town as shown in the “Comprehensive Wastewater Management Plan/Single Environmental Impact Report” dated March 2002, and on file with the Town Administrator, with said indebtedness to be in accordance with Chapter 44, Section 7 or 8 of Massachusetts General Law, or any other enabling authority; and further that the Board of Selectmen and Town Administrator be authorized to file applications for grants or loans in connection with said project; that the Board of Selectmen, being the Board of Sewer Commissioners, is authorized to take all necessary action to carry out the project and take by eminent domain for and on behalf of the Town of Wareham under General Laws Chapter 79 and 83, acquire by lease, purchase or otherwise hold any lands, rights-of-way and other easements, public or private in the Town of Wareham that may be necessary in the construction and maintenance of said sewerage system; and finally, that the Board of Selectmen be authorized to assess

betterments for the total design and construction costs by the uniform unit payment method in accordance with Chapters 80 or 83 of Massachusetts General Laws, or any other enabling authority.

VOTE: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: Favorable Action (6-0-0)

ARTICLE: 6

To see if the town will vote to amend the General By-laws of the Town of Wareham by changing ARTICLE X VALIDITY, DIVISION V to ARTICLE XI VALIDITY, DIVISION V and inserting:

DIVISION V
ARTICLE X
NITROGEN LOADING STANDARD

1.0 Purpose and Intent:

It is the purpose of this bylaw to establish town-wide nitrogen loading standard for wastewater discharges and disposal in the Town of Wareham to protect the public health and welfare of its citizens, and to minimize quantifiable impacts to drinking, fresh and coastal water quality and natural resources. This bylaw is adopted pursuant the home rule amendments of the Massachusetts Constitution.

2.0 Performance Standards and Applicability

2.1 No town board, officer, or employees thereof shall issue a permit or approval for the installation, repair, or replacement of an onsite wastewater disposal system, or use thereof, that will result in the discharge of a wastewater nitrogen loading rate that exceeds 7.5 pounds per acre.

3.0 Exemptions

3.1 Areas that are now sewered or are planned to be sewered according to the Town of Wareham's wastewater facilities plan dated December 4, 2001.

3.2 The repair or replacement of existing septic systems installed that cannot meet the standard of Section 2.0 because of lot size and land use that existed on [effective date] where a Massachusetts DEP approved nitrogen removal septic system is installed.

3.3 A proposed single-family house up to three bedrooms in size on a lot created before [effective date] where a Massachusetts DEP approved nitrogen removal septic system is installed.

3.4 Expansion of an existing septic system for an existing single-family house up to 3 bedrooms on a lot, both in existence before [effective date] where a Massachusetts DEP approved nitrogen removal septic system is installed.

4.0 Definitions and calculations methods

4.1 Average Occupancy: For the purposes of nitrogen loading calculations in this bylaw, average occupancy shall be presumed to be 1 person per bedroom.

4.2 Wastewater Nitrogen Loading Rate (pounds per acre): The presumed annual number of pounds of nitrogen emanating from a wastewater system to groundwater using the rates specified in section 4.4 though 4.6, divided by the acreage of land used to meet the performance standards of this bylaw.

4.3 DEP approved Nitrogen Removal Septic System: An onsite wastewater disposal system certified by the Massachusetts Department Environmental Protection to achieve an average discharge of 19 ppm or less total nitrogen.

4.4 Per capita nitrogen loading for conventional systems: For the purposes of nitrogen loading calculations in this bylaw, annual per capita discharge of nitrogen is presumed to be 3 pounds per person for conventional Title 5 wastewater disposal systems.

4.5 Per capita nitrogen loading for nitrogen removal systems: For the purposes of nitrogen loading calculations in this bylaw, DEP approved nitrogen removal septic systems shall be presumed to discharge

at a rate of 2 lbs per person. Systems claiming performance better than 19 ppm are allowed a credit proportional to their performance. A system that discharges 9.5 ppm shall be presumed to have one-half of 2 lbs of nitrogen per capita loading, and so forth. Any system installed that claims performance lower than the 19 ppm DEP certification level must be tested twice per year, and the results of that testing submitted to the Board of Health as per regulations adopted in support of this bylaw.

4.6 Nitrogen loading for commercial development: For the purposes of the nitrogen loading calculations in this bylaw, nitrogen loading for commercial development shall be calculated using wastewater system design flows, multiplied by a presumed concentration of 30 ppm discharged to groundwater, for a conventional wastewater treatment system, unless a nitrogen removal septic system is installed, in which case nitrogen performance values shall be used.

5.0 Severability

5.1. Failure of any board to adopt regulations under this bylaw shall not invalidate regulations by another board under their authority.

or to do or act in any manner relative thereto.

EXPLANATION:

2.0 - Applicants could achieve this standard through different mechanisms including: limiting activity on the lot, reducing density of development, tying into a municipal sewerage, constructing individual nitrogen removing onsite systems, constructing nitrogen removal package treatment plants, protecting land in other parts of Wareham through the placement of permanent conservation easements that include prohibition of nitrogen applications, or a combination of any or all of these techniques.

4.4 - This is somewhat higher than 2.9 lbs/person typically used and represents a margin of safety to account for non-point sources of nitrogen associated with development.

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

MOTION: Mr. Tropeano

I move Further Study.

AMENDED MOTION: Carl St. Pierre

I move Favorable Action on Article Six. The Moderator stated that the motion was for favorable, including the clerical correction, effective date is May 15, 2007.

VOTE ON

AMENDMENT: 119 AFFIRMATIVE – 177 NEGATIVE – AMENDMENT FAILS

AMENDED MOTION: John Decas

I would like to offer an amendment for Further Study.

VOTE ON AMENDED

MOTION: MAJORITY – FAVORABLE ACTION

VOTE ON MAIN

MOTION: UNANIMOUS – FAVORABLE ACTION

The Board of Selectmen voted: Favorable Action (5-0-0)

The Finance Committee voted: No Action (6-0-0)

ARTICLE: 7

We, the undersigned registered voters of the Town of Wareham, do hereby petition the Board of Selectmen to insert the following article on the warrant for the special town meeting to be held on April 23, 2007:

To see if the Town will vote to accept section 1 of chapter 137 of the Acts of 2003, as amended by section 1 of chapter 77 of the Acts of 2005, to require the Town to pay employees of the Town who have been granted a military leave of absence because the employee is a member of the army national guard, the air national guard or a reserve component of the armed forces of the United States called to active service in the armed forces of the United States after September 11, 2001, the employee's regular base salary reduced by any amount received from the United States as base pay for military service performed during the same pay period, as further described in said chapter 137 of the Acts of 2003 and chapter 77 of the Acts of 2005; to authorize the Board of Selectmen to file a home rule petition with the General Court to authorize the Town to pay the active military service pay differential retroactively to an employee of the Town who would be otherwise eligible to receive this benefit: and further to raise and appropriate or transfer from available funds a sum of money to pay the active service pay differential to such employee; or to take any other action relative thereto.

NOTE: This article is reproduced exactly as was presented, in accordance with the law.

Inserted by R. Renée Fernandes-Abbott, et al

MOTION: Melody Conway

I move that the Town vote to accept section 1 of the Chapter 137 of the Acts of 2003, as amended by section 1 of chapter 77 of the Acts of 2005, and authorize payment of \$6,955.46 to an employee who was granted a military leave of absence to serve in Iraq and that this amount be withdrawn from the reserve fund, and further that the Board of Selectmen file a Home Rule Petition with the General Court of Massachusetts that authorizes the Town to pay the retroactive military service differential to this employee in the amount of \$20,718.71, that this money to be appropriated from the reserve fund and be encumbered for this purpose.

VOTE: 2/3 MAJORITY - FAVORABLE – AS DECLARED BY THE TOWN MODERATOR

The Board of Selectmen voted: No Action (3-2-0)
The Finance Committee voted: Favorable Action (6-0-0)

Given under our hands this 20th day of March in the year 2007.

WAREHAM BOARD OF SELECTMEN

R. Renee Fernandes- Abbott, Chairman

Brenda S. Eckstrom, Clerk

Bruce D. Sauvageau

James L. Potter

A True Copy

ATTEST:

Steven P. Coughlin, Sr
Constable of Wareham

DATE: 3-21-2007

Date: 3-21-2007

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 in at least one public place in each precinct within the Town on or before March 23, 2007, and by causing this Warrant to be published on or before April 9, 2007.

Date: 3-21-2007

Steven P. Coughlin, Sr.
Constable of Wareham

The original posting with return made was delivered to Mary Ann Silva, Town Clerk.

Date: 3-21-2007

Steven P. Coughlin, Sr.
Constable of Wareham

Date: 3-21-2007

In accordance with the Wareham Charter, Article 2 - Legislative Branch - Section 2-4, Town Meeting Warrants, Item (d), I have hand delivered a copy of the Warrant for the Special Town Meeting, to be held on April 23, 2007 at 7:30 o'clock p.m. to:

Town Moderator
Chairman of the Finance Committee
Chairman of the Planning Board
Chairman of the Capital Planning Committee
Chairman of the Personnel Board.

Steven P. Coughlin, Sr.
Constable of Wareham

TO ACCOMPANY ARTICLE 6 OF THE APRIL 23, 2007 ANNUAL TOWN MEETING

DESCRIPTION	Adjusted Budget FY 2006	Adjusted Budget FY 2007	Town Admin. Budget FY 2008	Fin Com Proposed Budget FY2008
Selectmen=s Office				
Wages	107,718	115,972	118,819	118,819
Expenses	43,012	29,326	12,500	12,500
Town Administrator				
Wages	211,968	216,399	187,482	187,482
Expenses	7,000	37,300	7,000	7,000
Personnel Services				
Expenses	19,980	19,495	7,200	7,200
Reserve Fund				
General	135,000	135,000	135,000	135,000
Finance Committee				
Expenses	21,105	8,605	7,000	7,000
Town Accountant				
Wages	138,268	146,738	124,546	124,546
Expenses	5,990	5,990	4,490	4,490
Assessors				
Wages	267,857	286,920	280,538	280,538
Expenses	12,850	13,350	13,100	13,100
Revaluation	125,000	-	-	-
Recycling				
Wages	6,300	6,300	-	-
Expenses	4,590	4,590	2,500	2,500
Treasurer/Collector				
Wages	303,850	306,307	310,675	310,675
Expenses	108,040	120,840	103,450	103,450
Legal Services	110,000	115,000	115,000	115,000
Personnel Board	100	100	100	100
Data Processing				
Wages	112,977	123,958	118,746	118,746
Expenses	324,615	325,100	185,050	185,050
General Services				

Wages	40,862	44,219	-	-
Expenses	102,808	104,558	95,000	95,000
Audit	50,000	50,000	50,000	50,000
Communications	81,100	81,350	73,850	73,850
Town Clerk				
Wages	117,942	123,249	127,159	127,159
Expenses	17,923	17,923	14,172	14,172
Elections & Registration				
Wages	11,129	39,790	28,846	28,846
Expenses	3,970	25,515	12,625	12,625
Town Meetings				
Wages	3,370	3,370	3,370	3,370
Expenses	11,980	8,780	10,440	10,440
Planning Board				
Expenses	13,800	13,800	13,800	13,800
Board of Appeals				
Expenses	4,825	4,825	4,825	4,825
Town Planning				
Wages	176,997	174,383	190,560	190,560
Expenses	49,500	9,300	17,200	17,200
Conservation Comm.				
Expenses	1,300	1,300	800	800
Public Buildings				
Wages	217,772	238,092	229,969	229,969
Expenses	195,884	238,453	194,500	194,500
Sick Leave Bonus				
Wages	95,000	95,000	115,000	115,000
Admin Clerical Pool				
Wages	2,500	7,600	7,500	7,500
Comm. on Disabilities				
Expenses	250	500	400	400
Police				
Wages	3,886,430	4,029,983	3,726,178	3,726,178
Expenses	492,610	583,251	463,830	463,830
Inspectional Services				
Wages	252,864	237,618	244,736	244,736

Expenses	15,772	34,704	33,946	33,946
Emergency Management Expenses	1,000	1,000	100	100
Animal Control Wages	62,276	60,216	53,013	53,013
Expenses	35,396	38,000	30,690	30,690
Shellfish/Harbormaster Wages	211,065	227,568	201,937	201,937
Expenses	38,105	41,350	29,523	29,523
Herring Commission Wages	6,384	6,720	6,720	6,720
Expenses	1,000	1,000	1,000	1,000
Municipal Maintenance Wages	932,040	882,027	811,516	811,516
Expenses	300,000	311,062	270,143	270,143
Snow & Ice Wages	25,000	25,000	25,000	25,000
Expenses	58,000	58,000	58,000	58,000
Street Lights Expenses	120,000	120,000	120,000	120,000
Council on Aging Wages	122,419	134,921	155,986	155,986
Expenses	7,440	18,330	20,355	20,355
Veterans=s Services Expenses	88,616	168,616	170,000	170,000
Board of Health Wages	161,984	157,183	147,569	147,569
Expenses	35,600	50,600	26,862	26,862
CEDA	12,000	30,000	--	--
Library Wages	505,913	503,801	452,603	452,603
Expenses	199,000	173,200	106,109	106,109
Recreation Department Wages	68,643	125,978	--	--
Expenses	8,430	6,250	--	--
Beaches/Lifeguards Wages	62,500	64,060	--	--
Expenses	9,430	2,080	--	--

Historical Dist. Comm. Expenses	100	100	100	100
Historical Comm. Expenses	4,000	3,000	100	100
Parking Attendants Wages	12,290	10,540	--	--
Expenses	385	575	--	--
Holiday Dec/Lights Expenses	2,500	2,500	--	--
Debt - Principal	1,975,000	2,020,000	2,156,000	2,156,000
Debt - Interest	507,500	462,500	352,000	352,000
Town Insurance	269,103	296,015	275,000	275,000
Town Insurance – General	354,300	382,645	395,000	395,000
Unemployment	25,000	25,000	150,000	150,000
Medical & Dental Ins.	4,111,247	4,919,882	5,496,138	5,496,138
Life Insurance	--	--	40,000	40,000
FICA-Medicare	310,000	310,000	345,000	345,000
Regional Land Fill	4,500	4,500	57,546	57,546
SPREDD Assessment	3,366	3,366	3,366	3,366
Teachers Pay Deferral	45,000	45,000	45,000	45,000
School Department	24,205,209	24,860,872	24,857,392	4,857,392
Middle School Debt	641,680	350,000	350,000	350,000

BOARD OF ASSESSORS

ELECTED ASSESSORS:

Steven F. Curry, MAA (2009), Chairman

James G. Makrys, MAA (2009)

Vice Chairman

Robert J. Barry (2010)

James M. McCahill (2008)

Dorothy (Dee) L. Vicino (2008), Clerk

PROFESSIONAL OFFICE STAFF:

Richard Gonsalves, MAA, Dir. of Assessment

Sheila E. Scaduto, MAA, Assistant Assessor

Barbara M. LeFavor, Chief Assessing Clerk

Robin E. Maraccini, Department Assistant III

Nancy L. Roth, Department Assistant III

Elizabeth A. Tripp, Department Assistant III

The Wareham Board of Assessors and the staff in the assessing department are committed to giving the residents and taxpayers of the Town of Wareham quality service in a professional atmosphere. The main objective of the office is to compile fair and equitable valuations for the purpose of taxation. The town currently values all real and personal property. Motor vehicle and boat valuations are based on guidelines set by the Massachusetts Department of Revenue, and other State agencies.

The Board of Assessors adjusted the assessed values for the fiscal year 2007, in accordance with an interim year adjustment required by the Department of Revenue. Based on an analysis of sales of properties during calendar year 2005, the average assessed value of a single-family dwelling changed from \$310,322 to \$318,343, (an increase of 2.6%). Other residential classes, including condominium units, 2 & 3-family dwellings, etc., increased in value as well, ranging from 2.1 to 2.5%. Building permits including the construction of new dwellings, as well as additions to and remodeling of existing dwellings, led to value changes for individual parcels. Commercial properties also increased in value 1%. Industrial properties had no increase in value.

Tax Rate Summary

	FY05	FY06	FY07
Town of Wareham	\$8.02	\$6.84	\$6.81
Wareham Water/Fire Dist.	\$1.22	\$1.11	\$1.26
Onset Water/Fire Dist.	\$1.65	\$1.37	\$1.39

Assessed Values by Class

Parcel Type	FY05	FY06	FY07
Residential	\$2,602,381,203	\$3,312,649,160	\$3,436,092,500
Commercial	239,034,637	276,697,140	282,958,100
Industrial	54,432,860	56,978,400	56,661,500
Personal Property	43,344,000	65,340,400	68,026,100
Exempt	<u>213,016,400</u>	<u>226,810,600</u>	<u>226,743,100</u>
TOTALS	\$3,152,209,100	\$3,938,475,700	\$4,072,481,300

Tax Levy Borne by Class

Parcel Type	FY05	FY06	FY07
Residential	\$20,871,089	\$22,658,520	\$23,399,790
Commercial	1,917,063	1,892,608	1,926,945
Industrial	436,557	389,732	399,485
Personal Property	557,132	446,928	463,258
Exempt	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
TOTALS	\$23,781,841	\$25,387,788	\$26,189,478

Levy Percentages Borne by Class

Parcel Type	FY05	FY06	FY07
Residential	88.1347	89.2497	89.3480
Commercial	8.0954	7.4548	7.3577
Industrial	1.8435	1.5351	1.5254
Personal Property	1.9264	1.7604	1.7689
Exempt	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>
TOTALS	100.0000	100.0000	100.0000

WAREHAM COMMUNITY & ECONOMIC DEVELOPMENT AUTHORITY

The following residents have been appointed to the CEDA Board, the Community Development Advisory Committee and the Economic Development Advisory committee

Community and Economic Development Authority

Sandra Besse	Term Expires June 30, 2009
Jean Connaughton, Chairman	Term Expires June 30, 2009
Marjorie Kistin	Term Expires June 30, 2009
Paul Willard, Clerk	Term Expires June 30, 2009
Earl Dalrymple	Term Expires June 30, 2009

Community Development Advisory Committee

Nancy Bonnell
Mary Lou Payton
Denise Valenti

Economic Development Advisory Committee

John White
Michael Houdelette
Daniel Sullivan

CEDA office staff is as follows:

Marilyn Whalley, Director
Karen Hamilton, Grants Manager
Monica Sooy, Bookkeeper/Secretary
Richard Longton, Housing Rehab Inspector
Marlene Bariteau, Clerk

The Wareham Community and Economic Development Authority (CEDA) is a seven member board, appointed by the Board of Selectmen. In 2003 the Town initiated Legislation, which was passed by the State Legislature in early 2004, which combined the assets and mission of the former Community Development Authority and the Economic Development Industrial Corporation into one entity, now known as the Community and Economic Development Authority, or CEDA as we refer to it. CEDA is an operating agency and an Urban Renewal Agency, under 121B of M.G. L. and is allowed to carry out economic development projects as defined by M.G.L. c121C. The legislation states that the CEDA board consists of seven members, appointed by the Board of Selectmen. The CEDA board manages, controls and governs the work of the Authority according to the Legislation. Assisting the CEDA Board are two Advisory Committees (also described in the Legislation). One Advisory Committee is to assist in Community Development Plans and projects and the other Advisory is to assist in Economic Development Activities.

For the past two years, beginning in 2005 CEDA has been actively involved in planning activities that lay the foundation for future programs and projects. The CEDA and its CD Advisory Committee undertook a strategy and planning process that solicited feedback through a survey instrument. The results of the survey and planning exercise resulted in a 5-year CD Strategy & Plan that the CEDA utilizes as a guide in developing programs and projects. This effort produced a set of priorities for Community Development Block Grant programs to meet the needs described. One of the priorities identified in the CD Strategy was to encourage commercial development in village centers. This was the need CEDA intended to impact by the Wareham Village Downtown Strategy and Plan which included a Slum and Blight Inventory, a market study, a parking and circulation study, a housing study and a streetscape design for infrastructure improvements to the village. The study is currently underway and should be completed in the fall of 2007. Another priority was assistance to “at risk” youth in Wareham which as resulted in two new social service projects that will take place under the 2007 block grant. They are a Mentoring Program through the YMCA and an after school homework program through the Boys and Girls Club. Self-sufficiency programs are also high on the list of needs and those needs will be assisted through two new initiatives in the 2007 grant, the Financial Literacy Program at the Library and a pilot program for additional transportation assistance to LMI individuals who need access services outside of Wareham.

The CEDA also completed a Wareham Economic Development Strategy and Plan in 2007. CEDA, with assistance from an economic development consultant, has explored the opportunities to improve business retention and recruitment, expand the tax base, create high quality jobs and build economic sustainability and self-sufficiency.

As an example of what is accomplished through the CEDA office, we submit the following list of quantifiable benefits to Wareham residents over the last 12 months:

In twelve months we have:

- Rehabilitated 26 homes of Low and Moderate income residents (LMI)
- Provided 19 installations under the Septic Betterment Program
- Provided 61 scholarships to the Boys and Girls Club for LMI children.
- Provided funding to the Literacy Program in which 108 people benefited.
- Provided 75 Transportation subsidies to the GATRA program-LMI
- Provided 63 scholarships to the YMCA – LMI children
- Provided 46 scholarships to Camp Lakota – summer of 2006 for LMI children
- Oversaw the construction of the 1.9 million dollar Oak Grove School Head Start facility, due to be completed in August 2007. Except for a \$200,000 town meeting appropriation, all funding for this project was provided by outside sources.
- Developed an Economic Development Strategy.
- Assisted the Town Planning Department in the West Wareham Zoning changes.
- Provided administrative support for the Wareham Housing Partnership, including a plan for an affordable housing project at Westfield, and review of several 40b projects.

- Assisted the Boys and Girls Club in its merger with the New Bedford Boys and Girls Club.
- Developed a plan with the Career Center, to bring a skill center to Wareham that will be located in the Industrial Park next year.
- With assistance of the Planning Board and Town Planner, began a review of the permitting processes in Wareham toward commercial development.
- Worked with the Board of Selectmen to a successful agreement with Bay Pointe Country Club on future economic development at the site.

The Wareham Community and Economic Development Authority would like to thank the Advisory Boards and the staff for the hard work accomplished this year. We look forward to working with all Town boards and committees during the next year to continue the search for projects and programs that will make a real difference to the community and for the individuals who live or work in our town.

Respectfully submitted,

Jean Connaughton, Chairman
Community and Economic Development Authority

Report of the Conservation Commission

The Conservation Commission has the responsibility of protecting Wareham's valuable coastal and freshwater resource areas. The Commission regulates projects which may have an impact on any wetland resource area. This year 149 public hearings were held (89 Notices of Intent and 60 Requests for Determination of Applicability) on a wide variety of projects. These projects ranged from small scale home repairs to commercial construction. The Commission also investigated reported violations of illegal construction, pollution, and destruction of wetlands.

The Commission will continue to try to increase public awareness of the Wetlands Protection Act and the Wareham Wetland Protective By-Law and the important functions that wetlands serve. In a coastal community such as Wareham it is increasingly important for its residents to be aware of our fragile environment. There are pamphlets available at the Conservation Office which explain the roles of Conservation Commissioners and the functions of the wetlands which they protect.

The number of applications being received by the Commission, for various projects, continues to be high. New subdivisions, pier projects, single family dwellings, and septic repair projects comprise the majority of new applications the Commission reviews. There were also sewer and water main extension projects that have been approved in several areas in town. Infrastructure necessary to connect to the Town water treatment facility was installed in the Rose Point and Briarwood areas over the course of this past year. These projects will help to improve water quality in the Weweantic River over the long term. In terms of larger scale commercial projects the Stop & Shop expansion has been completed and the new mall project, former NSTAR site, at the corner of Rtes 28 & 195 has commenced bringing a significant visual change to the landscape along Tobey Road

The Conservation Commission has been working to address the growing concern regarding the proliferation of docks & piers in our coastal and inland waterways. At the Town Meeting in October of 2006 Town Meeting voters supported an article which imposed a one year moratorium on the construction of any new docks or piers within Town waterbodies so that regulations could be drafted to more adequately protect our wetland resource areas. Work has been ongoing regarding the development of those regulations.

Over the last year several small parcels of land were donated to the town for conservation purposes. The Commission will continue to promote the importance of protecting open space. These resources serve as wildlife habitat and also provide natural areas for the public to enjoy. The Wareham Land Trust has also been very active increasing Wareham's protected open space. The Land Trust was successful this year in purchasing a beautiful 63 acre tract of undeveloped land along the upper reaches of Glen Charlie Pond. The Commission appreciates their continued efforts aimed at the permanent preservation of environmentally sensitive areas in town.

A total of \$27,571.30 has been collected this year by the Conservation Commission for Wetland Permit filing fees. The Commission received \$1500.00 through donations which are greatly appreciated. The Commission also took in \$1400.00 collected in fines issued for violations of Wetland Laws.

The conservation office is staffed by a part-time secretary, Kelly Barrasso, who does an excellent job keeping the office running efficiently, and full-time Conservation Administrator, David D. Pichette. The Commission's seven regular and three associate members meet regularly at 7:00 P.M. the first and third Wednesday of every month.

Occasionally, additional special meetings are held due to a heavy case load or emergency situations.

Wareham Conservation Commission,
Douglas S. Westgate, Chairman
Kenneth Baptiste
Donald Rogers
John Connolly
Louis Caron Jr.
Paul Florindo
Michael Ponte
Manny Barros (Associate Member)
Debbie Paiva (Associate Member)

SENIOR/SOCIAL SERVICES

Wareham Senior and Social Services continues to serve all citizens regardless of age. The programs and services are located in the Multi-Service Center, which is on public transportation and centrally located for Wareham Citizens. Some of the Social Services offered in the Multi-Service Center are: Social Security, Department of Transitional Assistance, Veterans Services, Fuel Assistance, Council on Aging, Meals on Wheels Program, Geriatric Adult Daycare, Harvest Preschool, Educational and Recreational programs, Health Screenings and Clinics. We continue to partner and network with all Social Service agencies, to develop and provide working programs and services that enhance and improve the quality of the citizens of the Wareham Community.

COUNCIL ON AGING

The Council on Aging is dedicated to serve people over the age of fifty five with social services, social and educational programs and activities. Our educational and recreational programs promote wellness, nutrition and educational opportunities that promote wellness and improve the quality of life in order to enable people to remain at home for as long as possible.

We are pleased that we have been offering programs and meeting the interest for day trips. We had a very successful Canal cruise that 146 people enjoyed. Looking to the beginning of August, we have a “sold out” trip to Paw Sox’s game. All of our social and recreational programs are self-supporting through the revolving account.

On Fridays, we have two Shine Counselors available to meet with individuals to answer their insurance questions. They are available to assist people with the new State Prescription Advantage applications and questions surrounding the best plans for their medication needs. We have a walk-in service on Friday morning and appointments for Friday afternoons.

We continue to have a program for senior citizens to meet with an attorney to discuss their questions about legal matters. This is paid for through a grant through Old Colony Elder Services and appointments are made through Southeastern Massachusetts Legal services. Appointments are made and the attorneys set-up a schedule to meet the consumer at the Multi – Service Center.

We continue to support the Meals on Wheels program and host a congregate site at our center. A hot nutritious lunch is served daily by dedicated staff and volunteers. Old Colony Elderly services continues to support this program delivering approximately 85 meals per day, totaling 22,100 meals per year.

There has been an interest in increasing the use of local fruits and vegetables grown on farms in our area. The Cranberry bakers have been making homemade muffins and scones and serving them at the Thursday morning Mug n Muffin. In addition, we have started a monthly lunch that features local growers produce and cheese. These programs are well attended and completely self-supporting.

TRANSPORTATION

Wareham continues to provide “dial-a-Ride transportation services through a contract with GATRA. We have completed the first year of the expanded ADA service. People have been able to apply for either a reduced rate or free pass through our office. Community Development applied for the grant funding for this program and has helped our low income disabled individuals and senior citizens received transportation services. Currently we are unable to provide out of town transportation due to budget constraints but we are looking forward to further consideration in the future. Our transportation staff and drivers are trained yearly to meet the State, Federal and GATRA regulations and policies.

ADULT SUPPORTIVE DAY CARE

The Adult Day Center provides frail elders a safe caring environment and services during the day so they can continue to live either in their own homes or with family members in the community. The social, education and recreational components of the program improve and enhance the lives of those seniors that would be home alone, isolated and unsafe. It continues to support families that have to work and take care of their parents a safe alternative to assisted living or nursing home placement. Many of our participants live alone and have been isolated, many suffer from depression and the Day Center provides them not only program and educational opportunities, but a hot nutritious lunch and snacks during the day. We would like to take this opportunity to “Thank” the Bliss Foundation and an anonymous donor that helped us to completely renovate our Day Center. The participants and the staff members enjoy these bright and cheery suite of rooms and the handicapped accessibility.

SOCIAL SERVICES

Department of Transitional Assistance continues to hold office hours every Wednesday afternoon at the Multi- Service Center. This enables people to apply for services that don’t have access to out of town transportation to New Bedford.

Social Security continues to hold office hours once on month on Wednesdays to meet with people who are unable to get to their office in New Bedford

Veterans Services hold office hours two afternoons a week to meet with Veterans and their families to assist them with their needs.

Salvation Army services are offered through a joint effort with Turning Point, Community Resource Network, Wareham Senior/Social Services, and the Board of Health. Families and individuals are seen on a case by case basis and appointments can be made through our office at the Multi – Service Center.

Cape Cod Community Visiting Nurses hold clinic hours twice a week at our center. These clinics are funded through the Board of Health.

We continue to serve all residents regardless of age with Social Services. Currently we are trying to meet the challenge of having a social worker available one day a week. This remains

difficult as only emergencies are handled and we have a waiting list to see clients. We appreciate the staff office support we receive from the Citizens for Citizens employment training program. Currently they pay for the staff person that fills out the fuel assistance applications. Our staff remains involved in all areas of assistance, (fuel assistance, information and referral, and crisis intervention) we look forward to working with all the Social Service Agencies to meet the needs of Wareham's residents.

In closing, it takes a community to meet the needs of its citizens. Without the dedication, cooperation and commitment of the Fraternal Organizations, Public/Private Businesses and individuals, the Police Department, Board of Health, all the Town Departments and the Friends of the Elderly Board it would be impossible for us to meet the needs of the community. We would like to take this opportunity to publicly recognize the family that made the anonymous donation which enabled us to renovate and the Bliss Foundation that helped us furnish the Adult Day Care. A special "thank you". As a Department, we appreciate the commitment and the dedication of our Board of Directors, James Nordquist, Chairmen, Earl Dalrymple, Vice Chairmen, Dennis Allen, Secretary, members, Rev. (Father) Medeiros, Alice Wing, Yvonne Stone, and Barbara Zoia

Respectfully Submitted

Debbie Bell, LSW, CCTM
Executive Director

COMMISSION ON DISABILITY

We have been busy assisting clients with getting the help needed to get ramps built on their homes and how to go about receiving handicap plates and placards. When possible the office is open 5 days per week during the hours of 9:30 A.M. to 12:30 P.M. The committee meetings are held on the 3rd Tuesday of the month in Room 108 at the Multi-Service Center and most meetings last about one hour.

James B. Newman, Chairman

REPORT OF THE EMERGENCY MEDICAL SERVICES DEPARTMENT

The EMS department is becoming increasingly busier with calls for service each year, we responded to over 2,600 calls this year. We maintain three ambulances with one manned round the clock, the other ambulances are manned as needed by calling in off duty personnel, either full time staff or on call personnel. Last year we added several on call EMTs and Paramedics to the roster which has helped with manning of our back up trucks. This has reduced our need to call for help from our neighboring towns, but these on call personnel also work other jobs, so we still need help occasionally.

The ambulances are maintained in good working order with our oldest ambulance a 1999 model being due for replacement this year. During the spring when we had several storms with high winds and rain, we sustained some damage to the roof at the EMS building, mainly lost shingles which allowed some minor water damage to the garage area. These damaged areas have been repaired, but the roofing contractor recommends a roof replacement estimated at \$15,000.00.

The EMS Department operates as an offset receipt department which means we are funded by user fees, so the recent financial troubles the town has had doesn't affect EMS as much as other departments, but we strive to be fiscally conservative, although our revenues do cover our expenses.

I would like to thank the EMS employees, the other Public Safety agencies and town departments for their assistance during the year.

I hereby submit the annual report of the **Harbormaster/Shellfish Department** for the fiscal year 2007.

The following fees were collected for the Fiscal year:

A. Harbor Service permits	\$ 115,378.00
B. Recreational Shellfish permits	48,695.00
C. Commercial Shellfish permits	6,452.00
D. Tempest Knob boat ramp	10,210.00
E. Beach parking stickers	22,490.00
F. Transfer Station	38,550.00
G. Marion Tag Fee (CMW)	80.00

TOTAL REVENUE - \$ 241,855.00

The Shellfish Department has worked throughout the past year to enhance the shellfish propagation efforts of the town. During the summer of 2006 the department was able to raise 1.4 million 1mm Oyster seed, from the floating dock upwellers located at the Onset town pier. In the fall of 2006 the Oyster seed was broadcast around Onset Island and Sias point in an effort to help rebuild Oyster growing areas. In the spring of 2007 the town participated in the State shellfish relay program, which has permitted the purchase of 1000 bushels (representing approximately 400,000) mature quahogs. The majority of the quahogs were transplanted in the seasonally closed area of Broad Cove, and the Agawam section of Sunset Cove. These areas, which are Publicly accessible, should re-open November 1st upon approval from the Division of Marine Fisheries.

The Harbormaster Department, encompasses a large geographical area which includes fifty-four miles of saltwater shoreline and twenty fresh water ponds. The challenge of expeditiously responding to safety and law enforcement demands over a large land and water mass continues to be an area of concern. Our ability to constantly reallocate personnel between harbormaster and shellfish functions, has allowed us to mitigate our overall personnel limitations. The department continues to operate with a reduced staff, eliminating the department's ability for extended hours of operation on weekends, as well as patrol of the ponds. Due to budgetary constraints the departments seasonal staff was discontinued the beginning of September, a month earlier than normal.

The department once again sponsored the U.S. Power Squadron boating course during the spring, which was held at the town's multi-service center.

I wish to thank the board of Selectmen, Town Administrator, Division of Marine Fisheries, and my dedicated staff members for their support throughout the past year.

Respectfully submitted: Michael L. Parola
Harbormaster/Shellfish Constable

THE BOARD OF HEALTH

ANNUAL REPORT FY07

To the Honorable Board of Selectmen and the Citizens of the Town of Wareham:

The Board of Health hereby submits its annual report for the fiscal period July 1, 2006 to June 30, 2007.

The Wareham Board of Health administers and coordinates public health programs and services, enforces state and local public health regulations and sanitary codes including local regulations promulgated by the Board of Health.

Our responsibilities include subsurface sewage disposal plan review, installation and construction inspections, food establishment inspections and complaints, Chapter II housing inspections and complaints, motel and swimming pool inspections, beach water testing at all public and semi-public beaches. We issue all construction works permits, food handlers cards and license massage therapists, body art establishments and body artists. The Board of Health supervises the visiting nurses, which conduct health clinics immunization programs, communicable disease reporting and follow up and blood pressure screenings. The septic loan program is now administered by the Office of Community Development and is assisting approved property owners with low interest loans to upgrade failed septic systems and costs associated with abandonment of septic systems and connection to municipal sewage fees.

The Wareham Board of Health is a member of the Massachusetts Department of Public Health Emergency Preparedness Plymouth County Sub Regional Coalition, for purposes related to regional public health emergency preparedness including acts of bioterrorism, and outbreaks of infectious disease. We will continue our association with the Plymouth County Emergency Preparedness Coalition for the Department of Public Health and Homeland Security, relating to security issues and preparedness for continued education and training relating to security issues and preparedness. The Wareham Board of Health in conjunction with state and federal health departments are developing Risk Communication Plans, infectious disease emergency plans, continuity of operations plans, emergency dispensing site plans, and special population plans designed to address all public health emergencies. Cape Cod Visiting Nurse Association of Cape Cod was contracted to perform programs and services as of July 1st 2006 thru July 1st 2007. Services include Health Counseling, Blood Pressure Screenings, Wellness Presentations; Home visits to Adults/Seniors, Flu Clinics, and communicable Disease Surveillance and Follow-up investigations. The annual flu clinic was held at the Town Hall cafeteria and approximately 420 doses of vaccine were distributed. The annual employees health fair sponsored by the Board of Health took place in June and we would once again like to thank all those who participated and contributed from local businesses in town for helping make the fair a success.

The Wareham Board of Health has joined the Greater New Bedford Medical Reserve Corps for purposes of staffing Emergency Dispensing Sites in the event of infectious diseases or bio-terrorism incidents.

The following revenues have been recorded during the fiscal year 2007.

Counts:

Food Service: Retail Food Permits, Mobile Food Permits, Roadside Stands, All Food Service Permits (year round, seasonal, temporary & catering)
Tobacco Sales Permits, Food Handler Permits
\$40,349

Title V Related: Percolation Tests, Plan Reviews, Septic Installer Licenses, Title V Filing Fees, Title V Certificates, All Septic Installation & SSDS Repair Permits (new, Residential & Commercial), Variance Hearing Fees, Septic Installer Test Fees
\$69,975

Permits: Burial Permits, Funeral Directors, Stables, Wells, Pools, Body Art Permits, Tanning, Massage Therapy, B & B Units, Motels/Cabins, Mobile Home Parks, Lodging Houses, Campgrounds, Sewer Haulers, Rubbish Haulers
\$31,875

Miscellaneous: Public Information Requests, Copies, Chapter II Housing Inspections
\$2444

\$144,643 TOTAL

The Board of Health would like to thank the Board of Selectmen, Administration Offices, Wareham Police Department, Wareham Fire Department, Onset Fire Department, Municipal Maintenance, Wareham Senior and Social Services, Animal Control, Water Pollution Control, Wareham and Onset Water Districts, School Department, Recreation, Recycling, Wareham Housing Authority, Harbormaster's Office, Inspectional Services, Data Processing, all boards and committees and the citizens of the Town of Wareham for their support and cooperation throughout the year.

The Wareham Board of Health website is available @ www.wareham.ma.us/public_documents/warehamma_health/health

Respectfully Submitted,

Robert M. Ethier, Health Agent
Ralph R. Thompson, Chairman
Charles S. Gleason, M.D. Member
Deborah J. Rose, Associate Member



WAREHAM HISTORICAL COMMISSION

“PRESERVING THE FUTURE OF OUR HISTORY”

Wareham Historical Commission Town Report - Fiscal Year 2007

In Fiscal Year 2007, the Wareham Historical Commission (WHC) made significant progress in working toward our goal of becoming, from a historical preservation perspective, a Certified Local Government. The Certified Local Government Program allows municipalities such as Wareham to strengthen and solidify their local preservation efforts by achieving Certified Local Government (CLG) status from the National Park Service and the US Department of the Interior (DOI). Achieving this status is contingent upon a successfully completing a series of accomplishments on the part of the WHC and the town, as well as earning a recommendation to the DOI from the Massachusetts Historical Commission (MHC), to whom all materials are submitted.

The first requirement was satisfied in Fiscal Year 2006 when the WHC submitted and the MHC accepted the Architectural Inventory of Historical Buildings in Wareham that was prepared by several WHC members and the Public Architectural Laboratory (P.A.L.) of Rhode Island. The second component for certification is an Archaeological Reconnaissance Survey, which is currently in process by Craig Chartier, who has provided professional archaeological services to Wareham for a long time. The third tangible requirement is to have a professionally prepared Town Preservation Plan. The WHC applied for a Community Preservation grant to hire a preservation planner and that grant was awarded at Town Meeting in October 2006. The WHC hired preservation planner Eric Dray and he began the process of creating the plan, which will be finished during the first half of Fiscal 2008.

The last requirement to satisfy in the effort to achieve local certified government status is to build and maintain a communicative and cooperative relationship among the WHC, the Wareham Historic District Commission (WHDC) and the Wareham Historical Society (WHS). This was addressed in Fiscal 2007 by initiating a series of combined WHC, WHDC and WHS meetings. In these meetings, all three groups discuss their individual projects, share common concerns and initiatives, and provide the opportunity for the groups to assist each other, either by way of advice or by volunteer action. The combined meetings, held approximately every ten weeks, have been more valuable and opened up more avenues of communication than anyone could have anticipated.

When the Town of Wareham achieves the Certified Local Government status, we will be better able to record and protect our history. Additionally, sources of funding will be opened to Wareham that would not otherwise be available. National funding grants such as Preserve America and Commonwealth of Mass programs such as the Massachusetts Preservation Projects Fund (MPPF) typically only award their grants to CLG cities and towns. At present, there are only eighteen CLG municipalities in Massachusetts. For a small town such as Wareham, CLG status would be a rather important distinction, and provide us with opportunities to preserve and protect our rather large history. In the effort to provide as many sources as possible to help the WHC and the Town, the WHC has also joined the National Alliance of Preservation Commissions (NAPC). Membership in the NAPC will give the WHC valuable information, guidance and news on funding sources that are not only state and federal, but those that are of a non-profit or commercially funded nature as well.

The 2007 spring rains again raised the issue of the dangers of breaching both the historic Tremont Iron Works Dam and the Parker Mills Dam owned by the Town. Members of the WHC met with the Director of Municipal Maintenance, the Tremont Nail Master Plan Committee, and representatives from the Board of Selectmen as well as the Cape Cod Cranberry Growers Association to make everyone aware of the potential hazards and the further deteriorating conditions at both dams. The WHC provided pictures of the washouts occurring in front of the Tremont Iron Works Dam and asked that state engineers be contacted to inspect and evaluate the dams.

Craig Chartier, Director of Plymouth Archaeological Rediscovery Project (PARP), under the supervision of the MHC, surveyed the former Tobey Fearing Bliss cemetery on the Wareham Crossing Plaza property in 2006. In the spring of 2007, the WHC took possession of granite posts and bases that were found at the site, and has them in safe storage. The WHC would like to acknowledge the Municipal Maintenance Department for their professional efforts and assistance in recovering, transporting and storing these historic artifacts.

During Fiscal 2007, the WHC was called upon to lend our support to a number of historically worthy causes. The commission prepared letters on behalf of the Municipal Maintenance Department for restoring the slate roof on Wareham Town Hall and for both roofing work and preservation architecture evaluation at the Tremont Nail site. The Tremont Nail complex, currently owned by the town, was granted the prestigious National Register District status in October 1976. The WHC supports adaptive reuse of the Tremont Nail buildings, and has applied to PreservatiON Mass to include Tremont Nail in their Ten Most Endangered site list. WHC personnel attended the state preservation conference as well as the MPPF symposiums held at UMASS and at MHC headquarters in Boston. Having seen how successful adaptive reuse has been for cash-strapped Massachusetts's cities and towns, large and small, the WHC fully supports the adaptive reuse of Tremont Nail.

The WHC provided letters of support for the WHS CPA grant applications to preserve the Kendrick Museum and the Fearing Tavern. The WHC also stepped forward to protect the 18th century Dr. Andrew Mackie House when it seemed that the site was undergoing "demolition by neglect". The WHC called and contacted the mortgage company that owned the house and the WHC provided historical information to their senior personnel that detailed the high historical importance of the property and our wish to see it promoted to potential buyers interested in historic restoration. It is with great pride and joy that we report that under the new ownership, the Mackie House is well on its way to being restored to its former glory. Recently the new owners attended a WHC meeting to express their appreciation to the commission for our efforts on their behalf. In one communication from the mortgage company, their chairman related that he was impressed with our passion and devotion to historic preservation as well as our knowledge of town history and architecture. Finally, the WHC with the services of the Wareham Free Library researched a number of areas in town undergoing street name changes to facilitate better 9-1-1 response. Those recommendations were sent to the planning department.

The WHC Treasurer and the WHC Information Contact associate had developed and produced a Time Line of the History of Wareham in 2006, tracing significant people and events from the earliest days of habitation to the present. It was one of the most widely acclaimed portions of the WHC exhibit at the A.D. Makepeace Harvest Festival in October 2006. We hope to be able to enhance and digitize this Time Line in Fiscal 2008.

During the course of the last fiscal year, WHC made further progress in preserving historic buildings in Wareham. Recognizing that not all town history is municipally owned, the WHC Treasurer worked to prepare the On-I-Set Wigwam for nomination to the National Register of Historic Places and to seek Community Preservation funding to conserve this one-of-a kind structure. WHC members met on site with representatives from the On-I-Set Wigwam Co-Workers on several occasions to inspect the condition of the buildings and assess the immediate and long-term needs. Co-Workers from the Wigwam also attended WHC meetings to apprise the commission of their initiatives. They were most gracious in their praise of our efforts on their behalf and the depth of our commitment to preservation. The WHC also kept our good relationship active with the National Spiritual Association of Churches (NSAC), the owners of the On-I-Set Wigwam, in a series of letters.

The WHC took advantage of the steadily improving technology in the field of document scanning by digitizing the old Wareham Probate Cards and making that information available to the public on CD-Rom via town hall and the Library. The WHC also digitized the PAL Map of Wareham and has provided both electronic copies and printed enlargements to the Library and the Planning Department.

Through a series of correspondence with the owners, the WHC was granted the rights to have the Douglass Family Squaw Path Summer Journal digitized as well. Also known as the MacElmo Summer Journal, this handwritten and hand-drawn treasure detailed the history of the Douglass Family and their summer-long visits to Onset from 1883 through 1908. It is a comprehensive piece of Onset history that is truly "one-of-a-kind", and is available for review from the Wareham Free Library.

The WHC is proud to report that all members of the commission were in attendance for all sessions of Fall Town Meeting, and barring exceptional situations, were in attendance for all sessions of Spring Town Meeting as well. The dedication of the WHC members went beyond attending meetings, conferences and festivals. Our associates devoted hundreds of hours of their personal time to WHC-related and historically related endeavors, in the areas of photography, research and lending support to town projects and initiatives. Two individuals from the WHC have moved on to concentrate their historically related volunteer efforts for the Town of Wareham on other boards, commissions and volunteer groups. The movement of personnel also gives other citizens the opportunity to join the WHC, and to add fresh expertise, voices and ideas to the commission.

The WHC worked on a number of other projects as well, some of which are still in process. When they reach fruition or conclusion, they will be included in future Town Reports. We would be remiss if we did not recognize the financial generosity of all of the commission members. In times of budgetary constraints, it is gratifying to report that every member reached into their own pockets voluntarily to fund things such as materials, transportation, equipment and supplies. Such is the commitment and dedication of those who believe in preserving the future of our history in the Town of Wareham.

Respectfully submitted,

Fiscal 2007 WHC members:

James K. Mellon, Chairman

Barbara E. Bailey, Vice-Chair

Angela Dunham, Clerk

Susan A. Mellon, Treasurer/Representative to Community Preservation Committee

Malcolm Phinney, Liaison to Wareham Land Trust, Representative to Tremont Nail Master Plan Committee

Andrew Griffith, Information Contact

William A Hough

Len Boutin

Cc: Wareham Board of Selectmen
Massachusetts Historical Commission

TOWN OF WAREHAM
54 MARION ROAD
WAREHAM, MA 02571

REPORT OF THE INSPECTIONAL SERVICES DEPARTMENT

TO THE BOARD OF SELECTMEN:

During Fiscal Year 2007 the Inspectional Services Department has been very busy. During this time the department has brought in **\$539,070.62 in revenue** from **2,810 permits** issued, which are broken down as follows:

	PERMITS	REVENUE
BUILDING	1,065	\$ 364,001.60
PLUMBING/GAS	1,043	72,025.00
ELECTRICAL	702	95,388.00
OTHER PERMIT FEES		3,967.75
WEIGHTS & MEASURES		3,688.27
TOTAL.....		\$539,070.62

During this year we have issued permits for **83 New Dwellings** and we also issued permits for the following stores at the new mall:

TARGET	PETCO	LOWES
BEST BUY	LINEN & THINGS	OLD NAVY
MICHAEL'S	L.L. BEAN	STAPLES
RED ROBIN RESTAURANT		LONGHORN STEAKHOUSE

My department and I wish to express our thanks to the town officials and board members for their cooperation and assistance during the fiscal year.

Respectfully submitted

Theodore Misiaszek
Director of Inspectional Services
Zoning Enforcement Officer

WAREHAM FREE LIBRARY DIRECTOR'S & TRUSTEES' ANNUAL REPORT

Circulation for the fiscal year was 219,659 items. SAILS purged the patron registrations to weed out cards that have not been used in the past three years, which places our patron registration at 16,722. The library registers 80-100 new patrons each month.

The Reading Partners Program continues to grow, serving more and more residents in need of assistance in literacy. This program is for adult literacy and is coordinated by Deena Kinsky. The library received an LSTA Grant initially from the Board of Library Commissioners to set up and operate our adult literacy program. We have continued to operate the program with other grants and gifts, such as from the Makepeace Neighborhood Foundation and CEDA grants. This year we added a mathematics component to help those who are need of tutoring in all kinds of mathematics.

The library's Internet stations are a popular place in the library. Summer visitors have an opportunity to check their email and stay in touch with colleagues and family at home. However, most use is by students who are doing research for papers and seeking sources of information. Job hunters also rely on the library's access to the Internet as they search for jobs, and prepare resumes. Business people rely on the library's access to the Internet to place orders for supplies and inventory, invoice customers and seek sources for items they need for their businesses. Many of our residents do not have access to a computer and the Internet, so the library provides access they otherwise would be denied. We also provide workstations that people can use for word processing, and a LAN that provides access to several databases. Students use the equipment to prepare homework or write term papers, others find the workstations helpful when preparing resumes, letters and other papers. The staff is kept extremely busy answering both technical questions about the computers, as well as helping people sift through what can be a confusing array of information available on the Internet. Instruction is provided to patrons who wish to learn more about searching the online catalog, using the LAN or searching the Internet. The aim of the library is to provide access to as much information as possible by whatever means is available. Computers are not available in every household. At least with access in the public library, no one is left behind because they do not own a computer or have a connection to the Internet.

The summer program for the children was successful and fun. The theme was "What's Buzzin' at the Library." A number of creative programs were offered to area children. A magic show presented by Steve Rudolph was a "Salute to Reading." On July 18th George Scharr, bandleader from the Symphony Swing Band arrived in top hat and white tails to read to children of all ages about the Philharmonic Orchestra. One of the highlights of the summer was a performance by The Gerwick Puppets. The title of the performance was "Adventures from Thornton Burgess". The children were delighted, as woodland creatures seemed to come alive. August 2nd, Davis Bates & Roger Tincknell, two Parents' Choice Award winning performers, entertained the children. This musical duo presented "Earth Rhythms: A Celebration in Story and Song". August 16th, Alexander the King of Jesters delighted the children with a program of fun and magic. Craig Chartier worked with an audience of would-be archaeologists, with "Kids Dig Archaeology". Children had the opportunity to dig for items themselves using the methods of real archaeologists. All summer long several hundred children enjoyed crafts, storytimes, special performances and activities. Marcia Hickey, Children's Librarian, with the help of Rosemary Medeiros-Saber, Marilyn Lakin, Cathy Race and several hard-working, dedicated volunteers helped to assure that summertime was full of fun and reading.

The library continues to be the destination for 60-100 middle school children daily when school is in session. With no staff to work with this age group, it becomes a matter of keeping the library under control so that all patrons can enjoy the space. This is not a problem that can be easily solved, and certainly not with the town's budgetary constraints. This past fiscal year brought a reduction in the library's budget at the October town meeting, along with budget restraints for all departments.

The budget process for FY08 was a difficult one for all departments. The library budget was cut by 17.4%, there was a loss of 2 FTE employees, and we will have to seek a waiver from the Massachusetts Board of Library Commissioners to keep the library certified. We remain optimistic they will grant Wareham a waiver since we have never had to ask for one in the past and the Acting Town Administrator did the best he could with what he had to work with. All town departments struggle with greatly reduced budgets. The programs desired and the needs of the community are not being met under the current restraints. Sunday opening of the library and all day service on Saturday continues to be something patrons continually ask for. However, FY08 will have a reduced schedule at the library. More computers are also desired, however the costs associated are not within reach of the current budget. The library remains dedicated to serving the community the best that we can within the constraints of the town's budget. Many other departments have pressing needs as well.

There is insufficient space to list all of the volunteers who shelved books, covered and processed books, repaired worn books and assisted with programs. These wonderful volunteers gave hundreds of hours of free time to the library. Without their support the library would not have been able to provide its many services. Some of these volunteers have worked for the library for several years. The Trustees of the Library held a Volunteer Recognition dinner to honor everyone. The volunteers range in age from grade school children to senior citizens.

Thanks also must go to those who have made generous donations to the library. These donations come as monetary gifts as well as gifts of books. This has been beneficial to the library as we continue to improve the collection. We are very grateful to all those who have supported the library so generously.

The Friends of the Library and the Trustees have continued to improve service to the community over the past year with gifts, programs and special events. One Saturday each month the Friends of the Wareham Free Library hold a book sale. In addition, the Friends hold their annual book sale in July. The proceeds from the sales go toward providing special speakers and programs for the library. The Trustees and Friends contribute both time and money to the care and keeping of the library grounds and the building. Their contribution to the town is critical, since the town budget cannot provide the money for computers, programs, special collections, and community events.

STAFF – Full Time	STAFF – Part Time
Mary Jane Pillsbury, Director	Mary Beth Cormier, Library Assistant
Victoria Allard, Adult Services Librarian	Lea Marie Gordon, Library Assistant
Marcia Hickey, Children's Librarian	Christine Hoffman, Library Assistant
Kathy Murphy, Technical Services Librarian	Rosemary Medeiros-Saber, Children's Assistant
Susan Pizzolato, Reference Library/Assistant Director	Marilyn Lakin, Page
Cathy Race, General Services Library (resigned)	Barbara Miller, Page (resigned)
Lynda Byrne, Library Assistant/Local History/Genealogy	Ashlyn Pierce, Page
Parry Neal, Library Assistant/Reference	Megan Oates, Page
Wayne Sellars, Custodian	

TRUSTEES	
John Lanci, Chairman	Martha Maguire
Mary Nyman, Vice Chairman	Marsha Markir
Diane Lazarus, Treasurer	Jack Murphy
Michelle Baum, Secretary	Priscilla Porter
Yelena Beaupre	Hazel Taber
Ann Bower	Sandra Wheeler

REPORT OF THE MUNICIPAL MAINTENANCE DEPARTMENT

Honorable Board of Selectmen:

I hereby submit my report for the fiscal period July 1, 2006 to June 30, 2007

The reconstruction of Hunter Avenue, Shore Avenue, Swifts Beach Road, along with the installation of a new drainage system and construction of a sidewalk on Charge Pond Road became 100% complete in fiscal year 2007. The reconstruction of Cromesett Road is 80% complete with the intersection of Cromesett Road and Rte.6, remaining to be completed. Crack sealing road work was done on Hathaway Road, High Street and Cromesett Road. The design phase for reconstruction road work for Agawam Beach Road and the design phase for the reconstruction of Wareham Lake Shores is approximately 10% complete. The Stormwater Remediation project for Agawam Beach was also completed through the Chapter 90 program. These road repairs and reconstructions projects are funded through the Chapter 90 program, which is funded through the state and are 100% reimbursable.

With the assistance of Deborah Correia, my Administrative Assistant, four projects were originally prepared and presented to the Community Preservation Committee requesting funds for the restoration, repair and preservation of the Town Hall Slate Roof, Parker Mills Pond Dam, Tremont Pond Dam and the restoration of the office building and roof study for the remaining roofs on the buildings located in the Tremont Factory. The restoration of the Memorial Town Hall Slate Roof project and the restoration of the Office building/roof study were presented at Town Meeting in the spring. Due to a lack of quorum, these projects will appear in the fall Town Meeting for approval. Parker Mills Pond Dam and Tremont Pond Dam are being monitored and inspected by Pare Engineering on an annual basis. These projects are currently under review by the Community Preservation Committee. The Administrative staff, Mary Healy and Anna Davis, continues to work diligently and effortlessly in a heavy workload environment.

The Highway and Tree Division, which is under the supervision of Glenn A. Barrows Sr., continues with roadside trimming and catch basin cleaning, as often as staffing allows. Due to financial constraints, the seasonal laborers were eliminated this year, leaving this department with a minimal work force. At this time, the Municipal Maintenance Department has a work force of twelve men who maintain all entities of this department. Street sweeping and road grading continues with some of the more serious catch basins throughout the town being reconstructed and repaired. A drainage system was also installed in the parking lot at Little Harbor beach. Monthly brush attendance continues the first Saturday of each month at our compound on Charge Pond Road.

The Park and Cemetery Division, under the supervision of Frank D. Bergamasco, maintains beach cleaning on an as-needed basis during the summer season, along with mowing, trimming and trash pick up. They also continue to assist and support many of the local festivals held throughout the summer season setting up and cleaning the parks after the festivals. As with the Highway department, the seasonal laborers were eliminated this year. The additional employees assisted with maintaining the cemeteries, mowing, preparing for the festivals and other various types of manual labor. Due to the omission of these seasonal laborers the Municipal Maintenance Department has worked very diligently maintaining all aspects of the Cemetery and Park divisions on their own

The Equipment Maintenance Supervisor, David M. Menard, along with the Master Mechanic continue to keep the Municipal Maintenance fleet up and running, to my amazement, due to the age of the fleet and the inability to replace some vehicles which have out live their life expectancy. They repair all town vehicles on a full time basis expeditiously and efficiently, as well as, assisting with some of the repairs with the school department's and police department's vehicles.

The snow and ice season had a minimum snowfall this winter. It has been a record year for warm weather which many people claim is due to global warming. Still due to some storms and black ice the snow and ice budget was \$50, 419.54 in deficit. Two crews represented the Town of Wareham at the Plymouth Snow Plow Rally with two of our employees taking first place for front plow mounting and pre-trip inspections.

There are approximately 1,669 street lights through out the town and 111 period lights in the village of Onset. The cost of electricity for these lights has resulted in a deficit of \$21,000 for the year. Republic Electric continues to repair the various light problems which transpire within the Town. An energy consultant, Silent Sherpa, was hired to assist the Town with obtaining new suppliers for both electricity and natural gas. Silent Sherpa will assist the Town with contracting with the lowest supplier, which will result in substantial savings for the Town of Wareham in electricity and natural gas costs.

The Town Buildings Division, under the supervision of Joseph P. Edwards, continues to provide excellent custodial services to the town in a prompt, courteous and professional manner. The buildings under this entity consist of; Town Hall, Multi-Service Center, Police, Library, Old Town Hall, Comfort Station and the Municipal Maintenance Building. With only five custodians to clean, repair and maintain all these buildings, Mr. Edwards and his men should be acknowledged for thier diligence and hard work. The Custodian's hours of operation have been changed. All except for one, the remaining custodians now work during the day. This change reduces the amount of overtime and allows the custodians to be more efficient and productive in their day to day performance. Three energy efficient boilers were installed in the Library this year, as well as, preparing, renovating the gym area in the Multi-Service Center and completing the project by laying a new tile floor.

I want to take the time to also acknowledge and thank Deborah Correia, my Administrative Assistant, Glenn Barrows, Highway Foreman; Frank Bergamasco, Cemetery Foreman; Dave Menard, Vehicle Maintenance Supervisor. Their work ethics, dedication and quality of work are valuable assets to this department. I want to thank the remaining crew of the Municipal Maintenance Department, as well as, Town Buildings, and the Water Pollution Control Facility for their diligence during these trying times. With limited staffing and budget constraints, their hard work and dedication is truly appreciated.

Respectfully submitted,
Mark Gifford
Director of Municipal Maintenance

/djc

REPORT OF THE CEMETERY COMMISSIONERS

Honorable Board of Selectmen:

I hereby submit my report for the Cemetery Commissioners for the fiscal period July 1, 2006 to June 30, 2007.

The 2006 Cemetery Commissioners are as follows:

Chairman	Mary Jane Pillsbury
Clerk	James Potter
Member	R.Renee Fernandes-Abbott

Total interments for the year 2006 were:

Centre Cemetery	21	
Agawam Cemetery	18	
Total Internments	39	(12 of which were cremations)

A total of 12 foundations were laid in place in 2006.

The cemetery division collected a total of \$42, 204.33 in fiscal 2007.

A breakdown is as follows:

Sale of Lots and Graves	\$20,000.00
Perpetual Care	\$ 9,600.00
Deeds	\$ 20.00
Internments	\$17,350.00
Foundations	\$ 1,437.33

My thanks to Frank Bergamasco, Cemetery Foreman and the Union employees of the Cemetery Division of the Municipal Maintenance Department for their dedication in keeping the cemetery grounds beautified and maintained.

Respectfully submitted for the Cemetery Commissioners,
Mark Gifford
Director of Municipal Maintenance

/djc

WAREHAM POLICE
DEPARTMENT
ANNUAL REPORT

“Leadership is an opportunity to serve. It is not a trumpet call to self-importance.”

J. Donald Walters

During the past year, the Town has found itself faced with very serious financial shortfalls. The Town is only allowed to increase its tax levy by a maximum of 2 1/2% annually. Unfortunately, the respective costs of medical health care, retirement assessments, contracted services, fuel costs, and annual salary adjustments have increased through the years at rates ranging from 2 to 6+%. The Town’s operating costs have now exceeded its revenue stream, leaving two options. The Town can vote for some form of override or it can cutback the level of services it provides.

The Police budget, like all others in Town, has been substantially reduced. While most of our cutbacks have been implemented gradually over the last year, they will be felt most in the next fiscal period. In order to meet these reduced funding levels, we have had to cut all non-essential, part-time and seasonal personnel. In October of 2006, we also implemented a number of changes that reduced the level of services we now provide to the public. While we continue to log all calls, we no longer do reports for a variety of calls and no longer send an officer out for minor incidents or where alternative options are available. This reduction in services is necessary where our calls for service continue to rise but we find ourselves with less and less officers to handle those calls.

Despite these unfavorable cuts, I wish to assure the Town that we have, and will, continue to respond to all emergency calls in a timely fashion. It is our continued goal to

provide the highest level of professional services that we can with the resources available. Notwithstanding certain false claims to the contrary, I further attest that we have taken no action to maximize the negative impact of these cuts nor have we attempted in any way to cause any unnecessary hardship or inconvenience to the public. I am exceptionally proud of all of our staff, who have stepped up and done their best to fill in the gaps during these hard times.

This year Kevin Walsh was permanently promoted to the rank of Sergeant. He replaced Sergeant Grady who left the Department. We were able to fill our last 3 vacancies with Blaise Lalli, Michael Phinney and Joseph Cardoza, all of whom had worked previously as Permanent Intermittent officers. Ms. Linda Gaudette and Mrs. Pamela Smith of our Records Division were laid off as a result of our budget cuts along with Mr. Tim Walsh from Building Maintenance.

The Detective Division processed 389 cases this past year. This represents a reduction of the more than 200 cases that had previously been initiated as a result of having a School Resource Officer in the school system. The unit affected 101 arrests, initiated court action on an additional 97 cases, they had 44 cases suspended and 21 that were pending further investigation. The Detectives conducted 1 background investigations, handled 26 sexual assaults, 1 murder; 17 suicides or unattended deaths; 63 B&E cases; 152 larcenies; 2 arson fires; 9 armed robberies; 14 fraud cases; 22 forgery matters; and 1 bomb threat.

The Detective Division has continued its cooperative effort with state, federal and other local agencies. They again undertook security for the Cape Verdean Festival last year and were assisted by Boston PD, Mass. State Police, M.B.T.A. Police, New Bedford PD, Brockton PD and State Parole Officers. Our affiliation with the DEA Drug Task Force has resulted in the execution of 14 search warrants resulting in 26 arrests, and the seizure of cash and other assets that will benefit the community.

The Department processed 13 Internal Affairs complaints, 11 of which were made by civilians and 2 by police personnel, with 1 being made against two or more officers, 3 being made against the Department in general and 9 against individual officers. Three complaints were *sustained*, 5 were *unfounded*, and 5 were *not sustained*. Discipline for sustained infractions included verbal and written reprimands, and a suspension.

I am honored to report that the following individuals received a Distinguished Service Award, listed chronologically by the date of the event. Too often, specific actions go unnoticed outside of the department and I believe the public will share my respect for the outstanding efforts exhibited by each of these individuals:

Sergeant Glen R. Gifford	08/09/06
Adm. Asst. Cassandra Cassidy	10/30/06
Disp. Suprv. Peter M. Murphy	10/30/06
Detective William deSilva	02/20/07
Detective Dennis Damata	02/20/07
Patrolman Michael Smith	02/20/07
Patrolman William Fihlman	03/07/07
Patrolman Brian Whalen	03/16/07
Patrolman Brian Berriault	03/16/07
Patrolman Blaze Lalli	03/16/07
Patrolman Alan Courchesne	04/03/07
Dispatcher Edward Johnson	04/27/07
Patrolman Brian Berriault	06/27/07
Patrolman David Simmons	06/27/07
Patrolman Herbert Noble	06/27/07

The **Animal Control Department**, a division of the Police Department received 1,184 direct phone calls, responded to 917 incidents, of which 41 were emergency responses. In addition to calls for service, 24 stable/barn/building inspections were conducted involving 159 animals, 26 quarantine orders issued for dogs, and 16 animals were tested for rabies with 1 positive report. The Animal Control officers also assisted on drug raids where dogs were deemed to be a threat to officer safety, assisted the Harbormaster with shore birds

or beached marine life, and sponsored a rabies clinic which vaccinated 75 dogs.

In closing, I wish to thank the Office of the Town Administrator, and all of the other Town and District Departments, and municipal agencies that have assisted us throughout the year. I wish to especially thank each and every member of the Department for their continued commitment and dedication to professional law enforcement.

Respectfully submitted,

Thomas A. Joyce, Chief

ADMINISTRATION

Chief Thomas A. Joyce
Lieutenant Irving I. Wallace, Esq.
Lieutenant Arthur J. Brightman
Lieutenant Donald R. Bliss
Administrative Assistant, Cassandra Cassidy
Clerk, Linda Gaudette Clerk, Pamela Smith
Information Technician, Stephen D. Rogers

DETECTIVE DIVISION

Sergeant Preston C. Urquhart

Wayne M. Sylvester
Walter W. Correia, Jr. Peter F. Flannery
Dennis A. Damata William C. deSilva
Susan J. Kucinski

PATROL SERGEANTS

Bradford J. Bulgar Glen R. Gifford
William D. Delaney Douglas J. Jacinto
John A. Walcek Kevin D. Walsh

PATROL OFFICERS

Paul W. Fluegel	Mary M. Walker
Richard R. Robidoux	Stephen J. Kearney
Ralph A. Scichilone	Christopher J. Park
Allan L. Courchesne	Stephen K. Joy
Peter F. Silvia	Daniel J. Henderson
Zina M. Kelsch	Karl S. Baptiste
Daniel J. Flaherty	John E. Gerard
George C. Dionne	Gary E. Lopes, Jr
Michael F. Smith	William E. Fihlman
James M. White	John R. Iacobucci
Dean J. Decas	Charles H. Pillsbury
Herbert P. Noble	Christopher R. Smith
Paul T. Somers	Jon J. Verhaegen
Bryan T. Berriault	Jennifer L. Braley
Bryan M. Whalen	David F. Simmons
Kevin A. Reilly	Blaise Lalli
Michael D. Phinney	Joseph J. Cardoza, Jr

DISPATCHERS

Peter M. Murphy, Supervisor

Edward E. Johnson	Michael A. Bird
Sabina B. Flaherty	Judith L Holleran
Christian E. Tobia	Paul Gould
Samantha Gomes	

PART-TIME OFFICERS

William Amaral	Joseph Cardoza
Edward J. Clements	Robert Feeney
Janel Hoover	William Kelly
Steven LeBlanc	David Melo
Andrea Monaco	Michael Phinney
Christine Souza	Ronald T. Walker

CUSTODIANS

Donald Lake	Timothy Walsh
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Cases and Complaints Investigated

<u>Offense</u>	<u>Reported</u>	<u>Cleared</u>
Murder	1	1
Rape	8	5
Robbery	22	15
Assault	316	253
Burglary	251	201
Larceny	506	405
M/V Thefts	48	39
Other Activity	<u>31430</u>	<u>25144</u>
Totals	32582	26063

Male:1645
Female:.....509

Persons Summoned549
Warrant Arrests280
Other Arrests859
Incapacitated Persons 466
Total2154

Persons Locked Up By:
Marion.....31
Rochester.....13
Total44

M/V Accidents Investigated731
M/V Accidents with Injuries.....183
Fatalities2
Citations Issued.....1046
Parking Tickets Issued672

DEPARTMENT ACTIVITY

Court Action

Guilty Findings:106
Not Guilty Findings30
Released to Other Agencies13
Continued for Finding & Disposition180
Cases Filed25
Dismissed for Lack of Prosecution13
Persons Placed on Probation:25
Jury Trials44
Juvenile Cases Initiated.....131
Diversion Program or Community Service.....9
Charges Dismissed by Court.....375
Persons Committed to Jail25
Suspended Sentences:9

Fines Imposed	\$3,406.00
Court Costs Imposed.....	\$10,250.00
Restitution Ordered.....	<u>\$11,740.35</u>
Total	<u>\$25,396.35</u>

Revenues Generated

Civil Motor Vehicle Infractions....	\$52,230.00
Detail Service Fees	\$69,891.46
Default Removal Fees.....	\$1,625.00
False Alarm Fees.....	\$1,140.00
Lock-Up Fees.....	\$2,700.00
Onset Pier.....	\$25,445.82
Parking Tickets	\$12,250.00
Pistol Permits	\$42,825.00
Photostat Copies.....	\$3,945.55
Miscellaneous	\$693.00
Monies Collected from Court	<u>\$11,611.00</u>
Total Revenues	<u>\$224,356.83</u>



Wareham Recycling Annual Report – Fiscal Year 2007



Summary: The Recycling Program realized a strong year in FY 2007 despite continued budget constraints. The number of Recycler visits reached a new high of 4736 for the year. Volunteer support also reached a new high of 1198 hours donated to the cause and helping make the operations of the program a success. Open-meetings of the Recycling Committee are presently held on the 2nd Thursday of each month at the Multi-Service Center at 7:00 p.m. The Committee recently filled the long open Chairman's position by selecting Ellen Nelson, a newcomer to town but a dedicated recycler, environmentalist, and attorney.

Our Coordinator, Ilo Howard, is still attempting to get accurate tonnage figures from all haulers, SEMASS, and the Carver, Marion, Wareham Regional Refuse District (CMW), but with reduced hours (10/week) this has made it difficult to follow-up as needed. Recycling tonnage for the Town is estimated at a minimum of 802.92 tons, which includes the Volunteer Center, ABC, and what the Coordinator has been able to find out from other involved units. Trash tonnage was up this year to 14,157.64 tons. The following report details the individual functions of the Center and provides information on all aspects of the Recycling Program.

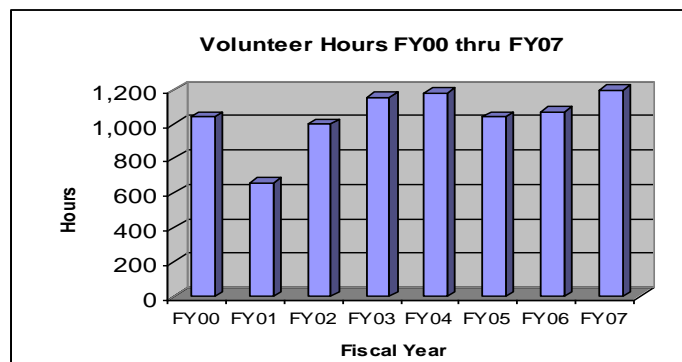
Hours of Operation: The Recycling Center opens to the public Saturdays from 9am to 1pm and on Wednesdays from 1pm to 3pm.

Center Operating Budget: The Town appropriates funding for the Recycling Coordinator's salary and supplies, and necessary utilities at the Volunteer Center. Other expenses are covered primarily by donated returnable bottles (with mega-thanks to our generous supporters).

Fees: White Goods (\$15 per unit or \$20 with refrigeration), Tires - \$2.00, Rims - \$1.00 and Paint \$1.00 per gallon. All fees are subject to change depending on disposal related costs.

Volunteers: The volunteers remain committed to the Program. There are total of 19 volunteers of which at least 2 are on duty during open hours. They maintain the area by mowing and keeping the site clean and safe as requested by the Site Coordinator, Jack Dixon. Volunteers, under coordination of Marilyn Field, put in 1,198 hours in the past fiscal year, which created a value of \$8,985.00 to the Town at minimum Town wages (useable figures for grants).

Weather related and holiday closures were at a minimum this year.

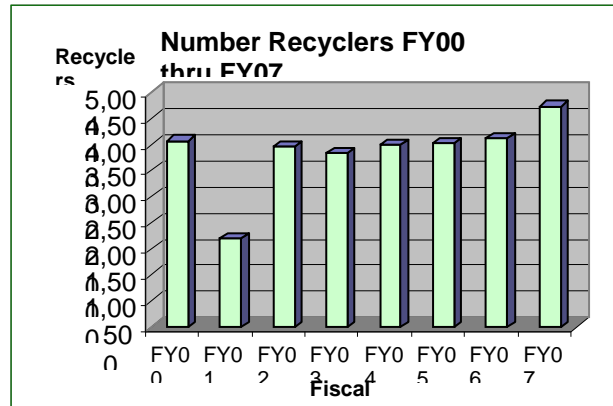


Area Use: The public made a total of 4,736 visits to the Center in fiscal year 2007. This compares with 4,119 from fiscal year 2006.



Recycling Results:

Wareham recycled over 802.92 tons of material through the volunteer staffed Drop-off Recycling Center or through ABC's contractual obligations for curbside operations. In addition, this figure includes what the Recycling Coordinator has been able to ascertain from other sources. Despite limited hours, the center collected recyclables consisting of magazines, newspapers, office paper, cardboard, mixed glass, #1 through #6 plastics, and steel/tin cans.



Working with **GOT BOOKS**, new recycling tonnage brings in additional revenue for each ton of books, records, CD's, DVD's and other items collected in a month to help defray expenses in running the Volunteer Recycling Drop-off Center.



Packing "peanuts" continue to be collected and redistributed (recycled) for free to local businesses and/or individuals on request. Over 180 tires and 81 rims were collected and recycled. The Center collected 100 tons of white goods for the Town, 141 gallons paint, and 37 auto batteries. Wareham was able to dispose of 4,905 pounds of hazardous materials on the Annual Hazardous Day. The new Sharps Recycling project (in cooperation with the Board of Health) collected at least 3 cartons of used needles for authorized return.

Recycling Outreach Programs:

The persuasive efforts of the Recycling Coordinator brought the Program excellent exposure and increased public awareness about recycling throughout the Wareham community. Committee member Jennifer Gady was successful in getting the staff at the Gleason Family YMCA to utilize the Volunteer Recycling Center. The custodian now brings YMCA recyclables to the Volunteer Drop-off Center. Volunteer Bud Godfrey has been a Wednesday constant for several years, which has enabled us to maintain the mid-week hours for the convenience of businesses and individuals.

Outreach programs and efforts have been decreased due to the reduction of the Coordinator's hours caused by a tight Town budget. Anyone interested in taking part in the development of Community Gardens, especially for those in mobile home parks or for elders and/or disabled residents should be in touch with the Recycling Coordinator.

Recycling Coordinator's Comments:

Be sure to give each Recycling Volunteer a big thank-you for the extra effort they all provided this past year. Above all others, however, we have Jack Dixon to thank for **his 351 hours** of volunteer service mowing lawns, working with all volunteers, and his extraordinary ability to keep his sense of humor even while responding to the Recycling Coordinator's calls for help. Many of those involved with the Center want to rename the present site to The John Dixon Volunteer Recycling Center. That way we would be sure we had him to count on for a long time to come.



MOST VALUABLE VOLUNTEER - 2007

Since the closure of the Marion dump/transfer station, the Recycling Coordinator has had to handle an extremely high number of calls from residents asking for methods of disposal for trash, household materials, and hazardous waste. Information, when received, was provided to callers and the Recycling Committee for public awareness efforts.

The Recycling Coordinator again recommends that Town officials find ways to improve timely coordination among the departments and agencies involved in waste disposal and recycling efforts. This would improve recycling participation, record collecting, and more timely communications between them and the public. A central point for disseminating public information on all types of disposal and recycling could be made available at the existing Recycling Committee section on the town's website which was established and presently maintained by the Recycling Coordinator. The appropriate contact(s) and phone numbers for any questions that residents may have about trash disposal dos and don'ts, recycling, hazardous waste, etc., would be in together. Newcomers and old-timers alike would very much appreciate such a Town Booklet, which would include information on recycling and other Town services for them. The booklet could be made available at Town Hall, the Library, and the Chamber of Commerce on Main Street.

Media coverage has been excellent with articles appearing in all local papers and on cable. The Coordinator's efforts have increased in an attempt to keep recycling in the forefront of the public's eye and to gain more volunteers to help with education programs as well as Recycling Center help. The Committee has already enlisted several new volunteers and increased resident participation, much of which can be attributed to the information provided answering phone calls, providing to media outlets, word of mouth -- but most importantly it is provided through the actions of our cheerful, supportive, and friendly volunteers helping all who come to visit.

Submitted by Recycling Committee:

Ellen Nelson, Committee Chair	Marilyn Field, Volunteer Coordinator
David Rutledge, Tire Collection Coordinator	Jennifer Gady, Committee Member
John Dixon, Center Coordinator	Charlene Price, Secretary
Sherman Gleason, Public Health Representative	Ilo Howard, Recycling Coordinator

BOS Liaison – John Cronan

THE ANNUAL REPORT OF THE SUPERINTENDENT OF SCHOOLS

Staffing and Enrollment

The Wareham Public Schools currently enroll 3,325 students and employ 280 teachers and 228 support staff including administrators, paraprofessionals, secretaries, custodians, fields/grounds workers, technicians, cafeteria workers, bus drivers, mechanics and monitors.

By grade level this year's enrollment is as follows:

Pre-school -	59
Kindergarten -	239
Grade 1 -	266
Grade 2 -	238
Grade 3 -	248
Grade 4 -	248
Grade 5 -	239
Grade 6 -	265
Grade 7 -	318
Grade 8 -	247
Grade 9 -	293
Grade 10 -	222
Grade 11 -	243
Grade 12 -	192
Grade 13 -	8

Academic Performance

MCAS reports received in the fall indicate continuing issues with math scores at the Middle School. On the positive side, Minot Forest School has succeeded in making sufficient progress for two consecutive years and is now no longer in need of improvement. Decas School, which was initially identified as needing improvement, was ultimately shown to have made AYP. The High School continued to score above expectations.

The second administration of the Stanford Achievement Test took place in the fall as a post test to measure individual progress. Overall, district results indicate significant progress when measured in this way.

The district is continuing its after school care program for elementary and middle school students and its high school mentoring program along with the expanded Junior-Senior Alternative High School. These programs address the academic needs of individual students with personalized attention, supplemental instruction, and life counseling. We are able to offer these much needed supplemental programs through competitive grants, our school choice program and fund raising.

Staff Development

Staff development began in mid August with a three day administrative institute focused on literacy instruction across all grade levels, followed by staff training with Dartmouth, Bourne and Barnstable on Data Analysis. Our mentor and new staff orientation was conducted at the end of August. Our first all staff in-service was held the last week of August with over forty separate workshops.

Training in literacy instruction, math, and literacy learning centers has continued after school all year. Standing committees on science, math and literacy are in place and meeting regularly to design internet based lesson plans.

In partnership with UMass Dartmouth, the district has conducted a graduate level course in technology integration.

Forty administrators and teachers participated in training to conduct Performance Improvement Mapping using data analysis, the PIM process. This process meets the Department of Education requirements for the district to design an action plan in response to the corrective action status of the Middle School.

Community Involvement

The fall town meeting demonstrated major support for the school department's efforts to deal with the Town's fiscal crisis. The schools also gained community support for its motions to restore funds to the police department for a school resource officer and to apply community preservation funds to school capital projects.

The school department hosted a reception for the Cape Verde Minister of Education, President of Cape Verde Public University, Minister for Higher Learning, Bridgewater State College officials and Wareham School and community leaders.

The school district has established a community service learning project with the Wareham Library and Wareham Cooperative School to establish a reading program for young children and to build a LAN program for the town library's computer system.

The Superintendent and School Committee Chair attended meetings and provided analysis and comment on the proposed 40B housing complex on Main Street as it relates to school population and school transportation.

The Superintendent published four school newsletters informing the community of school issues and providing information to voters at both town meetings.

Facilities Resources

➤ Financial

- After endless hours of analysis, meetings, debate and political activism, the school department managed to adapt to a sudden and unexpected drop in

town revenues. Despite the huge change in fortunes, we were able to devise a plan to adapt to the loss of hundreds of thousands of dollars in our budget.

➤ Grants

- The school department received a continuation of its afternoon care program grant. We also received grants to continue our high school mentoring program, which incorporates wide ranging community involvement. The Wareham alternative school was expanded with the help of a state grant and a donation from the Makepeace Foundation.
- The school choice program was expanded based on its successful implementation last year.
- The School Committee and the Superintendent attended the legislative breakfast at UMass Dartmouth to support our educational interests.

➤ Facilities

- Bids for the track, Spillane Field and the tennis courts were awarded utilizing CPA funding for capital projects.
- New fencing for Spillane Field and a well for irrigation have been completed.
- New boilers at East Wareham School and Ethel E. Hammond School are nearing completion.

Our greatest challenge at this time is the rapidly deteriorating fiscal projection for next year. Much work is ahead of us in terms of analysis, negotiations, educating the voters and dealing with the political process leading to our future budget numbers.

Dr. James D. Collins
Superintendent of Schools

TREASURER/COLLECTOR

Professional Office Staff:

John D. Foster, Treasurer/Collector
Tracy Donovan-Lynch, Asst. Treasurer/Collector
Melissa Bourne, Department Assistant III
Leona Cleveland, Department Assistant III
Colleen Crook, Department Assistant III
Paula Ewan, Department Assistant III
Joni Martini, Department Assistant III

Fiscal Year 2007 continued on an extremely busy and productive pace for the Treasurer/Collector's Office. The total amount of Fiscal Year 2007 tax collected as of June 30, 2007 was \$30,901,928.16. Included in this total was \$3,556,817.34 collected and turned over to the Wareham Fire District and \$1,353,444.96 collected and turned over to the Onset Fire District.

The total amount of Fiscal Year 2007 Personal Property tax collected as of June 30, 2007 was \$540,222.44. This total includes \$68,296.83 collected and turned over to the Wareham Fire District and \$17,365.70 collected and turned over to the Onset Fire District.

The total amount of Tax Title, Interest, and Fees collected for the Town was \$728,396.26, Wareham Fire District \$59,471.25 and Onset Fire District \$22,820.13. The town foreclosed on 13 properties with outstanding tax title, interest and fees totaling \$397,118.38. These properties are now considered tax possession properties and are listed below.

Assessors' Map & Lot	Street Location	Date of Foreclosure
Map 133A, Lot 112	18 Mallard Road	09/18/2006
Map 133A, Lot 113	20 Mallard Road	09/18/2006
Map 133A, Lot 114	22 Mallard Road	09/18/2006
Map 133A, Lot 115	9 Wren Terrace	09/18/2006
Map 115, Lot 1010	Route 25	01/04/2007
Map 72, Lot 1005	64 Squirrel Island Road	01/17/2007
Map 50F, Lot 141	18 Allen Avenue	02/12/2007
Map 1, Lot 533	234 Onset Avenue	02/13/2007
Map 9, Lot E3	Onset Avenue	03/12/2007
Map 9, Lot E4	Onset Avenue	03/12/2007
Map 9, Lot E5	4 Carol Road	03/12/2007
Map 9, Lot E7	Carol Road	03/12/2007
Map 58, Lot C7	43 Hathaway Street	03/20/2007

The Treasurer/Collector's office is also responsible for collecting fees. The account titles and their respective fiscal year 2007 totals are indicated below.

Bourne Sewer Usage – Charges for Services	\$ 300,058.20
COA Day Care	36,010.00
Chapter 61A Rollback Tax	754.79
Leased Property – Other	4,000.00
Manufactured Home Fees – In lieu of Tax	155,163.00
Misc. Revenue – Other Income	42.00
Municipal Lien Certificate Fees	34,225.00
Shellfish Grant Revenue	2,044.50
SEMASS – Charges for Services	201,229.10
Septage Disposal – Charges for Services	293,242.75
Sewer Betterment Apportioned	320,362.45
Sewer Betterment Committed Interest	148,382.28
Sewer Betterment Unapportioned Principal	339,765.54
Sewer Betterment Unapportioned Interest	10,678.60
Sewer Liens	221,518.27
Sewer Lien Committed Interest	18,864.07
Sewer Lien Certificate Fees	252.00
Sewer Usage	4,460,307.86
Title V Release Certificates	12.00
Title V Unapportioned Principal	19,486.30
Title V Unapportioned Interest	727.70
Water Lien Certificate Fees	160.00
WFD – Betterment Apportioned	87,489.33
WFD – Betterment Committed Interest	84,741.85
WFD – Water Liens	6,967.31
WFD – Water Betterment Unapportioned Principal	64,409.00
WFD – Water Betterment Unapportioned Interest	<u>3,443.50</u>
	\$6,814,337.40

In addition to collections, the Treasurer/Collector's office also serves as the Town of Wareham's cash manager. In this role the office maintains custody of all municipal funds and possesses responsibility for the deposit, investment and disbursement of these monies. The office must administer the town's resources to ensure the availability of adequate liquid assets to pay obligations as they become due. Our office also plays a principal role in municipal borrowing, managing tax title accounts and supervising tax foreclosure proceedings.

Submitted with this report is one copy of the town's fiscal year 2007 quarterly cash report and one copy of the town's outstanding debt by fiscal year as of June 30, 2007.

Veteran's Council

The Veteran's council has worked throughout the year in assisting Veterans and their dependents with answering their V.A. questions.

Along with the help from the students at Decas School we were able to place flags on the graves at Center Cemetery. The students from the Middle school helped place flags on the graves at the Agawam Cemetery. The Veteran's council placed the flags on the graves at the St. Patrick's cemetery. The Veteran's council is thankful for the students for their help and could not have done it without them. The council also has placed wreaths on the highways and on the monuments around town.

The Veterans council is planning on ordering flags and grave markers to place on the graves for Memorial Day. We are also busy planning ceremonies and parades for Memorial and Veterans Day. On even years the parade is held in Wareham and on odd years it is held in Onset.

Memorial Day is a day of remembering those who have paid the supreme sacrifice and also for those have gone before us. The average age of the council members is 75 years or older.

James B. Newman, Chairman

Report of the Water Pollution Control Facility

Honorable Board of Selectmen:

I hereby submit the report of the Water Pollution Control Facility for the fiscal period July 1, 2006 to June 30, 2007.

This department has continued to see many changes occur during this fiscal year. The new upgraded water pollution control facility has been in full operation for over a year and is operating quite efficiently. The construction of the Rose Point and Briarwood Beach sewer projects were completed and residents began connecting to the new collection system in the spring of 2007. The design work for Tempest Knob, Agawam Beach, Parkwood Beach, Oakdale, Cromesett Park, Linwood Ave, Ladd Ave and Mayflower Ridge is nearing completion and the town appropriated \$20,000,000.00 at the April Special Town Meeting for the purpose of constructing new sewers in these areas.

The treatment facility has continued to comply all necessary permit requirements and continues to be a major force in the prevention of water pollution in the Wareham River estuary complex. The NPDES permit issued by the EPA requires the removal of 85% per month of all organic and suspended solids received at the facility prior to the effluent being discharged to the Agawam River. In addition, the new upgraded facility is achieving new discharge limitations for Nitrogen and Phosphorus.

I wish to take this opportunity to thank each and every employee at the water pollution control facility for their tireless effort and dedication necessary to operate and maintain a treatment facility and collection system of this magnitude throughout the year.

My appreciation is also extended to the Board of Sewer Commissioners, Town Administrator, Director of Municipal Maintenance as well as the other department heads in the Town for their support, advice and assistance during the year.

Respectfully submitted,

David A. Simmons
Superintendent, Water Pollution Control Facility

FOR EMERGENCIES - CALL 911 to save a life, report a fire, or stop a crime.

Animals	Animal Control Officer.....	295-1473x 250
Assessments.....	Board of Assessors.....	291-3100 x3160
Bills and Accounts	Town Accountant	291-3100 x3127
Births, Deaths & Marriages	Town Clerk.....	291-3100 x3140
Buildings, Fences, Zoning	Building Department	291-3100 x3190
Business Certificates.....	Town Clerk's Office.....	291-3100 x3140
Cemeteries	Municipal Maintenance Department.....	295-5300
Certificates: Marriage, Death, Births.....	Town Clerk's Office.....	291-3100 x3140
Community Development.....	Community Development Department.....	291-3100 x 3173
Conservation.....	Conservation Office.....	291-3100 x 6504
Court House.....	Wareham 4 th District Courthouse.....	295-8300
Disabled.....	Commission on Disability.....	291-3100 x6513
Elderly Affairs.....	Council on Aging.....	291-3130
Elections, Voting & Registration.....	Town Clerk.....	291-3100 x3140
Electrical/Wiring	Building Department	291-3100 x3190
Emergency Management	Emergency Mgmt Director	295-6725
Fire (Business & Permits)	Wareham Fire Department.....	295-2973
.....	Onset Fire Department	295-2122
Dump	CMW – Rochester Convenience Facility.....	295-0222
Fuel Assistance	South Shore Community Action Council	508-746-6707
Hazardous Materials	Board of Health	291-3100 x3197
Health & Sanitation.....	Board of Health	291-3100 x3197
Housing (public).....	Housing Authority.....	295-8031
Library.....	Wareham Free Library.....	295-2343
<u>Licenses/Permits: Dog, Fishing, Hunting.....</u>	Town Clerk.....	291-3100 x3140
<u>Licenses/Permits: Liquor; Restaurants; Auto Dealer; Auctioneer; Taxi/Livery/Transporter; Earth Removal;</u>		
<u>Flammables; Use of Town Roads; Junk Dealer; Com. Docking: Selectmen</u>		291-3100 x3103
<u>Stickers: Beach, Dump.....</u>	Harbormaster's Office.....	291-3100 x3186
<u>Food Service Permits.....</u>	Board of Health	291-3100 x3197
<u>Moorings.....</u>	Harbormaster's Office.....	291-3100 x3186
<u>Outdoor Burning.....</u>	Wareham/Onset Fire Department	295-2973/295-2122
<u>Plumbing.....</u>	Building Department	291-3100 x3190
<u>Septic Systems.....</u>	Board of Health	291-3100 x3197
<u>Sewer (town) problems</u>	WPCF	295-6144
<u>Shellfish permits.....</u>	Harbormaster's Office.....	291-3100 x3186
<u>Smoke Detector Inspections.....</u>	Wareham/Onset Fire Department	295-2973/295-2122
<u>Personnel.....</u>	Town Administrator's Office	291-3100 x3110
<u>Planning Board.....</u>	Planning Department.....	291-3100 x 6504
<u>Police Business</u>	Police Department.....	295-1473
<u>Public Assistance (Welfare/TAFDC).....</u>	Council on Aging.....	291-3130
<u>Purchasing.....</u>	Town Administrator's Office	291-3100 x3110

(Continued on inside back cover)

IMPORTANT PHONE NUMBERS (cont'd from back cover)

Recreation.....	Recreation Department.....	291-3100 x3159
YMCA.....		295-9622
Recycling.....	Recycling Center.....	291-6520
Schools.....	Superintendent's Office ...	291-3500
	East Wareham Elementary.....	291-3586
	Ethel Hammond Elementary.....	291-3565
	Everett Educational Center.....	291-3540
	John W. Decas Elementary.....	291-3530
	Minot Forest Elementary.....	291-3555
	Upper Cape Cod Regional Technical School.....	759-7711
	Wareham High	291-3510
	Wareham Middle	291-3550
	West Wareham Elementary	291-3534
	Adult Education at Wareham High School.....	291-3510
Trash (private pick-up by contractors only): Refer to Yellow Pages		
Sewer connections or tie-in	Town Administrator.....	291-3100 x3110
Streetlights.....	Republic Electric	800-LIGHTSON
Tax Collections.....	Treasurer/Collector's Office	291-3100 x3150
Town Administrator.....	Town Hall	291-3100 x3110
Veterans' Services	Veterans Office	291-3100 x3135
Wareham Career Center.....	Multi-Service Center.....	291-7062
Community TV.....	WCTV.....	291-3100 x6555
Water (town districts)	Wareham/Onset Water Departments.....	295-0450/295-0603
Waterways.....	Harbormaster's Office.....	291-3100 x3186
Wiring Inspections.....	Building Department	291-3100 x3190
Work Permits (Student).....	School Department	291-3500
Zoning Enforcement.....	Zoning Enforcement Officer	291-3100 x3190
Zoning.....	Board of Appeals	295-9344

SCHEDULE of MEETINGS

Board of Appeals	2 nd & 4 th Wednesdays @ 7:30 pm.....	Town Hall Cafeteria
Board of Assessors.....	as posted	Town Hall Cafeteria
Board of Health	1 st & 3 rd Tuesdays @ 7:00 pm.....	Town Hall Conf Rm "B"
Board of Selectmen.....	Tuesdays as posted @ 7:00 pm.....	Multi-Service Center, Rm 320
Community & Economic Dev. Authority	Mondays, as posted.....	Town Hall Conf Rm "B"
Conservation Commission.....	1 st & 3 rd Wednesdays @ 7:00 pm.....	Town Hall Cafeteria
Finance Committee.....	Wednesdays as posted.....	Multi-Service Center, Rm 320
Housing Partnership Advisory.....	Mondays as posted.....	Town Hall Conf Rm "B"
Open Space Committee.....	2 nd Monday @ 7:00 pm.....	Multi-Service Center, Rm 224
Planning Board.....	2 nd & 4 th Mondays @ 6:30 pm.....	Town Hall Cafeteria

For more Town information, be sure to visit the website www.wareham.ma.us



TOWN OF WAREHAM
54 Marion Road
Wareham, Massachusetts 02571
291.3100

APPLICATION FORM
BOARD, COMMITTEE OR COMMISSION

If you are interested in serving the Town in any capacity, complete this form and return to the Board of Selectmen's Office, 54 Marion Rd. Wareham Massachusetts 02571. Information received will be available to all Town boards and officials. Submission of this form in no way assures an appointment.

Committee/Board/Commission of interest for consideration to serve: _____

Alternate Committee (s): _____

Name: _____ Physical address: _____

Mailing address(if different): _____ Home phone: _____

Work phone: _____ Ext. _____ Cell phone: _____

E-mail: _____ Registered to vote? _____ Name of town: _____

Number of hours available per week or per month: _____

Present business and/or work affiliations: _____

Business experience: _____

Special training or qualifications (attach additional information): _____

Town offices held in Wareham or elsewhere: _____

I hereby certify:

I am a full-time resident of the Town of Wareham (Check off below which form of ID you are submitting).

I have been provided a summary of Massachusetts General Law 268A (conflict of interest) and have read the material provided, and to the best of my understanding have no potential or actual conflict of interest and;

I have been provided with the Board of Selectmen Policy #05-01 and having read the material agree to the requirement of obtaining ethics training and state-sponsored training (if any) for each term I am appointed.

DATE

SIGNATURE OF APPLICANT

In the event you cannot sign this statement, but are requesting to be considered for an appointment, please provide an explanation.

- driver's license
- recent utility bill
- rent receipt on a landlord's printed letterhead or lease
- duplicate copy of voter registration affidavit
- other government-issued printed identification which contains name and address

**TOWN OF WAREHAM
COMBINED BALANCE SHEET
ALL FUND TYPES AND ACCOUNT GROUP
June 30, 2007**

	Governmental Fund Types			Proprietary Fund Types	Fiduciary Fund Types	Account Group	Totals (Memorandum Only)
	General	Special Revenue	Capital Projects	Enterprise	Trust and Agency	Long-Term Obligations	
ASSETS							
Cash and cash equivalents	\$ 2,917,292	\$ 4,283,107	\$ (49,196)	\$ 2,379,690	\$ 3,285,345		\$ 12,816,238
Receivables							
Property taxes	\$ 523,888	\$ 8,180					\$ 532,068
Tax liens, foreclosures, deferred taxes	\$ 2,717,543						\$ 2,717,543
Exises	\$ 585,620						\$ 585,620
Sewer user charges				\$ 665,487			\$ 665,487
Sewer liens				\$ 65,769			\$ 65,769
Departmental	\$ 85,102	\$ 3,067,398					\$ 3,152,500
Special assessments and betterments	\$ 254,074			\$ 4,111,322			\$ 4,365,396
Committed interest							\$ -
Dues from other governments				\$ 896,493			\$ 896,493
							\$ -
Amounts to be Provided Bonds Payable				\$ 45,545,402		\$ 10,035,714	\$ 55,581,116
Total Assets:	\$ 7,083,519	\$ 7,358,685	\$ (49,196)	\$ 53,664,163	\$ 3,285,345	\$ 10,035,714	\$ 81,378,230

Combalassets03

**TOWN OF WAREHAM
COMBINED BALANCE SHEET
ALL FUND TYPES AND ACCOUNT GROUP
30-Jun-07**

	Governmental Fund Types			Proprietary Fund Types	Fiduciary Fund Types	Account Group	Totals (Memorandum Only)
	General	Special Revenue	Capital Projects	Enterprise	Trust and Agency	Long-Term Obligations	
LIABILITIES							
Warrants payable	\$ 2,148,906						\$ 2,148,906
Withholding payable	\$ 48,046						\$ 48,046
Abandoned property unclaimed items	\$ 10,381						\$ 10,381
Other liabilities	\$ 36,939				\$ 827,933		\$ 864,872
Deferred revenues							
Property taxes	\$ 312,507	\$ 8,180					\$ 320,687
Other receivables	\$ 3,642,339	\$ 3,067,398		\$ 4,842,578			\$ 11,552,315
Provision for abatements and exemptions	\$ 211,381						\$ 211,381
Notes payable			\$ 80,000				\$ 80,000
Bonds payable				\$ 45,545,402		\$ 10,035,714	\$ 55,581,116
Total Liabilities:	\$ 6,410,499	\$ 3,075,578	\$ 80,000	\$ 50,387,980	\$ 827,933	\$ 10,035,714	\$ 70,817,704
FUND EQUITY							
Retained earnings							
Reserved							\$ -
Unreserved							\$ -
Reserved fund balance							
Deficits	\$ (180,044)						\$ (180,044)
Endowments					\$ 2,457,412		\$ 2,457,412
Encumbrances	\$ 156,715			\$ 920,227			\$ 1,076,942
Petty cash	\$ 425	\$ 205					\$ 630
Unreserved fund balance							
Designated		\$ 4,282,902	\$ (129,196)	\$ 2,355,956			\$ 6,509,662
Undesignated	\$ 695,924						\$ 695,924
Total Fund Equity	\$ 673,020	\$ 4,283,107	\$ (129,196)	\$ 3,276,183	\$ 2,457,412		\$ 10,560,526
 Total Liabilities and Fund Equity	 \$ 7,083,519	 \$ 7,358,685	 \$ (49,196)	 \$ 53,664,163	 \$ 3,285,345	 \$ 10,035,714	 \$ 81,378,230

Comballiab03

GENERAL FUND

ACCOUNT TITLE	DEBIT	CREDIT
General Cash	\$ 2,916,866.65	
Petty Cash	\$ 425.00	
2003 Personal Property	\$ 6,665.70	
2004 Personal Property	\$ 6,895.22	
2005 Personal Property	\$ 4,366.96	
2006 Personal Property	\$ 5,119.01	
2007 Personal Property	\$ 8,702.03	
2002 Real Estate		\$ 10,151.80
2003 Real Estate	\$ 8,513.25	
2004 Real Estate		\$ 1,114.45
2005 Real Estate		\$ 4,176.36
2006 Real Estate	\$ 3,771.56	
2007 Real Estate	\$ 495,297.33	
Prov for Abatements--2001		\$ 655.55
Prov for Abatements--2003		\$ 5,245.76
Prov for Abatements--2004		\$ 34,098.34
Prov for Abatements--2005		\$ 28,434.04
Prov for Abatements--2006		\$ 65,446.23
Prov for Abatements--2007		\$ 77,501.25
Tax Liens Receivable	\$ 2,101,705.82	
Deferred Taxes--CL41A	\$ 65,764.96	
Motor Vehicle Excise--2000	\$ 14,569.75	
Motor Vehicle Excise--2001	\$ 19,056.39	
Motor Vehicle Excise--2002	\$ 28,763.67	
Motor Vehicle Excise--2003	\$ 33,326.61	
Motor Vehicle Excise--2004	\$ 36,579.51	
Motor Vehicle Excise--2005	\$ 54,117.02	
Motor Vehicle Excise--2006	\$ 115,356.07	
Motor Vehicle Excise--2007	\$ 203,697.92	
Boat Excise--2003	\$ 16,924.07	
Boat Excise--2004	\$ 13,267.62	
Boat Excise--2005	\$ 13,538.33	
Boat Excise--2006	\$ 14,307.17	
Boat Excise--2007	\$ 22,115.92	
A/R Semass	\$ 85,102.25	
Apportioned Betterments not due	\$ 235,616.80	
Betterments Title 5 unapportioned	\$ 18,457.62	
Tax Foreclosures	\$ 550,071.89	
Warrants Payable		\$ 2,148,906.20
Federal Withholdings		\$ 1,017.39
FICA Withholding		\$ 2,056.84
State Withholding	\$ 124.42	
County Retirement		\$ 42,230.97
Teachers Retirement	\$ 7,306.18	
Deferred Comp	\$ 10.00	
Group Insurance	\$ 2,731.55	
Optional Add Insurance		\$ 11,874.29
Café Fees		\$ 185.98

Café Plan Adv		\$	105.60
Café Dep Flex Spending	\$	7.18	
Unum Disability	\$	57.62	
Aetna Mandatory Def. Comp		\$	1,819.91
Voluntary Deff. Comp		\$	2,896.00
Annuities		\$	607.13
Aflac Wh	\$	113.90	
Union Dues		\$	1,132.81
Credit Union		\$	1,010.00
Court Assignments	\$	6,821.68	
Wage Garnishment		\$	93.26
United Way		\$	188.98
Labors Union Pension Fund	\$	1.35	
Abandoned Property/Unclaimed Items		\$	10,380.63
Exc Land of Low Val Sale		\$	5,938.81
Due to other Governments		\$	31,000.00
Bond Premium			
Deferred Revenue--Property Taxes		\$	312,507.28
Deferred Revenue--Tax Liens		\$	2,101,705.82
Deferred Revenue--Deferred Taxes		\$	65,764.96
Deferred Revenue--Tax Foreclosures		\$	550,071.89
MV Excise--Deferred Revenue		\$	505,466.94
Boat Excise--Deferred Revenue		\$	80,153.11
Departmental Deferred Revenue		\$	339,176.67
Reserve for Petty Cash Advance		\$	425.00
Reserve for Authorized TEA Def	\$	133,789.00	
Fund Balance Reserve--Encumbrances		\$	156,714.96
Fund Balance Reserve--Appropriation Deficit	\$	46,254.51	
Fund Balance Designated--Expenditures			
Undesignated Fund Balance		\$	695,924.28
TOTALS	\$	7,296,179.49	\$ 7,296,179.49

SCHOOL LUNCH

School Lunch Cash	\$	338,633.02	
School Lunch Petty Cash	\$	5.00	
Reserve--Petty Cash Advance		\$	5.00
School Lunch Fund Balance		\$	338,633.02
TOTAL SCHOOL LUNCH	\$	338,638.02	\$ 338,638.02

COMMUNITY PRESERVATION

Cash	\$	1,382,991.00	
A/R Surcharge 2003		\$	650.08
A/R Surcharge 2004		\$	5.70
A/R Surcharge 2005	\$	264.04	
A/R Surcharge 2006		\$	477.81

A/R Surcharge 2007	\$	9,019.09	
Deferred Revenue			\$ 8,179.54
Fd Bal Reserved Housing			\$ 67,626.00
Fund Balance			\$ 1,315,335.00
TOTAL COMMUNITY PRESERVATION	\$	1,392,274.13	\$ 1,392,274.13

GenFundBal.04

SCHOOL SPECIAL FUND

ACCOUNT TITLE	DEBIT	CREDIT
SPECIAL REVENUE CASH	\$ 1,529,839.18	
CIRCUIT BREAKER		\$ 378,452.35
PROJECT WRAP		\$ 30,942.78
COMMUNITY PARTNERSHIP	\$ 20,528.11	
ACADEMIC SUPPORT	\$ 7,550.51	
K ENHANCED PROGRAM	\$ 35,119.68	
PARENT -CHILD HOME PROGRAM	\$ 11,976.09	
READING PROGRAM DEVELOPMENT		\$ 234.06
GED		\$ 5,393.50
COLLAB. SUCCESS PLAN		\$ 6,146.39
BAY STATE READERS	\$ 1,681.88	
ALTERNATIVE ED	\$ 17,910.04	
SC. YR COLLAB. SUCCESS PLAN	\$ 9,802.25	
COMMUNITY SUPPORT GRANT	\$ 41,033.83	
MASS ENV TRUST		\$ 4,251.90
ED TECH BOND		\$ 1,506.04
CHILD CARE GRANT		\$ 859.53
CSL LIVING DEMOCRACY	\$ 1,570.19	
IMPROVING ED QUALITY	\$ 6,907.23	
MATH SCIENCE PARTNERSHIP		\$ 1,505.26
ENHANCED EDUCATION THRU TECHNOLOGY	\$ 88,922.44	
INDIVIDUALS WITH DISABILITIES		\$ 5,578.88
EARLY CHILDHOOD SPED	\$ 123,130.38	
SPED SUPPORT ACCESS		\$ 6,778.09
TITLE V		\$ 2,336.62
TITLE ONE		\$ 359,103.90
GOV. DRUG FREE SCHOOLS		\$ 4,285.21
COMMUNITY SERVICE PARTNERSHIP		\$ 2,093.83
SCHOOL LUNCH BREAKFAST		\$ 1,678.58
MASS COMM. LEARN. CONT.		\$ 40,371.64
EARLY CHILDHOOD MENTAL HEALTH		\$ 1,845.72
21ST CENTURY TARGET SUPPORT		\$ 965.00
21ST CENTURY FG		\$ 1,192.66
CSL PARTNERSHIP		\$ 4,075.10
SPECIAL ASST. SPED	\$ 26,700.00	
TECH ENHANCEMENT		\$ 93,292.97
21ST CENTURY ELEM COMM	\$ 1,230.84	
SUMMER SCHOOL		\$ 46,580.77
SCHOOL PROPERTY		\$ 39,427.85
LOST BOOKS		\$ 1,820.85
TRANSPORTATION		\$ 194,844.40
ATHLETICS REVOLVING		\$ 10,818.16
SCHOOL GIFT S		\$ 129,596.28
ADULT ED		\$ 1,231.36
DRIVERS ED		\$ 6,835.31
FULL TIME KINDERGARTEN		\$ 77,953.58
ASBESTOS		\$ 62,075.53
INSURANCE REVOLVING	\$ 1,617.99	
STATE WARDS		\$ 177,961.36
SCHOOL CHOISE		\$ 175,518.98
KEYSPAN		\$ 47,776.67

JORDAN FUNDAMENTAL		\$	189.53
TOTAL SCHOOL SPECIAL FUND	\$	1,925,520.64	\$ 1,925,520.64

HIGHWAY ch90

ACCOUNT TITLE		DEBIT	CREDIT
CASH			\$ 107,536.22
DUE FROM STATE	\$	107,536.22	
HIGHWAY ch90	\$	107,536.22	\$ 107,536.22

TOWN SPECIAL FUND

ACCOUNT TITLE	DEBIT	CREDIT
CASH	\$ 259,724.43	
LOANS RECEIVABLE	\$ 1,459,564.95	
DEFERRED REVENUE		\$ 1,459,564.95
ARTS LOTTERY COUNCIL		\$ 6,169.68
COMMUNITY POLICE GRANT		\$ 84,128.54
POLICE DRUG MONEY FUND		\$ 20,856.02
LIBRARY GRANT		\$ 29,374.92
LIBRARY PRESVATION SURVEY		\$ 7,000.00
LSCA TITLE I FED GRANT		\$ 573.32
LIBRARY EQUAL ACCESS GRANT		\$ 5,000.00
STORM WATER REM. GRANTS		\$ 26,303.33
COA FORMULA GRANT		\$ 125.23
COA CAREGIVER		\$ 2,067.55
NUTRITION OUTREACH		\$ 127.84
CABLE EQUIPMENT GRANT		\$ 169.16
TITLE 5 GRANT		\$ 2,752.66
CLEAN WATERS GRANT		\$ 491.43
EXTENDED POLLING HOURS		\$ 17,856.94
MERCHANTS WAY GRANT		\$ 2,555.00
RECYCYING GRANT		\$ 118.10
STORAGE TANK REMOVAL		\$ 2,609.62
POLICE -VEST	\$ 6,524.97	
FEMA		\$ 0.62
COASTAL ACCESS GRANT		\$ 1,043.00
COMMUNITY DEVELOPMENT GRANTS		\$ 40,312.31
LIBRARY READING PARTNERS	\$ 4,741.31	
COA INCENTIVE GRANT		\$ 364.00
POLICE SAFETY EQUIPMENT		\$ 7,091.24
LIBRARY PRESERVATION		\$ 13,900.20
TOTAL TOWN SPECIAL	\$ 1,730,555.66	\$ 1,730,555.66
OFFSET RECEIPTS		
A/R AMBULANCE	\$ 1,348,108.37	
DEFERRED REVENUE--AMBULANCE		\$ 1,348,108.37
FD BAL RESERVED FOR ENCUMBRANCES		
TOTAL OFFSET RECEIPTS	\$ 1,348,108.37	\$ 1,348,108.37

ACCOUNT TITLE	DEBIT	CREDIT
REVOLVING FUNDS		
REVOLVING FUNDS CASH	\$ 228,307.65	
PETTY CASH	\$ 200.00	
INSURANCE RECOVERY		\$ 43,988.30
COA TRANSPORTATION		\$ 65,867.88
TEMPEST KNOB BOAT RAMP		\$ 41,293.12
RECREATION REVOLVING		\$ 13,378.85
RECYCLING REVOLVING		\$ 15,084.21
TREMONT DAM FUND BALANCE		\$ 4,498.95
SHELLFISH PROGRAM		\$ 30,064.06
BEACH HOUSE		\$ 3,240.00
FUND BAL PETTY CASH		\$ 200.00
TROLLY		\$ 6,209.50
WEIGHTS AND MEASURES		\$ 4,682.78
TOTAL REVOLVING FUNDS	\$ 228,507.65	\$ 228,507.65

RRFA

ACCOUNT TITLE	DEBIT	CREDIT
SPECIAL CASH	\$ 345,774.65	
WETLANDS PROTECTION FILING FEE		\$ 86,824.67
PARKING METER FUND		\$ 19,787.48
SALE OF REAL ESTATE		\$ 0.95
SALE OF LOTS/GRAVES FUND		\$ 90,208.07
AMUBLANCE SERVICE FUND		\$ 11,778.14
HARBOR SERVICE FEES		\$ 102,502.00
WATERWAYS IMPROVEMENT/MAINT		\$ 34,673.34
TOTAL RRFA FUNDS	\$ 345,774.65	\$ 345,774.65

ACCOUNT TITLE	DEBIT	CREDIT
OTHER SPECIAL REVENUE		
CASH	\$ 305,168.77	
GIFT SELECTMEN		\$ 5.00
RECYCLING DONATIONS		\$ 4,098.92
POLICE - BICYCLE		\$ 100.00
GIFT TOWN HALL		\$ 644.81
COA GIFT		\$ 12,063.10
HISTORICAL GIFT		\$ 958.23
GIFT - CLERK		\$ 156.33
EMS GIFT		\$ 455.00
OPEN SPACE		\$ 5,000.00
POLICE EQUITY SHARE		\$ 5,949.33
RECREATION GIFT		\$ 5,829.90
COMMUNITY DEVELOPMENT	\$ 24,164.09	
E.D.I.C		\$ 251,046.60
POLICE RESTITUTION		\$ 247.00
WAREHAM STRATEGIC PLANNING GIFT	\$ 21,225.10	
CABLE PEG ACCESS		\$ 1,479.90
HARBORMASTER GIFT		\$ 16,115.51
I.T. GIFT		\$ 46,408.33
TOTAL OTHER SPECIAL REVENUE	\$ 350,557.96	\$ 350,557.96
CAPITAL PROJECTS		
CASH		\$ 49,195.61
BOND ANTICIPATION NOTES		\$ 80,000.00
FD BAL RES FOR EXPENDITURES	\$ 129,195.61	
TOTAL CAPITAL PROJECTS	\$ 129,195.61	\$ 129,195.61

Other04

WATER POLLUTION CONTROL FACILITY

ACCOUNT TITLE	DEBIT	CREDIT
SPECIAL CASH	\$ 2,379,690.40	
SEWER USER FEES 2005		\$ 186.18
SEWER USER FEES 2006		\$ 1,830.19
SEWER USER FEES 2007	\$ 667,503.60	
A/R SEPTAGE DISPOSAL BOURNE USAGE		
SEWER USAGE ADD TAX - 2006	\$ 352.00	
SEWER USAGE ADD TAX 2007	\$ 61,425.76	
SEWER USAGE Comm. INT ADD TAX 2006	\$ 57.71	
SEWER USAGE Comm. INT ADD TAX 2007	\$ 3,933.62	
SEWER ASSM ADD TO TAX - 2006	\$ 0.69	
SEWER ASSM ADD TO TAX - 2007	\$ 13,406.17	
SEWER COMM INT ADD TO TAX 2007	\$ 6,953.17	
APPORTIONED BETTERMENTS	\$ 4,090,961.52	
DUE FROM W.P.T.	\$ 896,493.44	
NET FIXED DEBT	\$ 45,545,401.54	
SEWER DEFERRED REVENUE		\$ 4,842,577.87
BONDS PAYABLE		\$ 45,545,401.54
RETAINED EARNINGS		\$ 2,355,956.73
FUND BAL RES FOR ENCUMBRANCE		\$ 920,227.11
TOTAL WPCF	\$ 53,666,179.62	\$ 53,666,179.62

NON-EXPENDABLE TRUST FUND

ACCOUNT TITLE	DEBIT	CREDIT
TRUST FUNDS CASH	\$343,689.29	
CEMETERY PERPETUAL CARE FUND		\$292,615.50
AA BALL FUND		\$10,000.00
MARY B BESSE PARK FUND		\$5,000.00
LINNELL SCHOLARSHIP FUND		\$10,000.00
PROVIAZANO ART SCHOLARSHIP		\$26,073.79
TOTALS:	\$343,689.29	\$343,689.29

EXPENDABLE TRUST FUND

CASH	\$2,113,723.23	
STABILIZATION FUND		\$157,591.41
CONSERVATION FUND		\$29,527.78
CEMETERY PERPETUAL CARE		\$29,795.17
ALBERT A BALL FUND		\$16,053.81
TOBEY WILL SCHOOL FUND		\$441,640.94
TOBEY WILL TOWNHOUSE FU		\$3,949.48
MARY BESSE PARK FUND		\$19,744.08
LINHELL SCHOLARSHIP		\$13,047.69
ONSET WOMENS CLUB		\$30,032.55
LAW ENFORCEMENT TRUST FUND		\$7,847.54
THOMAS JOYCE SCHOLARSHIP FUND		\$498.51
SCHOOL SCHOLARSHIP FUNDS		\$34,894.98
UNEMPLOYMENT TRUST		\$1,401.30
RUTH PAPAGEORGE TAX TRUST		\$808.86
HEALTH TRUST FUND		\$1,266,889.13
AFFORDABLE HOUSING TRUST		\$60,000.00
TOTAL EXPENDABLE	\$2,113,723.23	\$2,113,723.23

AGENCY FUND

CASH	\$827,932.94	
SPORTING L.C.		\$1,848.13
MEALS TAX		\$8,605.84
SALES TAX		\$55.00
DOG LICENSES		\$1,028.88
REDEMPTION FEES		\$17,526.83
TAG FEES		\$100.00
RABIES CLINIC		\$814.80
TAXES DUE DISTRICTS		\$252,276.28
GUARANTEE DEPOSITS		\$517,022.05
BOND DEPOSITS		\$860.00
PREPAID CONSULTANTS	\$10,981.66	
OFF-DUTY DETAILS	\$137,184.23	
GUN PERMITS		\$72,993.00
STUDENT ACTIVITIES		\$99,409.44
VICTIMS REIMBURSEMENT		\$3,558.58
TOTAL AGENCY	\$976,098.83	\$976,098.83

FIXED DEPT FUND

ACCOUNT TITLE	DEBIT	CREDIT
NET FIXED DEBT	\$ 10,035,714.24	
DREDGING		\$ 45,000.00
HIGH SCHOOL CONSTRUCTION		\$ 3,160,000.00
LIBRARY		\$ 195,000.00
MIDDLE SCHOOL		\$ 190,000.00
EAST WAREHAM REMODELING		\$ 260,000.00
EQUIPMENT & REPAIRS		\$ 2,950,000.00
MULTIPURPOSE BUILDING		\$ 233,000.00
SCHOOL REMODELING		\$ 99,000.00
REMODELING		\$ 31,000.00
REMODELING		\$ 32,000.00
TITLE V -2		\$ 147,066.24
TITLE V		\$ 130,444.00
TITLE V-3		\$ 166,204.00
DRAINAGE		\$ 2,000.00
EMS BUILDING		\$ 350,000.00
OPEN SPACE		\$ 120,000.00
STORM DRAINS		\$ 25,000.00
DREDGING RIVER		\$ 30,000.00
REPAIR TOWN HALL		\$ 210,000.00
SCHOOL ROOF		\$ 140,000.00
BUS GARAGE		\$ 100,000.00
BOILERS		\$ 100,000.00
OAK GROVE SCHOOL		\$ 120,000.00
MIDDLE SCHOOL		\$ 1,200,000.00
TOTAL FIXED	\$ 10,035,714.24	\$ 10,035,714.24

Fixed04

TOWN OF WAREHAM REVENUE REPORT--PERIOD ENDING 6/30/07

GENERAL FUND:

PERSONAL PROPERTY		\$461,128.65
REAL ESTATE TAXES	\$	25,261,735.06
TAX FORECLOSURES	\$	58,439.06
TAX LIENS	\$	395,104.37
DEFERRED TAXES	\$	754.79
MOTOR VEHICLE EXCISE	\$	2,231,886.73
BOAT EXCISE	\$	39,271.49
PENALTY AND INTEREST	\$	346,247.29
HOTEL TAX	\$	56,108.00
FEES	\$	590,679.37
SEMASS CHARGES	\$	201,229.10
CEMETERY	\$	35,400.26
VETERANS SERVICES	\$	181,865.91
TRAILER COACH FEES	\$	155,163.00
SOCIAL DAY CARE	\$	36,010.00
LIQUOR LICENSES	\$	114,245.00
INSPECTIONS PERMITS	\$	532,576.35
OTHER LICENSES/PERMITS	\$	289,496.23
SELECTMEN'S LIC/PERMITS	\$	43,991.32
CHARTER SCHOOLS	\$	23,584.00
STATE TAX EXEMPTIONS	\$	89,596.00
SBAB	\$	1,171,856.00
SCHOOL AIDE CH. 70	\$	11,620,568.00
STATE LAND LIEU OF TAX	\$	21,050.00
POLICE CAREER INCENTIVES	\$	138,441.91
LOTTERY	\$	2,430,445.00
OTHER STATE REVENUE	\$	725,318.03
COURT FINES	\$	76,766.00
PARKING	\$	34,465.66
NON-CRIMINAL	\$	5,195.00
LIBRARY FINES	\$	9,721.68
OTHER INCOME	\$	49,720.75
INTEREST ON INVESTMENTS	\$	358,850.72
MISC REVENUE	\$	163,793.87
BETTERMENTS	\$	53,002.12
TOTAL REVENUES	\$	48,003,706.72

TRANSFER FROM OFFSET	\$	107,891.72
TRANSF FROM SPEC REV FUND	\$	263,668.02
TRANSF FROM ENTERPRISE	\$	965,000.00
TRANSF FROM TRUST FUNDS	\$	366,000.00
SUB 'TOTAL OTHER FINANCING SOURCES	\$	1,702,559.74

TOTAL GENERAL FUND **\$ 49,706,266.46**

COMMUNITY PRESERVATION

TAXES	\$	541,845.06
INTEREST	\$	85,652.92
STATE GRANT	\$	519,385.00
TOTAL COMMUNITY PRESERVATION	\$	1,146,882.98

Revenue04

OFFSET RECEIPTS

AMBULANCE	\$	843,859.05
TOTAL OFFSET RECEIPTS	\$	843,859.05

ENTERPRISE FUND

WATER POLLUTION CONTROL FACILITY

SEWER USAGE	\$	4,743,871.05
SEPTAGE DISPOSAL	\$	293,242.75
BOURNE SEWER USAGE	\$	300,058.20
SEWER USAGE ADDED TO TAX	\$	264,861.15
OTHER LICENSES/PERMITS	\$	119,495.80
SYSTEMS DEVELOPMENT FEE	\$	7,747.50
BETTERMENTS/COMM INT	\$	832,731.28
INTEREST ON INVESTMENTS/USAGE	\$	36,278.48
MISCELLANEOUS	\$	4,342.75
BOND PROCEEDS	\$	7,883,209.00
WPCF TOTAL	\$	<u>14,485,837.96</u>

DEPARTMENTAL EXPENSES--FY2007

ACCOUNT	YTD ACTUAL	FY07 BUDGET	BALANCE CLOSED 6/30/2007	ENCUMBER BALANCE 6/30/2007
GENERAL FUND				
Selectmen - Salaries	\$ 115,035.07	\$ 123,726.00	\$ 8,690.93	
Selectmen - Operating Expenses	\$ 28,253.90	\$28,326.00	\$ 72.10	
Town Administrator - Salaries	\$ 188,334.90	\$ 211,916.00	\$ 23,581.10	
Town Administrator - Operating Expenses	\$ 29,064.46	\$ 32,300.00	\$ 3,235.54	
Capital Outlay Articles	\$ 27,410.62	\$ 55,554.39		\$ 28,143.77
Personnel Services	\$ 9,936.77	\$ 14,495.00	\$ 4,558.23	
Reserve Account		\$ -	\$ -	
Finance Committee - Operating Expenses	\$ 5,040.71	\$ 5,605.00	\$ 564.29	
Town Accountant - Salaries	\$ 146,451.74	\$ 146,738.00	\$ 286.26	
Town Accountant - Operating Expenses	\$ 4,066.75	\$ 4,490.00	\$ 423.25	
Assessors- Salaries	\$ 283,922.21	\$ 283,923.00	\$ 0.79	
Assessors - Operating Expenses	\$ 13,095.27	\$ 13,350.00	\$ 254.73	
Assessors - Revaluation	\$ 5,285.00	\$ 5,285.00		
Treasurer/Collector - Salaries	\$ 304,812.13	\$ 304,813.00	\$ 0.87	
Treasurer/Collector - Operating Expenses	\$ 94,197.96	\$ 111,203.00	\$ 5.04	\$ 17,000.00
Legal Services	\$ 397,472.55	\$ 397,472.83	\$ 0.28	
Personnel Board - Expenses		\$ 100.00	\$ 100.00	
Data Processing - Salaries	\$ 112,681.00	\$ 112,681.00		
Data Processing - Operating Expenses	\$ 321,422.35	\$ 321,425.39	\$ 3.04	
General Services - Salaries	\$ 34,032.00	\$ 34,032.00		
General Services - Operating Expenses	\$ 99,558.00	\$ 99,558.00		
Audit	\$ 61,363.00	\$ 61,363.50	\$ 0.50	
Communications - Operating Expenses	\$ 76,350.00	\$ 76,350.00		
Town Clerk - Salaries	\$ 122,049.53	\$ 123,249.00	\$ 1,199.47	
Town Clerk - Operating Expenses	\$ 12,089.78	\$ 18,082.00	\$ 3,992.22	\$ 2,000.00
Elections/Registrations - Salaries	\$ 32,222.62	\$ 34,790.00	\$ 2,567.38	
Elections/Registrations - Operating	\$ 9,096.98	\$ 20,515.00	\$ 11,418.02	
Town Meeting - Salaries	\$ 3,370.00	\$ 3,370.00		
Town Meeting - Operating Expenses	\$ 2,960.00	\$ 3,780.00	\$ 820.00	
Planning Board - Operating Expenses	\$ 13,702.08	\$ 16,300.00	\$ 2,597.92	
Board of Appeals - Operating Expenses	\$ 2,608.07	\$ 4,825.00	\$ 2,216.93	

Wetlands Protection	\$	166.20	\$	9,514.00	\$	9,347.80
Conservation - Birch Island			\$	2,300.00	\$	2,300.00
Town Planning - Salaries	\$	192,574.01	\$	192,575.00	\$	0.99
Town Planning - Operating Expenses	\$	13,375.56	\$	15,376.00	\$	2,000.44
Zoning Bylaws Rewrite			\$	10,170.00	\$	10,170.00
Recycling - Salaries			\$	1,300.00	\$	1,300.00
Recycling - Expenses	\$	10,044.56	\$	10,890.00	\$	845.44
Conservation - Operating Expenses	\$	1,300.00	\$	1,300.00		
Public Bldgs - Salaries	\$	225,016.53	\$	230,950.00	\$	5,933.47
Public Bldgs - Operating Expenses	\$	242,675.65	\$	242,676.00	\$	0.35
Sick Leave Bonus - Regular	\$	159,616.49	\$	159,617.00	\$	0.51
Clerical Pool	\$	7,112.52	\$	7,113.00	\$	0.48
Comm on Dis - Operating Expenses	\$	500.00	\$	500.00		
Police - Salaries	\$	4,040,293.43	\$	4,040,293.46	\$	0.03
Police - Operating Expenses	\$	596,780.65	\$	597,251.00	\$	470.35
Federal Police Wages			\$	6,583.00	\$	6,583.00
Parking Maintenance	\$	2,186.88	\$	8,153.32	\$	5,966.44
Military Diff. Pay			\$	20,718.71	\$	20,718.71
Inspections - Salaries	\$	240,510.59	\$	240,511.00	\$	0.41
Inspections - Operating Expenses	\$	29,082.40	\$	35,679.00	\$	5,996.60
Emergency Mngt - Operating Expenses	\$	997.88	\$	1,000.00	\$	2.12
Animal Control - Salaries	\$	51,988.30	\$	55,216.00	\$	3,227.70
Animal Control - Operating Expenses	\$	42,680.32	\$	42,700.00	\$	19.68
Harbormaster - Salaries	\$	208,730.18	\$	222,568.00	\$	13,837.82
Harbormaster - Operating Supplies	\$	38,738.01	\$	38,850.00	\$	111.99
Harbormaster - Improvements & Maint.	\$	6,135.10	\$	6,590.28	\$	455.18
Herring Comm - Salaries	\$	6,610.91	\$	6,720.00	\$	109.09
Herring Comm - Operating Expenses	\$	924.91	\$	1,000.00	\$	75.09
Mun Maint - Salaries	\$	844,918.42	\$	855,567.00	\$	10,648.58
Mun Main - Operating Expenses	\$	301,107.71	\$	301,730.00	\$	622.29
Repair Damaged Cemetery Monuments			\$	4,628.00	\$	4,628.00
Repairs - Agawam Cemetery			\$	427.00	\$	427.00
Regulatory Signs	\$	15,802.70	\$	21,431.76	\$	5,629.06
Paint White/Yellow Lines	\$	26,339.68	\$	26,339.68		
Engineering - Greenwood Roads			\$	3,358.00	\$	3,358.00
Maintain Wareham Beaches	\$	4,474.62	\$	4,474.62		
Utility Bldg			\$	14,788.00	\$	14,788.00
Snow & Ice - Salaries	\$	26,241.24	\$	25,000.00	(1,241.24)	
Snow & Ice - Operating Expenses	\$	103,013.27	\$	58,000.00	(45,013.27)	
Street Lighting - Operating Expenses	\$	141,287.04	\$	141,288.00	\$	0.96

COA - Salaries	\$	144,604.00	\$	144,604.00			
COA - Operating Expenses	\$	10,275.38	\$	13,330.00	\$	3,054.62	
Veterans Serv - Operating Expenses	\$	177,265.74	\$	177,266.65	\$	0.91	
Board of Health - Salaries	\$	156,972.92	\$	157,183.00	\$	210.08	
Board of Health - Operating Expenses	\$	39,908.36	\$	45,600.00	\$	5,691.64	
EDIC - Expenses	\$	27,000.00	\$	30,000.00			\$ 3,000.00
Parking Attendants Wages	\$	8,503.92	\$	8,504.00	\$	0.08	
Parking Attendants Expenditures	\$	575.00	\$	575.00			
Library Salaries	\$	490,143.67	\$	490,144.00	\$	0.33	
Library - Operating Expenses	\$	162,796.03	\$	168,200.00	\$	5,403.97	
Recreation - Salaries	\$	96,559.45	\$	120,978.00	\$	24,418.55	
Recreation - Operating Expenses	\$	6,250.00	\$	6,250.00			
Lifeguard/Beaches - Salaries	\$	50,554.26	\$	59,060.00	\$	8,505.74	
Lifeguard/Beaches - Operating	\$	1,180.46	\$	2,080.00	\$	899.54	
Historic District	\$	61.00	\$	100.00	\$	39.00	
Historic Commission	\$	2,730.50	\$	3,000.00	\$	269.50	
Holiday Decorations	\$	1,257.04	\$	1,258.00	\$	0.96	
Principal	\$	1,949,922.38	\$	2,020,000.00	\$	70,077.62	
Interest	\$	538,663.45	\$	702,650.00	\$	163,986.55	
County Assessments	\$	56,361.02	\$	56,361.00		(0.02)	
State Assessments	\$	1,316,378.00	\$	1,433,640.00		117,262.00	
Other Assessments	\$	7,171.26	\$	7,866.00	\$	694.74	
Upper Cape Cod Reg Voc	\$	1,687,985.82	\$	1,687,986.00	\$	0.18	
SS Women's Center	\$	2,000.00	\$	2,000.00			
Head Start			\$	21,600.00			\$ 21,600.00
Retirement Contribution	\$	2,037,368.00	\$	2,037,368.00			
Town Insurance	\$	674,477.86	\$	674,478.00	\$	0.14	
Unemployment	\$	38,278.70	\$	38,279.00	\$	0.30	
Life Insurance	\$	32,013.56	\$	50,500.00	\$	18,486.44	
FICA Medicare	\$	360,228.19	\$	408,255.00	\$	48,026.81	
School Operating	\$	24,779,325.99	\$	24,860,872.00	\$	81,546.01	
Transfers to Other Funds	\$	4,622,043.85	\$	4,622,043.85			
TOTAL EXPENDITURES	\$	49,615,967.02	\$	50,386,796.44	\$	614,114.46	\$ 156,714.96

ACCOUNT	YTD EXPENDED	APPROPRIATION	BALANCE CLOSED 6/30/2007	ENCUMBERED BALANCE 6/30/2007
OFFSET RECEIPTS				
Salaries--EMS	\$ 597,907.72	\$ 591,500.00	\$ (6,407.72)	
Operating Expenses--EMS	\$ 138,059.61	\$ 154,525.00	\$ 16,465.39	
TOTAL EXPENSES OFFSET RECEIPTS	\$ 735,967.33	\$ 746,025.00	\$ 10,057.67	
WATER POLLUTION CONTROL FACILITY				
WPCF--Salaries	\$ 654,037.95	\$ 661,630.00	\$ 7,592.05	
WPCF--Operating Expenses	\$ 4,728,610.47	\$ 5,154,665.00	\$ 200,093.74	\$ 225,960.79
Capital Outlay		\$ 36,591.00		\$ 36,591.00
Capital Outlay		\$ 1,420.00		\$ 1,420.00
Capital Outlay		\$ 44,321.00		\$ 44,321.00
Pumping Station Constuction	\$ 37,924.45	\$ 518,282.00		\$ 480,357.55
Flow Meters		\$ 86,677.00		\$ 86,677.00
Rose Point Design	\$ 21,750.00	\$ 24,160.15		\$ 2,410.15
Truck	\$ 3,590.00	\$ 3,688.00		\$ 98.00
I&I Program	\$ 10,609.08	\$ 10,609.08		
Weweantic Shores Const.	\$ 6,022.24			\$ (6,022.24)
Rose pt Construction	\$ 1,319,721.35			\$ (1,319,721.35)
Beaver Dam Briarwood Construction	\$ 2,128,213.07			\$ (2,128,213.07)
Upgrade Facility	\$ 339,386.39			\$ (339,386.39)
Sewer Design	\$ 415,015.00	\$ 500,000.00		\$ 84,985.00
Pumping Station Repairs				
IT Program				
TOTAL EXPENSES WPCF	\$ 9,664,880.00	\$ 7,042,043.23	\$ 207,685.79	\$ (2,830,522.56)

