

FALL TOWN MEETING WARRANT
TOWN OF WAREHAM
OCTOBER 28, 2019

WAREHAM HIGH SCHOOL
7 VIKING DRIVE
WAREHAM, MA

7:00 PM

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

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 28, 2019 to act on the following articles:

ARTICLE 1 – FEASIBILITY STUDY

To see if the Town will vote to raise, appropriate, transfer or borrow a sum of money for a feasibility and/or a preliminary design for a new Public Safety Complex, and to pay for an appraisal of the value of the current facility, or take any other action relative thereto.

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

ARTICLE 2 – AUTHORIZATION FOR SPECIAL LEGISLATION

To see if the Town will vote to authorize the Board of Selectmen to petition the Legislature for special legislation to provide for a full municipal contribution of the cost of the municipal insurance provided to the widow of Officer Chris Argentinis, a Wareham Police Officer killed in the line of duty twenty years ago, or take any other action relative thereto.

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

ARTICLE 3 - APPROVE AND FUND FY20 CAPITAL PLAN

To see if the Town will vote to transfer a sum of money from available funds and authorize borrowing subject to MGL Chapter 44, Sections 7, 8, 21 or any other lawful authority, for the purpose of capital improvement projects including replacement of vehicles, equipment, repairs to and improvements to town buildings, facilities and waterways, or to take any action relative thereto.

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

ARTICLE 4 – TRANSFER OF FREE CASH

To see if the Town will vote to transfer a sum of money from Certified Free Cash to fund the following, or take any other action relative thereto:

- a. Stabilization Fund
- b. Plymouth County OPEB Trust Fund

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

ARTICLE 5 – FY19 UNPAID BILLS

To see if the Town will vote to raise and appropriate or transfer from available funds or by any combination of the foregoing, a sum of money to pay unpaid bills of prior fiscal years, or to take any other action relative thereto.

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

ARTICLE 6 - PEG ACCESS RECEIPTS TO WAREHAM COMMUNITY TV

To see if the Town will vote to transfer \$275,048.57 from the PEG Access receipts Reserved for Appropriation account to Wareham Community Television (WCTV), or to do or act in any manner relative thereto.

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

ARTICLE 7 – UNION CONTRACTS

To see if the Town will vote to approve and fund Collective Bargaining Agreements between the Town of Wareham and:

- A. AFSCME Council 93 AFL-CIO Local 30 Wareham Library Employees;
- B. Massachusetts Labor's Public Employees Council Union 1249 of the Labor's International Union of North America Wareham Clerical Union;
- C. Massachusetts Labor's Public Employees Council Union 1249 of the Labor's International Union of North America Wareham Wastewater Treatment Plant Union;

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- D. Massachusetts Labor's Public Employees Council Union 1249 of the Labor's International Union of North America Wareham Municipal Maintenance Department and Town Custodians Union;
- E. Massachusetts Labor's Public Employees Council Union 1249 of the Labor's International Union of North America Wareham Foreman's Union;
- F. United Steelworkers, AFL-CIO-CLC, Local Union 13507, Unit 7 - Lower Managers Union;
- G. United Steelworkers, AFL-CIO-CLC, Local Union 13507, Unit 8 Upper Managers Union;
- H. Wareham Professional Firefighters EMT Association, IAFF, Local 2895;
- I. Wareham Dispatchers Union, NEPBA;
- J. Wareham Police Union, MCOP Local 423;
- K. Wareham Sergeants, NEPBA Local 181;

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

ARTICLE 8 – SOLAR PILOT AGREEMENT

To see if the Town will vote to approve a Payment in Lieu of Tax ("PILOT") Agreement as negotiated between the Town of Wareham and the developer of the project, Cranberry Highway Solar LLC for a commercial solar array with an anticipated capacity of 3-4 (plus or minus) MW under development at 2382 Cranberry Highway, and to further authorize the Board of Selectmen and the Town Administrator to take such actions as may be necessary under State law to effectuate said Agreement. A copy of the PILOT to be placed on file in the Office of the Town Clerk, or to take any action relative thereto.

Inserted by the Board of Selectmen at the request of the Director of Assessment.

ARTICLE 9 - TRANSFER OF MCKINNEY-VENTO FUNDS TO TRANSPORTATION REVOLVING ACCOUNT

To see if the Town will vote to approve the transfer of McKinney Vento revenue received in FY2019 into the School Transportation Revolving Account.

Inserted by the Board of Selectmen at the request of the School Department

ARTICLE 10 - TRANSFER OF THE FOLLOWING MONEY LEFT REMAINING IN FOLLOWING ACCOUNTS TO WAREHAM PUBLIC SCHOOLS FUND FOR TECHNOLOGY, MAINTENANCE AND EQUIPMENT.

To see if the Town will vote to approve the transfer of the funds in the listed accounts to one account to be used for Technology, Maintenance, and Equipment in the Wareham Public Schools.

- A. Art 2 FTM 10.15 Decas PA System - \$21,918.05
10000-3-3000-4-9256-0000-578000-00
- B. Art 26 FTM 10.15 Decas Roof Feasibility Study - \$5,993.77
10000-3-3000-4-9262-0000-578000-00
- C. Art 2 FTM 10.17 Schl Equip, Athletic, Repair - \$922.99
10000-3-3000-4-9284-0000-578000-00
- D. Art 1 FTM 10.18 Decas Maintenance of Building – \$51,692.24
10000-3-3000-4-9299-0000-584000-00
- E. A 1 FTM 10.18 Chromebooks - \$423.88
10000-3-3000-4-9320-0000-585000-00

Inserted by the Board of Selectmen at the request of the School Department

ARTICLE 11 - HARBOR SERVICES PERMIT RECEIPTS RESERVED FOR APPROPRIATIONS ACCOUNT

To see if the Town will vote to transfer the sum of \$46,000.00 from the Harbor Services Permits Receipts Reserved for Appropriations Account, to be transferred to the Harbormaster's Maintenance and Improvements account or to take any other action relative thereto.

Inserted by the Board of Selectmen at the request of the Department of Natural Resources/Harbormaster.

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ARTICLE 12 - ONSET PIER DEBT PAYMENT

To see if the Town will vote to transfer the sum of \$60,000.00 from the Harbor Services Permits Receipts Reserved for Appropriations Account to pay for Onset Pier Debt account or to take any other action relative thereto.

Inserted by the Board of Selectmen at the request of the Department of Natural Resources/Harbormaster.

ARTICLE 13 - RETURN UNUSED FUNDS FROM COMPLETED PROJECTS

To see if the Town will vote to transfer:

- A. \$13,384.88 to the Community Preservation Affordable Housing Reserve Fund account from the Agawam Unit #51 Fall 2014 Town Meeting Article #25;
- B. \$57,241.44 to the Community Preservation Undesignated Fund account from:
 - i. Auditorium Roof Fall 2017 Town Meeting Article #25 (\$34,415.80);
 - ii. Father Bills Fall 2016 Town Meeting Article #15 (\$3,862.44),
 - iii. Onset Boat Ramp Spring 2015 Town Meeting Article #15 (\$2,507.20)
 - iv. Historic District Map Spring 2011 Town Meeting Article #35 (\$16,456.00)

or to take any action relative thereto.

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

ARTICLE 14 - SHANGRI-LA PLAYGROUND BUILD

To see if the Town will vote to appropriate from the Community Preservation Undesignated Fund or any other monies available in the Community Preservation Act Fund under the category of Open Space/Recreation, a grant to the Town of Wareham, \$220,000.00, to fund the rehabilitation of the existing town owned Shangri-La Playground with access point on 10 Peaceful Lane, or to take any action relative thereto.

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

ARTICLE 15 - WAREHAM YOUTH SOCCER FIELDS AT WESTFIELD

To see if the Town will vote to appropriate from the Community Preservation Undesignated Fund or any other monies available in the Community Preservation Act Fund under the category of Open Space/Recreation, a grant to the Wareham Youth Soccer Club, \$40,000.00, to fund the creation of five soccer fields and supporting infrastructure on existing town owned Westfield property at 98 Charlotte Furnace Road, or to take any action relative thereto.

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

ARTICLE 16 - TREMONT NAIL CLEANUP INTEREST PAYMENT

To see if the Town will vote to appropriate from the Community Preservation Undesignated Fund or any other monies available in the Community Preservation Act Fund under the category of Historic Preservation, the sum of \$10,272.22, for the interest payment on the bond approved at the 2018 Fall Town Meeting, Article 11, for the cleanup of contamination at the Tremont nail Factory site, or to take any action relative thereto.

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

**ARTICLE 17 - AMEND ZONING BY-LAW ARTICLE 3, SUBSECTION 340.6
COMMERCIAL USES**

To see if Town Meeting will vote to amend Zoning By-Law Article 3 to amend section 340.6, or take other action relative thereto, as follows:

Amend Article 340.6 by adding 'towing for service' to the definition of 'Motor Vehicle Service'

Motor Vehicle Service

Establishments engaged in providing structural or mechanical motor vehicle (including automobile or boat) repair, washing, towing for service, or service.

or to take any action relative thereto.

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

ARTICLE 18 - AMEND ZONING BY-LAW ARTICLE 10, SUBSECTION 1042
MINIMUM LANDSCAPED BUFFER

To see if Town Meeting will vote to amend Zoning By-Law Article 10 to amend Table 1042 – Minimum Landscaped Buffer, or take other action relative thereto, as follows:

Amend [changes in red] Article 10:
Table 1042 MINIMUM LANDSCAPED BUFFER

The following table sets forth the minimum required additional landscaped buffer between a proposed use and an existing adjacent use.

Minimum Landscaped Buffer (in feet)

Adjacent Use	Single Family House	Two Family Dwelling	Multi-Family	Commercial	Office	Industrial
Single Family Home	NONE	NONE	10	20	20	40
Two Family Home	NONE	NONE	10	20	20	40
Multi-Family Dwelling	10	10	10	20	20	40
Commercial Use	20	20	20	10	10	10
Office	20	20	20	10	10	10
Industrial	40	40	40	10	10	10

or to take any action relative thereto.

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

ARTICLE 19 - AMEND ZONING BY-LAW ARTICLE 3, NEW SUBSECTION 399.
MARIJUANA FACILITIES

To see if Town Meeting will vote to amend Zoning By-Law Article 3 to add a new section 399, or take other action relative thereto, as follows:

Amend Article 3 and add to Marijuana Facilities a new subsection 399:

399. Because State program development for cannabis businesses is on-going and State regulations have not been finalized, a one-year moratorium on issuance of any permits for Social Consumption marijuana establishments shall be in force from the date of Town Meeting vote.

or to take any action relative thereto.

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

ARTICLE 20 – UPDATE ZONING BY-LAW WITH ALREADY APPROVED OVERLAY DISTRICT

To see whether the Town will vote to amend the Wareham Zoning By-Law at Article 2: Zoning Districts, Section 212 Overlay Districts, by adding the following language:

212.5 Tremont Nail Factory Redevelopment Overlay District

The Tremont Nail Factory Overlay District is intended to encourage a cultural, mixed use center within historic buildings and a distinctive and attractive site development program.

or to take any action relative thereto.

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

ARTICLE 21 - TO AUTHORIZE THE TOWN TO BORROW UP TO \$350,000 FROM THE MCWT FOR SEPTIC LOAN PROGRAM

To see if the Town will vote to rescind Article 16 of the October 23, 2017 Special Town Meeting that authorized the borrowing of \$200,000.00 and, in its place, appropriate and authorize borrowing in an amount of \$350,000.00 for the purpose of financing the repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$350,000.00 and issue bonds or notes therefore under Chapter 111, Section 127B1/2 and/or Chapter 29C of the General laws or any other enabling authority; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town, that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof, and that the Board of Selectmen or Board of Health is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects, or to do or act in any manner relative thereto.

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

ARTICLE 22 – ESTABLISH A STORMWATER MANAGEMENT AND ILLICIT DISCHARGE BYLAW

To see whether the Town will vote to establish a Stormwater Management and Illicit Discharge Bylaw, the bylaw shall be created as Article XI of Division V Rules & Regulations Relating to Use of Public and Private Sewers & Drains, Etc., a copy of the proposed bylaw shall be placed on file in the Office of the Town Clerk, or to take any action relative thereto.

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

ARTICLE 23 - WPCF FUNDING REQUEST FOR PROCESS IMPROVEMENTS ®

To see if the Town will vote to appropriate a sum of money to pay costs of constructing three process improvements at the Water Pollution Control Facility (WPCF), including a new raw wastewater lagoon (lined and covered), new denitrification filters, and new wet weather equalization lagoon, as well the payment of all other costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to do or act in any manner relative thereto.

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

PETITIONED ARTICLES

Note: These articles are reproduced exactly as presented, in accordance with the law.

ARTICLE 24 – PLASTIC BAG REDUCTION BY-LAW

To see if the town will vote that any retail establishment, as defined in section 1, provides a checkout bag to customers, the bag shall comply with the requirements of being either a recyclable paper bag, a compostable and marine-degradable plastic bag, or a reuseable checkout bag.

Inserted by Norma White, et al.


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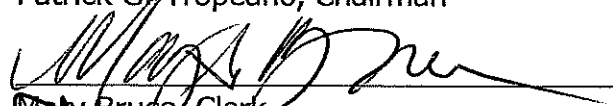
You are hereby directed to serve this Warrant by posting attested copies thereof on or before September 12, 2019 in at least one public place in each precinct within the Town, and by publishing a copy of the Warrant by October 3, 2019.


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

Given under our hands this 10th day of September in the year 2019.

WAREHAM BOARD OF SELECTMEN


Patrick G. Tropeano, Chairman


Mary Bruce, Clerk


Alan H. Slavin


Peter W. Teitelbaum, Esq.


James M. Munise

A True Copy

ATTEST:

DATE: September 11, 2019


Plymouth, S.S.


Steven P. Coughlin, Constable of Wareham

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 September 12, 2019, and by causing this Warrant to be published on or before October 3, 2019.

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Date: September 11, 2019


Steven P. Coughlin, Constable of Wareham

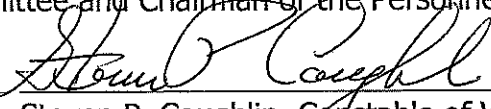
The original posting with return made was delivered to Michele Bissonnette, Town Clerk.

Date: September 11, 2019


Steven P. Coughlin, Constable of Wareham

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 Annual Town Meeting to be held on October 28, 2019 at 7:00 o'clock p.m. to the Town Moderator, Chairman of the Finance Committee, Chairman of the Planning Board, Chairman of the Capital Planning Committee and Chairman of the Personnel Board.

Date: September 11, 2019


Steven P. Coughlin, Constable of Wareham

9/10/2019 5:24 PM

