

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: February 20, 2007

Date of Transcription: February 22, 2007

Transcribed by: Kelly Barrasso

I. CALL MEETING TO ORDER

Selectman Eckstrom called the meeting to order at 7:00 P.M.

II. ROLL CALL

Selectman Present: Brenda Eckstrom, Chairman Pro Tem
Bruce Sauvageau, Clerk Pro Tem
Jim Potter

Selectman Absent: Renee Fernandes-Abbott

Also Absent: Michael Hartman, Town Administrator

III. CITIZENS PARTICIPATION

Present before the Board: Kenneth Sleightholm, 3 Hill Street

Mr. Sleightholm stated he is present as a concerned citizen. He asked the Board who Town Counsel is. Selectman Eckstrom stated Kopelman & Paige. Mr. Sleightholm stated last spring the Board extended K& P's services for six months, but has heard nothing since then re: their contract extension. Selectman Sauvageau stated K & P's contract has expired & they are utilized on a month-to-month basis until the Board appoints new counsel.

Selectman Sauvageau asked Mr. Sleightholm if he is running for Selectmen. Mr. Sleightholm stated he is. Selectman Sauvageau feels Mr. Sleightholm's questioning in this forum may be inappropriate due to these issues potentially being campaign issues. If Mr. Sleightholm is allowed to continue, the Board would have to invite other candidates to come forward & get free air time. He feels the Elections Commission may not feel this is right for a candidate actively seeking election. He respectfully requested Mr. Sleightholm put his questions in writing to the Board & if Mr. Sleightholm doesn't agree w/ his stand, he will recuse himself from the Board for this item.

Mr. Sleightholm stated he has come before the Board as a taxpayer & he has not officially been made a candidate yet. Selectman Sauvageau stated other unofficial candidates would need the same free airtime. He asked that this discussed be done another time. He stated that Mr. Sleightholm could contact any Board member at any time to discuss issues. Mr. Sleightholm conceded to Selectman Sauvageau's request.

IV. MBTA ADVISORY BOARD – UPDATE

Present before the Board: Margaret Ishihara, MBTA Advisory Board Representative

Ms. Ishihara stated the MBTA has done a draft final of a feasibility study. Big changes aren't anticipated, but this isn't the final document. The study is not a green light, but a feasibility study.

SELECTMEN/SEWER COMMISSIONERS MEETING 02/20/07 (CONT'D)

Ms. Ishihara stated the issue was does rider ship support the extension of the rail to Wareham & Buzzards Bay & what would be the estimated capital costs. The answers are that the rider ship does support the extension of the rail to Wareham & Buzzards Bay, but the capital costs are higher than estimated in 2003; new estimates are between \$81.8 million - \$103.5 million for extensions of the rail.

Ms. Ishihara stated that this is a vision document & not financially constrained. It is re-issued every five years & the cost for the rail extension to this area is estimated at \$35 million. She stated that in the MBTA's capital investment plan; the extension to Wareham & Buzzards Bay was not funded. She has tried to include the extension to Wareham as an anticipated need, which has been done.

Ms. Ishihara discussed rider ship numbers in 2006 estimated at 2,045, which is higher than the MA Transportation numbers. Discussed costs/fares, which help the operating budget. The \$81 million - \$100 million cost would deal w/ upgrades to tracks, signals, etc.

Ms. Ishihara stated the study discusses the extension to Buzzards Bay & the type of station needed. There would also have to be a multi-level garage for the station, which would be costly. This cost is estimated at \$18.8 million - \$30 million. The plan presumes there will be surface level parking in Wareham. She questioned if Buzzards Bay wants to push for this project. Selectman Sauvageau asked if Bourne has shown interest. Ms. Ishihara stated she doesn't know. She suggested the Board or herself should contact the Bourne Board of Selectmen to discuss this issue. Selectman Sauvageau stated the Bourne Board of Selectmen has asked to meet w/ the Board on various other issues & this could be a topic of discussion. Selectmen Eckstrom & Potter concurred. Selectman Eckstrom stated she would contact the Bourne Board of Selectmen to schedule a meeting w/ everyone involved.

Selectman Sauvageau asked what the cause is for the increase in the cost estimate. Ms. Ishihara is unsure, but she will speak to the planning staff. Selectman Sauvageau stated that there is no way the Town could get into bonding for this project.

V. ANNOUNCEMENTS

- A. A special meeting of the Board was held on 2/16/07 who voted unanimously to have John Foster be interim Town Administrator commencing 3/5/07. The present Administrator has agreed to work w/ Mr. Foster until his departure 3/4/07.
- B. On 2/22/07 the Administrator search company will be meeting w/ dept. heads. There will be a special meeting on 2/22/07 from 5:30 P.M. – 7:00 P.M. for citizens' input.

VI. CONSENT AGENDA

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

MOTION: Selectman Sauvageau moved the Board approve invoice #80247957/3 from Camp, Dresser & McKee in the amount of \$76,230.00 re: engineering services for constructing sewers in seven remaining priority areas. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

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MOTION: Selectman Sauvageau moved the Board approve invoice #80247421/14 from Camp, Dresser & McKee in the amount of \$2,259.51 re: engineering services to perform Phase I Infiltration/Inflow program. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

MOTION: Selectman Sauvageau moved the Board approve application #11 from RJV Construction in the amount of \$153,650.84 re: Briarwood Beach & Beaver Dam Estates sewer project. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

B. Approve minutes of previous regular meetings: 10/17/06, 12/5/06 & 1/2/07.

MOTION: Selectman Sauvageau moved the Board approve the Regular Session meeting minutes of 10/17/06, 12/5/06 & 1/2/07. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

C. Re-appointment: Registrar of Voters.

MOTION: Selectman Sauvageau moved the Board appoint Linda Mackenzie as Registrar to a term to expire 3/31/10. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

NOTE: The Board made an appointment to the Board of Health.

MOTION: Selectman Sauvageau moved the Board appoint Deborah Jean Rose as a member to the Board of Health to a term to expire 6/30/09. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

VII. LICENSES & PERMITS

A. Application for a One Day Liquor Permit for Sandra Mendes, 2307 Cranberry Highway, West Wareham for a retirement party to be held at Bay Pointe Country Club.

Present before the Board: Sandra Mendes

Brief discussion ensued.

MOTION: Selectman Sauvageau moved the Board approve the application for a One Day Liquor Permit for Sandra Mendes, 2307 Cranberry Highway, West Wareham for a retirement party to be held at Bay Pointe Country Club. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

VIII. TOWN ADMINISTRATOR'S REPORT

SELECTMEN/SEWER COMMISSIONERS MEETING 02/20/07 (CONT'D)

Selectman Eckstrom stated she received a call that the Administrator would not be present this evening. She had some questions re: his report. She would rather not move forward w/ his report this evening. Selectman Potter concurred.

Discussion ensued re: when the Administrator will be present before the Board again since he is departing shortly. The Board concurred to have a meeting on 2/27/07 w/ the Administrator to tie up loose ends.

IX. TOWN BUSINESS

A. Anti-Litter Poster Project.

Present before the Board: Robert Scott

Mr. Scott discussed his experience in graphics & fine arts. He has come up w/ a design for an anti-litter poster project. He displayed the poster. He hopes the program will gain cooperation w/ the community, schools, etc. to come together & improve the roads, property, etc. in Town.

Mr. Scott discussed ways the poster could be utilized. He understands it is hard to enforce litter issues, but he feels voluntary efforts could help.

Selectman Eckstrom commented on the positive nature of the poster & encouraged participation. Mr. Scott discussed the areas that could be promoted through the project, such as the walking trails in Town that would expose people to nature.

Selectman Eckstrom asked if Mr. Scott has spoken w/ the Cultural Council re: funding. Mr. Scott stated that he has, but they have only one funding period p/ year, which is held in October.

Mr. Scott discussed how he made the poster & feels that if the Town has the equipment they could do this or Staples could as well. He discussed placement areas for the poster, such as parkways near barrels. He also stated the poster could be done on weatherproof material, but may require professional printing firms.

Selectman Potter suggested possibly utilizing wooden signage & getting the schools involved w/ painting the signs. Mr. Scott stated the schools could even come up w/ their own signs & the art department could help. He feels strongly re: how the Town is looking & the trash issue.

Selectman Sauvageau agrees w/ Mr. Scott & feels his poster idea is a good one. He noted that money might be an issue. He stated Municipal Maintenance might be able to help as well. The posters will send a positive message. He feels by the summer, this project can be looked at to see if funding is available to work with. Selectman Potter stated he is willing to help w/ wooden signage/posters, obtain the materials, & get people to help paint them. Selectman Eckstrom suggested Mr. Scott speak to fast food restaurants to see if they have any anti-litter grants available. Selectman Potter stated he could assist in setting up this program. He knows people who will help & feels it would be a good project for the schools.

B. Vote under MGL c. 138, s.17 the Estimated Temporary Increase in Population.

Selectman Sauvageau read the certification from the ABCC into the record. (Attached as reference).

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MOTION: Selectman Sauvageau moved the Board sign the Estimated Temporary Increase in Population document as read into the record. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

C. Vote Election Warrant.

D. Close the Annual Town Meeting Warrant.

Selectman Sauvageau read the precincts into the record.

MOTION: Selectman Sauvageau moved the Board close the 2007 Annual Town Meeting Warrant w/ the inclusion of 40 articles & to reference the precincts as read into the record. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

E. Vote Articles.

MOTION: Selectman Sauvageau moved the Board refer back to the Planning Board Articles 29-35 for their regular hearing & for placement in the Warrant. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

Selectman Eckstrom stated that the proponents of the petitioned articles are scheduled to come before the Board in March to discuss their articles. She doesn't feel they should be discussed this evening w/out them being here. The Board members concurred.

F. Any other Town Business.

1. MA Motorcycle Association.

Selectman Potter stated this association is asking for a Motorcycle Awareness Campaign from the end of March to the beginning of April. They would like to put up signage in Town, having the Town's participation, & for the Board to appoint a safety official to work w/ them w/ sign placement. They only want one sign up for four weeks.

Selectman Sauvageau stated that Selectman Potter should contact Chief Joyce re: this matter. The Board members concurred w/ this program.

2. Police Memo re: Special Events Moratorium.

Selectman Potter read the memo from the Police Dept. into the record re: a Special Events Moratorium recommendation. (Attached as reference).

Selectman Potter expressed concern re: having the Town turn into a "Sleepy Hollow" & placing more burden on residents. He brought forward the creation of a Community Events Committee & Community Events Fund for Town Meeting. He stated money is available through the Hotel/Motel tax, but it needs to be appropriated & reinvested into the community. If police manpower is a concern, it will have to be obtained elsewhere. He understands the safety concerns w/ events & that it comes w/ a cost. He doesn't feel that the police recommendation to tell these event organizers

SELECTMEN/SEWER COMMISSIONERS MEETING 02/20/07 (CONT'D)

that they can't hold their events, even w/ money is a good idea. He doesn't feel the social fabric of a community should be taken away. He doesn't feel this moratorium should even be considered.

Selectman Sauvageau feels this issue is part & parcel to the Town's fiscal issues. He keeps hearing about layoffs, department closures, & the Administrator's discussions w/ the clerical union. He stated no one in Town would be laid off before 6/30/07. Any decisions made by the Administrator prior to 3/5/07 will be valid.

Selectman Sauvageau spoke re: the recommendation for a moratorium. He agrees that community events are the social fabric of a community & there is money allocated from the Hotel/Motel tax. These monies have been utilized in the past for part time seasonal officers. If this money is available & part time seasonal officers are not hired, then this money should be used to hire outside help. He feels the community needs to calm down. There are remedies to many of the Town's fiscal issues. He feels this matter is a budget issue.

Selectman Potter stated the WVA & the OBA plan their events months in advance. If they are filling out applications, they shouldn't be told there is a moratorium.

Selectman Sauvageau suggested Selectman Potter put an article in the Special Town Meeting Warrant re: utilizing the Hotel/Motel tax funds for the purpose of funding public safety personnel for community events. Discussion ensued. Selectman Potter stated he has already included this in the Community Events Fund article. Selectman Sauvageau feels there could be a supporting article on the Special Town Meeting Warrant.

3. OBA Master Plan Committee.

Selectman Potter stated the OBA Master Plan Committee would hold a charette on 3/24/07 at Salerno's from 9:00 A.M. – 3:00 P.M. It is open to the public. Topics to be discussed are the bandshell & the bathhouse. A slideshow & flyers will be presented re: the history of the both buildings. Town officials, citizens, press, etc. are invited to participate. It will be a meeting of the minds. Discussion ensued.

Brief discussion ensued re: the bathhouse & if an RFP had been sent out for use of it this summer. Selectman Sauvageau feels this building will need to be leased out & be a self-supporting venture. The Town cannot take on another fiscal issue. Lengthy discussion ensued.

4. Tremont Dam Presentation.

Selectman Potter proceeded to give a PowerPoint presentation re: the status of the Tremont Dam & discussions held w/ A.D. Makepeace & Beaton Co.

Selectman Potter discussed the poor condition of the dam & its condition. Discussions w/ the two cranberry growers involved their use of the water & the Town's financial prospective. He noted the previous study done on the dam's condition. The issue is there is a safety concern that needs to be addressed. He noted that Makepeace controls the water rights & use of the dam, but the Beaton's use more water than Makepeace.

Selectman Potter discussed the idea of re-locating the dam for better water control at the existing dam. The cost of replacement for the current dam is \$1 million. There may be lower cost options that he addressed. Both companies were will to work w/ the Town & they understand the safety

SELECTMEN/SEWER COMMISSIONERS MEETING 02/20/07 (CONT'D)

issues. A short-term option to alleviate some safety issues is to drop the water level eight inches. Makepeace has agreed that they will monitor the planks & if there were a big storm or high water levels, they will pull the planks & let water through.

Selectman Sauvageau feels the easiest way to relieve the pressure on the bridge is to open it up. Two cranberry growers own the locks on the Town's dam. He expressed concern re: the legality of where the Town's authority is & where the grower's authority is. He feels more information is needed re: liability & authority before there are future dialogs. Also, answers to who repairs & pays for the dam need to be discussed as well. Selectman Potter stated he told the growers that safety takes precedence & they have agreed to drop the water table. Selectman Sauvageau stated lowering the water table is short term. He feels there is an issue re: legal rights.

Selectman Eckstrom stated she spoke to the Community Preservation Committee & she obtained a copy of the deed to this dam. She conducted research & the deed she had from received was for Tremont Nail, not the dam. Selectman Potter noted that there are a lot of improvements needed to the Tremont complex, but he doesn't feel the Town understands the condition of the Tremont Nail property. Selectman Sauvageau agreed.

Selectman Potter stated he told the growers that as a municipality, the Town doesn't utilize the dam. He understands the historic nature of the dam as well. Selectman Sauvageau stated he can do some legal research & Selectman Eckstrom can do some research as well on the title. Board members concurred w/ this strategy.

X. SELECTMEN'S REPORTS

Selectman Eckstrom – Spoke re: legal fees. She stated legal fees are over what has been allotted. She has reviewed these fees & has found several that the Town should not be paying for. She would like to copy these for the Board. She feels there are some bills for legal fees that other entities should be paying for.

Selectman Sauvageau wants to make sure that planning acquisitions are taken in & offset. He explained this briefly. He doesn't feel this money going into the general fund is being offset on the legal expense side.

Selectman Eckstrom noted the issue w/ the Sewer Enterprise Fund. She doesn't understand why legal fees have doubled.

Selectman Eckstrom stated the Board will have a meeting every week in March & February 27th. Next week she hopes to have an update from the administrator on several outstanding issues.

Selectman Eckstrom would like the Board's office to send a letter to all board Chairmen re: stating it is the Board of Selectmen's job to appoint people to committees. Boards & committees are to forward information why they feel an applicant shouldn't be appointed & then the Board of Selectmen will make a decision. She doesn't feel the Chairman of boards & committees should be sending out letters to applicants telling them they can't be appointed.

Selectman Potter asked re: the Recreation Commission issue relative to an applicant. Selectman Eckstrom will ask the BOS office to contact this person. Selectman Sauvageau stated that the Board has the authority to appoint or not appoint someone to a committee. Selectman Eckstrom discussed the importance of boards, committees, etc. not denying an applicant & sending out letters.

SELECTMEN/SEWER COMMISSIONERS MEETING 02/20/07 (CONT'D)

**XI. SEWER BUSINESS
(DID NOT HANDLE)**

XII. ADJOURNMENT

MOTION: Selectman Sauvageau moved to adjourn the meeting at 8:50 P.M. Selectman Potter seconded.

VOTE: Unanimous (3-0-0)

Respectfully submitted,

Kelly Barrasso

Kelly Barrasso, Transcriptionist

The Board of Selectmen/Sewer Commissioners approved the foregoing minutes on: 03/06/07

Attest: *Bruce D. Sauvageau*

Bruce Sauvageau, Clerk Pro Tem

WAREHAM BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: 03/06/07

Date copy sent to Wareham Free Library: 03/13/07