

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: October 3, 2006

Date of Transcription: October 5, 2006

Transcribed by: Kelly Barrasso

I. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Fernandes-Abbott called the meeting to order at 7:10 P.M.

II. ROLL CALL

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

Absent: Michael Hartman, Town Administrator

III. CITIZENS PARTICIPATION

Present before the Board: John Durham, Pine Tree Estates

Mr. Durham stated there is a speeding problem in his area & there is no signage. He stated most of the speeders are coming from developments around this area. He asked the Board what could be done to correct this.

Chairman Fernandes-Abbott stated Mr. Durham is not the first person to comment on traffic issues in this area/development. She indicated e-mailing Chief Joyce re: this matter & was told that STOP signs were put in a few years ago. Mr. Durham stated no one is stopping at these STOP signs. The biggest issue is when kids are waiting for the bus & people are speeding.

Chairman Fernandes-Abbott stated she would speak to Chief Joyce again & request him to review this entire area again.

Mr. Durham asked when the sewer bills would be coming out; they are overdue. Chairman Fernandes-Abbott stated the Board has not received a commitment yet & she doesn't know when they will be coming out.

IV. ANNOUNCEMENTS (To be handled later in the meeting)

V. CONSENT AGENDA

A. Authorization to sign bills, documents, etc.
(NONE)

B. Approve minutes of previous meetings: 8/22/06, 9/5/06 & 9/12/06.

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

MOTION: Selectman Eckstrom moved the Board approve the Regular Session meeting minutes of 8/22/06, 9/5/06, & 9/12/06. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

C. Appointments to boards, committees, commissions:

1. Delegates to the Old Colony Elder Services.

MOTION: Selectman Eckstrom moved the Board appoint Barbara Ann Zoia as an alternate member to the Old Colony Elderly Services –Board of Directors to a term to expire 8/30/07. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

MOTION: Selectman Eckstrom moved the Board appoint Deborah Bell as a member to the Old Colony Elderly Services – Board of Directors to a term to expire 8/30/07. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

MOTION: Selectman Eckstrom moved the Board appoint Dennis Allen as an alternate member to the Old Colony Elderly Services – Board of Directors to a term to expire 8/30/07. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

2. Plymouth/Carver Aquifer Advisory Committee.

MOTION: Selectman Eckstrom moved the Board appoint Marjorie M. Teitelbaum as a member to the Plymouth/Carver Aquifer Advisory Committee to a term to expire 6/30/07. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

3. PEG Access Board of Directors.

Selectman Eckstrom thanked all who applied. She would like discussion on term limits. She listed those applicants that she feels should hold one, two, & three year terms. The Board members concurred.

MOTION: Selectman Eckstrom moved the Board appoint the following individuals as members to the PEG Access Board of Directors: Sandra L. Bell to a term to expire 6/30/09, Joseph Heard to a term to expire 6/30/09, John White to a term to expire 6/30/09, Peter Barrows to a term to expire 6/30/08, Ramona C. O’Hearne to a term to expire 6/30/08, Sally Morrison to a term to expire 6/30/07, & James B. Newman, Jr. to a term to expire 6/30/07. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

VI. LICENSES & PERMITS

- A. Request by the Recreation Dept. for use of Town roads for its annual Halloween Parade on Saturday, October 28, 2006.

Chairman Fernandes-Abbott read the request information into the record.

MOTION: Selectman Eckstrom moved the Board grant the request of the Wareham Recreation Dept., c/o Candice Foster, Director, 48 Marion Road, Wareham, MA for the annual Halloween Parade on 10/28/06 at 10:00 A.M. (Rain date 10/29/06) & the Town to be held harmless from all liability as to damage to property or injuries to any persons. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

- B. Review of Earth Removal Permit issued on 9/6/05 to G. Lopes Construction, Inc.

Present before the Board: Bill Madden, G.A.F. Engineering, Inc.

Chairman Fernandes-Abbott stated in accordance w/ the license conditions, a review is required if Phase I is completed or if a year has passed – whichever came first.

Mr. Madden stated one year has passed before Phase I has been completed. Approx. 58,000 yards of material has been removed & some erosion control is in place. The main discharge for the area is in place & requires ongoing maintenance.

Mr. Madden stated the applicant is asking for a modification in phasing. He submitted the original phasing plan & the proposed revised phasing plan to the Board. He discussed the initial Phase I, the proposed revisions to phases, & the positive impacts of these modifications, which would provide more isolation of neighbors from activity.

Selectman Sauvageau asked if this would be a substantial change to the written agreement & would this trigger a revised plan & new hearing. Mr. Madden stated the applicant is not asking for an increase in the lateral portion of the project, the applicant is just looking to change the phasing. Selectman Sauvageau again asked if changing these elements of the agreement would trigger a new process & hearing. Mr. Madden stated he understands the process for garnering the permit, but the work is not changing. Selectman Sauvageau feels this request needs to be reviewed by the Board or Town Counsel.

Selectman Potter asked how much of Phase I is completed. Mr. Madden discussed. Selectman Potter feels the only difference he sees is in the amount of excavation included in phases. He feels if all three phases get done, the finished product is the same. Mr. Madden added that each phase has the same amount of area.

Chairman Fernandes-Abbott stated on the original permit, the expiration date indicates 9/11/06. She doesn't recall the Board issuing a permit for one year; the request was for a review in one year. She stated typically, this type of permit is issued for three years. Selectman Sauvageau recalls the one-year review, but not a one-year license. Chairman Fernandes-Abbott if this is a one-year permit, it would trigger a new permitting process. She suggested the Town engineer review this matter. Mr. Madden stated he doesn't know what would need to be reviewed & how it took two years to obtain

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this permit. Selectman Sauvageau doesn't feel the process needs to start over, but discussion over the modifications is needed. The issue is the license has expired & a possible legal opinion is needed. Mr. Madden stated since 9/11/06, no material has come off-site in anticipation of this meeting.

Discussion ensued re: how to proceed & how to make sure this business can still operate. Selectman Pillsbury suggested reviewing past minutes relative to the issuance of this permit. Chairman Fernandes-Abbott stated she will have the Selectmen's Office research this matter & will contact Mr. Madden. Selectman Sauvageau again stated that Town Counsel should review this matter.

NOTE: The meeting returned to item IV. Announcements.

- A. On 10/2/06, the Wareham/Carver Smoke Free Coalition will start a program that offers free quit smoking patches. For more information call 1-800-try-to-stop.
- B. The Makepeace Festival will be held on 10/7/06 from 10:00 A.M. to 4:00 P.M.

VII. TOWN ADMINISTRATOR'S REPORT

1. Stormwater Remediation Grants.

Brief discussion ensued if this is relative to Rose Point & not Beaver Dam Estates. The Board will ask the Administrator when he returns.

2. Sewer Connection Request – One Oak Hill Road.

Chairman Fernandes-Abbott stated the Board could table this matter until the Administrator returns to offer more information.

Selectman Eckstrom asked when these requests come in, could the Board ask for a certificate of failure from the Health Agent. She wants to make sure that those residents who have to hook into the sewer do so.

Selectman Sauvageau understands that some connections have not been done & he would like this issue to be on a future agenda for discussion w/ the Administrator. He feels that non-connections could result in fines to the Town. Selectman Eckstrom stated that the Administrator & Mr. Ethier, Health Agent has stated as Sewer Commissioners, the Board should write a letter to those that have not hooked in stating that fines can be levied on them. She stated information is forthcoming re: those who have not hooked up.

Selectman Sauvageau requested that there be a discussion re: the actual dwelling count in Briarwood Beach & Beaver Dam Estates areas as was brought up by a citizen two weeks ago. He briefly discussed this issue. Chairman Fernandes-Abbott stated this discussion could be held next week when CDM is present.

Selectman Sauvageau feels there may be an issue of incompetence on the part of the consultant if these figures are incorrect. There may also be an issue of impact relative to the contract w/ the consultant & performance issues.

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

VIII. TOWN BUSINESS

A. Discussion: Community Preservation Committee Articles.

Present before the Board: Nancy Miller, Chairman
Various Committee members

Ms. Miller stated there had been 18 original letters of intent submitted to the CPC & only 13 applications were granted. The articles in the Warrant are what were approved by the CPC to go before Town Meeting.

Article 13 – Debt Service

Ms. Miller explained that this articles deals w/ debt service for Tremont Nail & Bryant Farm.

Article 14 – Transfer Funds

Ms. Miller explained the article. She stated that the amount of \$350,000 would be transferred back to the CP fund because there was no purchase & sales agreement for the land this money was originally for, thus, the money needs to go back into the fund.

Article 15 – Oak Grove School

Ms. Miller explained that this article would fund the restoration & rehabilitation of the Oak Grove School. She stated this article was not an original letter of intent, but an emergency request for funds due to the increase in costs & the need to start & finish this project.

Article 16 – Conservation Restriction

Ms. Miller explained the article. She stated the area involved is 63 acres of pine barrens that is over the aquifer & is a sensitive area of open space. The Land Trust will hold the deed, but the Town will hold the Conservation Restriction.

Article 17 – Minot Forest

Ms. Miller stated this article is for improvements to trails & signage in the Minot Forest.

Article 18 – Tennis Courts

Ms. Miller explained that this article is to restore the two existing tennis courts in back of the Middle School. She stated originally, the proposal was larger & included the creation of two additional tennis courts, but the CPC was not comfortable w/ this, thus this portion of the proposal was not funded. The amount of \$25,000 will be to re-surface & rehabilitate the existing courts.

Selectman Sauvageau asked why this is not a School Dept. budget item under their fields & grounds budget. He stated the tennis courts are for school use & not open to the public all the time. He feels requests such as these have not been the norm (funding School Dept. matters w/ CP funds).

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Ms. Miller explained that the School Dept. budget is very tight & under the CP guidelines, the CPC can fund these things, but the School Dept. is required to make have a maintenance plan. She stated if the School Dept. were not able to come to the CPC for this request & two others on the Warrant, these projects would not get done or repaired &/or money would have to be sought through the School Dept. budget. Selectman Sauvageau asked if this is a practice in other communities re: schools obtaining funds from the CPC. Ms. Miller stated it is just a different entity w/in a municipality.

Selectman Eckstrom asked if anything has been set up relative to public use of these areas. Ms. Miller doesn't know, but she understands the School Dept. will set something up.

Article 19 – Athletic Fields @ Westfield Property

Ms. Miller stated the amount requested is \$68,500, which is needed due to the bid process & increase in costs for this project. Selectman Sauvageau asked how much CP funds have been given to this project thus far. Ms. Pizzolato offered the following: \$37,000 in 2003, \$135,000 in 2004, \$301,292 in 2005, & this request for \$68,500 which equals approx. \$541,000. Ms. Miller stated this request for \$68,500 is for unforeseen circumstances such as moving a well & the removal of boulders from the property.

Selectman Pillsbury asked if there are any matching funds for some of these requests. Ms. Miller stated for Article 21 (Anderson Track) another entity offered \$5,000. Selectman Pillsbury stated she understands the CPC was encouraging applicants to seek other funding as well.

Selectman Eckstrom asked if any money was received from the lumber that was taken down/away from the Westfield property. Ms. Miller stated she would look into this.

Article 20 – Spillane Field

Ms. Miller stated this article is for the restoration & preservation of the field plus an irrigation system, a new well, fencing, & sod resurfacing. This project has the potential to bring in other sources of funding. The School Dept. is proposing to put in a well-drawn irrigation system to cut down on water consumption. The field is in need of much restoration. She briefly discussed the new irrigation system.

Article 21 – Anderson Track

Ms. Miller explained that this article is for the restoration & preservation of the track. \$5,000 in additional funding has been acquired for this project. The original letter of intent requested \$225,000, but the CPC only authorized \$200,800 & the \$5,000 from the other grant was not deducted.

Article 22 – Historic Preservation Plan

Ms. Miller explained that this is to develop a historic preservation plan & to hire a consultant. Present before the Board: Sue Mellon, CPC

Ms. Mellon discussed the two-part goal of the Historic Commission & importance of the historic preservation plan. The first goal is to identify historic resources, review historic neighborhoods,

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review current regulatory mechanisms, & garner support for preservation. A report will be compiled for submission to the Board for approval of future goals. The second goal is to get certified as Certified Local Government. She discussed the benefits of having this certification for example: open up opportunities for grants.

Article 23 – On-I-Set Wigwam Roof

Ms. Miller discussed the current condition of the roof & the preservation restriction held on the structure, inside & out. The cost figure shown in the article, is the worse-case scenario

Selectman Pillsbury asked if the entity that owns the structure would need a maintenance plan because the Town doesn't own it. Ms. Miller stated the National Association of Spiritual Churches own this structure & they maintain it the best they can on a volunteer basis. There is little maintenance required & the Historical Commission has been looking at a maintenance plan for this association. Brief discussion ensued.

Article 24 – Fearing Tavern Roof

Ms. Miller discussed the roof repair & that this is Phase II. The Historical Society has matching funds & funds were received for Phase I. She added that a preservation restriction can be placed on the property & this site will qualify for the National Registry.

Ms. Miller stated letter of intent requests for the next CP round will be accepted by 12/1/06 & grants are due by 12/29/06.

Selectman Potter asked what would happen to the above projects, such as Article 19, if Town Meeting doesn't pass it. Ms. Miller stated as for Article 19, the Town would have to come up w/ the money. Selectman Eckstrom stated this property (Westfield) doesn't have a maintenance plan in place. She asked if a project doesn't move forward w/ CP funds, do these funds need to be given back. Ms. Miller stated if project obtains CP funds & doesn't move forward, the funds should be given back. She stated the project at Westfield is $\frac{3}{4}$ complete & time is needed before the grass is usable. By not finishing the project now, the whole project gets put off further. Selectman Eckstrom stated that by not having a maintenance plan, these costs are not known & nothing has been submitted. Selectman Sauvageau feels issues like this put the Town in a position to vote on a matter just because it will cost or jeopardize an entities position or jeopardize the Town. Correcting the problem by giving out money is one thing, but addressing it before it comes to that is a management issue. Selectman Eckstrom feels that any application that comes from a municipal entity should get Selectmen's approval prior to the application. Discussion ensued.

Ms. Pizzalato understands how one dept. budget may impact another dept. budget & she discussed what has been learned re: impacts relative to the process & ways to change the process. Selectman Sauvageau agreed w/ the process & discussed impacts to the Town side of government. He feels having municipal departments seeking CP funds seems contradictory to the original intent of the CP fund. He feels it is not necessarily the funding of projects; it is the result to the Town budget operationally once these projects come to fruition. He feels a widespread discussion is needed on this issue.

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Selectman Pillsbury asked if the project the Recreation Dept. requested funding for already been done. Ms. Miller stated, "yes." Selectman Pillsbury added if this funding isn't approved, then the Town will have to pay the bill. Selectman Eckstrom expressed frustration over this particular issue.

Present before the Board: Sandy Slavin

Ms. Slavin discussed the intent of Article 24.

B. Vote Town Meeting Warrant Articles.

Article 3 – Capital Improvements

MOTION: Selectman Eckstrom moved No Action on Article 3 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

Article 4 – Sign Materials Account

MOTION: Selectman Pillsbury moved Favorable Action on Article 4 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

Article 5 – Line Painting Account

MOTION: Selectman Pillsbury moved Favorable Action on Article 5 of the Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

Article 6 – Chapter 90

Selectman Eckstrom asked re: changes in funding. Brief discussion ensued. Selectman Pillsbury feels the process is still the same.

MOTION: Selectman Pillsbury moved Favorable Action on Article 6 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

Article 7 – Harbors/Beaches Maintenance Account

MOTION: Selectman Sauvageau moved Favorable Action on Article 7 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

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Article 8 – Harbormaster Expense Budget

Selectman Potter asked what the reserve for appropriation account is. Brief discussion ensued. Chairman Fernandes-Abbott stated that the Board could discuss this w/ the FinCom next week.

Article 9 – Boards/Committees Residency Requirement

Chairman Fernandes-Abbott stated this policy has been re-written by Town Counsel & this policy is now a By-law. She expressed concern re: e-mailing the original to Moderator Donahue, but receiving no response. She will try to contact him again. Brief discussion ensued re: how to proceed. The Board members concurred to wait to hear from Moderator Donahue.

Article 10 – Moratorium on Docks/Piers

This will be discussed next week.

Article 11 – Surviving Spouse Health Insurance

Chairman Fernandes-Abbott stated the language contained in the article is what Town Counsel has come up with which allows the surviving spouse of an employee or retired employee who has worked for the Town for a period of ten years to be eligible for insurance coverage as long as they pay the same premium as retired persons. Selectman Sauvageau asked how this article is different than the one presented in the spring. Selectman Pillsbury feels the difference is that the ten-year period was added to this article. Discussion ensued.

Selectman Sauvageau suggested specifically allowing for exception for the particular family that this article addressed originally last spring. He feels this article exercises this family (spouse) out of it. Chairman Fernandes-Abbott feels the issue is the effective date. Selectman Sauvageau feels the issue is that a public commitment was made to make every effort to assess this matter for the family member irrespective of what this article states. Selectman Eckstrom suggested making an amendment to the language on Town Meeting floor. Selectman Pillsbury feels it is a decent article as to the intent, but it may require a petition to the legislature to help this family. Discussion ensued.

Discussion ensued re: amending this article & then having a loophole open up. Selectman Sauvageau stated you can't discriminate w/in a policy & the language is as is, but it can go to Town Meeting floor to ask for special legislation. He suggested that Town Counsel should advise the Board on what language can be constructed for the individual family member. Selectman Pillsbury doesn't feel an amendment can be made to a By-law. She agrees w/ having Town Counsel review this matter. The Board members concurred.

Article 12 – Selectmen/School Committee Reports

MOTION: Selectman Sauvageau moved Favorable Action on Article 12 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

Article 13 – Community Preservation – Debt Service

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

MOTION: Selectman Pillsbury moved Favorable Action on Article 13 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 14 – Community Preservation – Transfer Funds

MOTION: Selectman Eckstrom moved Favorable Action on Article 14 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 15 – Community Preservation – Oak Grove School

MOTION: Selectman Pillsbury moved Favorable Action on Article 15 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: (4-1-0)

Selectman Eckstrom opposed

Selectman Sauvageau stated he reluctantly voted in favor of this article because the Town is now in a position similar to the Westfield project. If this money isn't paid for this project, the building will go derelict & if this project is not funded fully, it will cost more later on to do it.

Selectman Eckstrom stated she opposed this article because originally this building was to be a Cape Verdean Cultural Center & the Cape Verdean community were the group who originally brought this forward, but now the cultural center has been cut out. Selectman Potter explained that some of the grants applied for the cultural center couldn't be done through the CP funds. Selectman Eckstrom feels other grants could have been sought. Selectman Pillsbury stated one of the issues was that the building had to be rehabilitated before any entity could move in & there was a need for an entity to pay for it w/in a ten year period. Head Start was willing to do this. Discussion ensued.

Article 16- Community Preservation – Conservation Restriction

MOTION: Selectman Eckstrom moved Favorable Action on Article 16 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

Article 17 – Community Preservation – Minot Forest

MOTION: Selectman Pillsbury moved Favorable Action on Article 17 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded for discussion.

NOTE: Selectman Potter asked if the Board received information awhile back relative to signage in Minot Forest re: illegal dumping. He questioned if this article has something to do w/ that. Brief discussion ensued.

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

VOTE: Unanimous (5-0-0)

Article 18 – Community Preservation – Tennis Courts

MOTION: Selectman Pillsbury moved Favorable Action on Article 18 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded for discussion.

NOTE: Selectman Sauvageau stated he would be voting no on this article. He understands the fiscal issues of the School Dept., but the Town side also has fiscal issues. The Town can't reach into the School Dept. budget, but he feels the School Dept. is reaching into the Town budget by way of CP funds. He can't support supplementing a dept. budget through CP funds. He stated the CP Act wasn't designed to be a Prop 2 ½ override. He feels money going to remedy school fields & grounds is an override. Selectman Potter stated he was concerned re: this issue, as well, but he can understand both sides. Costs for these projects are high & he doesn't know what would happen to these areas if CP funds weren't there. He feels more fundraising for these projects should be done. He understands the importance of school facilities to the Town & he questioned if CP funds are an appropriate management tool. Selectman Eckstrom stated she feels betrayed by the School Dept. At the spring Town Meeting, she spoke w/ the School Committee & told them that the three schools that were considered historic sites & CP funds could be an avenue in which to restore & fix some problems, but she sees that all their requests are recreational. She also doesn't want CP funds to be utilized to circumvent Prop 2 ½. Selectman Pillsbury understands the concerns over using CP funds to maintain things, which was not the CP Act's intent. She expressed the importance of the open space piece of CP funding. She stated the public utilizes the tennis courts & the track, but she doesn't know how much public access there is to Spillane Field. Selectman Potter stated the public couldn't utilize Spillane Field. Selectman Pillsbury feels a discussion is needed w/ the CPC to discourage approving these maintenance projects. Discussion ensued. Selectman Sauvageau doesn't know if these projects come under the recreational piece of CP funds & at some point, the line has to be drawn.

Selectman Potter briefly discussed possible "Yawkey" funds for Spillane Field.

Discussion ensued re: the intent of article #20 & what it will encompass.

VOTE: (2-3-0)

Selectmen Potter, Eckstrom, & Sauvageau opposed

Article 19 – Community Preservation – Athletic Fields @ Westfield

MOTION: Selectman Pillsbury moved Favorable Action on Article 19 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded for discussion.

NOTE: Selectman Sauvageau expressed frustration re: this article. The work has already been done & needs to be paid for. There is a bill that if not paid, will end up being the Town's responsibility.

Selectman Eckstrom feels there is a need to know where the money went for the removal of trees. Selectman Potter stated he has heard that payment for trees is no longer done due to the expense of

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taking down the trees. Profits for a tree business are not what they used to be. Selectman Sauvageau feels this issue is a management one.

VOTE: (4-1-0)
Selectman Eckstrom opposed

Article 20 – Community Preservation – Spillane Field

MOTION: Selectman Pillsbury moved Favorable Action on Article 20 of the 10/23/06 Fall Town Meeting Warrant.

NOTE: There was no second to this motion.

MOTION: Selectman Eckstrom moved No Action on Article 20 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: (3-2-0)
Selectmen Fernandes-Abbott & Pillsbury opposed

Article 21 – Community Preservation – Anderson Track

MOTION: Selectman Potter moved Favorable Action on Article 21 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: (3-2-0)
Selectmen Sauvageau & Eckstrom opposed

Article 22 – Community Preservation – Historic Preservation Plan

MOTION: Selectman Eckstrom moved Favorable Action on Article 22 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

Article 23 – Community Preservation – On-I-Set Wigwam Roof

MOTION: Selectman Eckstrom moved Favorable Action on Article 23 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

Article 24 – Community Preservation – Fearing Tavern Roof

MOTION: Selectman Eckstrom moved Favorable Action on Article 24 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

Article 25 – Earth Removal Regulations

Chairman Fernandes-Abbott discussed revisions to the regulations. Brief discussion ensued.

MOTION: Selectman Pillsbury moved Favorable Action on Article 25 of the 10/23/06 Fall Town Meeting Warrant. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

Article 26 – Westfield Property

Selectman Sauvageau stated public discussion was held w/ vast representation, consultant(s), etc. A description of the proposed affordable housing project was made & fiscal issues were discussed. The proposal includes 140 housing units. Design criteria & standards were discussed. Questions & concerns were raised relative to leasing of the property or selling the land to a developer. The Housing Partnership felt that leasing the land would provide greater control & management of the project. There are no significant liability, ownership, or tax issues. Another concern was location & accessibility. He feels the proposal was favorably accepted. He proceeded to discuss the positive aspects of leasing the property.

Selectman Pillsbury stated she would like to see a pro-forma for this project. Selectman Sauvageau stated there is no pro-forma yet as it was just a discussion. He stated there wouldn't be a pro-forma until after the RFP's go out & come back.

Selectman Pillsbury asked if the consultant did a work-up of numbers. Selectman Sauvageau stated he did, but it is a "cart before the horse" issue. The pro-forma cannot be done w/out this article. He discussed that this would be a two-phase project.

MOTION: Selectman Sauvageau moved Favorable Action on Article 26 of the 10/23/06 Fall Town Meeting Warrant. Selectman Eckstrom seconded.

NOTE: Selectman Pillsbury stated she has developed concerns re: this article. She had been under the impression that all the units would be affordable, but there will be some at market rate. She questioned how many more affordable units would there have to be to make up for the market rate ones. Selectman Sauvageau discussed why it was developed this way (as a model; some affordable, some market rate). Selectman Eckstrom explained that 88% of the housing would go towards the affordable housing goal. Discussion ensued.

Selectman Sauvageau stated once this project plan is accepted by CHDG, the Town could forego other 40B projects for quite a while. Selectman Pillsbury also expressed concern re: loading West Wareham up w/ two large proposed housing projects (815 Main St. & Westfield property) so close together. Lengthy discussion ensued.

Selectman Pillsbury stated she would abstain from voting due to her concerns at this time.

VOTE: (4-0-1)
Selectman Pillsbury abstained

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

MOTION: Selectman Sauvageau moved to go beyond the hour of 10:00 P.M. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

Article 27 – Interest Rates on Betterments

MOTION: Selectman Pillsbury moved Favorable Action on Article 27 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 28 – Interest Rates for Weweantic Sewer Project

MOTION: Selectman Pillsbury moved Favorable Action on Article 28 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 29 – Adjudicatory Hearings

MOTION: Selectman Eckstrom moved Favorable Action on Article 29 of the 10/23/06 Fall Town Meeting Warrant. Selectman Sauvageau seconded for discussion.

MOTION: Discussion ensued re: concerns of this article & if it is a good idea.

The motions were w/drawn.

Article 30-36 – Zoning Articles

Chairman Fernandes-Abbott stated the Planning Board voted Favorable Action on all seven articles.

MOTION: Selectman Eckstrom moved Favorable Action on Articles 30-36 of the 10/23/06 Fall Town Meeting Warrant. Selectman Pillsbury seconded.

VOTE: Unanimous (5-0-0)

Article 37 – Petition – Sewer Assessments

Selectman Eckstrom stated this article has been taken care of in another article.

MOTION: Selectman Pillsbury moved No Action on Article 37 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 38 – Petition – Accept Roads – Rose Point

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

MOTION: Selectman Pillsbury moved No Action on Article 38 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

Article 39 – Petition – Coastal Zone Management Grant

MOTION: Selectman Pillsbury moved No Action on Article 39 of the 10/23/06 Fall Town Meeting Warrant. Selectman Potter seconded.

VOTE: Unanimous (5-0-0)

C. Any other Town business.

1. Issuing Authority Report.

Selectman Sauvageau spoke re: the Verizon Issuing Authority Report. There is a need to vote on the process dates on negotiating a meeting & public hearing. This report is a written position of the Town's needs & wants. He discussed what the document is & its contents. He added it is not the final document, but a 15-year agreement request in which the Town is seeking 4.5% annual income. He also discussed T.V. channels being requested.

Chairman Fernandes-Abbott stated Attorney Solomon would be putting together a negotiating team for Verizon & ComCast negotiations. Selectman Sauvageau will be part of the team & one other Selectman is needed. Selectman Potter volunteered.

MOTION: Selectman Sauvageau moved the Board approve the Town of Wareham Issuing Authority Report & licensing process in preparation of negotiations w/ Verizon & for the Board to vote affirmative on said report. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

2. Hammond School – Generator

Selectman Potter stated he would like a follow-up on the issue of the Hammond School generator. Selectman Pillsbury indicated that it was suggested that this issue would be eligible to be placed in a block grant.

3. Trash Haulers – Recycling

Selectman Potter asked re: the status of trash haulers & the recycling issue. He stated 90 days have passed. Chairman Fernandes-Abbott stated Mr. Ethier, Health Agent has assured her that all haulers are offering recycling, but he indicated that recycling is not mandatory, but can be encouraged. She is not sure if the new State laws re: recycling & haulers have been implemented yet, but the haulers can be fined. Selectman Potter expressed confusion. He felt the Town established a 90-day timeframe for haulers to come into compliance relative to recycling. Chairman Fernandes-Abbott stated it was a 90-day timeframe to offer recycling.

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

4. Onset Parking

Selectman Potter stated he is working on some solutions for parking in Onset.

5. Community Events Committee

Selectman Potter stated he is working on some solutions for the Community Events Committee.

6. Sewer Plant Sub-Committee

Selectman Pillsbury stated there was a sewer plant sub-committee to deal w/ the building of the sewer plant. She feels another committee should be established to handle sewer projects & issues that come forward promptly. This committee could keep track of the projects & issues.

7. Town's fiscal standing

Selectman Sauvageau asked the Board to encourage the FinCom (when they meet w/ the Board next week) to have a full discussion on fiscal issues that they have been participating, discuss the fiscal health of the community, & what the issues are.

8. Boards, committees, commissions – volunteers

Selectman Eckstrom would like the Board to obtain copies of people who will volunteer on boards, committees, etc. Selectman Pillsbury stated the Board usually does get this. Selectman Eckstrom stated she would look into this.

9. Town Counsel

Selectman Eckstrom stated that on 9/28/06, the six-month contract w/ Town Counsel (Kopelman & Paige) has expired. She doesn't recall any more interviews being held since the first round. Chairman Fernandes-Abbott stated an RFP was sent out & there was a lack of response. This issue wasn't pursued because she felt the Board might go in a different direction since the Administrator will be leaving. She felt the Board was considering an in-house counsel, for example. Selectman Sauvageau feels there is a need to discuss this matter again because circumstances have changed. Brief discussion ensued.

IX. SEWER BUSINESS

1. Sewer Connection – One Oak Hill Road.
2. Any other sewer business.

Selectman Eckstrom stated that she has spoken to John Foster, Collector/Treasurer re: estimated amounts of betterments for sewer information. She feels the Board should look at this information.

X. SELECTMEN'S REPORTS (NONE)

XI. ADJOURNMENT

SELECTMEN/SEWER COMMISSIONERS MEETING 10/03/06 (CONT'D)

MOTION: Selectman Pillsbury moved to adjourn the meeting at 10:40 P.M. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

Respectfully submitted,

Kelly Barrasso

Kelly Barrasso, Transcriptionist

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

Attest: *Brenda S. Eckstrom*

Brenda Eckstrom, Clerk

BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: November 7, 2006

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