

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: August 15, 2006

Date of Transcription: August 17, 2006

Transcribed by: Kelly Barrasso

I. CALL MEETING TO ORDER BY CHAIRMAN

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

MOTION: Selectman Sauvageau moved that Selectman Pillsbury be Clerk Pro Tem for this meeting. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

II. ROLL CALL

Selectmen Present: Brenda Eckstrom, Chairman Pro Tem
Mary Jane Pillsbury, Clerk Pro Tem
Bruce Sauvageau
Jim Potter

Selectman Absent: Renee Fernandes-Abbott, Chairman

Also Present: Michael Hartman, Town Administrator

III. CITIZENS PARTICIPATION

Present before the Board: Todd Fardi

Mr. Fardi stated he lives in Beaver Dam Estates, but received notice of a lien for the Briarwood Beach sewer project. He feels the CDM costs keep going up for this sewer project. He asked if there is a cap as to what CDM can charge.

Selectman Eckstrom stated she spoke w/ Mr. Fardi recently at a Conservation Commission meeting re: this issue. She explained that Mr. Fardi lives on Fairfield St. in Beaver Dam Estates, but the Briarwood Beach project cut through a portion of this area.

The Administrator explained that there are four properties involved in Beaver Dam Estates. These four properties are listed on the same map as Briarwood, thus they are on the list of betterments. He stated these four properties would be billed under the Beaver Dam project. He is aware of this problem & the *Intent to Better* is all that has been done at this time. When everything is finalized, Mr. Fardi's property will be under the Beaver Dam Estates project rates. He added that it has been determined the Board doesn't have to re-vote at this time because the betterment has not been assigned. Again, the Administrator clarified that Mr. Fardi & the three other property owners will be paying the Beaver Dam Estates rates for their project.

Mr. Fardi asked re: the add-ons by CDM for sewer projects & if there is a cap. The Administrator explained that the projects are capped by contract & the town has contracted w/ CDM for construction management & they have not exceeded any amounts contracted presently, although this evening CDM will be looking to amend their contract for the Rose Point project.

Present before the Board: Mary Ann Silva, Town Clerk

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Ms. Silva stated that the Clerk's office has obtained a camera & equipment to be utilized for passport photos. The Clerk's office presently offers passports for a \$30.00 processing fee, but this fee will decrease. She would like to offer a passport photo service for a \$10.00 fee for a set of two pictures. She stated if it is found this new fee doesn't cover expenses then the fee can be re-visited. This service will be offered up until 4:00 P.M. at the Clerk's office. She added that her staff would be trained.

MOTION: Selectman Pillsbury moved the Board allow the Clerk's office to establish a \$10.00 fee for a set of two pictures for passports. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

IV. ANNOUNCEMENTS

- A. The Primary will be held on 9/19/06. 8/30/06 is the last day to change registration information. Absentee ballots will be available until 9/18/06 at noon in the Clerk's office.

V. CONSENT AGENDA

- A. Authorization to sign bills, documents, etc.

MOTION: Selectman Pillsbury moved the Board approve invoice #80233928/11 from Camp, Dresser & McKee in the amount of \$6,643.71 re: engineering services for the GS services during sewer construction in the Briarwood Beach area. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve invoice #80233929/12 from Camp, Dresser & McKee in the amount of \$7,309.38 for engineering general services during sewer construction in the Rose Point area. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve invoice #80233932/8 from Camp, Dresser & McKee in the amount of \$25,194.90 re: resident engineering services during sewer construction in the Rose Point area. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve invoice #80234006/5 from Camp, Dresser & McKee in the amount of \$24,643.17 re: engineering services design of improvements to three of the Town's existing wastewater pumping stations – Narrows, Kennedy Lane & Hynes Field. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve invoice #80233927/7 from Camp, Dresser & McKee in the amount of \$17,812.75 re: residential engineering services during sewer construction in the Briarwood Beach area. Selectman Sauvageau seconded.

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VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve partial payment #8 from Albanese Brothers, Inc. in the amount of \$168,381.92 re: the Rose Point sewer project. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve application #5 from RJV Construction Corp. in the amount of \$235,707.28 re: the Briarwood Beach & Beaver Dam Estates sewer project. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

B. Approve minutes of previous meetings: 6/13/06 – Special Meeting.

MOTION: Selectman Pillsbury moved the Board approve the Special Meeting minutes of 6/13/06. Selectman Sauvageau seconded.

VOTE: (3-0-1)

Selectman Eckstrom abstained

C. Appointments:

1. Election/Poll Workers.

MOTION: Selectman Pillsbury moved the Board appoint the following individuals as Election/Poll Workers to terms to expire 6/30/07:

Precinct One: Officers:

Phoebe Sherman
Glenn Sherman
Judith Niemi
Joanne Savastano

Poll Workers

Kathleen Clements
Marie Cooney
Barbara A. Giberti
June Lynch
Hazel Tabor

Precinct Two: Officers:

Barbara Porter
Joann R. Senna
Eleanor C. Senay
Marlene DeCoster

Poll Workers

Sheila Evans
Ramona Barros
Mary Paulette
Linda Perkowski

Diane M. Wolstencroft

Precinct Three: Officers:

Joanna DaSilva
Margaret Gomes
Billie Sleightholm
Elizabeth Morrison

Poll Workers

Geraldine Barrows
Robert DaSilva
Patricia Evans
Anne Hunter
Deborah J. Rose
Gertrude Sullivan

Precinct Four: Officers

Dorothy Vicino
John Durham

Poll Workers

Elaine Butler
Antone Fernandes

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Sherren Frazier
Patricia Harju-Zimmer
Diane Lazarus
Deborah A. Soule
Robert E. Short
Peter A. Spetrini
Francis Vicino

Precinct Five: Officers

Lorraine Gregoire
Kim McNair
Katherine Britt
Leonora Fernandes

Poll Workers

George Choquette
Theresa A. Gregoire
Hannah Gregoire
Barbara Hunter
Joyce Veiga

June Woodland
Norma White

Precinct Six: Officers:

Robert Joy
Elizabeth Diliddo
NanC Marshall

Poll Workers:

Julianne C. Cummings
Patricia M. DeMatteo
Alberta Joy
Carol MacGray
James A. Magnan
Frances Murphy
James B. Newman
Nancy Schultz

Precinct Four: Poll Worker

Jack M. Silva

Selectman Sauvageau seconded for discussion.

NOTE: Selectman Potter stated at least one appointment has an address that is out of Town. He asked if the Board's new residency policy would apply. Ms. Silva, Town Clerk stated she researched this matter & found that there is no statute that limits appointing an out of Town poll worker. Selectman Potter asked if there is a waiting list for poll workers from the Town. Ms. Silva stated "no."

VOTE: Unanimous (4-0-0)

2. Recycling Committee.

MOTION: Selectman Pillsbury moved the Board appoint Charlene L. Price as a member (citizen at large) to the Recycling Committee to a term to expire 6/30/09. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

VI. LICENSES & PERMITS

- A. Application for a One Day All Alcoholic Liquor Permit for Susan Williams Gifford Committee for its annual fundraising clambake event on 8/24/06 from 6:00 P.M. to 10:00 P.M. at Zecco Marine, 2 Warr Avenue, Wareham.

Present before the Board: Susan Williams Gifford

Ms. Gifford discussed the fifth annual event as well as food to be served & entertainment.

- B. **MOTION:** Selectman Pillsbury moved the Board approve the application for a One Day All Alcoholic Liquor Permit for Susan Williams Gifford Committee for its

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annual fundraising clambake event on 8/24/06 from 6:00 P.M. to 10:00 P.M. at Zecco Marine, 2 Warr Avenue, Wareham w/ the caveat that no alcohol be consumed on Town property. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

VII. TOWN ADMINISTRATOR'S REPORT

1. Parking, Onset Ave. As the Board will recall, parking along Onset Ave. in the vicinity of Sycamore, Locust, & North Water Streets was brought before the Board on 9/6/05, but a decision was deferred. The matter is again before the Board asking that a decision be made due to continued safety concerns, both w/ Chief Joyce & Chief Anderson of the Onset Fire Dept. The original request was dated 8/23/05.

In 2005, Chief Joyce looked into the parking along Onset Ave. on the north side from Locust St. to North Water St. and the south side from Sycamore St. to the crosswalk and recommends that these areas be changed to prohibit parking. Currently, parking is prohibited along the north side from Locust to the telephone opposite Sycamore St., but allowed from the telephone pole to North Water St. Parking is also allowed on the south side from Sycamore to the crosswalk. These situations have caused vehicular traffic to cross the centerline in order to go around parked vehicles, which is not a safe situation. There is off-street parking for the apartment house & parking is also allowed on both Sycamore & North Water Streets. The Administrator concurs w/ the Chief's recommendation & asked the Board to approve the changes.

Present before the Board: Chief Thomas Joyce, Wareham Police Dept.
Chief Anderson, Onset Fire Dept.

Chief Joyce stated the issues continue to be the same as well as the concerns. In the past two weeks he has received complaints re: parking near North Water St. & the fact that vehicles can't see other vehicles coming toward them. He explained that the curvature of the road serves as a deterrent for a line of sight.

Selectman Potter recommended keeping the six parking spaces currently there because they have always been there. He understands a trouble spot exists where a spot was already eliminated near Sycamore St. & that there are also concerns near Locust St. He feels if the six spots were eliminated, the people from the apartment building would have no place to park. He discussed the speeding problem on this roadway, especially on the corner. He feels if parking spots were eliminated, the speed of cars would increase. Chief Joyce stated the curvature of this road causes problems w/ these six spots. This area has been measured & reviewed several times. The original space eliminated caused problems in the past. He added that cars weren't as wide ten to fifteen years ago as they are now. He understands the speed issue, but the answer to the problem is not to allow inappropriate parking in hopes of slowing cars down.

Selectman Sauvageau agreed w/ Selectman Potter relative to keeping the six parking spaces. He asked who gave the authority to remove the one parking spot. Chief Joyce stated that the Board approved a 25 ft. setback at all intersections. Selectman Sauvageau asked Chief Joyce what the name

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of the business is where the spot was removed. Chief Joyce stated it is Tae-Tae's Market. Selectman Sauvageau feels everyone should leave this business alone. He expressed frustration w/ what he feels is harassment of this business & indicated that the owners of the business are now leaving. He feels this proposal will take parking spots out & will devalue this business. He doesn't feel cars are getting wider. He stated five of the pictures submitted have this business depicted in them. He respectfully disagreed w/ Chief Joyce on this matter & he feels businesses in this area will be punished. He will vote against this matter.

Chief Joyce stated the Police Dept. has taken no action to bother any business. He stated the issue of the roadway is a public safety one & was brought forward before the market came to be. He stated the fact that this particular business is in the pictures is because the officer taking them was only trying to get pictures of the roadway condition/situation; the pictures are not intended to identify this business or any other. He stated the parking issue is on the other side of the street from said business & he has looked at increasing parking on the market side up a little further. He had no knowledge the business was selling.

Selectman Eckstrom stated in the 1990's, the Police Dept. had permission to go back 25 ft. from intersections. She asked if the two spaces near North Water St. could be eliminated & if this would help the issue. Chief Joyce stated he could delineate a 25 ft. setback. He discussed the issue of this intersection & not being able to see traffic coming forward because of the parked cars. He stated the setback from the point of the intersection re: the first parking spot is something that can be done internally. Selectman Potter stated there used to be a sign there. Selectman Eckstrom described other areas in Town where she has observed vehicles going over the solid double line, such as Main St. She doesn't know if eliminating parking is the answer relative to this matter. She feels if there is no parking there, cars will go faster.

Selectman Potter noted the illegal parking of cars at the corner of Locust St. He again addressed the speed issue going down the hill. He stated the opposite direction is even more dangerous at the curve to the crosswalk. He doesn't believe parking should be eliminated. Selectman Sauvageau stated crossing double lines & speeding are enforcement issues. Selectman Pillsbury stated the issue in this area has been around a long time & she understands there are enforcement issues, but the police can't be everywhere all the time.

Chief Anderson stated he understands the issues being discussed, but he is concerned relative to safety & safety personnel responding to calls that need to go through this area. He explained when safety vehicles come to the curb/curve at Sycamore St.; they have no choice but to go over into the other lane because of the parked cars. He stated the one spot that was already eliminated has made things somewhat better. He is also concerned re: children crossing the street between parked cars. He explained that on the north side of Onset Ave., that spots marked "No Parking" w/ tow zone signs were there, which have disappeared. He feels setbacks do help. Selectman Potter stated he understands the difficulty with the corner & discussed the parking spaces in question further.

Selectman Sauvageau asked if these parking issues have been discussed w/ residents of this area. Both Chief Anderson & Joyce responded, "No." Selectman Pillsbury stated public safety officials can't identify every issue, but they can identify areas w/ issues for public safety vehicles, etc. She believes that this is what both Chief Anderson and Joyce are doing. She feels once a problematic area is pointed out & the Board doesn't do something about it, it is the Board's/Town's responsibility if something happens. She doesn't feel this matter has anything to do w/ the market. She understands Selectman Potter's issue w/ parking for residents on North Water St. & Sycamore

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St. She suggested removing only two spaces. Selectman Potter addressed Selectman Pillsbury's suggestion & expressed the need to start somewhere. He stated the two spots adjacent to North Water St. are really not meant for parking. Chief Anderson stated that there were tow zone signs there at one time, but they are gone; only the "No Parking" sign exists. Brief discussion ensued.

MOTION: Selectman Pillsbury moved to eliminate parking on Onset Ave. from the intersection of North Water St. back to the driveway of the Scarzi Apartments.

NOTE: Discussion ensued. Selectman Eckstrom asked if the police have the authority to eliminate spaces under the 25 ft. setback regulation. Selectman Sauvageau asked if these two spots are legal or illegal currently. Selectman Sauvageau acknowledged the importance of public safety re: this roadway, but he also indicated it is a quality of life issue for residents & businesses in this area & they have not been heard from. He will vote in the negative on this matter. Chief Joyce stated he doesn't know if these two spaces are legal or illegal, but he will research & get more measurements.

Selectman Pillsbury w/drew her motion

MOTION: Selectman Pillsbury moved the Board prohibit parking along the entire length of Onset Avenue from Locust St. to North Water St. & the south side from Sycamore St. to the crosswalk, a distance of 30 ft., effective immediately.

NOTE: The motion failed due to a lack of a second.

Selectman Eckstrom asked Chief Joyce to review the measurements & to speak to the residents & businesses for feedback.

2. Sewer Betterment Interest Charges. Staff has completed its review of the practice of applying an interest rate to betterments equal to actual interest charges plus 2%. The review indicates that the 2% add on could be reduced. However, G.L. Ch.80 §13, limits the Town to only two options; 5% per annum or, alternatively, actual interest charges plus 2%. If the Board wishes to apply an interest rate different from the options outlined in the statute, a Home Rule Petition approved by State legislature is necessary. In the interim, the only option the Board has relative to Wewantic betterments would be to apply the 5% rate identified in the statute or it could go to Town Meeting to make Wewantic betterments retroactive.

Selectman Eckstrom clarified what the rate would be reduced to (1/2 of 1%) if it went to a Home Rule Petition. Selectman Pillsbury stated if it were to be a Home Rule Petition and it stated an exact percentage, it would not allow for a window for change in the future. The Administrator added that the Town would need to see if each project needed its own Home Rule Petition. Selectman Sauvageau feels there is disparity between neighborhoods. He stated if the rate couldn't go back retroactively, there will still be disparity. The Administrator explained that for the Wewantic project, it would be 5.9% or 5%, but Selectman Sauvageau stated that the next neighborhood would be 2.5% if a Home Rule Petition were successful. He added that a Town Meeting article would be needed to make it retroactive for Wewantic.

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Selectman Eckstrom asked if the Town should submit a Home Rule Petition for Weweantic. The Administrator stated he would discuss this w/ Town Counsel.

Selectman Sauvageau asked why, if one project can operate at 2.5% for one neighborhood, why couldn't all projects operate at 2.5%. Brief discussion ensued. Selectman Sauvageau stated the variable rate is always the market rate number, but the addendum on the rate is the Town's. He would like to see all betterment fees be consistent. Selectman Pillsbury stated that they have been consistent at 2%. She stated that consistency is not the issue, because the board has always used the 2% mandated by statute. The Administrator stated that a simple majority vote of the Board is needed for the 5%, but a Home Rule Petition is needed for a 4.4%.

MOTION: Selectman Pillsbury moved the Board reduce the Town's interest rate for the Weweantic Sewer project to 5%. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

The Board members concurred to have the Administrator pursue the Home Rule Petition.

3. Meeting w/ Onset Water District. A meeting is scheduled tomorrow w/ the Onset Water District to discuss sharing of data for the EDU Rate Study.

NOTE: The meeting proceeded w/ item IX. Sewer Business – B: CDM.

Present before the Board: Mike Guidice, CDM

Mr. Guidice updated the Board on the following:

WPCF:

- Construction update – 3 punch list items remaining.

Mr. Guidice discussed an issue w/ the control valve for the aeration tank in which a meeting will be held to resolve this issue.

- Nitrogen – June average: 3.3 mg/l; July average: 3.2 mg/l.
- Phosphorous: June average: 0.4 mg/l and July average: 0.3 mg/l.

Mr. Guidice explained the goal levels for nitrogen (4.0) & phosphorous (0.2).

Rose Point Sewers:

- Construction update:
- Rose Point Ave. completed, to be paved before Labor Day.
- Working on house services (approx. 70 remain).
- Pumping station installation remains.
- 100% of mainline sewer installed.
- Change Order #2 – hydrant relocation to be reimbursed by Wareham Fire District.

Mr. Guidice explained that a Change Order is needed to reimburse the contractor for costs incurred to relocate an existing hydrant located at the site of the Canedy St. pumping station to a new location at 42 Canedy St. The relocation was needed to allow the construction of the new pumping

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station. The work of this change was performed on time & materials basis for a total cost of \$4,188.93.

Discussion ensued. The Administrator explained that work was done in May & the contractor is looking to get paid. This issue will be settled with the water department at the end of the project.

- Pending Change Order #3 – unmarked water line to be reimbursed by Wareham Fire District.

Mr. Guidice discussed the location of the water line & the need to pay the contractor \$1,900.

- CDM Design Amendment #1 – additional subcontractor costs.

Mr. Guidice discussed in detail what is involved w/ this amendment, such as additional surveying & Water District credit. The Administrator clarified why this contract has to be amended. The cost is \$21,750 for the additional surveying work. He stated this wouldn't change the assessment because it was already factored in & accounted for.

MOTION: Selectman Pillsbury moved the Board approve amendment #1 for CDM re: memorandum dated 8/8/06 in the amount of \$21,750. Selectman Potter seconded for discussion.

NOTE: Selectman Potter asked if it is factored into the assessment, aren't they paying for the road design, not the entire Town. The Administrator stated that the Town adopted two articles for the sewer project: one for the sewer & the second for the design & roadwork, which would be paid through betterments. Selectman Potter feels it may be better if the Town did it & it could utilize Chapter 90 funds. Town Administrator explained the criteria for use of Chapter 90 funds.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Pillsbury moved the Board approve Change Order #2 to Albanese Brothers, Inc. in the amount of \$4,415.43. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

Briarwood Beach/Beaver Dam Estates Sewers:

- Construction update:
- Briarwood Dr., Carter Ave., Adams St., McKinlay Ave. (riverside), & Lincoln St. (both sides) completed.
- Working on Harding Ave.
- Pumping station mechanical work.
- Approx. 40% of mainline sewer installed.
- Conservation Commission Enforcement Order.

Mr. Guidice stated the contractor was working between easements. The contractor cleared out an area & fill was placed. It was later found out that this is wetlands thus there was an impact to the wetlands & a Cease & Desist Order was issued. On 7/19/06 there was a meeting w/ the Conservation Agent & the wetland flags were re-established. The issue went before the ConCom on 8/2 where information was presented relative to how this issue would be remedied. It was agreed upon that the contractor would install the sewers outside of the wetland & then restore the disturbed area.

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Selectman Eckstrom indicated speaking w/ some of the area's residents & some concerns they expressed were that the contractor took down trees, that the contractor's workers have been rude to residents, & some have even used the area as a bathroom. Mr. Guidice stated that CDM received similar reports, and stated such behaviors is unacceptable. A meeting was held w/ the contractor & the resident inspector who spoke to the residents re: the complaints. The contractor has set up a temporary bathroom facility for workers. Mr. Guidice will also pass on the behavior issues as well. He briefly discussed the tree issue, tree replacement, & easement issues.

New Sewer Areas:

- Design contract submitted to Town.

Mr. Guidice discussed the scope of work & that the design costs do not include easement plan preparation or archaeological investigations. Additionally, costs for bidding & engineering services during construction are not included.

Mr. Guidice stated CDM is incorporating three construction contracts for the seven areas. He stated if the Town decides it wants more than three contracts to do the remaining areas, for example, four or five contracts, CDM could do it, but if they wanted more than this amount of contracts it may become a problem.

Selectman Sauvageau asked if the \$1.5 million allocated is for the seven areas. Mr. Guidice stated yes & this is for the design of all seven areas, but there will be three construction contracts. Selectman Sauvageau asked if the Town is saving money by bundling seven areas into one design contract. Mr. Guidice stated yes & that it is more cost effective to survey larger areas vs. one at a time. He added that 1/3 of the cost is sub-contractor costs.

Mr. Guidice discussed how the design is based: one is by linear footage, two is pumping stations, & three is the number of construction contracts.

Selectman Potter asked if any of these areas have stormwater remediation included. Mr. Guidice stated no design work for stormwater remediation has been done yet. The Administrator stated this would be done later. He briefly discussed timelines for the projects & possibly getting the first grouping out to bid next year.

MOTION: Selectman Pillsbury moved the Board accept & authorize the Chair to sign the proposed design agreement w/ CDM for the remaining areas of Town to be sewered in the amount of \$1.5 million. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

- PEF due to DEP 8/31.

Infiltration/Inflow Program:

- Smoke testing mid-September.
- Transfer additional funds required at October Town Meeting.

Rate Study:

- Evaluation of Option "E".

Mr. Guidice stated that Mr. Gall would have a memo to the Board by the end of next week outlining scenarios & the next steps. Selectman Sauvageau stated meetings have been held re: future

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development in Town & the capacity of the system. There are many questions as to what is the actual capacity of the plant. He doesn't know what the number is or how this calculation is arrived at. He would like CDM to conduct an analysis re: a close approximation of current capacity & how much more capacity is left w/out degrading the system. Selectman Pillsbury stated when the sewer plan was created, many assumptions were made. She feels it is a good idea to check how the facility is doing, if it is holding the allowable gallons, etc. The Administrator stated he has already been asked to do this after the issue of Bourne possibly leaving came up. Selectman Sauvageau feels there has to be some way to get a figure, have it published, & let others know & understand what the system can do. Mr. Guidice stated he would need a follow up meeting to see what the scope of this study will be. He offered estimated capacity numbers to the Board.

A. Request for sewer connection – 2420 Cranberry Highway – Mayflower Bank.

The Administrator stated the recommendation from the Sewer Dept. is to allow this connection w/ the following conditions:

- Prior to backfilling, the Sewer Dept shall inspect all cleanouts, pipe & connections. An "as-drawing" shall be provided by the engineer/contractor.
- All cuts w/in existing paved roadways shall be inspected & approved by the Director of Municipal Maintenance.
- Prior to construction, the contractor will verify the location & depth of the existing stub.
- All piping shall be bedded in stone.
- The connection fees are as follows:
- SSDC= \$7,000.00*
- Commercial Sewer Permit Fee of \$150.00 plus \$.10/sq.ft. of the base of the building (2,974 sq. ft.) = \$447.40.
- Design Review & Construction Inspection Fee of \$1,000.00.
- A Sewer Connection Fee equivalent to twice the current annual user fee, 1 EDU @ \$522.00/yr/EDU, doubled = \$1,044.00
- The total Sewer Connection Fee is \$9,491.40
- Design Review Fee paid in advance -\$1,000.00
- Balance Due: \$8,491.40.

*At the Board's meeting on 9/26/00, the Board voted that "any business w/in the Phase I Industrial Park or directly abutting the Phase I Industrial Park that wishes to tie to the new sewer line shall be assessed a system development fee not to exceed \$7,000.00.

Selectman Potter asked what the idea for the development fee was to not exceed \$7,000. The Administrator explained that the Industrial Park space was filled & this is in lieu of betterment. He indicated that CDM has recommended the Board look at changing this to equal a betterment charge. Brief discussion ensued.

MOTION: Selectman Pillsbury moved the Board approve the sewer connection request for Mayflower Bank, 2420 Cranberry Highway, Map 108, Lot 1004-A1 w/ the conditions as read into the record by the Administrator. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

VIII. TOWN BUSINESS

A. Discussions:

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1. Letter to DOR.

Selectman Eckstrom discussed the draft letter to DOR written by Selectman Fernandes-Abbott. She discussed a small change to be made. Selectman Pillsbury submitted her own draft letter & she doesn't feel Selectman Fernandes-Abbott's letter addresses what the Board was looking for. The Board members proceeded to review Selectman Pillsbury's draft letter.

Selectman Sauvageau stated he doesn't see the distinction between the two letters. Selectman Pillsbury explained that her letter asks what services DOR provides instead of asking for a review & analysis right away. Selectman Sauvageau feels that both letters are asking the same thing. Selectman Pillsbury explained that her letter is asking for guidance, which is what the board had stated it wanted, and Selectman Fernandes-Abbott's letter is asking for a review. Discussion ensued.

Selectman Sauvageau stated the Board instructed the Chair to write the letter. Selectman Pillsbury stated she does see a distinction between both letters. Selectman Sauvageau feels the same response will be given by DOR to both letters. Selectman Pillsbury stated she doesn't want the Town to be in a position to have DOR come in & get involved before the Board even knows if DOR provides the type of services being sought. Discussion ensued. Selectman Sauvageau stated DOR might be able to help in how to account for the money coming in from the sewer account & going into the general fund. He discussed the issue of double accounting that he feels is occurring. Selectman Pillsbury stated the letter does not upset her and that she is good with sending the request as written by the Chairman.

The Board members concurred to utilize Selectman Fernandes-Abbott's letter to DOR.

MOTION: Selectman Pillsbury moved the Board send letter written by Selectman Fernandes-Abbott to DOR w/ change as noted. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

2. Common Victualler License.

Selectman Eckstrom stated that a business could operate if it is take-out only, but if there is seating, they can't operate w/out a Common Victualler's License. If the Board is aware of a business operating w/out a license, the Town can be fined.

Discussion ensued re: if the application asks if there is sit-down seating. The Administrator stated it does.

3. Special Municipal Employee Status request: Police Station Feasibility Study Committee.

Selectman Eckstrom read a portion of a memo from Claire Smith into the record dated 8/11/06. The portion is as follows:

"After a recent Conflict of Interest Seminar, there potentially might be some concern that several members of the Police Feasibility Study would require Special Municipal Employee Status, as they may have a situation in the future where they, in their professional capacity, may indirectly or directly do business w/ the Town at some time or another.

Therefore, she would like to request that the Board place this matter on the agenda & grant the Police Feasibility Study Committee Special Municipal Employee Status as the Board has done w/ two other boards for the same reason, namely the Zoning Board of Appeals & the Planning Board."

SELECTMEN/SEWER COMMISSIONERS MEETING 08/15/06 (CONT'D)

Selectman Eckstrom stated she is not in favor of this status in any position. Selectman Pillsbury stated she understands Selectman Eckstrom's position, but she feels the Town is coming to a point where it is losing people on boards, committees, etc. She feels this may need to be done. She stated the issue at hand is that some of these volunteers may perform work in Town, however remote the connection might be. She stated additional requests may come in the future, and that it is getting more and more difficult to fill vacancies on our volunteer boards and committees. Discussion ensued.

Selectman Sauvageau doesn't believe anyone should have this status because it is an exception to the conflict of interest rule, which he discussed. He stated the Police Feasibility Study Committee is an ad-hoc committee & it won't always be around. He is not in favor of this status for this committee & the reason given is not a strong enough one. Selectman Pillsbury expressed concern re: losing people on boards, committees, etc. She stated if people were going to be precluded, such as engineers, architects, etc. then the town would continue to lose people. She feels the Town is limiting people who will serve on boards, committees, etc. & she doesn't feel those not in favor of this status should be so hard nosed about it. Selectman Sauvageau offered an example of a different kind rebutting Selectman Pillsbury's claim. He doesn't feel the Board should grant a request just to fill a board, commission, etc.

Selectman Potter asked if a simple abstention from a voting member of a board, committee, etc. would be all right. Selectman Pillsbury stated it wouldn't. Selectman Sauvageau stated the issue is status, not the mechanics of voting. He feels it is a perception issue & townspeople don't want to feel they have to look out for conflict of interest issues & watch public officials, board members, etc. He feels there should be no perception of a conflict of interest & it should be consistently applied to the Board's policies.

Discussion ensued re: having Claire Smith in to discuss the issue. (She had been present earlier, but had since left the meeting).

4. Any other Town business.

Selectman Pillsbury stated the Planning Board would be holding a meeting on street name changes. They have advertised a hearing & letter will be going out. A few streets advertised were public ways & under the purview of the Board. She suggested the Board allow the Planning Board to act on the public ways on the Board's behalf since the process has already begun.

The Administrator explained that the Board would have to vote to allow the Planning Board act as the Board's agent in this matter. Selectman Sauvageau agreed w/ Selectman Pillsbury & suggested the Planning Board be informed in the future to be mindful that this is a Selectmen issue re: public ways.

Selectman Eckstrom read the dates of the public hearings of the Planning Board re: the street name changes & what the proposed street name changes are.

MOTION: Selectman Pillsbury moved the Board allow the Planning Board to act on the road name changes read into the record by Selectman Eckstrom as the agent to the Board of Selectmen. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

Selectman Potter stated the last movie of the summer would be shown this Thursday at 8:00P.M.

SELECTMEN/SEWER COMMISSIONERS MEETING 08/15/06 (CONT'D)

Selectman Eckstrom stated a letter was received from the Chair of the ConCom asking the Administrator to speak to the Harbormaster re: limiting the size of motor boats in Mill Pond due to the cutting of land/erosion from the waves.

IX. SEWER BUSINESS

- A. Done.
- B. Done.
- C. Any other sewer business. (NONE)

X. SELECTMEN'S REPORTS (NONE)

XI. ADJOURNMENT

MOTION: Selectman Pillsbury moved to enter into Executive Session at 9:45 P.M. for the purpose of discussing matters relative to non-union personnel. Selectman Sauvageau seconded.

POLLED VOTE: Selectman Pillsbury – Yes
Selectman Potter – Yes
Selectman Eckstrom – Yes
Selectman Sauvageau – Yes

VOTE: Unanimous (4-0-0)

Respectfully submitted & transcribed by,

Kelly Barrasso

Kelly Barrasso

The Board of Selectmen/Sewer Commissioners approved the foregoing minutes on: November 7, 2006

Attest: Mary Jane Pillsbury

Mary Jane Pillsbury, Clerk Pro Tem

BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: November 7, 2006

Date copy sent to Wareham Free Library: November 8, 2006