

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: May 2, 2006

Date of Transcription: May 3, 2006

Transcribed by: Kelly Barrasso

I. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Eckstrom called the meeting to order at 7:03 P.M.

A. Roll Call

Selectmen Present: Brenda Eckstrom, Chairman
Mary Jane Pillsbury, Clerk
Bruce Sauvageau
Renee Fernandes-Abbott
James Potter

Present: Michael Hartman, Town Administrator

II. REORGANIZATION OF THE BOARD

MOTION: Selectman Sauvageau moved to nominate Selectman Eckstrom as Chairman of the Board.

NOTE: No-one seconded at this time. Selectman Sauvageau expressed his feelings relative to no second being made. He asked that a second be made for discussion.

Selectman Potter seconded for discussion.

Selectman Sauvageau stated that Selectman Eckstrom has been Chair of the Board for six weeks. He feels if she was good enough to serve as Chair for the past six weeks, then she should still be good enough now. He added that the Board previously appointed her as Chair. He feels Selectman Eckstrom is still the same person that the Board appointed as Chair six weeks ago. He feels his nomination of Selectman Eckstrom as Chair should be considered & he feels it is an insult to her that no second was made. He feels her nomination should be considered for a full discussion.

Selectman Fernandes-Abbott stated that Selectman Eckstrom was nominated & appointed as Chair six weeks ago, but she didn't step up. Selectman Sauvageau stated Selectman Eckstrom did step up & although she didn't agree w/ Selectman Fernandes-Abbott, Selectman Eckstrom did & still is doing what she feels is best for the community.

VOTE: (2-2-1)

**Selectmen Fernandes-Abbott & Selectman Pillsbury opposed
Selectman Potter abstained**

Selectman Sauvageau apologized to Selectman Eckstrom for the embarrassment being displayed.

Selectman Fernandes-Abbot stated that it is evident that this has been a tough year for the Board. She feels going into FY07 the Board will need a strong leader. There are many important issues facing the Town, for example, its fiscal health. She discussed other issues facing the Town &

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expressed the need for goals, vision, cohesiveness among the Board, & a need to reconnect to other boards & commissions.

Selectman Fernandes-Abbott stated she would nominate Selectman Pillsbury as Chair. She stated that Selectman Pillsbury has the experience, wisdom, & tenacity to take the Board through the next fiscal year. She pointed to the issues Selectman Pillsbury has had to face publicly lately, but feels Selectman Pillsbury has stayed on point for the community as well as the Board. She feels these are the reasons Selectman Pillsbury should be Chair.

Selectman Sauvageau stated he knows what Selectman Pillsbury has gone through lately because he has been going through the same thing. He agrees w/ the points Selectman Fernandes-Abbott made relative to the issues facing the Town & the need for the cohesiveness on the Board, Town financial issues, zoning, etc. He stated Selectman Fernandes-Abbott has made the case that only one person is qualified for this position; Selectman Pillsbury, but he feels Selectman Eckstrom is also qualified & has integrity & tenacity.

Selectman Pillsbury stated it does not matter if there is a second on the motion of Selectman Fernandes-Abbott. She appreciates Selectman Fernandes-Abbott's nomination, but due to the issues she is dealing with, she respectfully won't accept the nomination as Chair. Her preference for Chair is Selectman Fernandes-Abbott. She will nominate Selectman Fernandes-Abbott because she wants this year to be one where the Board gets on w/ the business of the Town & for the Board to work together. She doesn't want issues to be focused on individual Board members. She stated she will be happy to be Clerk, but she expressed that Selectman Fernandes-Abbott be Chairman.

MOTION: Selectman Pillsbury moved to nominate Selectman Fernandes-Abbott as Chair.

NOTE: Selectman Pillsbury stated that protocol would call for Selectman Fernandes-Abbott to be Chair next year & herself this year. She suggested this be turned around.

Selectman Potter asked re: the protocol. Selectman Pillsbury explained.

Selectman Potter seconded for discussion.

NOTE: Selectman Sauvageau stated essentially w/ this protocol Selectman Eckstrom has been taken out as Chair for this year & next year. He conceded that it would be in the best interest of the community that Selectman Pillsbury is not Chair, but he does not concede to have Selectman Fernandes-Abbott as Chair. He feels this would be worse. He expressed that there is a rift between he & Selectman Fernandes-Abbott & he has tolerated her accusations, etc. He does not feel Selectman Fernandes-Abbott, as Chair will fix the problems of the Town. He feels Selectman Eckstrom should be reconsidered as Chair. He asked what the difference is w/ Selectman Eckstrom being nominated as Chair six weeks ago, but not now. He feels this is nothing more than an exercise in the status quo. Selectman Pillsbury disagreed. She feels Selectman Fernandes-Abbott has been in the past & will be a great Chair. She will not comment on Selectman Eckstrom's performance as Chair, but she (Selectman Pillsbury) feels Selectman Eckstrom could have done better, but instead she pushed the Chairmanship aside each week. She feels the Board needs to move forward in getting back to the work of the Town. Selectman Eckstrom stated she will not apologize for her actions. Selectman Pillsbury stated no one was asking her to apologize, she (Selectman Pillsbury) thought Selectman Eckstrom did not "step up to the plate" as Selectman Pillsbury had hoped. Selectman Eckstrom clarified that she did step up to the plate, it just wasn't the plate Selectman Pillsbury wanted.

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Selectman Pillsbury feels Selectman Fernandes-Abbott has the leadership skills, background, etc. to make this Board work right. Selectman Sauvageau expressed serious concerns re: Selectman Fernandes-Abbott being the right choice. He spoke re: Selectman Eckstrom's performance the past six weeks & now the Board has relegated her to the corner for the next two years. He doesn't feel Selectman Fernandes-Abbott will bring the Board together nor bring about effectiveness. He does feel over the past six weeks the Board has worked together, but he expressed concern that this is a farce & a sham. Selectman Pillsbury feels it is time for Selectman Sauvageau to get over it & get over himself. She feels the community has had enough of all this.

Selectman Sauvageau stated now there is personal litigation, involvement of the Attorney General, etc. & he feels that Selectmen Pillsbury & Fernandes-Abbott put this Board in this situation.

Selectman Potter stated that certainly things can't continue the way they have been & there is a need to move forward. There isn't time to attack character, make accusations, etc. He understands the issues that have transpired, but no matter who is sitting here it is difficult & he added that he would not accept the position as Chair at this time if nominated. He again stated he understands the issues that have occurred on the Board, but there is a need to move forward w/ Town business. He doesn't feel there is a wrong choice for Chair.

Selectman Potter stated from his time on the Board, he feels Selectman Eckstrom would be a good Chair, but he hasn't seen it because she deferred the Chairmanship. He understands Selectman Eckstrom had her reasons for doing so, but again, there is a need to move forward & there is no reason to feel that the Board could not move forward. The Board needs to step back & look at why the voters put them on the Board.

Selectman Sauvageau stated he is not angry for himself, but he is concerned for Selectman Eckstrom. He feels it is an insult & Selectmen Pillsbury & Fernandes-Abbott will not respond as to why they voted her in to begin with.

VOTE: (3-2-0)

Selectmen Eckstrom & Sauvageau opposed

Selectman Fernandes-Abbott stated that she hopes things can be mended & things could move forward.

MOTION: Selectman Potter moved the Board nominate Selectman Eckstrom as Clerk. Selectman Sauvageau seconded.

VOTE: (4-1-0)

Selectman Pillsbury opposed

NOTE: Present before the Board: Paul Keefe, Assessor

Mr. Keefe stated that the Board had previously signed Form LA5 that had a certain new growth & excess levy figures. There has been a revised new growth figure & a new excess levy capacity figure that is \$28,693.72. A new LA5 form needs to be signed by the Board for this new amount.

Selectman Eckstrom asked if once this is done, the tax rate will be set. Mr. Keefe stated this is part of the review process for setting the tax rate. He anticipates DOR approval w/in the next several days.

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The Board members proceeded to sign the document.

NOTE: The meeting proceeded w/ item VII. Licenses & Permits

- A. Hearing – Application for renewal of shellfish grants W-4, W-4 1/2, W-5, & W-17 1/2 farmed by Charles H. Maxim & Christopher C. Whitney.

MOTION: Selectman Pillsbury moved to open the hearing. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

Present before the Board: Michael Parola, Harbormaster/Shellfish Constable
Charles Maxim

Mr. Maxim stated these grants have been held since 1966 & are reviewed every ten years.

Mr. Parola discussed the grants Mr. Maxim holds & explained that some of the territory has been reduced due to poor conditions in some areas. He supports the renewal of these shellfish grants to Mr. Maxim.

Chairman Fernandes-Abbott asked what would happen to the grants that Mr. Maxim is not taking on. Mr. Parola stated they would go out to public bid. The primary area that will be put out will be the Standish Shores area for use by these residents.

MOTION: Selectman Eckstrom moved to close the hearing. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

MOTION: Selectman Eckstrom moved the Board approve the application for renewal of shellfish grants W-4, W-4 1/2, W-5, & W-17 1/2 farmed by Charles H. Maxim & Christopher C. Whitney as described in the limits of shellfish license regulations. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

- B. Hearing – Reconvened from 9/7/04 on the application by Highland, Inc. on an application for an Earth Removal Permit for property on Map 128, Lot F (off Glen Charlie Rd.) in accordance w/ Div. IV, Article II, Earth Removal Regulations of the Town of Wareham.

MOTION: Selectman Pillsbury moved to re-open the hearing. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

Present before the Board: John Churchill, JC Engineering

Chairman Fernandes-Abbott stated that Mr. Churchill was present before the Board in 2004 requesting an Earth Removal Permit for Highland, Inc. The Board has waited to hear back on the issue of access to the property & to have Town engineers look at the site to make determinations. In an 18-month period, there have been two Town engineers (SEA & Hancock & Associates). She asked if Mr. Churchill received the report from Hancock & Associates. Mr. Churchill stated he just received it.

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Chairman Fernandes-Abbott asked what Mr. Churchill has accomplished in 18 months. Mr. Churchill explained that there is an access issue to the property off Glen Charlie Rd. The Lynch's own a 30-acre parcel in the middle of the Highland property. There is no way to get to the Highland property w/out using the Lynch's road, which has been used for 40 years. He had presented that his client (Highland, Inc.) work w/ the Lynch's to utilize the road. It has been a lengthy process.

Mr. Churchill requested a nine-acre extension for the project, that will realize 15 trucks per day maximum from the site. He explained that Highland, Inc. utilizes the gravel from the site to make concrete. He stated he would review the report from the engineer, will address the comments, & come back to the Board w/ his responses.

Selectman Sauvageau asked if Mr. Churchill's client is present. Mr. Churchill replied "no". Selectman Sauvageau asked how many years his client has been operating from this site. Mr. Churchill stated 40 years. Selectman Sauvageau asked how many permits his client has had in 40 years. Mr. Churchill stated none. Selectman Sauvageau clarified that Highland, Inc. has been operating for 40 years w/out a permit. He asked what the access issue has to do w/ the permit. Mr. Churchill stated the access issue was brought forward previously by Selectman Sauvageau. Selectman Sauvageau again asked what the permit matter has to do w/ the access issue. Mr. Churchill stated it is an issue w/ the Lynch's & the access matter has still not been resolved. He stated they could move forward w/ the permit process.

Selectman Sauvageau stated that the Board allowed time to resolve this issue, but it is now 18-months later. The question is should Mr. Churchill's client be working w/out a permit. He spoke re: the engineering report that was submitted on 5/1/06. He doesn't see how the Board can make any relevant decisions on this matter w/ only one day to review a document that was submitted yesterday.

Mr. Churchill stated he requested 30 days ago to come before the Board to request more time. He stated more time was not given, thus he gave Hancock & Associates information. He stated he will come back before the Board at a later date w/ his comments to the report.

Selectman Sauvageau stated he is not fully prepared to discuss the issue of the report & he again referenced the access issue & he feels Mr. Churchill's client is operating an illegal operation w/out a permit.

Chairman Fernandes-Abbott agreed that the Board is not prepared to discuss the report from Hancock & Associates. She stated that Mr. Churchill did come to speak w/ the Board this evening by request to update the Board. She feels this hearing will have to be continued again.

Selectman Sauvageau feels the Board should take this as a serious issue & move forward.

Selectman Eckstrom feels when the Board continues the hearing it should be continued to a date certain. She asked Mr. Churchill if they are close to reaching an agreement w/ the Lynch's. Mr. Churchill stated that he has done many plans to cover the Lynch's 30-acre site & they are still working w/ the Lynch's. He indicated they met w/ the Lynch's five weeks ago & they are awaiting the Lynch's reply.

Selectman Pillsbury stated there are many items in the Hancock & Associates report that need to be addressed.

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Selectman Eckstrom stated the hearing should be continued to a date certain. She asked Mr. Churchill what he could do re: time. Mr. Churchill indicated that four weeks should be adequate.

Selectman Potter asked for clarification if this is for a permit. Mr. Churchill stated it is for a permit. Highland, Inc. has been operating for 40 years & a while back they received a cease & desist order from the Town. He stated after this order was received, Highland, Inc. filed a permit application.

Selectman Potter asked if the idea is to develop this site. Mr. Churchill stated there are no set ideas for the site. Currently, the site is being used to take out gravel for Highland, Inc.'s concrete business.

Chairman Fernandes-Abbott stated in the SEA & Hancock & Associates reports, the applicant may need to confirm w/ the ZBA re: removing gravel from a groundwater area. Mr. Churchill stated he is awaiting Attorney Bello's comments if this issue needs to go before the ZBA. It is a pre-existing non-conforming use & a determination needs to be made. Once the opinion is retained, then they will move forward or begin the application process w/ the ZBA in four weeks.

Chairman Fernandes-Abbott stated the Board should continue this hearing until the first Tuesday in June.

No one spoke in favor or against the application.

MOTION: Selectman Eckstrom moved to continue this hearing until 6/6/06. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

NOTE: The meeting proceeded w/ item V. Consent Agenda – B. Certificate of Recognition – Peter E. Blake, III, USMC

Present before the Board: Mr. Blake, Sr.

Selectman Pillsbury presented Mr. Blake w/ a Certificate of Recognition for his son, Peter Blake who is returning from Iraq.

Selectman Pillsbury stated there will be a ceremony in Peter Blake's honor on 5/6/06 at the American Legion Post in Plymouth from 1:00 P.M. to 6:00 P.M. Selectman Pillsbury will attend to present this certificate to Peter Blake III, in person.

III. CDM UPDATE

Present before the Board: Michael Guidice, CDM

Mr. Guidice updated the Board on the following:

WPCF:

- Construction update – Punch list items 98% complete.
- Schedule update – Methuen Construction to be completed 5/06.
- Nitrogen consistently <4.0.

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- Phosphorous ranging from 0.7 to 1.6.

Weweantic Shores Sewers:

- Celco Change Order – Thirteenth Ave. pumping station.
- Contract closeout.

Rose Point Sewers:

- Construction update – Down to one crew presently.
 - Barlow St./Winter St. cross country sewer completed.
 - Working in Winter St./Osborne Ave. area.
- Approx. 55% of mainline sewer installed.
- Albanese Change Order #1.
- CDM design amendment (survey for drainage, cost sharing w/ WFD).

Mr. Guidice explained the change order & CDM's design amendment.

Briarwood Beach/Beaver Dam Estates Sewers:

- Dewatering difficulties continue.

Mr. Guidice stated that RJV has hired a new consultant & supplied a new report. He discussed the installation of new well points to help w/ this issue.

- Construction update:
 - Madison St./half of Fillmore St. completed.
 - Force main being installed.

New Sewer Areas:

- Town Meeting approved.
- Meeting needed to determine design scope/budget/schedule.
- SRF Schedule.

Mr. Guidice stated the first step of the SRF is to submit the project evaluation forms, which are due the end of August. The second step is to have DEP put an intended use plan in for the fall & he feels the Town will make this draft list. The third step is to finalize everything in the spring & will need Town Meeting approval for construction at the end of 6/07. The next SRF application needs to be in by 10/07.

Infiltration/Inflow Program:

- Awaiting comments on draft final report.
- Phase II investigation late summer/early fall 2006.

Rate Study:

- Feedback on preliminary results.

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Selectman Potter asked re: the Change Order for the Rose Point sewer project. Mr. Guidice explained the Change Order process & what is included in a change order request.

Mr. Guidice asked the Board to inform him if they wish to have the Rate Study consultant back before the Board for discussion.

Chairman Fernandes-Abbott stated the Rose Point residents have requested a meeting w/ CDM & the Board. She understands there have been meetings in the past, but she feels they want to obtain information re: a more concrete cost figure as well as to voice questions & concerns. She suggested holding a Saturday session. Selectman Pillsbury feels no one has more numbers that are concrete. The Administrator stated that there are some different numbers. He suggested holding this meeting in late May or June so that summer residents can attend.

Chairman Fernandes-Abbott asked that the Administrator & Mr. Simmons look at different billing for sewer rate fees; for example, billing four times p/year or monthly. She feels paying less a lot of the time is better than paying more, less of the time. Selectman Pillsbury asked re: gaining access to both Fire Districts software. The Administrator stated the Town will encounter little difficulty in acquiring software data from the Wareham Fire District, but the Onset Fire District may be more difficult due to software incompatibility, however he has spoken to one of the water commissioners and they are contemplating purchasing new software. If they purchase the same program as Wareham's Fire District, the numbers could be available in a month. Selectman Eckstrom explained that Onset's Water department's elections are in two weeks, so depending on the outcome, the time for obtaining numbers could be considerably longer seeing a new Board of Commissioners may be making the decisions.

IV. CITIZENS PARTICIPATION

Present before the Board: Josephine Fickle

Ms. Fickle stated she & her sisters' own property in Weweantic Shores. She stated that two years ago they received notice re: the sewer project & that part of her property would be used for placement of a pumping station. She stated she has spoken to many people at Town Hall & the last time she spoke to the Administrator he told her they had found another location for the pumping station.

Ms. Fickle stated she drove by her property in January & found a monstrosity there (a pumping station). She stated she has never been compensated & she didn't know this would happen since she was told it was to be placed somewhere else.

The Administrator indicated that this is the Celco, Corp. Change Order. He stated Ms. Fickle was told that the pumping station was to be put on the Town's right of way. Ms. Fickle disagreed & said she was told it was going to be placed somewhere else.

The Administrator stated he met w/ a couple representing Ms. Fickle & her sisters to explain the issue of the pumping station & to show them where it would be placed. Ms. Fickle has four lots. He had spoken w/ the couple (Ms. Fickle's nephew) re: taking the fourth lot & if this lot had to be taken, Ms. Fickle wanted it moved up on the other side. CDM changed its location & put it on the Town's right of way according to CDM.

Ms. Fickle stated that she has not authorized anyone to represent her. Mr. Hartman stated that her nephew may have been representing her sister's interests, and Mr. Hartman assumed he was

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representing both of them seeing he was with Ms. Fickle during one of their conversations. Ms. Fickle stated she spoke w/ Mr. Simmons & he showed her how much land would be needed.

The Administrator stated the pumping station has been located 20-22 feet from the original plan & is located in the Town's right of way.

Selectman Sauvageau asked if the Town's right of way is located on Ms. Fickle's property. The Administrator replied "yes", but she doesn't own the right of way. It is a county layout & according to the engineers, it is totally on the right of way. Ms. Fickle feels the pumping station is on her property. She met w/ the members of the Sewer Abatement Committee & Mr. Makrys told her it is on her property.

The Administrator stated that CDM could look at this matter again & address it. If it is on her property, she will be compensated.

Selectman Sauvageau stated he cannot imagine why a letter was not sent explaining the situation to Ms. Fickle. It is irrelevant whether it is on her property; she has to look at it.

The Administrator stated again that he met w/ Ms. Fickle's representatives in the field to show them where the pumping station would be located. Ms. Fickle owns the property w/ her three sisters & Ms. Fickle's nephew had a letter stating he had the right to speak to the Town on the issue.

Ms. Fickle again stated that Mr. Simmons showed her a map of how much land the Town wanted to use for the pumping station.

Present before the Board: Ms. Fickle's daughter

Ms. Fickle's daughter clarified what is being said & understands the Board to be saying that the pumping station is placed on a sidewalk. The Administrator again stated the engineers said that the pumping station is entirely on Town property. Ms. Fickle is disputing that. He stated if it is determined that this is not Town property, Ms. Fickle will be compensated.

Ms. Fickle stated the pumping station has taken up most of the frontage of this portion of the property. Brief discussion ensued. The Administrator added that a driveway could not be put there. Ms. Fickle stated that she was told that nothing could be put there because of all the pipes that are just under the surface of her yard.

Selectman Sauvageau asked how this affects the value of the property. Ms. Fickle stated it affects it significantly because nothing can be done w/ this portion of the property. Discussion ensued.

Discussion ensued re: a small lot exemption. Selectman Sauvageau feels Ms. Fickle is entitled to go before zoning & ask for a small lot exemption.

Selectman Pillsbury feels this matter can't be solved here & suggested Ms. Fickle meet w/ the Administrator & someone representing everyone involved. Selectman Sauvageau feels that this should have been done before Ms. Fickle came before the Board. He feels this could cost the Town in the end if a wrong call was made. The Administrator clarified that the Town didn't make the call, CDM did. Selectman Sauvageau feels it would have been simple to have a meeting w/ this resident. He suggested Ms. Fickle gain legal counsel.

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Chairman Fernandes-Abbott clarified that two items need to be answered: 1) is the pumping station on Town property or not & 2) if not, the effect on her property needs to be addressed.

The Administrator discussed what a small lot exemption is & the process, which starts w/ the zoning enforcement officer.

Selectman Sauvageau stated that this is a legal issue & he feels this resident's rights have been taken away. Whoever handled this situation was incorrect in their communication. All this could have been resolved if it had been communicated correctly.

Selectman Pillsbury stated that this matter should be resolved to the satisfaction of the resident. Ms. Fickle needs to speak w/ the Administrator & CDM & she needs to make sure that whoever attends this meeting represents all involved w/ her property.

V. CONSENT AGENDA

- A. Authorization to sign bills, documents, etc.
(NONE)
- B. Certificate of Recognition.
(DONE)

VI. TOWN ADMINISTRATOR'S REPORT

1. Sewer Abatement Request – Acct. #737961. Asked the Board to approve abatement for second half sewer usage billing for FY06 for \$261.00. The dwelling has been demolished & in error, was not put on hold until new construction is completed.

MOTION: Selectman Eckstrom moved the Board approve abatement for Acct. #737961 for 2nd half FY06 sewer usage for \$261.00. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

2. Sewer Abatement Request – Acct. #735951. Asked the Board to approve abatement for second half sewer usage billing for FY06 for \$261.00. The water was shut off to this dwelling 8/26/04 until 1/30/06; however, it is under renovation & the bathroom fixtures have not yet been connected.

MOTION: Selectman Eckstrom moved the Board approve abatement for Acct. #735951 for 2nd half FY06 sewer usage for \$261.00. Selectman Pillsbury seconded.

NOTE: Chairman Fernandes-Abbott stated the water was turned off in 2004. She asked if the Town is getting information on when services are shut off. The Administrator stated usually the Districts let the Town know.

VOTE: Unanimous (5-0-0)

3. Sewer Abatement Request – Acct. #791596. Asked the Board to approve abatements on this account for first & second half sewer usage billings for

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FY06 in the amount of \$261.00 each. Water is available to the dwelling, but plumbing fixtures have not yet been connected.

MOTION: Selectman Eckstrom moved the Board approve abatements for Acct. #791596 for first & second half FY06 sewer usage in the amount of \$261.00 each for a total abatement of \$522.00. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

4. Bid Award – Bituminous Concrete & Misc. Paving. At the recommendations of Mark Gifford & Maggie Smith, the Administrator has awarded the bid for purchase & delivery of Bituminous concrete for a one-year period w/ options for two additional one-year contracts w/ T.L. Edwards.

VII. LICENSES & PERMITS **(DONE)**

VIII. ANNOUNCEMENTS

- A. The annual collection of all household hazardous materials (except latex paint) is this Saturday at the Town's Municipal Maintenance area at 95 Charge Pond Rd. Computer monitors may be disposed for a small fee as well as microwave ovens, refrigerators, washers/dryers/dishwashers, & TV's. The hours are 9:00 A.M. to 12:00 noon.
- B. A Basic Boating course will be held in the Town Hall cafeteria on 5/18/06 from 7:00 P.M. – 9:00 P.M. & every Thursday through 6/29/06. The cost is \$60 p/person.
- C. A Boating Safety Day will be held on 5/20/06 at the Onset Pier from 10:00 A.M. to 4:00 P.M.
- D. The YMCA 5K Road Race will be held Sunday, May 7, 2006.

IX. BUSINESS

- A. Any other business.
 1. Computer Equipment Disposal.

Selectman Potter noted that the Hazardous Waste Day is Saturday. He received an e-mail asking if the Town could look into how to dispose of computer equipment cheaper. He researched & found a company in Canton, MA that disposes of computer components & equipment. He stated this company can collect the materials & the Town would pay for the pick-up service. The computers & equipment are recycled. In turn, the Town would receive a certificate of destruction. He feels this would be beneficial to the Town & a much cheaper alternative. The cost of this service is based on tonnage.

Chairman Fernandes-Abbott feels this is a good idea & asked when Selectman Potter receives all the information he should forward it to the Recycling Center. Selectman Potter added that the Town could explore its own shipping.

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2. Community Events Committee.

Selectman Potter stated that a Community Events Committee is being formed. Selectman Potter proposed that this committee would oversee the money that is generated from the hotel tax fund & oversee how it is disbursed. One member & one alternate from various associations will be on the committee as well as representatives from Town safety boards, departments, etc. The committee will only meet one time per year & will only deal w/ larger events. The community events budget will be based on event track records; however, there will be an issue w/ budgeting. He feels this committee could meet in the fall. He also added that parking fee revenues could be utilized as well.

Selectman Pillsbury asked if emergency personnel & Municipal Maintenance meet w/ these organizations at anytime. The Administrator stated staff could meet to discuss the applications. Staff will include the Fire Dept., Police Dept., Municipal Maintenance, EMS, & Board of Health. There is a process recently established to meet on a regular basis w/ applicants.

Selectman Potter stated the goal of this committee would also be to assess the budget & what to expect for expenses.

Selectman Pillsbury stated that a decision is required re: if the hotel tax money will be used for this proposed purpose. The Visitor Services Committee used to take applications & then matched the funds the groups put in & it seemed to work well. She feels this sort of match will be needed to move forward because there is not enough money in the hotel tax fund for all the events. Again, she feels this needs to be discussed & a decision needs to be made as to how all this will be handled. Discussion ensued.

Chairman Fernandes-Abbott feels a discussion needs to be held w/ the FinCom first to determine if the hotel tax money can be carved out of the Town budget & if it is already being utilized w/in the five-year projection.

Selectman Potter feels it would be unfortunate if the hotel tax were used for other things because the original intent for the tax was to promote tourism.

X. SELECTMEN'S REPORTS

- A. Selectman Eckstrom – Special Town Meeting is still open & will resume on 5/8/06 at 7:00 P.M.

Selectman Eckstrom stated she had written a letter to the Planning Board re: the Hathaway Road issue then she received a different letter from Selectman Fernandes-Abbott.

Selectman Fernandes-Abbott stated she took the best of Selectman Eckstrom's letter & tried to make it more in line w/ what the Board discussed which was basically the road. She added that Selectman Eckstrom mentioned the conservation issues which were discussed out of meeting session. Thus, her letter was in response to Selectman Eckstrom's letter. This matter will come back before the Planning Board on 5/8/06.

Selectman Eckstrom asked Selectman Fernandes-Abbott re: the Tobey Will Fund letter. She expressed concern re: Selectman Fernandes-Abbott taking it upon herself to write a letter to the Tobey Will Fund applicants' w/out showing it to the

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 05/02/06 (CONT'D)

Board. She expressed concern re: the letter being disingenuous. She feels this letter that went out to applicants was presumptuous & not right. She stated it is not right that she, as the Chairman at the time, can't write letters to the Planning Board w/out the Board's approval, but Selectman Fernandes-Abbott can take it upon herself to send a letter w/out the Trust's approval.

Selectman Fernandes-Abbott stated she wrote the letter to the Planning Board re: Hathaway Rd., but it hasn't gone anywhere. She was just responding to comments in Selectman Eckstrom's letter. Selectman Eckstrom feels it is like Selectman Fernandes-Abbott never even read or saw her letter. She expressed frustration that Selectman Fernandes-Abbott doesn't have to run things by the Board, but everything she (Selectman Eckstrom) does has to be run by the Board. She feels that the rules have to apply to everyone.

Chairman Fernandes-Abbott feels the point is well taken.

Selectman Eckstrom assumed the letter to the applicants from the Trust was a draft. Chairman Fernandes-Abbott felt it was important to get the information out in the letter considering the newspapers had "let the cat out of the bag." Selectman Eckstrom agreed that it was important to get the information out, but it should have been the right information and thinks there should be common courtesy amongst the Board on issues such as this, especially seeing this letter was sent out on behalf of the entire Board.. Chairman Fernandes-Abbott agreed & she feels the Board needs to make a pact re: common courtesy. Brief discussion ensued.

Selectman Sauvageau stated a letter needs to be written to the Attorney General re: the Trust Fund issue in order to seek guidance & ask if the issue can be remedied by investing the principle that is left in the fund to get it back up the original principle. He also feels that Chairman Fernandes-Abbott should excuse herself from dealing w/ the fund.

Selectman Pillsbury stated she mostly agreed with Selectman Sauvageau and suggested figuring out a strategy relative to explaining how the Board will fix this issue. The issue needs to be straightened out. To lay it all on Chairman Fernandes-Abbott or Cindy Parola is not right because it is not entirely their fault. They brought the fund allocations to the Board & the Board voted. Selectman Eckstrom stated that the Board did not vote last year. She had pulled the minutes from last year and the awards were announced and no vote took place. Selectman Sauvageau stated he is not laying the blame all on them, but as a remedy, he feels the Board should ask the Attorney General how to proceed.

Chairman Fernandes-Abbott stated she will work w/ the Administrator to seek Town Counsel's advice re: drafting a letter to the Attorney General. Selectman Eckstrom stated that the Administrator is not one of the Trustees of this fund. Chairman Fernandes-Abbott stated that Board members usually don't seek Town Counsel w/out the Administrator's consent. Selectman Sauvageau feels Selectman Eckstrom wants the whole Board to be involved as Trustees. Discussion ensued. Selectman Sauvageau again clarified what he feels the Board needs to do re: this issue.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 05/02/06 (CONT'D)

- B. Selectman Fernandes-Abbott – The WPCF Design meeting was held last Thursday to speak w/ representatives of Bourne re: their intentions for sewerage. Mr. Tribeau of Bourne informed the committee that Bourne is working on addressing future & current needs. Currently, Bourne is using a percentage of the Town's sewer facility. An additional 40,000 gallons p/day will be added due to new projects. The Town of Bourne understands they are reaching their capacity.

Chairman Fernandes-Abbott stated one issue that was discussed was the fact that to build a sewer plant for Buzzards Bay would be exorbitant in cost.

Chairman Fernandes-Abbott stated the Inter-Municipal Agreement expires in 2009. She feels that Bourne has every expectation to continue this agreement. In addition, Bourne may be interested in a future joint facility.

Chairman Fernandes-Abbott stated a recommendation was made to start a series of meetings (Administrator to Administrator) re: getting a feeling of what is going on & then have meetings; engineer to engineer, Board of Selectmen to Board of Selectmen, etc. to discuss agreements, the future, etc. This should commence in the near future. Brief discussion ensued.

The Administrator added that once Bourne hits 180,000 gallons p/day, the Town has to decide where to go from there.

Selectman Potter stated as he understands, if Bourne were to pursue a sewer plant, it would have to be over the bridge.

XI. ADJOURNMENT

MOTION: Selectman Eckstrom moved to adjourn the meeting at 9:35 P.M. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Respectfully submitted & transcribed by,

Kelly Barrasso

Kelly Barrasso

The Board of Selectmen/Sewer Commissioners approved the foregoing minutes on: July 18, 2006

Attest: *Brenda S. Eckstrom*

Brenda Eckstrom, Clerk

BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: July 18, 2006

Date copy sent to Wareham Free Library: July 19, 2006