

**MINUTES OF MEETING OF WAREHAM FINANCE COMMITTEE**

**Date of Meeting: September 22, 2011**

**I. CALL MEETING TO ORDER**

The meeting was called to order at 6:40 P.M.

**II. ROLL CALL**

Members Present: Frank Heath, Chairman  
David Trudell, Vice Chairman  
Sam Gray, Clerk  
Donna Bronk  
Dominic Cammarano (Arrived at 6:45 P.M.)  
Bonnie Cottuli  
Larry McDonald

Members Absent: Dick Paulsen  
Rene Pickett

**III. TOWN MEETING WARRANT MATTERS**

**A. Warrant Articles.**

Article 1 – Capital Improvements

Mr. Heath then proposed that Article 1 be taken off the table.

**MOTION: A motion was made & seconded to take Article 1 of the 2011 Annual Fall Town Meeting Warrant off the table.**

**VOTE: Unanimous (7-0-0)**

Mr Heath then proposed that the Committee act as a “Committee as a Whole” in order to discuss freely Article 1.

**MOTION: A motion was made & seconded for the FinCom to act as a “Committee as a Whole” relative to Article 1.**

**VOTE: Unanimous (7-0-0)**

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A long discussion of Article 1, item g (the purchase of 7 school buses) ensued.

Present before the FinCom: Geoff Swett, School Committee  
Dr. Barry Rabinovitch, School Superintendant

Mr. Sweat stated his opinion was that it was most important to have a regular schedule for the replacement of buses. He would like to see as many of the oldest buses replaced as soon as possible and to get on a regular yearly schedule so as to achieve, as soon as possible, an average life of about five years for the buses. He proposed the Town borrow the money necessary to achieve this goal. Mr. Trudell and Mr. McDonald spoke of their grave concern that the Town would not be able to maintain these purchases in future years as the total cost would exceed \$600,000 a year. Mr. McDonald expressed concern that the Town would be borrowing substantial money without having any financial figures available and therefore, there is no way of knowing whether the Town will be able to repay such loans.

Mr. Gray suggested looking closely at operational leases as an option. The consensus of the FinCom was that a long-term plan for school buses was necessary. Mr. Cammarano urged the Town to get out of the school bus business by using operational leases.

Mr. Heath asked that the Committee as a Whole be closed.

**MOTION: A motion was made & seconded to close the "Committee as a Whole" for Article 1.**

**VOTE: Unanimous (7-0-0)**

Mr. Sweat left the meeting, but a discussion continued by the FinCom and Dr. Rabinovitch of a committee to study the various options for obtaining the necessary buses. A consensus appeared to favor a committee composed of the School Committee Chairman, the School Committee Superintendent, the Town Administrator, the Chairman of the Selectmen, and the Chairman of the Finance Committee. The Planning Committee Chairman would participate in an advisory position. It was suggested that Mr. Heath should chair the Committee.

**MOTION: A motion was made & seconded to table Article 1 of the 2011 Annual Fall Town Meeting Warrant.**

**VOTE: Unanimous (7-0-0)**

Mr. Heath stated the FinCom needs to write up the FinCom's reasons/recommendations for its votes. He assigned the following articles to various members of the FinCom, including where necessary, both opinions for and against the articles. The assignments were as follows:

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Articles 4 – 9 -Mr.Heath  
Article 17 – PRO – Mr. Trudell  
                  CON – Ms. Cottuli

- Article 10 – Mr. Trudell
- Article 11 – Mr. Trudell
- Article 12 – Mr. McDonald
- Article 16 – Mr. McDonald (CON)
- Article 18 - PRO- Ms. Cottuli  
CON- Mr. McDonald
- Article 20 -PRO- Ms. Bronk  
CON- Mr. Heath & Mr. Gray
- Article 21 - PRO- Mr. McDonald  
CON- Mr. Cammarano
- Article 22 - PRO-Ms. Cottuli  
CON- Mr. McDonald

**IV. ADJOURNMENT**

**MOTION:** A motion was made & seconded to adjourn the meeting.


**VOTE: Unanimous (7-0-0)**

Respectfully submitted,



Kelly Barrasso, Typist (Per notes of Mr. Gray, Clerk)

Date signed: 9/28/11

Attest: 

Franklin Heath, Chairman

WAREHAM FINANCE COMMITTEE

Date filed: 9/29/11

Date copy sent to Town Clerk: 9/29/11

**MINUTES OF MEETING OF WAREHAM FINANCE COMMITTEE**

**Date of Meeting: September 21, 2011**

**I. CALL MEETING TO ORDER**

The meeting was called to order at 6:30 P.M.

**II. ROLL CALL**

Members Present: Frank Heath, Chairman  
David Trudell, Vice Chairman  
Sam Gray, Clerk  
Dick Paulsen  
Donna Bronk  
Bonnie Cottuli  
Dominic Cammarano (Arrived at 7:30 P.M.)  
Larry McDonald

Member Absent: Rene Pickett

Also Present: Mark Andrews, Town Administrator  
Derek Sullivan, Financial Analyst  
Michael Schneider, BOS Liaison  
Walter Cruz, BOS Liaison

**III. CITIZENS PARTICIPATION**

No-one came forward for citizens participation.

**IV. APPROVAL OF MEETING MINUTES: SEPTEMBER 14, 2011**

**MOTION: Mr. Trudell moved to approve the meeting minutes of September 14, 2011 as amended. Ms. Bronk seconded.**

**VOTE: (6-0-1)  
Ms. Bronk abstained**

**NOTE:** Mr. Heath stated during the Warrant discussion at last week's meeting, he made a comment to a member of the committee that was a violation of the committee's rules. He apologized to Mr. Paulsen. Mr. Paulsen stated he doesn't feel what Mr. Heath did was a violation, but he accepted his apology. Brief discussion ensued re: what the alleged violation was. It was not going through the Chair to speak to another member of the committee.

**NOTE:** The meeting proceeded w/ item VI. Town Meeting Matters – 1. Warrant Articles – i. CPC Articles.

Present before the FinCom: Angela Dunham, Chair of CPC  
Sandy Slavin, Treasurer of CPC

Ms. Slavin explained that she spent time w/ the Assistant Town Accountant & stated that the Community Preservation Committee's numbers match the Accountant's Office numbers. She is comfortable w/ the figures both entities have. She distributed documentation spreadsheet relative to the CPC's revenues & projects to the FinCom.

Article 12 – Community Preservation: Transfer to Community Preservation Reserves for Future Appropriations

Ms. Dunham explained this is a housekeeping article. These amounts are going into affordable housing and administration to meet the percentage required by law. CPA is required to set aside 10% to be spent in affordable housing, historic preservation, and open space. Additionally, the committee is allowed 5% of the revenues for administrative costs. The budgeted reserve is the CPC account balance after all the CPC articles pass.

**MOTION: Mr. Gray moved Favorable Action on Article 12 of the 2011 Annual Fall Town Meeting Warrant. Ms. Cottuli seconded.**

Ms. Bronk asked if there is any money w/in this article for Agawam Village improvements. Ms. Slavin discussed the affordable housing reserve & noted that no application has been received from Agawam Village (with the exception of a previous article for doors for Agawam Village). Ms. Bronk asked if Agawam Village can apply for funds from the CPC. Ms. Slavin stated the deadline for the fall has passed. She noted there may be a large funding request coming in for the future for the proposed Westfield project under affordable housing.

**VOTE: Unanimous (7-0-0)**

Article 13 – Community Preservation: Affordable Housing Restriction & Agawam Village Reconstruction Project Consultant

Ms. Dunham explained this is a housekeeping article. CPC is returning money to accounts for completed projects. The \$5,000 from Article 45, spring 2010, comes from Mike LaCava & the Hold Em Realty Affordable Housing project. The \$50,000 is being returned from Article 43, spring 2010, because Agawam Village did not need a consultant for their renovations.

**MOTION: Ms. Bronk moved Favorable Action on Article 13 of the 2011 Annual Fall Town Meeting Warrant. Mr. Trudell seconded.**

Mr. McDonald asked for clarification re: the money being returned from Agawam Village. Ms. Bronk explained what this money for Agawam Village had been meant for. Ms. Slavin expanded on Ms. Bronk's explanation by stating this money had to be utilized specifically for a consultant. Mr. Heath explained that any money appropriated through the CPC has to be utilized for what it was appropriated for. Ms. Slavin noted the grant request format that is online.

Ms. Bronk asked, given the disarray the Housing Authority is experiencing currently, could someone from the Housing Authority Board sit down w/ the CPC to see what they can or can't apply for. Ms. Slavin stated Donald Hall represents the Housing Authority on the CPC & he would be the one to speak to.

**VOTE: Unanimous (7-0-0)**

Article 14 – Community Preservation: Debt Service Bryant Farm & Tremont Nail

Ms. Dunham explained this is a housekeeping article. It is the yearly debt service payment for Bryant Farm & Tremont Nail.

**MOTION: Ms. Bronk moved Favorable Action on Article 14 of the 2011 Annual Fall Town Meeting Warrant. Mr. McDonald seconded.**

Mr. Paulsen asked what the original purchase price of Tremont Nail was. Ms. Slavin stated the best she can answer is \$1,265,930 was bonded & \$126,594 of CPC monies were also utilized.

Mr. Paulsen discussed the condition of the roofs at Tremont Nail. Ms. Slavin stated this article isn't dealing w/ the roofs. Mr. Paulsen expressed concern re: not looking at what the consequences are later on, such as the roofs at Tremont Nail, when a figure is given. He would like to know what the forward costs might be for articles being voted upon. Ms. Slavin explained that several years ago, a contractor preformed a property analysis of Tremont Nail & all this information & estimated costs are on the CPC website.

Mr. McDonald asked what the long-term disposition of Tremont Nail is for the future. Ms. Cottuli stated she understands what the discussion is, but she feels the FinCom needs to focus on the article at hand.

**VOTE: Unanimous (7-0-0)**

Article 15 – Community Preservation: Replace Rubber Roofs & Painting at Memorial Town Hall

Ms. Dunham explained this article allows further restoration of Memorial Town Hall. The two (2) rubber roofs were not included in the original roofing project. This preservation project seeks to protect the building from further water damage.

**MOTION: Ms. Cottuli moved Favorable Action on Article 15 of the 2011 Annual Fall Town Meeting Warrant. Mr. Gray seconded.**

Mr. Paulsen noted that to put rubber roofs on the Town Hall, the slate will need to be removed. Ms. Slavin explained the rubber roofs will be put on over the auditorium where there is no slate currently. Mr. Paulsen asked re: the status of the slate roof at Town Hall. Ms. Slavin stated she is not prepared w/ information at this time to answer this question.

**VOTE: Unanimous (7-0-0)**

Article 16 – Community Preservation: Transfer Funds to Wareham Conservation Fund

Ms. Dunham explained the Community Preservation Act permits local committees to transfer sums of money into established trust funds that meet the requirements of the Community Preservation Law. The Conservation Fund has been established since spring of 1963. It will allow the Conservation Commission to respond rapidly to issues that qualify under the Community Preservation Act.

**MOTION: Ms. Bronk moved Favorable Action on Article 16 of the 2011 Annual Fall Town Meeting Warrant. Ms. Cottuli seconded.**

Ms. Cottuli asked if this request is something new & asked if the CPC will be monitoring this expenditure. Ms. Dunham stated this request has not been done before, but the monies will be going into an established Conservation Fund which was established in 1963. She distributed & read information relative to requirements & rules pertaining to Conservation Funds. She stated the CPC will monitor this money.

Mr. Trudell asked how much is in the Town's Conservation Fund presently & why is this money being given. Ms. Slavin believes there is approx. \$30,000 in the Town's Conservation Fund. Mr. Paulsen asked what has been done w/ the money in this fund in the past. Ms. Slavin stated she is not privy to this information. Mr. Trudell stated he doesn't know what this fund has been used for, but the article is asking for CPC money to be placed in this fund. Ms. Dunham stated the CPC monies going into the Conservation Fund would only be spent under CPA law & will not be expended w/out CPC review. Mr. Trudell stated he doesn't see the checks & balances that will be in place to keep track of this money.

Mr. Heath asked if this \$50,000 would be an every year thing (putting this money into the Conservation Fund). Ms. Slavin stated it is a start. He stated this money will give the Conservation Commission help in saving land from, for example, a developer.

Ms. Cottuli asked what the revenue source is for the Conservation Fund. Brief discussion ensued. Mr. Andrews stated he will look into the source, but he thinks it is from permit fees & some of it may be utilized to pay the Conservation Agent's salary. Ms. Dunham stated that the CPC money to be placed in this fund would not be eligible to be utilized

for salaries. Mr. Andrews clarified his previous statement re: the fund & stated this fund is different than what he spoke of previously.

Mr. McDonald asked where the \$50,000 is coming from. Ms. Slavin stated it is coming from CPC funds.

Mr. Heath doesn't understand why this transfer is being proposed. He doesn't understand the purpose of it. Ms. Dunham asked the FinCom to look at the information she distributed & what was done in the Town of Boxford. Ms. Slavin explained in FY2011, the CPC put monies in the Affordable Housing Trust for the purpose of affordable housing. The money in question is to be put into the Conservation Fund for the purpose of open space.

Mr. Trudell asked why the CPC can't establish an Open Space Fund overseen by the CPC vs. going this avenue (w/ the Conservation Fund). Ms. Slavin doesn't believe this would be allowed. Having this type of fund under CPC control would not give the checks & balances being looked for.

**VOTE: (1-6-0)**

**V. TOWN ADMINISTRATOR'S REPORT**

**A. Discussion of Town Meeting Warrant Articles.**

Article 1 – Capital Improvements

Mr. Andrews proceeded to discuss Article 1. He explained that equipment/capital is listed that deal w/ needs & issues relative to the public safety.

Mr. Andrews stated he spoke to Superintendent of Schools, Dr. Rabinovitch re: being in the bus business & the need to get into a program of bus replacement. He briefly noted various issues w/ the school buses.

Mr. Sullivan distributed documentation re: the capital items being requested & discussed the item justifications & objectives as follows:

a. Defibrillators

Mr. Sullivan explained that the current defibrillators being utilized by the Police Dept. are over ten years old & have reached the end of their useful lifecycle. There is an attempt to increase the number of available units to accommodate the station & to include placing a defibrillator in each police vehicle. Support for the old defibrillators will no longer be available after January 2012. The maintaining of up-to-date defibrillators has a public safety life impact upon the citizens the Town serves & will increase the life saving efforts of the Town's police officers to the citizens.



Mr. Sullivan noted that this proposal does not include defibrillators for the Harbormaster Dept., but this department could benefit from the same price as quoted.

Ms. Bronk stated she understands EMS & the Fire Dept. have compatible defibrillators. She noted when there is a call, both of these units are at a scene. She feels it is a rare occasion that police utilize this equipment & she would rather purchase a school bus for the amount being asked for.

Mr. Trudell stated the Capital Planning Committee did discuss the matter of defibrillators, but as he understands, the defibrillators the police have currently will no longer be supported. From his perspective, he would rather err on the side of safety vs. deferring to save money.

Mr. Paulsen questioned how often the defibrillators have been utilized by the police over the years.

Mr. Andrews stated this is a qualitative safety issue.

**NOTE:** Mr. Cammarano arrived at this time.

Ms. Bronk stated she has spoken to many police officers who stated they don't use the defibrillators very often.

Mr. Paulsen noted that the Town doesn't have money to hire more police officers for qualitative safety issues. He again questioned how often the police have used the defibrillators. Mr. Trudell stated he will be speaking to the Chief of Police tomorrow & he will ask him this question.

Mr. Andrews stated there are defibrillators in schools, fitness centers, etc. He doesn't know how often the police utilize the defibrillators, but they need to respond at any time in any circumstance.

Mr. McDonald stated the defibrillators cost \$2,100 each. He asked if there is a policy re: what qualifies as capital & what qualifies as an expense. Mr. Trudell feels the defibrillators could be looked at as an expense, but in this case, it is sort of combined between expense & capital.

Mr. McDonald asked re: the life of the defibrillators. He has an issue w/ having these items being shown as capital vs. expenses. Mr. Andrews stated the defibrillators have shown to have a life of ten years. This tends to be the life cycle of this type of equipment.

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Brief discussion ensued re: capital vs. expense.

Mr. Trudell expressed the importance of all safety units in Town (EMS, Fire Dept., & Police) to be all on the "same sheet of music". He stated the Town cannot fall behind.

Mr. Gray asked if the FinCom will be voting each item under Article 1 individually or voting the article as a whole. Mr. Heath stated the FinCom can handle the article as a whole, but the recommendation can be broken out & at Town Meeting the article can be split up.

Mr. Cammarano stated the Town spends money on many different things, but the issue of the defibrillators deals w/ saving a life.

Mr. Paulsen feels the issue is, there is a need to prioritize.

Mr. McDonald stated he is struggling w/ this whole article in general. One problem he has is that the Town is four months into the FY2012 & he has not seen any completed financial information. He doesn't know what Free Cash is. He stated this article will incur additional debt. He doesn't have any numbers to work with or know where the Town stands on a financial standpoint. There are a significant number of capital needs looking to the future. He would like to know where the Town stands before making capital decisions. Ms. Bronk concurred.

Mr. Trudell stated the Capital Planning Committee have not made any decisions yet on this article, but they need to hear the explanations.

Mr. Andrews stated they are close to setting up a meeting w/ the BOS to go over the audit. He explained that Article 1 are capital authorizations. These items are going into the future & they fit under the capital items which fall under the meals tax. There is a need to get the authorizations first.

Mr. Heath feels the FinCom's position has merit as well, but in the last 14 months he has been on the committee, he has received no financial documentation to make these decisions. He stated the FinCom is not comfortable making recommendations without seeing at least three months worth of information, such as expenditures & revenue. Mr. Andrews stated this all fits under debt & under the meals tax (expenditures). Mr. Heath asked what will be received as payment or collected on the meals tax. Mr. Sullivan stated he doesn't have this information this evening, but it is based on ten months & there are only estimates. He stated collections were not started until August 1<sup>st</sup> of this year. Mr. Andrews stated this information (re: the meals tax) was all given at the past Town Meeting. He stated these are not the Town's projections, they are State projections. The month of September will be the first payment from August.

b. Generator.

Mr. Sullivan explained that during the recent tropical storm, the Police station's generator failed & according to mechanics, the need to replace the unit is now. The current unit is in bad shape mechanically & is not strong enough to carry the electrical load of the new communications system. It is imperative to have reliable service at the Police station or the Town will be compromised.

Mr. Paulsen asked how many generators the Town has & how old they are. Mr. Andrews stated he knows of one at the Multi-Service Center, one at Town Hall, one at the Police station, & he is unsure how many the School Dept. has.

c. Parking Program.

Mr. Sullivan explained this program will be a multi-space meter system for Onset Pier & the upper parking lot.

Brief discussion ensued re: the program.

Mr. Andrews stated that \$37,000 came in from pier parking this summer. This program will bring in four times this amount.

Mr. Paulsen asked what the cost of surveying work will be. Mr. Andrews explained the survey work has already been conducted. He will get this figure. The Municipal Maintenance Dept. did the surveying. Mr. Paulsen & Ms. Bronk commended the Administration for the presentation & backup information for this proposed program.

Mr. Cammarano stated relative to revenue projections for this program, fines & tickets should also be included. Mr. McDonald stated that operating policies & procedures need to be looked at before this program is implemented.

d. Prisoner Transport Van.

Mr. Sullivan explained that the current transport vehicle is a 1999 Ford which has been in use for 12 years. Many transportation rules have changed over the years. By law, all juveniles, adult males, & adult females must be separated which will be a major problem when the Wareham District Court closes.

Mr. Andrews stated he spoke to Sheriff Curry re: the possible closing of the Wareham District Courthouse. If it does close, the Wareham Police Dept. would have to transport its prisoners. There is an attempt to figure out how the Town would transport prisoners to other courts.

Mr. Sullivan spoke re: the proposed stats for new vehicle.

Mr. Trudell recalled four plus years ago when Chief Joyce stated there was a desperate need to replace this vehicle.

Mr. Gray stated he doesn't understand the lease explanations for items d,e, & g. He noted that items d & e have six month payments for three year leases & item g is a 12-month payment for three years. He feels this is very confusing & all items should show 12-month payments. Mr. Andrews explained there is lead time w/ item g. He noted that something may happen sooner re: the courthouse closing issue. He explained why the

lease payments are written this way in the Warrant. Ms. Bronk feels the total costs of these items should be presented to Town Meeting. She feels the way it is being presented in the Warrant is misleading. Mr. Gray concurred.

Mr. McDonald asked if these are capital or operating leases. He feels this needs to be explained. Mr. Sullivan stated they are all listed in the explanations as capital leases. He would be in favor of putting in another column showing the full cost.

e. Four Wheel Drive Vehicle.

Mr. Sullivan explained there is a need to trade a 2007 Ford Expedition w/ over 120,000 miles on it. The vehicle serves as one of two primary response vehicles w/ four wheel drive capability. This is a marked unit driven by Sergeants as they supervise operations throughout the Town. The vehicle also carries specialty equipment providing support to the patrol force in the field. The current vehicle is dangerous & must be taken off the road ASAP.

Mr. Trudell stated he had asked previously, now many of these vehicles go home w/ certain employees, such as the shift supervisors. He has issues with replacing vehicles when police are taking them home. He would like information re: vehicles taken home & where these homes are. He wants to make sure now the mileage on these vehicles is being accumulated. Mr. Andrews stated he will speak to the Chief re: this.

Mr. Cammarano feels Town Meeting may have a problem where the police are getting all the vehicles. To ask for one more at this time will be difficult. Mr. Andrews stated he will be putting together a Town Meeting packet w/ information.

f. EMS Ambulance Rebuild.

Mr. Andrews explained that the Town has been light on replacements re: ambulances in the past seven to eight years. There is currently a bad situation w/ the condition of the ambulances based on State inspections. He noted the EMS Dept. is a profitable business.

Mr. Andrews stated a complete rebuild & overhaul of one ambulance will cost \$150,000.

Mr. Gray asked what is meant by "profitable business". Mr. Andrews stated he will get this information to the FinCom. He stated that the EMS Dept. has a positive cash flow for the Town. Mr. Paulsen noted that the MediCare formula is changing & will be affecting the "profitability" of this. Mr. Andrews stated he was not aware of this. Mr. Paulsen suggested Mr. Andrews look into this matter.

Mr. McDonald asked what it would cost for a new ambulance. Mr. Sullivan stated approx. \$214,000. Mr. McDonald asked what the life of an ambulance is. Mr. Trudell stated after four years, an ambulance should be rebuilt. He explained an ambulance can only be rebuilt one time, not two. He stated after a rebuild, an ambulance has eight to ten years of life.

Mr. Heath asked if any of the EMS profits go towards repairs. Mr. Andrews stated the profits go into the general fund.

g. Seven School Buses.

Ms. Bronk stated in year two there will be a need for seven more buses & in year three, seven more. She stated there is a need to make it clear what the numbers & figures will be. Mr. Andrews distributed a school bus lease w/ yearly cost breakdowns to the FinCom. Mr. Sullivan discussed this analysis (documentation).

Ms. Cottuli asked if this plan for school buses is a quick fix or a plan to move forward with. Mr. Andrews stated this is not an easy issue to solve. He is willing to take the step forward to say the Town is either in the busing business, which the Town is in now, or not. He is trying to look at the next phase for busing. He stated it is the Town-side responsibility to pay for this. He stated this issue has come to a head & there is a need to do something. There is a need for a starting place.

Mr. Paulsen feels the bus needs are more than seven buses. He feels the analysis document that was distributed should be drawn out further. He also feels there should be an examination of a preventative maintenance program to keep the older buses on the road. Mr. Trudell stated when this process gets to year seven, it still does not replace 35 buses. He stated what the number will be is hard to predict.

Mr. Gray asked how many buses there are currently.

Present before the FinCom: Alan Slavin, Capital Planning Committee

Mr. Slavin stated there was 48 buses total & two special needs buses were purchased this summer, thus making a total of 50, but six buses are in the "graveyard". Mr. Gray stated thus, this leaves 44 buses. He needs to see a plan to replace 44 buses & there is a need to look seriously at an operating lease for the buses. Mr. Andrews feels the schedule he has developed will take out the maintenance issue. Mr. Gray stated an operational lease would be having someone else conducting the service & providing the buses & the Town only pays the fee. Mr. Cammarano asked if anyone has looked at what this fee would be. Mr. Trudell stated the Capital Planning Committee has looked at the figures & has given them to the Town Administrator. He noted the Town Administrator & the Capital Planning Committee are not always in agreement in this area. Mr. Andrews stated the reserve auction would show this (fee).

Ms. Cottuli feels the bus analysis should be made into a simple PowerPoint presentation.

Mr. Gray stated he would like to defer on voting on Article 1 until the Capital Planning Committee meets & obtain their information.

**MOTION:** Mr. Trudell moved to defer action on Article 1 of the 2011 Annual Fall Town Meeting Warrant to September 28, 2011. Ms. Cottuli seconded.

**VOTE: (7-0-1)**  
**Mr. Heath abstained**

Articles 4-9 – Collective Bargaining Articles

Mr. Andrews briefly discussed Articles 4-9.

Article 10 – WPCF Capital Improvements  
Article 11 – Harbormaster Transfer of Funds

Mr. Andrews asked that these two departments come before the FinCom to discuss these articles.

Mr. Heath understood that money was set aside at a previous Town Meeting for Articles 4-9 – Collective Bargaining Articles. Mr. Andrews stated some of the money was set aside. He discussed how he understands the negotiation process works. He is suggesting that these articles are placeholders. Mr. Heath stated if these articles have not been handled by September 28<sup>th</sup>, the FinCom cannot move forward with them. The FinCom needs figures for these articles.

Article 3 – Distribution of Local Options Meal Tax

Mr. Andrews explained that this article is not needed & this article has already done what Article 1 has done. He stated if Article 3 passes, it will radically change Article 1.

Mr. McDonald asked where the idea came from to split the meals tax 50/50 between the School Dept. & the Town. Mr. Andrews stated in the past, this article did not pass. He is not sure where the 50/50 split came from. Ms. Bronk feels it came from the FinCom.

Ms. Cottuli asked re: Article 10. She asked if the boom truck requested will only be utilized at the WPCF or will it also be used by other Town entities. Mr. Andrews stated he will find this out.

**NOTE:** Mr. Andrews & Mr. Sullivan departed at this time.

## **VI. TOWN MEETING MATTERS**

### **1. Warrant Articles.**

- i CPC Articles – DONE**
- ii. Clean Water Committee**
- iii. Citizen Petition Articles**
- iv. Other articles**

Article 22 – Petition: Town Meeting Information Distribution

Present before the FinCom: Ed Pacewicz

Mr. Pacewicz discussed the article. He explained the purpose of the article is to require all information that is distributed at Town Meetings to include the name of the person, group, company, or organization on the information to be distributed. He feels this is a transparency issue.

**MOTION: Mr. McDonald moved Favorable Action on Article 22 of the 2011 Annual Fall Town Meeting Warrant. Mr. Gray seconded.**

Mr. Cammarano doesn't feel this article would eliminate people from distributing the material. He noted even w/out a name on the information, people will still read it. Mr. Pacewicz feels this article would add a level of disclosure along w/ the Moderator reviewing the information first.

Ms. Bronk stated the Moderator does have to approve the information. She expressed concern that if a name is put on the information, they may be harassed, etc. She doesn't want to see this happen.

Ms. Cottuli understands the reasoning for this article. She has read handouts at Town Meeting & she didn't understand the source of it. She doesn't feel the Moderator has time to research all the information.

Mr. McDonald feels this is an added layer that isn't needed at Town Meeting.

Mr. Pacewicz stated he sent an email to the Moderator re: having the authors name on distributions. He is looking for open & transparent meetings.

Mr. Paulsen asked if this has been done in other towns. The Moderator who was in attendance at the meeting was asked for comment. Ms. Smith, Town Moderator had no comment. The discussion continued.

Mr. McDonald & Ms. Bronk feel that the Town Moderator should keep making the decisions on what is handed out or what is not to be handed out.

Ms. Cottuli stated there has been misleading information on the Town Meeting tables before. She noted the Moderator cannot research all this information & people are influenced by this information. There is a need to know the source of this information being shown.

**VOTE: (3-5-0)**

**Ms. Bronk, Mr. McDonald, Mr. Paulsen, Mr. Cammarano, & Mr. Gray opposed**

Article 18 – Earth Removal Regulations

Present before the FinCom: Ed Pacewicz, Clean Water Committee  
Mr. Begley, Clean Water Committee

Mr. Pacewicz displayed a map of the aquifer, recharge areas, & Zone 2. He explained this article seeks to change the Town's Bylaw to include item #17 of Chapter 40, Section 21 (Attached as reference).

Mr. Paulsen questioned if there is any proof that Zone 2 is being compromised. Mr. Pacewicz stated the intent is to prevent removal of sand which works as a filter in Zone 2. Mr. Paulsen again questioned if there is any evidence that there are issues w/ sand removal & the aquifer in this area of Zone 2. Mr. Pacewicz stated no.

Mr. Trudell stated this article Bylaw change would prohibit a property owner from having a business & taking away gravel from the owner's site & making money. Mr. Pacewicz stated the MA General Laws allow towns to regulate earth removal & that is why he is looking to do this in Zone 2.

Mr. Pacewicz discussed what the seasonal high water table is.

Mr. McDonald asked if Mr. Pacewicz has had discussions w/ the Wareham Water District. Mr. Pacewicz stated he has. He stated the Onset Water District voted in favor of this action.

Mr. Heath stated when this article was vetted at the BOS meeting, a question arose re: a need for information from the Town's attorney. Mr. Pacewicz discussed what the issue was. Mr. Heath stated in light of a need to gather information from the Town's attorney, he suggested postponing a vote on this article.

Ms. Bronk asked if this Bylaw change would put anyone out of business. Mr. Pacewicz stated it could. He explained how this is actually a revenue generating article.

Mr. McDonald questioned if the Town is at the top of the towns in the State re: water stringencies, why would the Town need to be more stringent. He suggested someone from the Water District come before the FinCom to discuss this matter.

Mr. Pacewicz noted that a vast majority of earth removal are unpermitted

Mr. Paulsen asked if there are any indications that there are any problems w/ the aquifer presently. Mr. Pacewicz stated no, but this article is a pre-emptive strike to prevent pollution of the aquifer. Mr. Paulsen noted that there are already rigorous rules from the State to follow.

**MOTION: Mr. Trudell moved to go beyond the hour of 10:00 P.M. Mr. Cammarano seconded.**



VOTE: (7-1-0)  
Ms. Bronk opposed

MOTION: Mr. Trudell moved to refer Article 18 of the 2011 Annual Fall Town Meeting Warrant to Town Counsel for an opinion. Mr. Gray seconded.

VOTE: Unanimous (8-0-0)

VII. LIAISON REPORTS

There were no liaison reports.

VIII. NEW BUSINESS

There was no new business.

IX. NEXT MEETING DATE

Mr. Heath stated the next meeting is scheduled for tomorrow night, Thursday, September 22, 2011 at 6:30 P.M. in Room 228 of the Multi-Service Center.

X. ADJOURNMENT

MOTION: Mr. Trudell moved to adjourn the meeting at 10:03 P.M. Mr. Gray seconded.

VOTE: Unanimous (8-0-0)

Respectfully submitted,

Kelly Barrasso  
Kelly Barrasso, Transcriptionist

Date signed: 9/28/11

Attest: Franklin Heath  
Franklin Heath, Chairman

WAREHAM FINANCE COMMITTEE

Date filed: 9/29/11  
Date copy sent to Town Clerk: 9/29/11