

W A R R A N T  
ANNUAL SPRING TOWN MEETING  
TOWN OF WAREHAM

APRIL 2, 2013  
(ELECTION)

DESIGNATED POLL LOCATIONS

8:00 O'CLOCK A.M. to 8:00 O'CLOCK P.M.

APRIL 22, 2013  
(GENERAL BUSINESS PORTION)

WAREHAM HIGH SCHOOL  
VIKING DRIVE  
WAREHAM, MA 02571

7:00 O'CLOCK P.M.

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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 **Precinct 1:** Wareham Town Hall, 54 Marion Road; **Precinct 2:** Ethel B. Hammond Elementary School, 13 Highland Avenue, Onset, **Precinct 3:** Minot Forest Elementary School, 63 Minot Avenue, Wareham; **Precinct 4 and Precinct 5:** John W. Decas School, 760 Main Street, South Wareham; **Precinct 6:** Wareham Lodge of Elks, 2855 Cranberry Highway, East Wareham on Tuesday, April 2, 2013 at 8:00 o'clock a.m. for the election of Town officers designated in the official ballot, to be adjourned until Monday, April 22, 2013 at 7:00 o'clock p.m. in the High School Auditorium , 7 Viking Drive, Wareham, MA at which time the general business of the Town shall be transacted, and to act on the following articles:

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 1

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

Inserted by the Board of Selectmen

ARTICLE 2

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

Inserted by the Board of Selectmen

ARTICLE 3

To see if the Town will authorize its Town Treasurer/Collector to enter into compensating balance agreements for fiscal year 2014 pursuant to Chapter 44, Section 53F of the General Laws, or to do or act in any manner relative thereto.

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

ARTICLE 4

To act upon the reports of the Selectmen, School Committee, Dog By-Law Study Committee and the Capital Planning Committee, 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

ARTICLE 5

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

Inserted by the Board of Selectmen

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 6

To see if the Town will vote to raise and appropriate and transfer from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a Reserve Fund for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014 and as more particularly described in the report of the Wareham Finance Committee, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 7

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money as its share of the operating and capital costs of the Upper Cape Cod Regional Vocational-Technical High School District for the Fiscal Year July 1, 2013 through June 30, 2014, or to do or act in any manner relative thereto.

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

ARTICLE 8

To see if the Town will vote to appropriate a sum of money from the Water Pollution Control Enterprise Fund: Salary and Wages; Expenditures (includes debt), in accordance with Chapter 44, Section 53F-1/2 of Massachusetts General Laws to defray the operating and capital expenses of the Water Pollution Control Enterprise Fund for the fiscal year beginning July 1, 2013, and ending June 30, 2014, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 9

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

Inserted by the Board of Selectmen

ARTICLE 10

To see if the town will vote to transfer \$50,000.00 from the receipts reserved for appropriations account to the general fund operating budget to defray the cost of harbormaster seasonal personnel, or to do or act in any manner relative thereto.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

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

ARTICLE 11

To see if the Town will vote pursuant to Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of shellfish propagation programs and enhancement of shellfish resources within the Town, which fund shall be credited with receipts from all commercial shellfish permit fees and twenty (20%) percent of all fees derived from the issuance of recreational shellfish permits under the authority and direction of the Shellfish Constable and Town Administrator, such expenditures not to exceed \$30,000.00; and further, that the unencumbered balance as of the close of fiscal year 2013 in the existing shellfish revolving account be transferred to the revolving fund established for fiscal year 2014, or to do or act in any manner relative thereto.

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

ARTICLE 12

To see if the town will transfer the sum of \$18,500.00 from the Waterways Account to the Harbormaster's Maintenance and Improvement Account or to do or act in any manner relative thereto.

Inserted by Board of Selectmen at the request of the Harbormaster

ARTICLE 13

To see if the Town will vote to approve under G.L. c. 44, §53½ certain revolving funds, or to do or act in any manner relative thereto.

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

ARTICLE 14

To see if the Town will vote to appropriate the sum of \$397,000 for the purpose of purchasing print and/or digital textbooks and in addition fund school technology infrastructure, and to authorize the Treasurer with the approval of the Board of Selectmen to borrow said sum or to do or act in any manner relative thereto.

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

ARTICLE 15

To see if the Town will vote to amend the Zoning By-Laws of the Town of Wareham by amending Article 16: Definitions by adding a definition for "Medical Marijuana Treatment Center" and to add a new Article 17 to impose a temporary moratorium for a period of one (1) year to allow the Town of Wareham to consider the regulation and permitting of such a facility

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

or facilities within the Town, or to do or act in any manner relative thereto.

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

ARTICLE 16

To see if the Town will vote to rescind the unexpended authorization for the school roof repair as authorized by Article 2 of the October 22, 2012 Fall Town Meeting, and further raise and appropriate or transfer from available funds or borrow a sum of money to replace the fuel pumps and fleet management system located at the Municipal Maintenance compound and further make any amendments necessary to Article 2 labeled the FY2013 Capital Plan of the October 22, 2012 Fall Town Meeting to help offset the cost of the system, or to do or act in any manner relative thereto.

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

ARTICLE 17

To see if the Town will vote to raise and appropriate or transfer a sum of money from the Waterways Improvement fund to the Harbor and Beaches Municipal Maintenance fund, or to do or act in any manner relative thereto.

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

ARTICLE 18

To see if the Town will vote to raise and appropriate or transfer a sum of money from the Parking Meter fund to the Municipal Maintenance Line Painting fund, or to do or act in any manner relative thereto.

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

ARTICLE 19

To see if the town will vote to appropriate a sum of money from the transportation revolving fund to purchase or lease new and/or used vehicles for the school transportation department, or to do or act in any manner relative thereto.

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

ARTICLE 20

To see if the Town will vote to raise and appropriate or transfer from the Cemetery sales of lots and graves fund a sum of \$15,000 Dollars to a special account for the routine care and maintenance of the Town cemeteries, or to do or act in any manner relative thereto.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

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

ARTICLE 21

To see if the Town will vote pursuant to Section 6-3 of the Charter to approve the reorganization plan which creates a Finance Department by restructuring the Accounting and Treasurer/Collector departments and any other Wareham finance and technology department, by placing them under the direction of a Finance Director, or to do or act in any manner relative thereto.

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

ARTICLE 22

To see if the Town will vote to authorize the creation of a new Rental Inspection Revolving Fund for the purpose of funding the costs of a rental housing inspection program, which shall be credited with the receipts of rental inspections and rental violation fines, not to exceed \$50,000, to be expended under the direction of the Board of Health, or to do or act in any manner relative thereto.

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

ARTICLE 23

To see if the Town will vote to hear and act on the report of the Community Preservation Committee, on the Fiscal Year 2014 Community Preservation budget and further to reserve for future appropriation from Community Preservation Fund FY 2014 estimated annual revenues the following amounts as recommended by the Community Preservation Committee **(1) \$37,700** to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year 2014; **(2) \$75,400** for Open Space Reserves; **(3) \$75,400** to Historic Preservation Reserves; and **(4) \$75,400** to Affordable Housing Reserves, or to do or act in any manner relative thereto.

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

ARTICLE 24

To see if the Town will vote to appropriate from the Community Preservation Fund, FY '2014 estimated annual revenue, or any other available monies in the Community Preservation Fund, under Open Space, the sum of **\$7,022** for payment for debt service on the property known as Bryant Farm, and further to appropriate under Historic Preservation, the sum of **\$98,527** for payment for debt service on the property known as Tremont Nail, 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

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

ARTICLE 25

To see if the Town will vote to appropriate from the Community Preservation Affordable Housing Reserve Fund, or any other monies available in the Community Preservation Fund, the sum of **\$50,000** to South Shore Housing dba "Cranberry Manor" for an Affordable Housing Restriction and for the general rehabilitation of the apartments in the affordable housing complex, located at 2220 Cranberry Highway, Wareham, MA designated on assessors' Map #103, Lot # 1015A, or to do or act in any manner relative thereto.

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

ARTICLE 26

To see if the Town will vote to appropriate from the Community Preservation Fund, unallocated funds or any other monies available in the Community Preservation Fund, under the category of Open Space/Recreation, the sum of \$30,000 for a comprehensive conditions assessment of all Town-owned playgrounds, and further to develop passive recreation plans for the following open space parcels: **(1)** Bryant Farm **(2)** Ahern Property and **(3)** Westgate property, or to do or act in any manner relative thereto.

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

ARTICLE 27

To see if the Town will vote to appropriate from the Community Preservation Unallocated Fund, or any other monies available in the Community Preservation Fund, under the category of Historic Preservation, the sum of \$100,000 for a Historical Preservation Restriction and the restoration of the historic chimney tower at British Landing Condominiums and Yacht Club, 53 Main St. Wareham, MA, designated on assessors' map # 46, lot 1006, or to do or act in any manner relative thereto.

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

ARTICLE 28

To see if the Town will vote to amend the By-Laws by creating a new section 15 as follows:

**I. Definitions**

**Dog:** All animals of canine species.

**Domestic Animal:** An animal designated as domestic by regulations promulgated by the Massachusetts Department of Fish and Game.

**Owner:** Any person or persons, business, association, society, or corporation owning , keeping, harboring or having possession of a dog.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

**Controlling Person:** A person of seventeen (17) years old or older having sufficient size, strength and ability to maintain proper control of the dog while on a leash.

**Owner's Property:**

1. Property owned or occupied by the dog owner.
2. Property not open to the general public where the owner or occupant has invited the dog, with or without its owner onto the property.

**Attack:** Aggressive physical contact initiated by an animal.

**Secure Enclosure:** A fence or other structure of at least one hundred (100) square feet in accordance with MGL Chapter 140 Section 157 on suitable enclosures to reasonably prevent the entry of young children and other unauthorized persons and to confine the dog securely. Such enclosure shall have sides and top and shall be designed and constructed to prevent the dog from escaping. If the enclosure has no floor secured to the sides, the sides shall be embedded into the ground for not less than two (2) feet.

**Muzzle:** A device that prevents a dog from biting any person or animal. It may be constructed of strong material. A muzzle may not interfere with the vision or respiration of the dog that wears it, nor shall it cause any injury to the dog.

**Dangerous Dog:**

1. Any dog that has, without clear provocation, significantly bitten or attacked a human being resulting in significant physical injury or death.
2. Any dog that has, without clear provocation, inflicted severe physical injury or killed any other domestic animal.
3. Any dog that behaves in a manner a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.
4. Any dog owned, kept or harbored currently or in the past for the purpose of dog fighting or any dog trained for fighting.
5. Any dog that has been deemed dangerous or vicious in any other jurisdiction.

**At Risk Dog**

1. Any dog that, when unprovoked, engages in any behavior that requires a defensive action by a human or other dog to prevent bodily injury.
2. Any dog that, when unprovoked, acts in a highly aggressive manner within a fenced yard or enclosure and appears, in the opinion of the Animal Control Officer, to



APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

be able to escape.

**Hearing Authority:** The Board of Selectmen or any person or persons designated by the Board of Selectmen who are in conformance with the definition of hearing authority in MGL Chapter 140 Section 136A.

## **II. Exceptions To Dangerous Or At Risk Classifications**

No dog shall be determined dangerous:

1. for inflicting injury or damage on a person committing a crime or willful trespass upon the premises occupied by the owner of the dog, or teasing, tormenting, abusing or assaulting the dog or committing or attempting to commit a crime;
2. for taking action to defend or protect the owner or other person from an attack or assault by another person or animal;
3. for attacking a domestic animal, which, at the time the injury was sustained, was teasing, tormenting, abusing or assaulting the dog;
4. for attacking a domestic animal while on the Owner's Property if, in the past, the domestic animal had been teasing, tormenting, abusing or assaulting the dog;
5. for protecting or defending itself, its offspring or other domestic animal from attack or assault, or reacting to pain or injury, if such reaction was not grossly disproportionate;
6. for attacking or injuring a person or domestic animal while performing its expected duties as a military, correctional or police dog;
7. at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of Seven (7), it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing;
8. Solely based on growling or barking.

## **III. Dangerous And At Risk Dogs**

1. The determination that a dog is dangerous or at risk under this section shall be made by the hearing authority. The hearing authority shall notify the owner in writing of any such determination; such notice shall include information on the hearing and appeal process.
2. Any confinement or other restrictions imposed by the determination shall remain in effect while a hearing or appeal is pending.
3. Within ten (10) days after an order by the hearing authority, the owner of a dog may bring a petition in the district court within the judicial district in which the order

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

relative to the dog was issued or where the dog is owned or kept, addressed to the justice of the court, praying that the order be reviewed by the court or a magistrate of the court.

**IV. Restrictions For Dangerous Dogs**

If the hearing authority deems a dog a dangerous dog, the hearing authority shall order one or more of the following:

1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure and locked enclosure;
2. The dog may only leave owner's property accompanied by a controlling person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds, used in conjunction with a muzzle;
3. Microchip or tattoo identification for the dog;
4. Behavior training for the dog from a trainer approved by the Animal Control Officer;
5. Spaying or neutering of the dog unless an owner of the dog provides evidence that a veterinarian is of the opinion the dog is unfit for alterations because of a medical condition, the owner of the dog shall cause the dog to be altered so that the dog shall not be reproductively intact;
6. Proof of insurance for the dog in an amount not less than \$100,000, insuring the owner against any claim, loss, damage or injury to persons, domestic animals or property resulting from the dog's acts, whether intentional or unintentional;
7. Dog will be humanely euthanized.

**V. Restrictions For At Risk Dogs**

1. When not under direct control of a controlling person, the dog shall be contained within a building, vehicle, or secure enclosure.
2. The dog may only leave Owner's Property accompanied by a Controlling Person on a leash of not more than four (4) feet having a minimum tensile strength of three hundred (300) pounds.
3. With consideration given to recommendations from the Animal Control Officer, the hearing authority may order any or all of the following:
  - a. Microchip identification;
  - b. Behavior training from a trainer approved by the Animal Control Officer.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

4. After two years of compliance, the dog shall no longer be considered At Risk

## **VI. By-Law Enforcement**

By-Laws relating to dog control matters may be enforced by the Animal Control Officer or any Police Officer.

**Seizure of Dangerous Dog.** In the event that the Animal Control Officer or law Police Officer has cause to believe that a dangerous dog is being harbored or cared for in violation of this By-Law, or in violation of restrictions previously issued, the Animal Control Officer or law enforcement agent may order and affect the seizure and impoundment of the dog.

## **Violations and Dispositions**

Any person authorized to enforce provisions of this By-Law may, in addition to any seizure of a dog pursuant to this By-Law, which may or may not occur, issue a citation to the owner of any dog violating the provisions of the By-Law. Any such citation shall include, in addition to the violation charged, the name and address of the owner of the dog, the date and time and location of the alleged offense, and the amount of the penalty due, if known. Said citation shall be on a form prescribed by and furnished by the Police Department.

If an owner of a dog is found in violation of an order of the hearing authority, the dog shall be subject to seizure and impoundment by the Animal Control Officer or Police Officer.

## **VII. Penalties For Violating The Restrictions Placed On Dogs Deemed To Be Dangerous Or At Risk**

1st Offense: \$50 fine.

2nd Offense within a 24 month period: \$100.00 fine.

3rd Offense within a 24 month period: \$200.00 fine.

4th or Subsequent Offense within a 24 month period: \$500.00 fine.

All fines shall be doubled in cases involving serious human injury.

## **VIII. Barking / Howling Nuisance**

No person owning, keeping or otherwise responsible for a dog shall allow said dog, if unprovoked, to annoy another person by making a loud or continuous noise, where such noise would be found by a reasonable person to be disruptive to one's quiet and peaceful enjoyment. Continuous and clearly audible barking or howling by a dog is prima facie evidence of a violation, if:

1. It occurs between the hours of 11:00 PM and 7:00 AM, or
2. It is in excess of twenty (20) minutes between 7:00 AM and 11:00 PM.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

**IX. Penalties For Barking / Howling Nuisance**

If, upon written complaint, or observation by authorities, the Animal Control Officer or a police officer determines a barking / howling nuisance under this By-Law, said officer may issue a warning or citation based on the following schedule:

- 1<sup>st</sup> Offense: Warning
- 2<sup>nd</sup> Offense within any 12 month period: \$25 fine.
- 3<sup>rd</sup> Offense within any 12 month period: \$50 fine.
- 4<sup>th</sup> or Subsequent Offense within a 12 month period: \$100 fine.

**X. Effective Date**

This By-Law shall take effect upon approval by the Attorney General.

**XI. Severability**

If any provision of this By-Law should be found invalid, the remainder of this By-Law shall remain in force.

or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Dog By-Law Study Committee

**ARTICLE 29**

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

Inserted by the Board of Selectmen at the request of CEDA

**Petitioned Articles**

**ARTICLE 30**

To see if the Town will vote to "Registration and Maintenance of Abandoned or Foreclosed Buildings, Structures, and properties." In general, the by-law imposes maintenance obligations on owners of foreclosing properties, and requires such owners to register with the Town and pay an initial and annual registration fee in the amount of \$100.00, or to do or act in any manner relative thereto.

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

Inserted by Joseph Mulkern, et. al.

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

ARTICLE 31

To see if the Town will vote to petition the Great and General Court for Special legislation in substantially the form set forth below, or take any other action relative thereto:

AN ACT PROVIDING FOR SEWER COMMISSIONERS IN THE TOWN OF WAREHAM

SECTION 1. The charter of the town of Wareham which is on file in the office of the archivist of the Commonwealth as provided in section 12 of chapter 43b of the General Laws is hereby amended by adding section 3-7 and, notwithstanding any general or special law to the contrary, inserting in place thereof the following section:

Section 3-7 Board of Sewer Commissioners:

- (a) Composition, Term of Office – There shall be a board of sewer commissioners consisting of 5 members who shall be elected to 3 year terms, so arranged that the terms of as nearly an equal number of members as possible shall expire each year. Of the commissioners, at least 3 shall be sewer users and at least 1 shall be a non-sewer user.
- (b) Powers and Duties – the board of sewer commissioners shall make careful studies of the resources, possibilities and needs of the town as they relate to the availability of sanitary sewers and for the maintenance of a sanitary sewer system. The board shall develop a comprehensive or master plan for a town-wide system of sanitary sewers, setting forth, in graphic and textual form, policies to govern the future growth and development of the entire town. The board shall, in conjunction with other land use bodies, assist in developing a long-range strategic plan for guiding town growth and development. The powers and authority of the board shall include oversight of the sewer enterprise fund, setting rates and charges for the use of the sanitary sewer system, responsibility for the appointment of the sewer superintendent as set forth herein (see section 3-7 d) and providing advice to the board of selectmen relating to intergovernmental agreements concerning sanitary sewers. The day-to-day operation, care and maintenance of the sewer department shall be under the supervision of the sewer superintendent.
- (c) Appointments – Upon an opening on the board for which there is no candidate, that position shall be filled by appointment by the board of selectmen and the existing members of the board of sewer commissioners and the person so appointed shall serve in that position until the next election.
- (d) Sewer Superintendent – The appointment of a sewer superintendent shall be made by the sewer commission and shall become effective of the fifteenth day following

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

the day on which notice of the appointment has been filed with the board of selectmen unless the board of selectmen: (i) shall, within that period and by a majority vote of all of its members, reject such an appointment, or (ii) have earlier voted to affirm it.

- (i) The Sewer Superintendent shall supervise, direct and be responsible for the efficient administration of all functions under his control, as may be authorized by the charter, by by-law, by other town meeting vote or by requested majority vote of the board of sewer commissioners.
- (ii) The Sewer Superintendent shall appoint and remove, subject to the civil service law where applicable, all sewer department subordinates and employees. Within fifteen days following the day on which notice of the appointment is filed with the board of sewer commissioners, such board shall have the opportunity, by a majority vote of the full board, to affirm any such appointment, in which case the appointment becomes effective immediately, or to reject it. Should the board of sewer commissioners choose neither to affirm or reject, on the fifteenth day, the appointment made by the sewer superintendent shall become effective.

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

Inserted by Dorothy Heath, et. al.

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

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

You are hereby directed to serve this Warrant by posting attested copies thereof on or before Friday, March 15, 2013 in at least one public place in each precinct within the Town, and by publishing a copy of the Warrant on or before April 7, 2013.

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

Given under our hands this 12<sup>th</sup> day of March in the year 2013.

**WAREHAM BOARD OF SELECTMEN**

\_\_\_\_\_  
Stephen M. Holmes, Chairman

\_\_\_\_\_  
Cara A. Winslow, Clerk

\_\_\_\_\_  
Alan H. Slavin

\_\_\_\_\_  
Peter W. Teitelbaum

A True Copy

ATTEST:

\_\_\_\_\_  
Stephen P. Coughlin  
Constable of Wareham

DATE: \_\_\_\_\_  
Plymouth §

DATE: \_\_\_\_\_

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

APRIL 22, 2013  
SPRING TOWN MEETING WARRANT (CONT'D.)

February 15, 2013 and by causing this Warrant to be published on or before April 7, 2013.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Stephen P. Coughlin  
Constable of Wareham

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

DATE: \_\_\_\_\_

\_\_\_\_\_  
Stephen 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 Spring Town Meeting to be held on April 22, 2013 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  
Chairman of the Personnel Board.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Stephen P. Coughlin  
Constable of Wareham