



**TOWN OF WAREHAM
54 MARION ROAD
WAREHAM, MASSACHUSETTS 02571**

TOWN CLERK

OCTOBER 28, 2009

I hereby certify the following to be extracts of the minutes of the Annual Fall Town Meeting which was convened on Monday, October 26, 2009; reconvened and dissolved on October 27, 2009:

The Town Clerk arrived at Wareham High School at approximately 5:00 p.m. to ensure that all was setup correctly before town meeting. Town Moderator John T. Donahue arrived at 6:45 p.m. Benjamin Donahue, Deputy Moderator, was not in attendance on this date.

At approximately 7:10 p.m., Moderator, John T. Donahue, checked on the attendance of the tellers. He then stated that he wanted to introduce the tellers for the evening. Mr. Donahue stated, "I would like to introduce the tellers for the evening, Mr. Jack Silva and three student tellers from the Wareham High School. We have Harold Irving, Vickie Verrier, and Kayla Wyatt. I will now ask the tellers to raise your right hands and repeat after me." The Moderator then proceeded to swear in the four tellers. He then stated, "I remind the tellers that you are only to count the voter slips, and this evenings voters' slips are yellow. It's a yellow card, not raised hands, and I remind the voters that if you want your vote to be counted during a show of hands, or a hand count, you must hold your voter slip high, so it's high enough to be seen by the tellers so they can count you. Anyone simply raising their hand without a voter slip will not be counted. So now I will ask the tellers to take their positions and to take a quorum count, please. I know that there are still people coming into the auditorium. It appears to me that we have a sufficient quorum, so I'm going to get the quorum count out of the way, and I will make a declaration after that count. Will everyone in the auditorium hold up your yellow voting slip so you can be counted for a quorum count? Tellers, please take the quorum count." While waiting for the tellers to conduct the quorum count, the Moderator stated, "Ladies and gentlemen, I am told that there are a number of non-voters, probably seven non-voters that we need to fit into the auditorium." He then proceeded to make room and instruct the IT person to remove Article Twenty from the consent agenda." The Moderator then stated, "Are the tellers prepared to give me a quorum count?" The Moderator then asked the tellers to call out the count, which was three hundred eighty-six people in attendance. He stated that we had a quorum to vote on all articles before us. The Moderator stated that he wanted to give folks a few more minutes to get into the auditorium. He asked if there were any other procedural questions before starting town meeting.

He went on to state that if we need an overflow that preparations have been made to set up some space in the foyer and if necessary we would take a few more minutes to get that in order and then we would get started. The Moderator stated that he needed to find the Town Clerk in order to begin. When he returned to the auditorium, he stated that the Town Clerk and the Checkers were on the way into the hall. At this point, he asked everyone to stand and join him in the pledge of allegiance to the flag located on the Moderator's right. At the conclusion of the pledge of allegiance, the Moderator

stated, "I am going to go out of order just to expedite things. Do we have a report from the Chairman of the Board of Selectmen?" Bruce Sauvageau, Chairman of the Board of Selectmen rose and stated, "Just very briefly, Mr. Moderator, welcome Ladies and Gentlemen to your town meeting. I'm very happy to see a large turnout, much better then we've seen in years. I hope that's a good thing. I would hope that you've had time to contemplate your votes by reading the warrant and contemplating issues that we're going to be discussing this evening. I'm not going to get into individual articles, obviously, we'll debate those. But I will say that some of these articles before you tonight have quite literally the ability to change the future direction of Wareham. It's up to you to decide whether that directions will be positive or negative, and I just as usual hope that God will give us the ability to use wisdom and reason and I hope you will listen carefully and vote carefully. Because I believe that we do have some opportunities here. Thank you."

The Moderator then stated, "To the Chairman of the Finance Committee, do you have any opening remarks?"

At that point, Mr. Paulsen rose and stated, "Thank you Mr. Moderator, and I share the sentiments of the Board of Selectmen, the Chairman of the Board, in welcoming you all here. I know you're here to see all of us that's for sure, right? We do have some important decisions to try and resolve tonight; hopefully, just tonight. We'll have to see. Before we get started, I just want to make a public apology to, I've already talked to John about this privately and he was very gracious in accepting it, but last week or a week and a half ago at the Onset Protective League I got his name involved with the Health Trust issue in a way the was inappropriate, and as I said I apologized to him. He was very gracious in accepting the apology. I'm sorry that I apologized to John Sanguinet and he was very gracious in accepting it. And it was heartfelt. Just one other thing, this is procedural and you're gonna say okay, I hope. There's a language, we tried to explain this once and I did a poor job of it. I hope I can do a better job now. If you go to Article Two, and I only picked that out because there it says favorable action and then it says three-five-zero. I'm not going to spend a lot of time on it but favorable action was the motion. The motion was for favorable action, we put that in there, we probably should have said we vote against this or something else other than that. The vote is what counts, at least in terms of what's here. So don't be confused by the wording of favorable action. We'll change it next time and make it clearer next time, so, again an apology. With that said, again welcome and thank you very much for attending, and we'll make this as quick as we can. Thank you again."

The Moderator then recognized the Town Clerk regarding non-voters. At that point, the Moderator was trying to find room in the middle section to seat the guests. He added that we could also set up a chair by the media table to accommodate another person. The Moderator stated that he was trying to accommodate some people, and if need be we can set up more room in the lobby.

The Moderator then asked, "Madame Clerk, will you please read the warrant." The Town Clerk stated the following: "Commonwealth of Massachusetts, Plymouth, S.S., To Either of the Constables of the Town of Wareham, Greetings: In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town qualified to vote in Town affairs to meet in the High School Auditorium, 7 Viking Drive, Wareham, MA on Monday, October 26, 2009 to act on the following articles." The Moderator waved the reading of the articles as printed in the

warrant. The Clerk then continued to the last page of the warrant, and stated, "You are hereby directed to serve this Warrant by posting attested copies thereof on or before September 18, 2009, in at least one public place in each precinct within the Town, and by publishing a copy of the Warrant by October 8, 2009. 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 fifteenth day of September in the year 2009, Wareham Board of Selectmen." The Moderator then asked the Clerk when the warrant was posted. At that point the Moderator stated, "In accordance with our Home Rule Charter let it be duly recorded that the Town Constable on September 18, 2009 delivered and posted a copy of the warrant to all six precincts within the Town of Wareham, as required.

At that point, the Moderator recognized a speaker at the microphone, who identified himself as Bob Brady. He stated that he has an option to which he would like to propose concerning the warrant articles and addressing each one by way of a lottery. The Moderator then stated that we would deal with that just as soon as he finishes his opening remarks.

The Moderator continued with his presentation, "Ladies and gentlemen this Town Meeting is concerned with discussing and voting upon those issues contained in the published warrant for this meeting. You should all have copies and if you don't, there should be copies in the lobby or with the Checkers. This meeting will be governed by the laws of the Commonwealth of Massachusetts, the Wareham Home Rule Charter, the By-Laws of the Town of Wareham, the publication entitled Town Meeting time, town meeting tradition, and my rulings for the purpose interpretation of our rules of procedure. For clarification a few of the rules of this meeting are as follows:

1. To be recognized a voter must queue up behind one of the microphones in the auditorium and remain standing until called upon. He stated he would alternate from microphone to microphone and he would otherwise do his best to recognize the speakers in the order in which they arise.
2. Anyone who is in a wheelchair or unable to stand for a long period of time, please draw as near to the microphones as possible and notify one of the tellers and thus the Moderator of your intention to address the body. I will do my best to recognize people so identified by the tellers.
3. Moving the question is a procedure to cut off debate. To make such a motion one must be recognized by the Moderator. No one will be allowed to move the question at the end of a speech. And finally, no motion for moving the question will be in order until the Moderator determines that all sides have had a fair opportunity to be heard.
4. Motions for re-consideration of a passed article will only be allowed if in the opinion of the Moderator: a. there's new information that was not available to the town meeting at the time that the article was considered, or b. substantial evidence exist that town meeting voters were confused to either the basis of the action which they took.

I realize that parliamentary procedure can be confusing at times. I will do all that I can to ensure that everyone understands the proceedings, and will stop the proceedings, when it is appropriate to be sure that everyone does understand. Finally, we must always remember that this is a deliberate and a deliberative body, whose function is to debate the issues and to discuss those issues and to decide those issues by a vote. There is no place in this meeting for discussions of personalities, and no such discussions will be allowed.

At this point, I will entertain a motion to limit debate to five minutes to the proponent of an article and two minutes to each subsequent speaker. I heard a second and this requires a two-thirds vote to pass. However, be advised that this motion maybe overridden by a majority at any time during the meeting in order to extend time to any speaker so requesting an extension of time.” The Moderator then called for the vote: “all in favor say aye; all those opposed indicate by saying no.” The Moderator stated, “It passes unanimously. Next, I remind you that this body has accepted the provision of Massachusetts General Laws, Chapter 39, Section 15, which provides that whenever a two-thirds vote is required by statute, such a vote may be declared as such by the Moderator without a count and be recorded by the Clerk upon such declaration, provided however, that if seven or more members doubt the vote, a counted vote shall be taken.”

The Moderator stated that for this evening he was probably going to break from tradition of asking for a voice vote first. He stated, “On a couple of articles I will probably go directly to a hand count just to be expedient. If you will please stand for a moment of silence, I would like to recognize several individuals who are not with us and have passed since the last town meeting in April: Mr. Ralph Thompson, a former member of the Board of Health for over twenty-five years, where he served as chairman for many of those years; Ms. Joanie Andrews, a long time meeting member, she was proud of her Cape Verdean heritage, she was devoted to educating and contributing to the Cape Verdean Community, she was a community activist and was instrumental in the renovation of the Oak Gove School in Onset; Joann DaSilva, a long time town meeting member; Marjorie Teitelbaum, a activist in the town of Wareham and Irene Slater, former checker. Please join me in a moment of silence in remembrance of these individuals. Thank you. I also remind everyone that there is no parking in the fire lanes outside of the auditorium. If you did park in a fire lane and impede the progress of public safety personnel you will probably suffer the consequences. Please turn off all cellular telephones and pagers. The Charter requires that we have a roll call of all Department Heads: Accountant, Animal Control, Assessors, Board of Health, Building/Zoning Department, Police Department, Community Development, Council on Aging, Emergency Medical Services, Harbormaster, Library, Municipal Maintenance, Planning, Recreation, Recycling, Superintendent/School Department, Treasurer/Collector, Town Clerk, and Selectmen. Okay, Mr. Brady, back to your motion.”

Robert Brady stated, “Thank you Mr. Moderator, through you again, I would like to propose the option that the town consider the warrant articles for this October special town meeting by way of a lottery. It’s been suggested that town meeting is often in attendance with special interest. This is an option which will allow the voters here tonight to exercise a way of taking articles by consideration by way of a lottery which is something that is allowed by town meeting time. If this body so chooses not to exercise this option at least we’ve exercised it and I would move that it would be put before the body for a vote.” The Moderator stated, “Motion made and seconded. Please put that in writing for the Clerk. Did I hear a second, yes I heard a second. All those in favor please indicate by saying aye, all those opposed. All those in favor please hold up your voting slips. All those opposed (hold up slip). I am in doubt. All those in favor please hold up your voting slips and tellers please count the voting slips. Before I take the count, I have been informed that there is a ripped slip in the auditorium. It will not be counted. You need a whole card. Check with one of the tellers, please. Don’t know where the other half is that’s why it will not be counted.” The Moderator called for the vote, which was recorded as 229 in the affirmative and 261 in the negative, the motion was lost.

The Moderator stated, “Ladies and gentlemen we have a lot of articles to get through. You can see up on

the overhead there is a list of proposed consent calendar articles. I don't know if you can read it. I'll read it to you. Although this is a new concept to Wareham Town Meeting, we only did it in one meeting before. It is frequently used by many other communities in Massachusetts. Hopefully this will become a tradition in Wareham as well. The intent of the consent calendar is to move for favorable action multiple articles included in one motion without debate, with the belief that they are non-controversial articles. Be advised that as I go through this list of articles that if seven voters stand to object to any article being placed on the consent calendar, the article will be removed from the list and we will vote on the remainder. So, the motion would be, I move favorable action on the following articles included in one motion without debate. I heard a second. Article number six is to accept street layouts, if you are following in your warrant it would be on page number five. For the body's information, these articles were passed at a previous town meeting but they weren't recorded at the Registry of Deeds in a timely manner, so this is simply a housekeeping article. Article number ten, Community Preservation and it's monies for the preservation of records for both the Town Clerk's Office and the Assessor's Office. That is on page number ten, I'm told, thank you. Article number fourteen is also Community Preservation for debt service. I hear one person, if there are six more that stand, no one else is standing. That is for debt service on Bryant Farm properties. Article number seventeen is on page number fourteen of your warrant. That's the Harbormaster maintenance improvement account; it's a transfer of funds. This is something we do yearly and that's also the case for article eighteen, which is on page fifteen, to transfer funds from the Harbormaster maintenance to the improvement account. Article nineteen is a line painting account, also a transfer of funds. The Town Administrator has requested that Article twenty be taken off the list because there are insufficient funds, or a question of the funds. Yes, I'm getting a nod, that's fine, yes, thank you, and Article number twenty-one, which is on page number sixteen, which is the transfer of funds to the sign materials account. I heard a motion and a second." The Moderator called for the vote, which was recorded as unanimous.

The Moderator then moved to article number one. This article was to amend Article Six from the 2010 Fiscal Year Budget and also to amend Article Seven, the town's share of operating and capital cost of the Upper Cape Cod Regional Vocational Technical High School District as voted at the April 27, 2009 Annual Town meeting as follows (see Article One). The body moved through the article with a presentation from the town administrator, who stated that these changes to the Fiscal 2010 budget needed to take place due to the changes the Governor made in his final budget and approved late in July. The Governor cut five-hundred and ninety-nine thousand dollars of our state aid allocation and these are the changes he was able to make with little or no impact on services currently being provided. He went on to say that he would answer any questions on the specific line item but there is an explanation for each line item throughout the budget. The Moderator then stated the motion was made and seconded and called for the discussion. Hearing no discussion, he called for the vote and stated that it passed by a majority.

The Body moved to article number two, which was the leasing of the property called the Westfield site for affordable housing. Bruce Sauvageau asked for permission to have Dick Heaton make a presentation. The Moderator called for a second and vote to allow Mr. Heaton the floor. The vote was a favorable majority. Mr. Heaton approached the microphone and stated, "Thank you Mr. Moderator and thank you for the opportunity to speak to you this evening. I've had the pleasure of working with the town for the last three years, and have been working on this particular project, the Westfield Project, for the last nine months. I am going to give you a very brief overview of what it is. I'm more than welcomed to take any questions or comments that you have afterwards. In front of your there are five proposals that have been

received by the town from an RFP that was issued after an extensive study was done to understand the need for affordable housing in Wareham. These proposals are representations from five developers who would like to build this project in Wareham for you. These are all credible developers. They have developed multiple affordable housing projects in Massachusetts. They can be visited and you can see them. The proposals that they have delivered are complete. They are about two inches thick, they have a set of conceptual architectural plans in them, a description of the project, what their past experiences have been in managing other projects in the state, and what I find most important is the detailed financial analysis of the project. The financial analysis includes the cost to develop the project, whose going to pay for it and how it's going to operate over the next twenty years. What's most important without delving into each one of these proposals, which is not the purpose of tonight's meeting; the purpose of tonight's meeting is to ask you to authorize a group to evaluate these proposals and report back to you as to which one is the best. What's important is there are four common traits that these proposals have. These four credible developers all believe the Westfield site is viable for an affordable housing project. They have been in contact with GATRA, they've made arrangements to have transportation to and from the site in private vans and they believe that the Westfield Site is an appropriate site. They are very excited about it, quite frankly, to build affordable housing. The second thing is they believe they can raise between twenty-five and forty-five million dollars to build this project. The different projects are built different ways and have different costs and that is why there's a range. But most importantly they have identified sources of funds outside of Wareham primarily from private investors and the federal and state governments who will fund this project on this site. These developers have had experience doing this in the past; they know how to make it happen. It's a very lengthy process, a competitive process in competing for these funds, but they believe they can develop a proposal that will win funds for them and you that will allow you to build this project on site. The third thing is these developers have told us that they believe they don't need as much land as they initially wrote the article for. You will notice from this chart there's what the initial article as printed in the warrant ask for a larger piece of land than what the developers came back and said they needed, which is about eighteen or eighteen and a half acres that the maximum project is and one of the developers feels that can do it on ten acres. So as a result of that information that came in after the article was printed the article was modified to the lower size. The final thing that these four or five developers have in common is that they have done a detailed financial analysis and they believe that they can generate a minimum of 4.8 million dollars, a maximum of 7.6 million dollars, depending on the developer that will come to the town, over the next twenty years. These will be in terms of either taxes or fees for services that the renter will provide them. As I have indicated these are detailed financial figures that they have gone through and scrubbed them to the best of their knowledge. That is their understanding of what it is going to cost to build the project and it's their understanding of the fees and the taxes they will be paying you. But it is in the order of 4.8 to 7.6 million dollars of additional revenue that you as a town will receive. What will happen after this meeting is if you vote in the affirmative for this article, the Selectmen will setup an evaluation committee. The evaluation committee will review these five proposals and rank them. The proposal that comes out on top, they will sit down with that developer and they will go through it, the evaluation committee will go through it, and they will probably make changes to the proposal based upon what you would like to see in town. Typical changes have to do with services that are provided that have to do with the number of bedrooms per unit and they may have things that you want on site. But there are things that you want to do in this project that you feel are in the best interest of the community. Those changes will be memorialized into a document that will move forward through different groups in town, one is the zoning board because the zoning board needs to approve this as a multi-family project. The second is the CPC committee." Just then several members of the body became loud and calling that Mr.

Heaton's time was up. The Moderator stated that he had forty-five seconds left on the timer and if he needed more time it would be put to the floor for a vote. Mr. Heaton went on to say, "I love town meeting. The purpose here is if this proposal is accepted and the developer and you can reach an agreement, a proposal will go to the CPC committee, which will then make a recommendation to town meeting for funds that you will look for that will be required for this project at the spring town meeting. So in the words I use, you have two bites of the apple, you are approving the Selectmen and the evaluation committee to move forward and have discussions with the developer if those are acceptable, and I need another three minutes." The Moderator asked for a motion to extend three minutes, "I heard a second, all those in favor indicate by saying aye, all those opposed. You have three minutes." Mr. Heaton continued, "Thank you. As I was saying the results of the evaluation committee will go to the CPC; the CPC will bring it forward in the spring. You will have an opportunity to determine whether or not you want to fund this project. When I look at this project this is one of the best projects I have seen in the state. There are some very clear benefits to the community. This provides two hundred units of housing that is needed in the community, needed very badly in my estimation. I could go through some facts and figures that show you why. Secondly, it brings in 25 to 45 million dollar funds from the governments, federal government, state government, to help you build this project. Third, it provides you, it will generate 4.8 and 7.6 million dollars of funds, additional fees that will help you offset some of the problems you and every other community in Massachusetts is experiencing right now. And finally, this helps you get to your ten percent goal that you can deny forty-B projects. My final point is this is a very opportune time to make this decision. We're all aware how bad business is, we're all aware that construction companies are hungry. They have given you five very attractive proposals and it's your option as to what you want. Thank you."

The discussion was long and drawn out with the majority of the speakers speaking against the project. Many of the concerns surrounded the idea of having the Selectmen taking total charge in the leasing of the property for ninety-nine years; and also, the second issue was the fact that the title was not clear and appeared very confusing. At that point there was an amendment for indefinite postponement, and in the end the article was lost. (See certified article number two).

The Body moved on to Article Three, which was to impose a meal tax. After a thorough vetting, the body defeated this proposal. (See certified article). The Body moved to Article Four, which was to impose an increase in its room occupancy excise tax. Again, after a short discussion the motion was defeated. The Body moved to Article Five, which was to remove the position of the Chief of Police from Civil Service. This discussion continued for sometime, with the Acting Chief making a presentation and the President of the Police Union also making his presentation. In the end, the majority of the speakers were in favor of keeping the Chief's position in Civil Service. Edward Pacewicz made a motion to take the vote by Australian ballot, that is by secret ballot. The Moderator stated he heard the motion and second and called for the discussion. At that time a point of order was made that the hour was now ten o'clock. The Moderator stated that our town bylaws require that we do one of two things: adjourn at ten o'clock or extend the time beyond ten o'clock. The Moderator stated, "Is there a motion to extend the time past ten o'clock. Motion made and seconded. I'll ask for qualifications on the extension. The extension could be to complete this article or go to a time specific. Motion made and second to complete the article." The Moderator then called for the vote, which was a majority vote to continue. The Moderator stated that we had a motion for an Australian ballot before us and called for the discussion. He stated he heard a second. He stated that we have the discussion before us and recognized several people before calling for the vote on the Australian ballot. The motion was lost by a majority

vote. The Moderator called for the discussion to continue on Article Five and several people rose to speak. One voter rose and asked to move the question. The Moderator then stated that we have a motion to move the question and a second. The Moderator called for the vote, which had to be a two-thirds vote. The Moderator stated that the motion passed and we again had the vote on article five before us. The Moderator called for the vote and stated that the motion was lost and the position remained civil service. The Moderator asked for a motion to adjourn. Brenda Eckstrom made a motion to adjourn and dissolve town meeting. The Moderator heard a second and then called for the vote. The Moderator stated the motion was lost (majority vote). The Body was loud and uncooperative. The Moderator asked the Body to remember that we had high school students present and we should set an example for them. The Moderator stated we had a motion to adjourn and a second but he did not hear a qualification as to when this body wanted to adjourn to what date, to what time. The motion was to adjourn town meeting until tomorrow night at seven. The motion was made and seconded to adjourn until tomorrow evening here at 7:00 p.m. The Moderator called for the discussion and then the vote. By a majority vote the Moderator declared that we were adjourned. The meeting adjourned at 10:30 p.m.

OCTOBER 27, 2009/SECOND NIGHT TOWN MEETING

The Town Clerk arrived at Wareham High School at approximately 5:00 p.m. to ensure that all was setup correctly before town meeting. Town Moderator John T. Donahue arrived at 6:45 p.m. Benjamin Donahue, Deputy Moderator, was not in attendance on this date.

At approximately 7:05 p.m., Moderator, John T. Donahue, checked on the attendance of the tellers. He then stated, "The high school students that are volunteering as our tellers for the evening are Andrew Cavicchi, Marley Harunk, Vickie Verrier, Kayla Wyatt and Brianna Rakoski. I know most of you were sworn last evening but some of you are new so, I will ask you to raise your right hands and repeat after me." The Moderator then proceeded to swear in the five tellers. He then stated, "You are duly sworn and I remind you that you are only to count the voters' slips and this evening ladies and gentlemen the voters' slips are blue, and I remind you to count only whole voters' slips. If you see any torn in half please report to me or to the Clerk or to an appropriate individual, and I remind all voters that if you want your vote to be counted during a show of hands, I ask you to hold up your voters' slips high enough to be seen and keep it raised until you have been counted please. Also, I remind voters if you are not seated when a vote is being taken, your vote will not be counted. We had a problem with that last night and it caused a delay in the town meeting, so I'll just let everybody know in advance if you want to be counted, please be seated. Alright tellers, I'll ask you to take your assigned stations and to take a quorum count." The Moderator then stated that the Clerk had four warrants left. He asked voters to please share a warrant if you have one with a neighbor and turn a warrant in if you have extra. The Moderator then asked voters to please hold their cards up high in order to make it easier for the tellers to count the quorum. The Moderator informed the body that the Charter called for a roll call of departments be taken, and he would do so while the quorum is being counted, "Accountant, Animal Control, Assessors, Board of Health, Building/Zoning Department, Police Department, Community Development, Council on Aging, Emergency Medical Services, Harbormaster, Library, Municipal Maintenance, Planning, Superintendent/School Department, Treasurer/Collector, Town Clerk, Board of Selectmen and Finance Committee."

The Moderator stated, "I do see some raised cards, Ladies and Gentlemen, in the middle section. The middle section is for non-voters. So if you could move to your left, there's plenty of seats over on

this side, so we just don't have any confusion counting the votes. To anybody that's a registered voter please move over to the left or right, thank you." The Moderator then asked for the quorum count. There was 263 voters in the hall, and the Moderator stated, "That means ladies and gentlemen we can conduct all business before us on the warrant. So, let me just go through my introductory remarks quickly to remind everybody that this town meeting is concerned with discussing and voting upon those issues contained in the published warrant for this meeting. This meeting will be governed by the laws of the Commonwealth of Massachusetts, the Wareham Home Rule Charter, the By-Laws of the Town of Wareham, the publication entitled Town Meeting time, town meeting tradition, and my rulings to clarify any procedural questions. For clarification a few of the rules of this meeting are as follows:

1. To be recognized by the Moderator a voter must stand and remain standing until called upon. Please come up to one of the stationary microphones in the auditorium in the center isle and I will do my best to recognize the speakers in the order in which they arise.
2. Anyone who is in a wheelchair or unable to stand for a long period of time, please draw closely to one of the microphones, let one of the tellers know that you would like to address the Moderator and you will be recognized.
3. Moving the question is a procedure to cut off debate. To make such a motion one must stand and be recognized by the Moderator. No one will be allowed to move the question at the end of a speech. And finally, no motion for moving the question will be in order until the Moderator determines that all sides have had a fair opportunity to be heard.
4. Motions for re-consideration of a passed article will only be allowed if in the opinion of the Moderator there is new information that was not available to the town meeting at the time that an article was considered, or if substantial evidence exist that town meeting voters were confused in any manner as to the basis or nature of the action which they took.

I realize that parliamentary procedure can be confusing at times, and I will do all that I can to be sure that everyone understands the proceedings, and I will stop the proceedings, when it is appropriate to do so to be sure that everyone does understand where we are in the proceedings. Finally, we must remember always that this is a deliberative and a deliberate body, whose function is to debate the issues and to decide those issues by a vote. There is no place in this meeting, and I repeat, there is no place in this meeting for discussions of personalities, and no such discussions shall be allowed.

At this point, I remind you that the body voted to limit debate to five minutes to the proponent of an article and two minutes to each subsequent speaker. However, be advised that this limitation maybe overridden by a majority at any time during the meeting in order to extend time to any speaker so requesting an extension of time. Also, I remind you that this body has accepted the provision of Massachusetts General Laws, Chapter 39, Section 15, which provides that whenever a two-thirds vote is required by statute, such a vote may be declared as such by the Moderator without a count and be recorded as such by the Clerk upon such declaration, provided however, that if seven or more members doubt the vote, a counted vote shall be taken. I believe that we left off on a vote of article number five last night. We had previously acted on article number six and so we have article number seven before us."

The motion was read, discussed and voted on. (see article number seven) The Moderator then

interrupted the proceedings and asked for personal privilege, as he had forgotten a few items. He asked that no one park in the fire lanes and warned the Body that if they did park in the fire lane they did so at their own peril, as he added that we need to have access for emergency vehicles. He stated that he was reminded on the way in and asked all to stand for a moment of silence for Dr. Matthew Finn, a long-time physician in the town of Wareham. The Moderator thanked the body and then reminded everyone to turn off their cellular telephones, pagers or any other electronic devices you have.

The Body returned their attention to article number seven with a presentation from the Historical Commission. "Good evening, my name is Robin Ragel-Davis of Tim's Point in Wareham. I'm Chair of the Wareham Historical Commission. I'm going to keep my comments very brief in the interest of time. The most important thing you need to know about this bylaw is that it cannot ultimately prevent a demolition. The next thing you need to know about this bylaw is that only a few properties actually will be affected. This bylaw only refers to exterior demolition not interior demolition. In order for a delay to actually be imposed, the following needs to happen. First, the property owner applies for a permit. If the property is fifty years old or older, it is referred to the Historic Commission for review. At that time there are two alternatives, the first and most likely is that we decide that the property is of no special significance and we notify the Director of Inspectional Services that he may issue the permit. Otherwise, if the property is considered historically significant at this time we will schedule a public hearing. This public hearing will allow the Historical Commission to gather the impute of citizens of the town, as well as impute from the property owner. All of this impute will be taken into account when determining whether or not the building is preferably preserved. It is that designation that initiates the delay period of six months. The delay itself is meant to prevent buildings that matter from disappearing overnight. The delay itself is meant to be a time when the property owner, the Historical Commission, and other interested parties work together to try to arrive at a mutually acceptable solution. There are a number of successful stories in Massachusetts, so solutions are possible. It is important to remember that once the delay period is over if no solutions have been reached; the demolition can proceed as planned. This delay is an important tool for preservation, as once the property is gone, it is gone forever. The intent here is to start conversation and allow people to work together. Thank you." The article was discussed, voted and was passed.

The Body moved to article number eight. As the discussion ensued for about forty-five minutes, Lisa Simmons of Sixth Avenue, made a motion to move the question. There was a second and the Moderator called for the vote and stated that it passed by the two-thirds vote for favorable action. The body then moved on to the conclusion of article number eight, (see certified article), and then the Body moved to article number nine. The discussion continued for almost an hour and a voter rose and asked to move the question. The Moderator stated there was a second and stated that it has to pass by a two-thirds vote. He called the vote a two-thirds favorable vote. He then completed the article with the final vote, (see certified article), and moved to article number eleven, number twelve and article thirteen were CPC articles (see certified articles). The body moved on to article fifteen, discussed, voted and completed this article (see certified article). The next articles were numbers sixteen, twenty, twenty-two and twenty-three. The Acting Town Administrator again requested that Article Twenty be removed from the list as there was no available funding. The Moderator asked for a motion of "no action." He called for discussion and the vote, which was favorable. Article twenty-two drew a long and drawn out debate and after almost an hour Steve Rogers from Bay Pointe rose and asked to move the question. There was a second and the Moderator called for the vote, which was declared as two-thirds majority. Once the body finished with Article 22, the body moved to the final article, which was number twenty-three. The body

discussed this article for about fifteen minutes and a voter rose and asked to move the question. There was a second, and the Moderator stated that this was not debatable and called for the vote. The Moderator then recognized Irving Russell, who stated that he would request that we as a group acknowledge and express our appreciation to the students that have assisted us in operation of this town meeting. Town meeting members gave the students a round of applause.

The Moderator stated he heard a motion to adjourn and a second. The Moderator then proceeded to thank the Board of Selectmen, the Finance Committee, the Town Clerk, the Checkers, the Tellers, the student Tellers, Town Counsel, and the voters of the town, the IT Staff, the Custodial staff, Town Hall staff, and the High School Audio/Visual Department and their volunteers. He then called the vote in favor of dissolving town meeting and stated that we were dissolved. The meeting ended at 9:55 p.m.

Respectfully submitted,

Mary Ann Silva
Town Clerk