

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: February 12, 2008

Date of Transcription: March 5, 2008

Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

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

2. ROLL CALL

Selectmen Present: Brenda Eckstrom, Chairman
Jim Potter, Clerk
Bruce Sauvageau
John Cronan
Jane Donahue

Also Present: John F. McAuliffe, Town Administrator

3. CITIZENS PARTICIPATION

(None)

4. CONSENT AGENDA

MOTION: Selectman Potter moved the board to approve invoice # 80274152/13 from Camp, Dresser & McKee in the amount of \$73,884.00 for professional engineering services for designing sewers in seven remaining priority areas in the Town of Wareham in accordance with our agreement dated August 15, 2006 and Amendment No.2 dated November 13, 2007. Selectmen Donahue seconded.

VOTE: Unanimous (5-0-0)

5. LICENSES & PERMITS

None

6. **TOWN BUSINESS**

- a. Correction of date on notice of intent

MOTION: Selectman Donahue moved the board to amend the date previously read as Monday, March 14, 2008 to Friday, March 14, 2008 as the last day to submit warrant articles. Selectmen Potter seconded.

VOTE: Unanimous (5-0-0)

- b. Meeting with Oak Grove Cape Verdean Cultural Center Committee

Present before the board: Robert Gomes, Joan Andrews, and Attorney Del DeMiranda

Ms. Andrews stated they are working hard to raise money and appreciate all the help they have had from the community. Ms. Andrews said the address to mail donations is P.O. Box 1100, Onset, MA 02558. The website to visit is www.oakgrovecvcc.org

Mr. Gomes stated they have a committee dedicated to solicit funds from the local businesses and corporations. Mr. Gomes said grant applications are in the mail and are in the private sector and some businesses have made some promises.

Atty. DeMiranda asked for the Board of Selectmen's blessings for this project and are looking for a lease for 99 years in the sum of \$1.00

Selectman Cronan stated that Joan is unbelievable in action and stating that she should be commended for her work.

Selectman Donahue stated that she thinks that it's great to be planting a new Oak Grove Tree as symbolic and to bring the entire project together.

Micayla Lopes (Tiny's daughter) was present before the board thanking them for their support.

Selectman Sauvageau stated that donations could be made at the Town Hall and then could be forwarded. Selectman Sauvageau said that they should be congratulated with this project.

Selectman Potter stated that he is very enthusiastic about this project.

Selectman Eckstrom stated that her heart is with this project especially since she knows the history of the Oak Grove School. Selectman Eckstrom thanked them for coming before the board with their plans.

SELECTMEN/SEWER COMMISSIONERS MEETING – 2/12/2008 (CONT'D)

Selectman Sauvageau asked what they could do as a board to help with this project. Mr. Gomes said they would be having professional flyers to hand out for donations.

Selectman Potter thinks that it would be nice if somehow they could use the wood from the Oak Grove Tree in the new addition.

c. Tow List Request – Murphy's Towing Inc.

Mr. McAuliffe stated that Chip's Towing has asked to be removed from the Tow List and Murphy's Towing was looking to be added to the tow list. Selectman Potter had a concern if any other Tow company in Wareham would like to be on the list.

Present before the board: Manuel DeMiranda, Owner Discount Auto, 2648 Cranberry Highway, Wareham

Mr. DeMiranda stated that Murphy's Towing would be leasing space from him and he also has an office at that location. Selectman Sauvageau asked where the headquarters were for this business and was told in Rochester.

Selectman Cronan asked if Murphy's Towing had a business certificate in town. Mr. DeMiranda stated that they don't have one at this time.

Selectman Sauvageau asked if any Wareham business was on the waiting list after Murphy's – Mr. McAuliffe stated that he does not believe so but will check further on this. Selectman Eckstrom stated that Mr. McAuliffe would check with Chief Joyce to see if any Wareham businesses are on the waiting list and they will discuss this at the next Board of Selectmen's Meeting.

d. Discuss date for fireworks

Selectman Potter stated that he contacted the three groups that were handling the fundraising and asked if they contacted the fireworks company. Selectman Potter stated that they did contact Atlas and they were told the 4th would be a problem due to their limited number of shooters and recommended the 3rd or the 5th. Selectman Potter stated that the cost for the fireworks would be the same for all three days. Selectman Eckstrom asked about a rain date and Selectman Potter stated that no matter what date they did choose the 6th would be the rain date. Selectman Donahue suggested July 5th would be a good day. Selectman Potter stated that he would also suggest either July 3rd or July 5th.

MOTION: Selectman Sauvageau moved the board to set the fireworks date at July 5, 2008 with a rain date of July 6, 2008. Selectman Donahue seconded

VOTE: Unanimous (5-0-0)

e. Tobey Will Trust Fund

Selectman Eckstrom stated that a couple of years ago that they found out that the Susanna Tobey Will Trust fund was spent below the corpus amount that was mandated by the courts to hold. It was to have \$500,000.00 with the interest being spent under the guidelines of which the court had determined. Selectman Eckstrom stated that Susanna Tobey left the money for the town to build an asylum for needy children and the courts determined that would be low to moderate-income children for programs, buildings or facilities that help children that had a supervisor component to it and they stated the town could spend the interest. Selectman Eckstrom stated that the Board of Selectmen is the trustee and they spent \$82,000 below what they were supposed to maintain in the account. Selectman Eckstrom handed the board a handout (attached) and would like to make sure that any new Selectmen coming on board receive a copy. Selectman Eckstrom stated that she has proposed and did get an okay from the Attorney Generals office and Town Counsel and read items 1-11 (as attached).

MOTION: Selectman Donahue moved the board to adopt the plan. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

f. Any other town business

Selectman Cronan discussed bringing back to the next town meeting article 19 from the April 25, 2005 meeting to accept as a public way a portion of a street layout of Onset Avenue that was moved no action. Selectman Eckstrom said she would like to pull the tape and hear the discussion. Mr. McAuliffe stated that he already has a placeholder on the warrant for this article.

Selectman Cronan would like to have an ad placed in the newspaper stating that the Westfield ball fields are ready. Mr. McAuliffe stated that he would like to announce that the ball fields are ready and will be putting a public notice in the newspapers.

Selectman Donahue would like to thank the Massachusetts Board of Library Commissioners for granting the waiver for the Certification of the Wareham Free Library.

7. SEWER BUSINESS

a. Vote Sewer Commitment

MOTION: Selectman Potter moved the board to approve the 2nd half billing for FY' 08 Sewer User Fees in the amount of \$2,580,574.75. Selectman Donahue seconded.

VOTE: Unanimous (5-0-0)

SELECTMEN/SEWER COMMISSIONERS MEETING – 2/12/2008 (CONT'D)

- b. WPCF Superintendent to discuss fees, billing cycle, I&I, Inspection procedure and abatement.

Present before the board: David Simmons

Mr. Simmons stated that the sewer bills are scheduled to go out on February 15th. Mr. Simmons stated that in the future he will be able to get the sewer commitment to the board one month in advance however, it will not have the date of when the bills will be going out.

Mr. Simmons explained the \$1500.00 Design review and construction fee is a fee that the town charges contractors to review plans for the project they want to tie into the town sewer. Mr. Simmons said for example this applies to Wareham Crossing and the professional building near the Police station. Mr. Simmons stated that this fee would not apply to a single-family home tying into a gravity sewer with the stub on the property. It does apply to multi-unit dwellings and condo projects putting in a collection system within their property would require Mr. Simmons to review the plans to ensure they are using the right size pipe and material and if they are putting in a pumping station that it meets the criteria. Selectman Cronan asked why Wareham Crossing wasn't charged \$1500.00 for the entire project. Mr. Simmons explained for example Lowe's and Target are stand alone buildings therefore they are charged separate. Longhorn and Red Robin are also separate due to the grease trap and also the sewer design is based on seating capacity.

Mr. Simmons discussed the I&I smoke testing report from Merchants Way East to Pinehurst and Merchants Way West to Industrial Park and South Water Street, North Blvd., and Jefferson Shores, Indian Mound and Swift's Beach from the previous year and CDM has determined that 151,634 gallons per day of I&I could be removed from the waste water collection system. The estimated cost of the project is \$ 34,700.00 and some storm drains in the area need to be looked at by Municipal Maintenance. The percentage of I&I going into the system is well below the state guidelines.

Mr. Simmons stated back in May of 2007 Mr. Shah from EnerNoc came before the board with his proposal to use emergency standby power in times of brown-outs during high energy demands. Mr. Simmons stated back in May 2007 the board was going to review the contract and get back to him. Mr. Simmons stated that they would pay \$12,000-\$15,000 per year even if they didn't use it and an additional amount would be paid if they had to use the service. Mr. Simmons stated that if the board were still interested then he would start working on redoing the contract.

Mr. Simmons also updated the board on the sewer connections and stated that Rosepoint is 68% complete, Briarwood is 70% complete and Beaver Dam is at 55% completion.

8. TOWN ADMINISTRATORS' REPORT

Mr. McAuliffe stated that he attended a quarterly meeting of the Historic groups and also has been working on budget reviews and have held union negotiation meetings.

1. Smelt Regulations

MOTION: Selectman Potter moved to approve the Smelt regulations for 2008 as follows: Take SMELT from the Weweantic River between March 1, 2008 to April 1, 2008, both date inclusive for family use, subject to the following regulations. Selectman Donahue seconded

1. Limit: 36 fish per day.
2. Net Size: shall not contain more than five square feet of net surface.
3. It is understood and agreed by the permit holder that he/she will abide by all laws and regulations of the State of Massachusetts pertaining to the catching of smelt.
4. Fishing is allowed seven (7) days per week.

Application to Town of Wareham only. Permits available to inhabitants of the Towns of Wareham, Rochester, Marion and Mattapoisett.

No charge for permit.

NOTE: Land owner not responsible for any damages to person or property.

Violation or abuse of privileges hereby granted shall result in revocation of this permit, in addition to any fine incurred.

2. Upper Cape Cod Regional Technical School Budget

Selectman Potter said that he attended a joint meeting back in the Fall along with some Fin Com members and the Upper Cape School Board assured all four towns in attendance that they would not have any increase in the FY09 budget and was concerned about the \$82,030 increase. Selectman Sauvageau stated that the board is required to place this on the warrant.

3. Ethics Training

For the board's information, an Ethics Training Session has been tentatively scheduled, to be combined with Open Meeting Law and Public Records, for Thursday, March 27, 2008 at 6PM in the Auditorium

9. LIAISON REPORTS
(none)

10. ADJOURNMENT

MOTION: Selectman Sauvageau moved to enter into Executive Session to discuss strategy with respect to collective bargaining or litigation. Selectman Cronan seconded.

POLLED VOTE: Selectman Cronan– Yes
Selectman Sauvageau – Yes
Selectman Potter– Yes
Selectman Eckstrom – Yes
Selectman Donahue - Yes

11. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,
Janet Wilson
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on: March 25, 2008

Attest: ***James L. Potter***, Clerk

Date Signed: March 25, 2008

Date sent to the Town Clerk: April 18, 2008