

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

#08-07

Date of Meeting: March 6, 2007

Date of Transcription: March 8, 2007

Transcribed by: Kelly Barrasso

I. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Fernandes-Abbott called the meeting to order at 7:01 P.M.

II. ROLL CALL

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

Present: John Foster, Interim Town Administrator

III. CITIZENS PARTICIPATION

Present before the Board: Mr. Galucci, Glen Avenue

Mr. Galucci submitted a letter to the Board re: the planned development on Wareham Road in Plymouth that will consist of 1,075 residences developed by the A.D. Makepeace Co. (Attached as reference). He feels this development will affect traffic on Plymouth Ave., Glen Charlie Rd., & the intersection of Glen Charlie Rd. & Depot St. The developer claims there will be no safety or traffic impacts on the Town.

Mr. Galucci spoke re: the DEIR report received on 2/20/07. He stated comments on this report are due by 3/22/07. He feels few Town residents have heard of this project. He feels the DEIR has many inaccuracies & untrue statements, for example, it states that there will be approx. 700-800 trip p/day from the development, & only 4% of these trips will utilize Glen Charlie Rd. He feels trips on Glen Charlie Rd. will overcome this roadway. He would like the Town to ask SRPEDD to attend a meeting to discuss future problems/issues w/ this project as well as to discuss the DEIR report. He noted that SRPEDD did send a letter to MEPA, which stated it would affect the Town. Responses to this letter/statements were garbled in the DEIR report.

Mr. Galucci is concerned that there has been no notice of this project in the media or to the Town residents. He suggested MA Highway & the developer attend a public meeting w/ the Board to discuss these concerns.

Chairman Fernandes-Abbott stated the Town Planner had sent a letter to MEPA previously re: this project. She agrees that notice should be given to residents due to the close proximity this project has to Town. There was previous discussion approx. one and a half years ago re: this project & the impacts to the Town. She feels the Town Planner will have more information on this matter.

Mr. Galucci feels this project will change the character of Plymouth Ave. & Glen Charlie Rd. & these roads would be utilized as through traffic ways for Plymouth residents. The project will increase speed & the number of vehicles as well as create more safety issues. He hopes residents in the area of this project circulate a petition re: this project.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Chairman Fernandes-Abbott asked if the hearing permitting process has begun on this project. Mr. Galucci believes it has. Chairman Fernandes-Abbott feels there should be Town representation on the staff level at these hearings. Selectman Eckstrom feels that the Town's Conservation Agent as well as the Town Planner should be informed of said project. She feels Mr. Gricus' comments submitted to the State previously should be resubmitted for the DEIR comment period.

Selectman Sauvageau discussed the potential traffic issues. He feels this project is a TDR issue. He agrees w/ Mr. Galucci's concerns w/ re: to traffic, environmental issues, & impacts. The Town will benefit nothing from this project. He discussed the Town of Plymouth enacting TDR. He expressed concern re: TDR if not managed correctly. There needs to be a continued dialog w/ the Planning Board, SRPEDD, the Town of Plymouth, & the developer. He feels TDR is a conduit for these types of projects w/ DEP being the "super" agency overseeing it.

IV. ANNOUNCEMENTS

- A. On 3/7/07, the Regional Transportation Plan will be discussed at Attleboro City Hall from 5:00 P.M. – 7:00 P.M.
- B. On 3/10/07, a Super Bowl Appreciation Banquet will be held for the Wareham football team at the Elks. Tickets are available.
- C. On 3/10/07, the Wareham Alumni will hold a chicken bake at the Redmen Hall. Tickets are available by contacting Claire Smith.

V. CONSENT AGENDA

- A. Authorization to sign bills, documents, etc.
(NONE)
- B. Approve minutes of previous meetings: 2/20/07.

MOTION: Selectman Eckstrom moved to approve the Regular Session meeting minutes of 2/20/07. Selectman Potter seconded.

VOTE: (3-0-1) Selectman Fernandes-Abbott abstained

- C. Interview/appoint applicants for boards, committees, commissions.
 - 1. Community Preservation Committee.

Present before the Board: Anne Marie Brooks

Ms. Brooks stated she is a teacher at the High School & is interested in the community. She would like to preserve the community.

Ms. Brooks was asked various questions by the Board. She answered that she defines community preservation as preserving open land & buildings, but being open to change. She feels the Community Preservation Committee could be a voice of reason. She has read part of the CPA documents & understands that a small portion of tax bills go into CP funds & how these funds are

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

to be used. If she felt a project was outside the scope of the CPC, she would say so. She is interested in history & keeping the Town a town.

Selectman Eckstrom urged Ms. Brooks to read the DOR guidelines w/ re: to CPA funds.

Ms. Brooks feels the best Community Preservation project that benefited the Town was the preservation of land. She feels preserving land for recreation should be passive, but understands there is also a need for balance.

MOTION: Selectman Eckstrom moved the Board appoint Anne Marie Brooks as a member to the Community Preservation Committee (Citizen at Large) to a term to expire 6/30/09. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

2. Conservation Commission.

Present before the Board: Debra Paiva

Ms. Paiva discussed her past experience, namely, working w/ land use boards. She is interested in land use & environmental issues.

The Board asked Ms. Paiva various questions. She answered that she always wanted to serve on a Town board, but once she left the Town's employ, she felt more comfortable doing so.

Selectman Sauvageau spoke re: the Conservation Commissions Wetland Protective Bylaw, which is stricter than the State's. Ms. Paiva stated she is aware of this Bylaw. Selectman Sauvageau asked how Ms. Paiva feels about it. Ms. Paiva stated she would have to be on the ConCom for a while before making an opinion of the Bylaw. She stated as a Board member, she would have to enforce the Bylaw.

MOTION: Selectman Eckstrom moved the Board appoint Debra Paiva as an Associate member to the Conservation Commission to a term to expire 6/30/07. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

3. Police Station Feasibility Advisory.

Present before the Board: John A. McGonnell

Mr. McGonnell discussed his past experience as a police sergeant. The Board asked Mr. McGonnell various questions. Mr. McGonnell answered that he has worked in a number of public safety facilities & he feels there is a need for a new police facility in Town. He has been involved w/ these types of endeavors. He has not toured the present police station, but he has spoken w/ Claire Smith & he will be touring it.

Selectman Potter asked if this advisory committee has a timeframe. Selectman Eckstrom stated it is slated to end in 6/30/07. Chairman Fernandes-Abbott stated this committee would be coming before the Board w/ a report.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

MOTION: Selectman Eckstrom moved the Board appoint John A. McGonnell as a member to the Police Feasibility Study Committee to a term to expire 6/30/09. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

4. Wareham Historic District Commission.

Present before the Board: Robin Ragle-Davis

Ms. Ragle-Davis stated she would like to get involved w/ the Town. She is interested in history. This committee is her first preference. She has not attended any of their meetings yet.

Selectman Sauvageau noted Ms. Ragle-Davis' experience w/ web-design that he feels may be helpful to this committee to help promote & advertise the Town's history, which may attract business & highlight the Town.

Ms. Ragle-Davis feels that balancing history, it is not always easy to move forward. She feels there is a need to acquire all the facts first. She feels historic preservation could improve the Town's economy.

MOTION: Selectman Eckstrom moved the Board appoint Robin Ragle-Davis as a member to the Historic District Commission to a term to expire 6/30/09. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

5. Old Colony Planning Council.

Selectman Eckstrom stated the two applicants are at another meeting at this time.

MOTION: Selectman Eckstrom moved the Board appoint Deborah Bell as a delegate to the Old Colony Planning Council to a term to expire 8/30/07. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Eckstrom moved the Board appoint Constance Perry as an Alternate member to the Old Colony Planning Council to a term to expire 8/30/07. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

VI. LICENSES & PERMITS

- A. Application for Change of Manager to the Seasonal Common Victualer's All Alcoholic Beverages License of Bay Pointe Functions, Inc. d/b/a The Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset, under the provisions of MGL c. 138.

Present before the Board: Michael Herron

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Mr. Herron explained the reason the lease has not been signed, is that there is a potential of renovation to the function center. He is the current manager of the golf facility as well.

Chairman Fernandes-Abbott stated the only concern would be the number of hours Mr. Herron would need to manager both functions. Brief discussion ensued re: tax attestation.

MOTION: Selectman Eckstrom moved the Board approve the application for Change of Manager to the Seasonal Common Victualer's All Alcoholic Beverages License of Bay Pointe Functions, Inc. d/b/a The Pavillion at Bay Pointe Country Club, 10 Bay Pointe Drive, Onset, under the provisions of MGL c. 138 contingent upon receipt of tax attestation from the Treasurer. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

- B. Application for Transfer of the Year Round Retail Package Goods Store All Alcoholic Beverages License to CapePaky, LLC d/b/a Capeway Package Store, Anthony C. Jeffery, Manager from Sutherco, Inc. d/b/a Capeway Package Store, 3187 Cranberry Highway, East Wareham, under the provisions of MGL c.138.

Present before the Board: Attorney McLaughlin
 Anthony Jeffery

Attorney McLaughlin stated the application is for a transfer of license. There are no changes to the application other than ownership. He discussed proposed improvements that will be done. The hours of operation will be the same.

Selectman Sauvageau asked if Mr. Jeffery would have a partner. Attorney McLaughlin stated he would not. He added that Mr. Jeffery has been TIPS trained.

Selectman Sauvageau asked if this is a commercial lease or is there ownership in the real estate. Mr. McLaughlin stated there is no ownership in the real estate.

Brief discussion ensued re: the Articles of Organization. Attorney McLaughlin stated it should be submitted by Friday.

MOTION: Selectman Eckstrom moved the Board approve the application for Transfer of the Year Round Retail Package Goods Store All Alcoholic Beverages License to CapePaky, LLC d/b/a Capeway Package Store, Anthony C. Jeffery, Manager from Sutherco, Inc. d/b/a Capeway Package Store, 3187 Cranberry Highway, East Wareham, under the provisions of MGL c.138 contingent upon submittal of an 04# & the Articles of Incorporation. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

- C. Application for a Class II License from an existing Class II License, James A. Ramsey d/b/a Marion Auto Sales to new ownership by RB Motors, Inc. d/b/a Marion Auto Sales, 370 Marion Road, Wareham, under the provisions of MGL c.140.

Present before the Board: Richard Burbidge

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

James Ramsey

Selectman Eckstrom stated all green return receipts have been returned.

Mr. Burbidge stated he is taking over the license. Mr. Ramsey will only be servicing vehicles. All the vehicles on the lot will be his (Mr. Burbidge's). He does not anticipate any changes or expansions in the future. He will maintain the current number of licensed vehicles at 21.

Discussion ensued re: where on the license it states the amount of cars allowed. Mr. Burbidge discussed how the parking spots are set up on site re: the amount of cars allowed. Chairman Fernandes-Abbott stated the actual number of cars allowed is typed on the license. She also would like more information re: what will be happening on this site. Mr. Burbidge explained that Mr. Ramsey will only be doing one thing & he will be doing another. He described the arrangement. His end is for used cars & he is incorporated. Mr. Ramsey will be conducting separate services that have nothing to do w/ his business.

Mr. Ramsey discussed what he would be doing. He stated there would be two separate businesses on site w/ a different property owner. They both have independent leases. Brief discussion ensued.

MOTION: Selectmen Eckstrom moved the Board approve the application for a Class II License from an existing Class II License, James A. Ramsey d/b/a Marion Auto Sales to new ownership by RB Motors, Inc. d/b/a Marion Auto Sales, 370 Marion Road, Wareham, under the provisions of MGL c.140. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

VII. TOWN BUSINESS

NOTE: The meeting proceeded w/ item D. Any other Town business.

Present before the Board: Mary Ann Silva, Town Clerk

Ms. Silva discussed the following:

- A. She received a call from Mary McCusker who will be working on the 2010 census. The Board needs to appoint a liaison & Ms. Silva volunteered to be said liaison.

MOTION: Selectman Eckstrom moved the Board appoint Mary Ann Silva as the Town's liaison for the State census. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

- B. Every year the Board is to send letter so the Democratic & Republican Committees requesting names of poll workers. These letters need to go out by 4/15/07 under Chapter 54, s. 12. Brief discussion ensued.

Ms. Silva noted that she trains the poll workers. There is a need for poll workers so anyone that is interested should contact the Clerk's office.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

C. The last day to register to vote is 3/14/07. The Clerk's office will be open until 8:00 P.M. on this date.

D. Received a call re: the ballot request that has been granted by the Governor. The Bill # is 3747. The Governor signed it on 3/5/07 for the election ballot.

NOTE: The meeting proceeded w/ item IX. Sewer Business – B. Revised *Authority to File & Certifying Authority to File*.

Present before the Board: Mary Ann Silva, Town Clerk

Chairman Fernandes-Abbott explained that the Board must approve John Foster as the authority for filing so that he can execute issues for the WPCF & for sewer projects, namely Rose Point, Briarwood Beach & Beaver Dam Estates. This will grant Mr. Foster the authority as the Board's agent.

Chairman Fernandes-Abbott asked re: Mr. Foster's authority for other sewer projects. Mr. Foster does not anticipate borrowing in the near future for these projects. He added that the Board needs to notify the Trust that there is a new person acting as agent. Chairman Fernandes-Abbott expressed concern re: new sewer projects in which bills are being submitted & if Mr. Foster can act as agent on these. Discussion ensued.

Selectman Eckstrom read the Authority to File & the Certifying Authority to File into the record. (Attached as reference).

MOTION: Selectman Eckstrom moved the Board approve the Authority to File & the Certifying Authority to File as read into the record. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

Selectman Sauvageau thanked Mr. Foster for serving in the capacity of Interim Town Administrator.

NOTE: The meeting proceeded w/ item VII. Town Business – B. Discussion w/ petitioners of Town Meeting Warrant Articles.

1. Oak Grove School – Joan Andrews.

Present before the Board: Joan Andrews

Chairman Fernandes-Abbott stated this is Article 38 in the Warrant & she read said article into the record.

Ms. Andrews stated the reason for this article is to obtain Town Meeting approval to add the addition for the Cape Verdean Cultural Center onto the Oak Grove School. She discussed forthcoming fundraising for this addition.

Chairman Fernandes-Abbott feels this article is a re-affirmation of the MOU that has already been signed. Ms. Andrews stated the Cape Verdean Cultural Center Committee is not asking the Town for any money & it will be a community endeavor.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Ms. Andrews is unclear as to whether a legal document is needed for addressing the future of the addition should the Town at some point wants to sell the property. If the Town does sell the property, she would like the money put into the addition to be paid back. Chairman Fernandes-Abbott stated the protection of the Cultural Center in the future has been discussed. Town Counsel has indicated that there would be a strong agreement in place to protect the center for a long time if the Town ever sold the site. If this happened, the organization should have the right of first refusal. Ms. Andrews stated she would like something in writing pertaining to this issue. Chairman Fernandes-Abbott stated she understands this issue should be addressed further. Selectman Sauvageau explained that the only way to bind this center is w/ a long-term lease. No letter of intent would ever bind the Town. The Town would be the party to draft the lease for the center. Town Counsel could also help draft it to create a long-term binding relationship.

Selectman Eckstrom spoke re: an e-mail received from Marilyn Whalley at CEDA expressing concern re: putting an addition on relative to the lease of the property. She felt Ms. Whalley was aware of this matter. She read said e-mail into the record. She read what the RFP states re: another group can utilize the building as well as the main entity.

Ms. Eckstrom expressed concern re: not seeing the lease yet. She referenced the Charter relative to this issue. Ms. Andrews stated when she spoke to Ms. Whalley previously, she asked her for a copy of the lease, but has not received it.

Selectman Sauvageau stated that when the Board met w/ Ms. Whalley, everyone understood that the Cultural Center was part of the project. The MOU reflects this as well as the RFP. He is perplexed as to why Ms. Whalley does not know that the Cultural Center is part of the project. He feels the lease has been signed w/out ratification, thus, the lease is null & void. He suggested having a discussion w/ Ms. Whalley indicating that the lease has not been ratified until the Board has it & everyone agrees w/ the Cultural Center.

Mr. Foster stated before Mr. Hartman's departure, Mr. Hartman had a blank copy of the lease that was not signed. Ms. Whalley has stated that Mary Pat Messmer of Cape Cod Child Development wants to have a discussion re: the Cultural Center. Before Mr. Hartman left, he signed the lease, but Cape Cod Child Development has not returned the contract.

Selectman Sauvageau expressed concern re: who signed the lease on the Town's behalf. The Board has not seen the lease, it hasn't been ratified by the Board, thus, it is null & void presently. Chairman Fernandes-Abbott felt when the MOU was signed, everyone understood that the Cultural Center would be part of the project. She added many discussions were held as to how this would work. Brief discussion ensued.

Mr. Foster has heard there are concerns re: parking. He feels that a meeting should take place w/ Cape Cod Child Development, Ms. Whalley, the Cultural Center organization, & the Board to discuss this matter. Selectman Sauvageau feels these discussions should already have happened as part of the lease agreement.

Chairman Fernandes-Abbott assured Ms. Andrews that the Board stands behind the MOU. Mr. Foster will set up a meeting & the Board asked Mr. Foster for a copy of the lease for them as well as Ms. Andrews. Mr. Foster stated he would, but it is not signed.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

3. Rose Point – Debbie Pfnister

Present before the Board: Debbie Pfnister

Chairman Fernandes-Abbott read Articles 36 & 37 into the record.

Ms. Pfnister discussed Article 37 – Rose Point. Chairman Fernandes-Abbott asked if some of the roads were already accepted. Ms. Pfnister she is unsure. She stated back in the Fall, there was a petition to have these roads accepted which would allow the Town to file for different grants to pay for paving, drainage, etc. This was never handled at Town Meeting. Thus, she is submitting this petition article. The roads list included in the article are recorded at the Registry of Deeds as part of the sewer project. The roads need to be accepted in order to obtain grant funding to pay for paving & drainage. Brief discussion ensued re: Winter St. & what streets in this area that were already accepted.

Chairman Fernandes-Abbott would like input from Mark Gifford, Municipal Maintenance Director re: this article & what grant funding is available.

Ms. Pfnister discussed that there is a figure of \$33,000 per household to be charged to residents in this area due to the sewer project, water project, drainage, & paving. She feels grant money would help alleviate these costs.

Selectman Sauvageau is unsure if the Town can accept these roads if they do not meet State DOT. Chairman Fernandes-Abbott explained in order for the Town to accept a street, it would have to meet the standards of the State DOT. She will look into this.

Selectman Sauvageau expressed concern re: once the roads are accepted & grant money cannot be obtained, the Town would be liable to build & maintain these roads. He would like to know the fiscal ramifications & liability issues relative to accepting roads.

Selectman Eckstrom discussed what she felt Rose Point, Briarwood, & Beaver Dam Estates were told re: paving & drainage. Selectman Sauvageau wants to know if the Planning Board or the Road Commissioner have the authority over these matters.

Article 36 – Thomas Ave.

Ms. Pfnister discussed what lots she owns & for how long. She would like Thomas Ave. to be vacated/abandoned. She is the only abutter along w/ another that only owns wetland. She submitted a letter from the other abutter who has no objections. She added that Mr. Gifford has no objections either. This road is a paper road. Discussion ensued.

Chairman Fernandes-Abbott questioned if this is the path that Ms. Pfnister should take addressing this matter. Ms. Pfnister stated the paper road is a private way. All roads in Rose Point are private. Selectman Sauvageau stated all private means is that the Town doesn't maintain it. He feels this is the proper way to address the issue. This roadway is accessible to the public & needs to be extinguished at Town Meeting. Discussion continued.

Discussion ensued re: a similar situation on Maple Springs Road.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

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

Present before the Board: Michael Guidice, CDM
David Simmons, WPCF Superintendent

Mr. Guidice updated the Board on the following:

WPCF:

- Procuring next sludge contract for sludge disposal

Rose Point Sewer Project:

- Pump station testing & staff training complete.
- Minor issues w/ alarms
- Recommends Board accept the system.
- With the exception of paving, the system is operational.

Selectman Eckstrom asked if the Board accepts the system, could the Town start billing for it. Mr. Guidice stated the Town could not; no because final costs will not be available until paving is done. Chairman Fernandes-Abbott stated it still has not been determined if all these roads will be paved. Mr. Guidice stated only the previously paved roads will be paved.

Mr. Guidice noted that the estimated project cost would be lower than anticipated contingent upon short-term borrowing. All information has been turned over to the Sewer Dept.

Mr. Simmons submitted documentation re: information that will be sent out to residents in this area as well as information re: waivers. Chairman Fernandes-Abbott asked if the WPCF could extend waivers. Mr. Simmons stated the Board added into the Bylaw that if a resident has a septic that is five years old or less - they have five years to connect. The former Administrator stated that waivers come from the Board. Chairman Fernandes-Abbott thought it was the Board of Health. Mr. Simmons discussed the process relative to waivers that begin at the BOH & end at the WPCF. Brief discussion ensued re: letter to residents & including information as to what should be done w/ existing septic systems. Mr. Simmons explained that the WPCF inspects all connections. He discussed fees for connection inspections, which go into the Sewer Enterprise Fund. Chairman Fernandes-Abbott asked if the Board needs to accept the system before the letter goes out. Mr. Simmons stated, "yes." Discussion ensued re: acceptance of the system & assuming liability. Mr. Guidice noted that the pump stations are under warranty.

MOTION: Selectman Eckstrom moved the Board of Sewer Commissioners accept the Rose Point sewer system based on the recommendation of the Town's consultant, CDM & that said system is complete except for final paving to be done in the Spring of 2007. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

Brief discussion ensued re: which department issues the waivers. Chairman Fernandes-Abbott stated as long as she has been on the Board, the Board has never issued a waiver. She feels this is already done by the BOH.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Briarwood Beach Sewer Project:

- Pump station testing complete.
- Recommends the Board accept the system.
- Final paving to be completed in the spring
- Punch list items remain.

Chairman Fernandes-Abbott asked re: staff training. Mr. Simmons stated staff has been trained in a number of pumping stations, not just one.

Chairman Fernandes-Abbott is unclear if all of the Briarwood area will be paved. Mr. Guidice stated only the previously paved roads will be paved. Final costs will be below estimated projections for this project contingent upon short-term borrowing.

Mr. Simmons stated the letter to residents' of this project would go out after the Rose Point letter. Mr. Guidice noted that not all identification cards have been turned over yet for the letter to go out. Chairman Fernandes-Abbott would feel more comfortable w/ accepting this system once all the loose ends are completed. The other Board members had no issue w/ accepting the system presently.

MOTION: Selectman Eckstrom moved the Board of Sewer Commissioners accept the Briarwood Beach/Beaver Dam Estates sewer system based on the recommendation of the Town's consultant, CDM & that said system is complete except for final paving to be done in the Spring of 2007. Selectman Sauvageau seconded.

VOTE: Unanimous (4-0-0)

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

VOTE: Unanimous (4-0-0)

New Sewer Areas:

- Survey work completed.
- Proceeding w/ designs, preliminary designs complete.
- Town Meeting Article on Warrant

Chairman Fernandes-Abbott stated there is a need to make a decision, going into Town Meeting, as to which future sewer areas will be grouped together & the order. She asked what the best-case scenario would be. Mr. Guidice stated it is a Town preference, but some areas need to be done prior to others, such as Tempest Knob needs to be done before Agawam Beach. The preliminary groupings are as follows:

Tempest Knob
Agawam Beach
Linwood/Ladd Aves

Parkwood Beach
Cromesett

Mayflower Ridge
Oakdale

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Mr. Guidice stated these areas could be moved around. Discussion ensued re: the manageability of these projects groupings & bidding the projects close together.

I/I Program:

- Reviewing data
- Report forthcoming.

Chairman Fernandes-Abbott asked if Mr. Guidice had any requests from Cornerstone relative to I/I. Discussion ensued. Mr. Simmons reported that another 40B developer has inquired about I/I. Mr. Guidice stated he was contacted by Stantec (Cornerstone Reps) & he left them a message re: I/I & capacity issues. He explained to them that this plant has a flow & loading issue w/ stringent nitrogen & phosphorous limits. He also received a call from another 40B developer & relayed the same message to them.

Chairman Fernandes-Abbott spoke re: Mr. Simmons' proposal for landfill leachate & grease disposal. She asked Mr. Guidice's opinion. Mr. Guidice stated he is not prepared to answer at this time, but he will pass on the information to Mr. Firmin & will report to the Board. He explained what leachate is. Mr. Simmons discussed where leachate comes from. He suggested Town Counsel review his proposal. He estimates approx. \$250,000 - \$400,000 in revenue from acceptance of leachate. He discussed the analysis needed on leachate to be accepted.

Brief discussion ensued re: wind turbine energy.

Selectman Potter stated that grease disposal is being collected from some restaurants in Town that have grease traps, which are brought to the plant for treatment. Some restaurants do not have these traps. He suggested a policy relative to grease disposal. Selectman Sauvageau stated there is already an existing policy as well as BOH tracking. Selectman Potter stated it costs the Town money to dispose of this grease. Mr. Foster discussed converting grease into energy. Chairman Fernandes-Abbott feels the Town should be charging for grease disposal. Selectman Sauvageau stated that private enterprises do this. A survey could be done of what they charge. Discussion ensued.

Brief discussion ensued re: the new sludge contract.

Discussion ensued re: charging p/gallon for grease disposal. The plant should be breaking even w/ charging for this service vs. intake. Mr. Simmons suggested charging 10 cents p/gallon to break even. This charge will go across the board for everyone utilizing grease disposal services. Mr. Guidice stated that the Board could wait until July to come up w/ a charge. Chairman Fernandes-Abbott feels an increase should be done now at 10 cents p/gallon & revisit the issue in July. Mr. Simmons stated he would inform haulers & commercial entities right away. Selectman Sauvageau also suggested notifying businesses that utilize this service.

Mr. Simmons expressed confusion re: a letter from the Sewer Betterment Abatement Committee on what their decision was. It seems that two lots were combined into one. The request is asking for abatement on the betterment. The request was denied because the betterment was based on linear footage. Brief discussion ensued.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

MOTION: Selectman Eckstrom moved the Board approve an abatement request for acct. #736644, 3132 Cranberry Highway, Garden Homes Estates in the amount of \$2,349.00 for nine EDU's for the first half FY07 sewer usage due to these units being derelict & utilities shut off. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

MOTION: Selectman Eckstrom moved the Board approve an abatement request for acct. #738196, 3040 Cranberry Highway, Garden Homes Estates in the amount of \$1,044.00 for four EDU's for the first half FY07 sewer usage due to two lots being empty & two lots have no utilities. Selectman Potter seconded.

VOTE: Unanimous (4-0-0)

- B. Done
- C. Abatement Policy.

Chairman Fernandes-Abbott stated the Board denied a sewer abatement request from a commercial property owner due to the building's vacancy & the Board directed Mr. Simmons that a vacancy was not a reason for abatement & this was not a policy the Board wanted to follow.

Chairman Fernandes-Abbott stated she researched documentation for abatement policies or directives that Mr. Simmons could utilize as a reference. She could not find any information. She does understand abatements are handled on an individual basis.

Mr. Simmons offered to put together some information for the Board as to what type of policy the plant uses & how users will have to comply.

Mr. Simmons noted that the Board would be receiving another abatement request for Garden Homes Estates for the second half sewer user billing.

- D. Any other sewer business.

Mr. Simmons stated that the plant permit would be up for renewal shortly. The application is complete & is ready to be sent in. He distributed copies of the application to the Board. He asked that all notification relative to this permit be sent to his office. There is a 30-day comment period, thus, all correspondence needs to go to him.

Mr. Foster discussed sewer administrative fees. He stated that there are two budgets being looked at & the administrative fees in both equal \$1,000,049. He will be reviewing these budgets & additional cuts may be made in the future. He has looked at some figures Mr. Simmons has provided & a chart as to how rates are determined. He will have more information next week for the Board relative to setting a rate. He noted what was not included was additional revenue which would make the rate go down.

Selectman Sauvageau does not feel the administrative fee for this coming fiscal year is in danger. In the next fiscal year, the new Board needs to re-assess & put stringent guidelines on for the rate as well as a structure. There still needs to be discussion on ending this fee as well. He feels this is a

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

matter of debate vs. action at this time. He would not support a radical decision on this matter presently. The Board members concurred.

Selectman Potter asked if the administrative fee would come up in the next fiscal year cycle. Selectman Sauvageau stated that the budget is already set for FY08. For FY09, it should be discussed. Discussion ensued. Selectman Potter expressed concern re: the FinCom suggesting something different for FY08. Selectman Sauvageau noted that the FinCom stated they would be setting the EDU rate. They have no authority to do this. The EDU rate has been set already for FY08. Selectman Potter stated he sees a \$28 increase for FY08. Mr. Foster stated there are increases that may offset this that he discussed. Mr. Simmons discussed what the \$28 represents in the spreadsheet if the budget stays as is.

Selectman Potter asked re: reducing short-term interest on sewer projects. Mr. Foster discussed how this could be accomplished. He added that a lot depends on the timeliness of billing.

VIII. SELECTMEN'S REPORTS

- A. Selectman Fernandes-Abbott – She has drafted a letter to Representative Williams Gifford & Senator Pacheco. Senator Pacheco's office had asked for a formal letter that the Town has withdrawn its request for the impact fee for the BDOD. Brief discussion ensued. The Board concurred w/ said letter.

Chairman Fernandes-Abbott has written a memo re: the Anchorage Drive property & the permitting process for boards, committees, etc. The policy she felt in place was not related to land use boards. The only policy she could find was in the land use guide, which follows MGL. She would like to add the MGL notification to the letter to boards, committees, etc. reminding them of the process that commences at the Building Dept.

Selectman Sauvageau suggested adding at the end of the last sentence “ and or any other relevant statutes that may be promulgated to this Bylaw.”

Chairman Fernandes-Abbott stated the Board could also at some point make a Bylaw that supersedes the State law.

- B. Selectman Eckstrom – Margaret Ishihara has asked if the Town has a SRPEDD representative. Brief discussion ensued. Chairman Fernandes-Abbott believes that Mr. Gricus is the representative.

Selectman Eckstrom has drafted a letter to the consulting firm hired to find a new Administrator. She discussed the salary range question being asked. She discussed what the consultant has suggested as to what should be included. The consultant is suggesting listing a salary range of \$105,000 - \$120,000.

Chairman Fernandes-Abbott feels that incentives should be included in the contract. Selectman Potter would opt for a lower starting salary. Selectman Sauvageau agrees w/ the advantages of offering incentives in the contract. Discussion ensued. Chairman Fernandes-Abbott stated the consultant has said that the Town will need to have a seasoned Administrator.

SELECTMEN/SEWER COMMISSIONERS MEETING MINUTES 03/06/07 (CONT'D)

Discussion ensued re: the monetary range & the importance of putting incentives into the contract. The Board concurred w/ Selectman Eckstrom's letter.

- C. Selectman Potter – Submitted CPC letter to the Board re: the dam & the extraordinary service policy. He attempted to draft a new policy & will discuss these items at the Board's next meeting.

Brief discussion ensued re: safety personnel & labor issues at special events. Selectman Potter discussed that the rate the police charge for elections has risen. Brief discussion ensued.

IX. SEWER BUSINESS (DONE)

X. ADJOURNMENT

MOTION: Selectman Eckstrom moved to adjourn the meeting. Selectman Potter seconded.

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