

## **MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS**

**#08-07**

**Date of Meeting: March 13, 2007**

**Date of Transcription: March 16, 2007**

**Transcribed by: Kelly Barrasso**

### **I. CALL MEETING TO ORDER BY CHAIRMAN**

Chairman Fernandes-Abbott called the meeting to order at 7:08 P.M.

### **II. ROLL CALL**

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

Also Present: John Foster, Interim Town Administrator

### **III. CITIZENS PARTICIPATION**

Present before the Board: Howard Smith, Smith's Cesspool Service

Mr. Smith discussed the proposal to accept leachate at the treatment plant. He expressed concern re: no one in the business that he knows wants anything to do w/ leachate at other plants. He stated New Bedford checks & tracks haulers often to make sure that leachate is not brought in to their plant. He has heard there is no benefit to accepting leachate & it could cause problems.

Mr. Smith discussed the new dumping procedure for haulers at the plant, which is taking a long time. With the acceptance of leachate, he feels the large trucks that will be bringing this material at the plant will cause more of a delay & problems. He feels the delay time for haulers at the plant is costing haulers. If leachate is to be accepted, he hopes the plant will open up an additional dumping area to help local haulers. He discussed how he often dumps his loads in New Bedford, which takes a shorter time. He discussed the small size of the receiving site at the plant that is only good for accommodating small trucks. He expressed concern re: if larger trucks w/ leachate come to the plant & utilize this small receiving site. He feels the Town needs to help local Town businesses vs. out of town businesses/ventures.

Chairman Fernandes-Abbott explained that the acceptance of leachate was discussed w/ CDM & the Board has asked for a report on this matter. The Board told Mr. Simmons, Plant Superintendent to explore bringing in leachate, but the Board is awaiting the report before doing anything. Selectman Sauvageau understands the concerns, but the Board needs to explore all options/avenues.

Selectman Eckstrom recalls Mr. Simmons stating that the leachate would go into a holding area, which would not affect haulers coming in. Chairman Fernandes-Abbott expressed concern re: issues remaining at the plant that Mr. Smith has brought forward. The assumption was everything was fine. She feels a discussion is needed w/ Mr. Simmons & CDM re: the issues brought forward this evening. Mr. Smith volunteered to work out these issues w/ staff.

Mr. Smith spoke re: the Board's vote to place a fee on grease disposal at 10 cents p/gallon. He received a letter from the Board last Friday stating that this fee would go into effect Monday. He feels this is short notice. Usually a 30-day notice is given. Selectman Sauvageau explained that the

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

reason this issue was discussed was because the Town has taken a financial loss/burden on this. He acknowledged the short notice. Brief discussion ensued.

Mr. Smith feels w/ these new grease disposal rates, that businesses will not be pumping & cleaning on a regular basis as they should. He feels that information should be given to businesses re: how a maintenance schedule should be handled.

Present before the Board: James Newman, Veterans Council

Mr. Newman stated the Veterans Council Honor Roll Board would be finished by Memorial Day, although he does not have all the names of veterans. If any names are missing, he requested that he be contacted so they can be placed on the board. He hopes to have a Memorial Day ceremony to commemorate the board.

Mr. Foster suggested putting a list of names on the Town's website so if a name is not listed, they can notify Mr. Newman so it can be placed on the board.

Present before the Board: Sam Corbitt, Fireworks Committee

Mr. Corbitt asked how the Board feels re: having fireworks this year. He stated the fireworks company usually needs to know by February, but they have held a tentative slot for the Town. The cost is approx. \$17,000. He stated most of this money last year was raised. Chairman Fernandes-Abbott asked how much the police costs would be. Mr. Corbitt does not know. Selectman Eckstrom asked what day the fireworks would take place. Mr. Corbitt stated this has always been up to the Board, but he recommended the fireworks be held on July 3 this year because the next day, 7/4 is a holiday.

Selectman Potter wants to see community events continue. He spoke to Chief Joyce re: the proposed Community Events Committee & where funds would come from to offset costs. He feels Chief Joyce was still concerned re: manpower, thus, there is no resolution to this issue. He feels if supplemental personnel is needed & funds are available to do this, the Chief would be willing to consider it, but he would have to have information relative to the supplemental personnel before deciding. The Chief's concern is there will not be enough manpower even w/ funding available.

Selectman Potter expressed concern re: the economic impact to the Town if there are no community events, such as the fireworks. He has not spoke to other departments yet who incur costs/expenses from community events. Brief discussion ensued re: other departments involved w/ the fireworks event.

Selectman Potter discussed the hotel/motel tax that could be utilized to pay for the event's services. Mr. Foster explained that when something is taken out of a line item, it is taking away from something else. The Harbormaster may be cutting part-time seasonal help, which would affect the fireworks. He feels all departments involved should get together & discuss community event issues. Chairman Fernandes-Abbott feels a Town committee has been set up to discuss these issues. Brief discussion ensued re: the hotel/motel tax.

Selectman Potter stated that Chief Joyce is apprehensive about bringing in outside safety personnel. Discussion ensued. Mr. Corbitt noted that safety personnel could not volunteer their time. Selectman Eckstrom discussed union issues w/ volunteering time.

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

Selectman Potter stated there is only \$7,500 for safety services in the budget for events. Chairman Fernandes-Abbott stated funding is an issue for the fireworks as well as public safety. Mr. Corbitt discussed the ways donations for the fireworks come in. He feels funding for the fireworks can be raised. Selectman Sauvageau stated if the Community Events Committee & fund were approved at Town Meeting, it would not be a funding issue, but a safety personnel issue. He feels the Chief could be asked who would be acceptable to utilize for safety issues. He feels the Board & the Chief need to find a solution to this issue.

Discussion ensued re: if money would be available on 7/3/07 since the new fiscal year commences 7/1/07. Mr. Corbitt noted that at one time, the hotel/motel tax was to fund the fireworks.

**MOTION:** Selectman Eckstrom moved the Board approve 7/3/07 as the date to hold the fireworks. Selectman Potter seconded for discussion.

**NOTE:** Selectman Potter stated he would like a meeting w/ all departments involved w/ community events. Discussion ensued. Mr. Corbitt stated there is approx. \$2,000 left from last year's event.

**VOTE: Unanimous (4-0-0)**

### **IV. ANNOUNCEMENTS**

- A. Mr. Potter stated he was part of the Muscular Dystrophy Lock-up today & it was well attended.

### **V. CONSENT AGENDA**

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

**MOTION:** Selectman Eckstrom moved the Board approve invoice #80250630/5 from Camp, Dresser & McKee for \$15,370.00 re: engineering services for constructing sewers in seven remaining priority areas in Wareham. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

**MOTION:** Selectman Eckstrom moved the Board approve invoice #80249575/18 from Camp, Dresser & McKee for \$4,297.20 re: engineering services for the GS services during sewer construction in the Briarwood Beach area. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

**MOTION:** Selectman Eckstrom moved the Board approve invoice #80249574/15 from Camp, Dresser & McKee for \$15,637.92 re: residential engineering services during sewer construction in the Briarwood Beach area. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

**MOTION:** Selectman Eckstrom moved the Board approve invoice #80249573/15 from Camp, Dresser & McKee for \$2,238.72 re: resident engineering services during sewer construction in the Rose Point area. Selectman Potter seconded.

## SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)

**VOTE: Unanimous (4-0-0)**

**MOTION:** Selectman Eckstrom moved the Board approve invoice #80249572/19 from Camp, Dresser & McKee for \$3,117.85 re: engineering general services during sewer construction in the Rose Point area. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

B. Interview/appoint applicant: Council on Aging

Ms. Ellen MacFarlane was not present to for an interview.

Selectman Potter asked if this committee is full. Selectman Eckstrom explained there are 11 positions & there is a need for five more members.

It was noted that Ms. McFarlane's application is not attached to the information packet. The Board concurred to table this appointment until next week.

### VI. LICENSES & PERMITS (NONE)

### VII. REPORT FROM INTERIM TOWN ADMINISTRATOR

1. Parking Restrictions – Plymouth Avenue. Chief Joyce has asked that parking be prohibited along both sides of a segment of Plymouth Avenue in Shangri-la for a distance of approx. 600 ft. Visibility is limited due to the curves in this section of roadway & it is narrow which forces traffic into the other land to get around any parked cars.

All homes in this area have off-street parking so residents should not be negatively impacted by this action.

**MOTION:** Selectmen Eckstrom moved the Board approve the placement of No Parking signs along both sides of Plymouth Ave. from the fire hydrant & 7 Plymouth Ave. to the intersection of Churbuck St., a distance of approx. 600 ft. Selectman Potter seconded for discussion.

**NOTE:** Selectman Potter wants to make sure everyone living in this particular area has off-street parking. Chairman Fernandes-Abbott stated the Chief's letter assures that they do.

**VOTE: Unanimous (4-0-0)**

2. Winter Street, Rose Point. Discussion took place at last week's meeting re: whether or not Winter St. was an accepted street. Information has been presented & passed along to the Board relative to the hearing that was held 3/20/01 & the subsequent Notice of Taking by Eminent Domain recorded w/ the Plymouth Registry of Deeds on 9/20/01.

Chairman Fernandes-Abbott stated in 3/01, residents of this street were notified that this road would be taken. She does not know why the Town

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decided to accept this road. She questioned if the Town can accept roads outside of Eminent Domain. Discussion ensued.

Selectman Eckstrom stated the Town took the road, and then it was on the Warrant for Town Meeting to fix (paving), & then the following year it indicates all these roads were completed. It was discovered that Winter St. was not paved because the sewer was coming.

Selectman Potter asked if the road would now be improved. Chairman Fernandes-Abbott stated under the road management plan, any previously paved roadway would be re-paved. Discussion ensued.

3. Bond Bids. \$2,224,000 will be going out to bond bids. Half of this amount is for the Middle School project. Mr. Foster discussed the bond. He added that \$350,000 has been budgeted for FY07 & \$350,000 for FY08. The estimate is \$345,000 & this amount should go down after that. He discussed reimbursement from the State for the Middle School project & \$1.2 million will need to be borrowed for long-term debt. Included in the bonding is \$500,000 for the remaining pump stations, \$500,000 for new sewer matters, \$100,000 for new boilers for the School Dept., & \$120,000 for the Oak Grove School. He noted that only a percentage of this \$120,000 can be requested, thus, another \$80,000 would be needed. This bid will go out on 3/22/07.

Mr. Foster stated he spoke to Moody's today & the Town's outlook has been flagged & will be watched for the next two years. He will keep the Board informed.

Chairman Fernandes-Abbott asked why Moody has made a decision at this time. Mr. Foster discussed certain factors that contributed to their decision, such as the Town's use of free cash, use of reserves, etc. The numbers tell the story. He will know the final decision by Friday. Selectman Sauvageau discussed what Moody's looks at.

### VIII. TOWN BUSINESS

#### A. Reaffirm Leash Law.

Selectman Eckstrom read the Leash Law into the record. (Attached as reference)

**MOTION:** Selectman Eckstrom moved the Board approve & reaffirm the Leash Law as read into the record. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

#### B. Discuss Policy #02-04 – Extraordinary Services Fee Policy.

Selectman Potter spoke re: this policy & a proposed new draft policy #07-01. He read the proposed policy into the record. (Attached as reference)

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

Discussion ensued re: the proposed policy. Chairman Fernandes-Abbott asked where the liability is. Selectman Potter stated it would have to be provided by the Administrator through the application process & a policy would have to be attained. Discussion ensued.

Selectman Eckstrom expressed concern re: the Board reviewing criteria for an event. She feels the proposed Community Events Committee would do this. She does not know if the Board should be doing this. Brief discussion ensued.

Chairman Fernandes-Abbott stated the only difference in the two policies is the proposed deals w/ manpower & the ability to solicit outside sources of safety personnel. Selectman Potter feels this would need to funnel through the Town department that is effected. Chairman Fernandes-Abbott would feel uncomfortable if the Town's Police Dept. was not in control of another police department's personnel that were working an event. Selectman Sauvageau stated he could not conceive of a situation where outside safety personnel would be utilized w/out the supervision of the Town's Police Dept. These services would be supplemental & under the jurisdiction of the Town's safety authority. The Board members concurred.

Chairman Fernandes-Abbott feels the liability issue should be discussed w/ the Chief. Selectman Potter feels liability would be covered under the Administrator's end.

Selectman Potter asked the Board, outside of the revisions, if they feel a policy like this is needed. Selectman Eckstrom feels the initial policy could be suspended if the Community Events Committee is established & making these decisions. Discussion ensued. Selectman Potter stated the proposed policy addresses supplemental manpower, not taking over manpower. Selectman Sauvageau stated it doesn't mean replacing the Town's Police Dept. He feels discussions are needed w/ various entities before moving forward.

### **C. Letter to CPC: Parker Mills Dam restoration.**

Selectman Potter spoke re: the meeting held by CPC on this matter & the DCR notice just received. He feels this matter is timely & a plan needs to be submitted by 6/07. He discussed the timeline of discussions held on the issue of this dam. Some entities have requested being part of the dialog from here on out. He had been looking at a short-term solution, but due to the recent receipt of this letter from DCR, there is a need to submit an action plan ASAP. Selectman Eckstrom noted that this letter should have been submitted in 12/31/06.

Selectman Sauvageau feels this is a public safety issue at this point. He suggested, the Board as Road Commissioners, think about closing this roadway. Selectman Potter stated at the meeting held w/ the cranberry growers, it was stated if the situation persists & since the Town has no municipal purpose for the dam, then it could be opened up. Selectman Sauvageau feels if the road is shut down it would show the seriousness of the issue to DCR & the Town. This letter reflects an emergency & asks for an emergency plan. Chairman Fernandes-Abbott asked who would prepare this plan. Mr. Foster stated Mr. Gifford is working w/ G.A.F. Engineering. Selectman Potter stated Pare Engineering conducted both reports on the dam. He feels they are knowledgeable to create an action plan.

Selectman Sauvageau feels the road should be the main focus now. Chairman Fernandes-Abbott stated there is a need to see documentation before closing the road. Selectman Sauvageau stated if the bridge lets go tomorrow, the Town is liable. Discussion ensued re: the deed for the dam &

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

critical safety issues relative to the dam. Chairman Fernandes-Abbott stated if there is extreme danger w/ the dam, why is the State giving the Town 120 days to respond. Discussion ensued.

Chairman Fernandes-Abbott suggested contacting the State office if they are asking if the road should be closed. Selectman Sauvageau concurred. Discussion ensued re: the weight limit of the bridge.

Chairman Fernandes-Abbott stated based on the letter from the State, she would be apprehensive sending a letter to the CPC now. Selectman Sauvageau concurred. Chairman Fernandes-Abbott stated she would contact Mr. Gifford relative to speaking to those agencies to obtain something in writing. The Board members concurred to now send a letter to the CPC at this time.

### **D. Vote Election Warrant.**

Selectman Eckstrom read the Election Warrant into the record. (Attached as reference)

**MOTION:** Selectman Eckstrom moved the Board approve the 2007 Election Warrant as read into the record. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

### **E. Vote Warrant Articles.**

Chairman Fernandes-Abbott explained that there are no budget figures as of yet & the Planning Board has not held their public hearing yet on their articles.

**NOTE:** The meeting proceeded w/ item X. Sewer Business – C. Any other sewer business.

Present before the Board: Mr. Edward Pacewicz

Chairman Fernandes-Abbott stated that a proposed Wastewater Nitrogen Bylaw might be placed on the Special Town Meeting Warrant.

Mr. Pacewicz explained that Mr. Costa, who is a nationally known person in nitrogen reducing septic systems, helped w/ this article. This issue was presented before, but it was too complicated. It has been revised & submitted presently.

Mr. Pacevich discussed the purpose of the article & what the Bylaw would protect. He discussed standards that would need to be met relative to new development. He discussed the proposed limitations for commercial & residential development. Discussion ensued.

Mr. Pacewicz discussed existing septic/lots & how this Bylaw would apply & that they would not have to meet the standards as well as expansion of a septic system. He discussed how a discharge limitation is determined for commercial development. He addressed the impact the Bylaw would have.

Selectman Potter asked re: transfer development rights. He does not feel this would be a good trade off. Mr. Pacevich stated Mr. Costa looked at large areas of land & the amount of nitrogen going into groundwater, rivers, etc. Discussion ensued.

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

Selectman Sauvageau feels the Board should front the article & then have a public discussion at Town Meeting re: this matter. Selectman Eckstrom stated she had asked the Planning Board Chair, Anthi Frangiadis re: this matter. She does not know if this is a zoning issue, but a policy issue. Chairman Fernandes-Abbott asked when this matter came before the Town prior, was there a public hearing. Mr. Pacewicz does not know. Brief discussion ensued.

**MOTION:** Selectman Eckstrom moved the Board place the general Wastewater Nitrogen Bylaw article as an environmental issue on the Special Town Meeting Warrant & have it be inserted by the Board of Sewer Commissioners. Selectman Sauvageau seconded.

**VOTE: Unanimous (4-0-0)**

The Board members requested that Mr. Costa come before the Board to discuss this matter after the close of the Special Town Meeting Warrant.

**NOTE:** The meeting proceeded w/ item X. Sewer Business.

B. Discussion w/ David Simmons, WPCF Superintendent.

Present before the Board: David Simmons

1. Sewer Abatement Policy. (Attached as reference).

Discussion ensued.

Chairman Fernandes-Abbott stated when an application is submitted for residential real estate tax abatement, there is a specific amount of time to file & action taken. This does not happen w/ sewer abatements. The Board has allowed past sewer abatements. Mr. Simmons does not agree w/ this policy. Chairman Fernandes-Abbott stated the abatement must be filed on or before the due date of the bill, which is 30 days.

A. Sewer Abatement Request.

Mr. Simmons stated the Board refunded the amount of this request in its entirety. This was the recent practice and he does not agree w/ & discussed. Chairman Fernandes-Abbott stated there have also been discussions re: recommendations being made on bills. She has asked Mr. Simmons to offer his comments on abatements vs. the Administrator making recommendations.

2. Status of Wewantic Shores Deadline.

Chairman Fernandes-Abbott stated the next recourse in getting all residents who have not hooked up to the sewer is to start assessing a fine for the remaining 23 lots. Selectman Eckstrom suggested sending a letter w/ a start date of when the fine will be assessed. She feels it should be between seven & ten days. Selectman Sauvageau suggested sending this letter certified mail. The Board concurred to send out these letters.

Brief discussion went back to the sewer abatement request & if the Board voted on this. Selectman Sauvageau stated it went through as a refund, not an abatement.



## SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)

### 3. Connection Fees.

Mr. Simmons discussed the need for more time to inspect connections & fees charged. Selectman Eckstrom asked if \$50 is enough of an increase. Mr. Simmons stated it would cover all labor costs.

Selectman Sauvageau discussed the importance of not operating at a loss.

**MOTION:** Selectman Eckstrom moved the Board establish that the sewer connection fee is to increase to \$200 for residential effective 4/1/07. Selectman Sauvageau seconded.

**VOTE: Unanimous (4-0-0)**

**MOTION:** Selectman Eckstrom moved beyond the hour of 10:00 P.M. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

### 4. Sewer System Development Charge.

Mr. Simmons discussed what this charge is & that it is equal to a betterment charge. Lengthy discussion ensued. Mr. Simmons stated this charge could remain at its current amount or it can be increased. He feels this charge should increase to be more in line w/ the cost of a sewer system & the most current betterment assessed for a project. This charge would not be waived if someone needs to install a grinder pump, but instead pay the difference of the charge.

Chairman Fernandes-Abbott stated that there have been requests to tie in by those with a failed septic or for lots that were omitted from plans years ago. She asked if this charge is assessed differently for these vs. new neighborhoods. Selectman Eckstrom feels it should be based on the most recent sewer project betterment. Mr. Simmons again stated that the charge could remain as it is, based on the project cost at that time or based on the most recent sewer project. There are instances w/ people being unable to access the sewer system & they need to install a grinder pump to get to the system. Discussion ensued.

Chairman Fernandes-Abbott stated the Board would take this item under advisement.

Selectman Potter believes that if someone hooks in later vs. originally, they need to pay the current rate. Selectman Eckstrom stated those who didn't tie in when they were supposed to should have to pay the current rate which is fair since those around them have been paying all along.

### 5. Commercial Sewer Connections.

Mr. Simmons stated that the current charge for commercial sewer connections is \$150 plus 10 cents p/sq. ft. He feels this charge should increase while keeping the 10 cents p/sq. ft. The design & review & the construction fee that is currently \$1,000 should be increased to \$1,500 with payment submitted before the review. He suggested the commercial sewer connection charge should be \$250 plus the 10 cents p/sq. ft. Discussion ensued. Selectman Sauvageau agreed w/ these suggested increases since the Town has been carrying these costs for 20 years.

**MOTION:** Selectman Eckstrom moved the Board increase the design, review, & construction fee from \$1,000 to \$1,500 effective April 1, 2007. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

## SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)

**MOTION:** Selectman Eckstrom moved the Board increase the commercial/industrial sewer connection permit fee from \$150 to \$250 plus 10 cents p/sq. ft. of the base of building effective April 1, 2007. Selectman Potter seconded.

**VOTE: Unanimous (4-0-0)**

### 6. Seating Capacity/EDU

Mr. Simmons believes he has come across a discrepancy in the system. The Inspections Dept. assesses certain capacity for a restaurant. The Board of Health assesses another capacity. The EDU is based on the number of seats. The Inspections Dept. bases their capacity on the legal capacity. The Board of Health bases it on the physical number of seats.

Selectman Sauvageau explained the reason for the discrepancy is due to the requirements of the Board of Health & fire code matters. Mr. Simmons is looking for what the EDU should be based on; Board of Health capacity or fire code capacity. Selectman Potter stated in the past, it has been based on actual seating capacity. Mr. Simmons asked for this in writing. Selectman Eckstrom stated if the EDU is based on occupancy, could the Board make it a standard that it is based on occupancy, but at a lower ratio. Chairman Fernandes-Abbott stated it was always based on the Sewer Dept.'s annual inspection & the Board of Health's annual inspection. Discussion ensued. Selectman Potter again stated it has gone by the seating capacity. Selectman Sauvageau stated that seasonal restaurants are inspected yearly, but he is unsure if year round establishments are.

Discussion ensued re: what to base the EDU on. The Board concurred to base EDU on seating capacity.

### 7. Acceptance of Leachate.

Mr. Simmons addressed the concerns relative to the acceptance of leachate. He stated that the trucks delivering leachate could not go to the regular discharge area. He understands that leachate can be difficult to treat, but he discussed how he would handle it at the plant. He discussed where the leachate trucks would go at the plant to deliver.

Mr. Simmons stated he has spoken to CDM & a letter to haulers will be forthcoming. He has been in the sewer business for 29 years & he would not do anything that will jeopardize the plant. He feels this is worth a try & it can be stopped at any time.

Selectman Sauvageau asked if there are tanks at the plant to accept this leachate. Mr. Simmons stated there are tanks, but they are not necessarily designed for leachate. He discussed the tanks & flow capacity. Brief discussion ensued.

**NOTE:** The meeting proceeded w/item VIII. Town Business – F. Any other Town business.

### 1. Tobey Will Trust Fund.

Selectman Eckstrom stated Town Counsel contacted the Attorney General's office. The AG's office sent back a letter in 7/06 RE: what was expected in this matter. In 10/06, she spoke to Town Counsel who stated that they had told former Administrator Hartman that more information was needed. She distributed a letter she had drafted in 10/19/07 containing said information. Town

## **SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

Counsel has had this information since that time & they have not responded back yet to the AG's office until 3/6/07.

Chairman Fernandes-Abbott stated the date put on the letter was when it came last week, but she feels Town Counsel would say it that former Administrator Hartman received it 10/06. She cannot imagine Town Counsel sitting on this issue for such a long time. Selectman Sauvageau concurred. He stated this is an issue that has been delayed far too long. Chairman Fernandes-Abbott understands that there has been no response sent to the AG's office. She feels said letter should address the delay.

Brief discussion ensued re: the rate of return on the fund money & when the Town can anticipate utilizing the interest money again. Again, Chairman Fernandes-Abbott stated there is a need to reply to the AG's comments, but said letter needs to be updated.

### **2. Wareham Road, Plymouth Development.**

Selectman Eckstrom asked if Mr. Foster spoke to Mr. Gricus, Town Planner re: this project. Mr. Foster stated he asked Mr. Gricus to call the Wareham gentleman who came before the Board to voice his concerns re: the project.

Selectman Eckstrom stated the deadline for comments on said project is 3/22. Chairman Fernandes-Abbott does not believe Mr. Gricus has attended any meetings on this project. Selectman Eckstrom recalls former Selectman Pillsbury stating that the Town needs to stay on top of this issue. Brief discussion ensued re: concerns w/ this proposed development. Selectman Sauvageau would like to know what the transfer development right ratio that was allowed for this amount of development.

### **3. 815 Main Street – 40B Project.**

Chairman Fernandes-Abbott stated that the ZBA would be closing this hearing tomorrow evening based on revised plans. Discussion ensued.

Chairman Fernandes-Abbott asked Selectman Eckstrom to convey to the ZBA that the Board will not support the connection to the sewer system by this development. Selectman Eckstrom suggested the Board vote in opposition. Selectman Sauvageau would rather have the ZBA complete their review & utilize a motion of the Board as a last resort. Selectman Eckstrom feels a vote of the Board will show the ZBA where the Board stands. Chairman Fernandes-Abbott stated it could be a consensus of the Board that the Board is opposed based on sewer issues. She noted that the Board has never fully discussed other aspects of the project, such as density issues. Brief discussion ensued. The Board concurred that they are opposed to the sewer connection for this project.

### **IX. SELECTMEN'S REPORTS (NONE)**

### **X. SEWER BUSINESS (DONE)**

### **XI. ADJOURNMENT**

**MOTION:** Selectman Potter moved to adjourn the meeting. Selectman Sauvageau seconded.

**SELECTMEN/SEWER COMMISSIONERS MEETING 03/13/07 (CONT'D)**

**VOTE: Unanimous (4-0-0)**

Respectfully submitted,  
Kelly Barrasso, Transcriptionist

The Board of Selectmen/Sewer Commissioners approved the foregoing minutes on: September 11, 2007.

Attest: ***Brenda Eckstrom***  
Brenda Eckstrom, Clerk  
BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date copy sent to Town Clerk's Office: September 12, 2007