

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

**Date of Meeting: February 5, 2008**

**Date of Transcription: April 1, 2008**

**Transcribed by: Shirley Oldfield**

### **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

James L. Potter, Clerk

Bruce Sauvageau

John P. Cronan

M. Jane Donahue

Present: John F. McAuliffe, Town Administrator

### **3. CITIZENS PARTICIPATION**

Present before the Board: Susan Ricci, Mary Lou Peyton, Marie Oliva and Jackie Lindsey who are going to be involved in the fund raising of the fireworks and that they are aware that permitting has to be done. Susan stated that she is the chairman of the Community Events Committee, they wanted to update the board and clarify some misunderstanding that may develop. There have been a lot of questions about what they are doing. She went on to say that there was an article on the town warrant. There are six applicants and the deadline for filing the applications is February 15<sup>th</sup>. Mary Lou Peyton stated that they are only interested in raising the money to purchase the fireworks, that is their sole role and that they will be contacting Atlas Fireworks. Chairman Eckstrom thanked them for stepping up on the plate and for filling in the void as the fireworks was missed last year. They will be seeking donations from the community and that there are three organizations involved to cover the whole town. Mr. McAuliffe will be getting the cost from Town departments, when the fireworks will be held, etc. Ms. Peyton suggested the 5<sup>th</sup> to prolong the holiday atmosphere and clean-up on the 6<sup>th</sup>. Chairman Eckstrom noted that Sunday would be double time for town workers for clean-up. Donations can be sent to the Wareham Fire Works Committee, c/o Town of Wareham, 54 Marion Road, Wareham. Marie Oliva, from the Cape Cod Chamber of Commerce stated that they want to promote this throughout the region, she wants the fundraiser to go beyond Wareham.

**4. CONSENT AGENDA**

MOTION: Selectman Potter moved that the Board approve the January 15, 2008 meeting minutes. Seconded by Selectman Donahue.

VOTE: Unanimous (5-0-0)

**5. LICENSES & PERMITS**

Chairman Eckstrom noted that we have received three applications for the one year round pouring license and that all three applicants are well deserving, the decision will be difficult for the board. According to the ABCC, the following criteria for evaluation in the granting of a liquor license. The list is as follows: (1) The number of existing licenses in the location (2) The views of the inhabitants in the location (3) Traffic Impact (4) Noise (5) Size of operation (6) Sort of operation and (7) Reputation of applicant. This is required to be a discretionary, qualitative analysis that does not use a point system. Chairman Eckstrom noted that she will call the establishments in alphabetical order beginning with the Onset Bay Blues Café.

Onset Bay Blues Café – appeared before the board was Grant McConnell and Bill Miller. Mr. Miller stated that he was a resident of the Onset/Wareham area. He feels that the establishment benefits the community, caters to mature audiences, and contribute to local events. The Onset Bay Blues Café is internationally known in the Blues community, they have open night mikes and feels that when they have to close for the 10 weeks it effects their income, that people are taking their business away and that they want to be here all the time and feels that the license should be granted to them.

Salerno's – appeared before the board was John Salerno and the function director, Nicole Maceli. Mr. Salerno informed the board that they host a lot of functions, many events, weddings, fundraising, that had raised over \$100,000 for YMCA, Jr. Basketball, OBA, had some family events, Onset Youth Center, The Dick Melloni Foundation, etc. They have had a lot of business meetings as well. There is a demand for a function facility to accommodate a lot of different activities. Mr. Salerno noted that they have done a lot of work to both the buildings. The view of the inhabitants of the village feel very positive with very little noise, no complaints are lodged at the Police Department. He also noted that his business is a full service facility, have many events from out of town and most of them come and stay at nearby inns. They also did the catering for Best Buy and Lowes Grand Opening. With the Function Hall open on a year round

basis, they could do a lot more functions and feel that they cannot do it without the year round liquor license. Mr. Grassia and Mr. Barrows spoke in favor for Salerno's.

Stonebridge – appeared before the board is Justin Hadley. Mr. Hadley stated that the Stonebridge provides a fine dining atmosphere, are open six days a week, have 17 employees, that the Bistro appeals to a high income bracket. He stated that he loses business because they cannot serve all alcohol. Ms. Besse and Mr. Cornish spoke in favor for Stonebridge.

Chairman Eckstrom thanked all three applicants for their presentations and that it would be a difficult decision for the Board.

Selectman Sauvageau stated that the ABCC controls the issuance of the liquor licenses and that Wareham has reached its capacity for liquor licenses. The only way to exceed the limit is to be economically zoned for that and it makes common sense to issue the license to existing business. Economic development is his primary concern although it is not on the seven criteria, but they add up to what is the best interest of Wareham in terms of its economic developments and based on that he would say specifically it is his view that the function facility and based on the criteria and Salerno's provide the best venue consistent with the seven criteria. Selectman Sauvageau also stated that they are only going to please 1/3 of the people in this issue. That our state representative along with the chairman of the board attended the senate and house conference for the five licenses and for an additional 15 licenses under the theory that you can go over the cap if you have a clearly delineated economically zone for economic development. Selectman Sauvageau stated that he will make a motion and grant the license to Salerno's.

Selectman Cronan stated that he had a question about the hearing held at the Statehouse and believes that the eight licenses were unrestricted but now he is told that the licenses are for new businesses. Discussion ensued.

Selectman Donahue feels that the existing businesses are not illegible for the available liquor license and was discussed at the hearing, they want us to identify the economic area.

Selectman Potter noted the difficult decision, that all three businesses are unique and different from each other. He noted that the Blues Café has an atmosphere for music, Salerno's is a function hall and Bistro is upscale and expanded to the water and you can get there by boat. Everyone has been able to accomodate their business and survived for several years. Of the ones that have been able to continue as it exist now and appears that all three can continue and hope to

have the opportunity to grant a full license to the other businesses. He tends to agree with Selectman Sauvageau's comments regarding the function facility, and something that is needed in the community and does bring other revenue to the community.

Selectman Donahue also feels all three are great establishments, states that 5 of the criteria fits all three applicants. She has heard of no complaints or anyone has said anything bad about any of the establishments. Going through the criterias and relating on each criteria. The basic differences of criteria 5 and 6, Function hall is larger in size Blues Café and Bistro are the same in size. In comparing the three establishments she feels that the function hall would be her choice and also mentioned that someday that they would be able to give the other applicants a full liquor license.

Selectman Cronan stated that he feels that the Blues Café would be his choice. Discussion ensued. Selectman Sauvageau made a motion based on the seven criterias that the Board will award the single all year all alcoholic beverages license to Salerno's Function Hall, seconded by Selectman Donahue. Selectman Cronan opposed.

VOTE: 4-1-0

Selectman Eckstrom thanked all the applicants for their hard work to this process and hopefully going forward they will be able to address the other issues.

NOTE: TAKING A TWO MINUTE BREAK

## **6. TOWN BUSINESS**

Establish dates for town meeting. Selectman Potter moved that the board accept the Notice of the April 28, 2008 Special Town Meeting as follows: (notice and process for calling a town meeting is attached as referenced). Seconded by Selectman Donahue.

VOTE: Unanimous 5-0-0

Selectman Potter made an announcement from the Southeastern Regional Planning and Economic Development District (SRPEDD) that there will be a meeting of the I-495 Advisory Task Force on Wednesday, February 13, 2008 at 7:00 p.m. held at 88 Broadway, Taunton, MA and the public is invited. (Meeting announcement is attached as referenced).

## **7. TOWN ADMINISTRATOR'S REPORT**

Mr. McAuliffe handed out the budget insert. A breakdown of overall revenue, etc. He will be planning some workshop nights. There is a workshop meeting planned for February 21, 2008. Meeting with Kevin Walsh on the February 20, 2008. Mr. McAuliffe will be planning a joint meeting with FinCom.

Mr. McAuliffe went on to say that he held a department head meeting, attended finance committee meeting, continued budget review process and that there are a couple of personnel matters that are ongoing that he will be updating the board later.

TGI Friday's Restaurant at Wareham Crossing. A request has been received to tie the TGI Friday's Restaurant to the town's collection system. The plan has been reviewed by David Simmons, TPCF Superintendent/Chief Plant Operator. If the board approves this request, it is recommended that the approval be with the fee structure and conditions noted. (W/S Development has already paid the Commercial Sewer Permit Fee).

MOTION: the Board to approve the sewer connection tie-in request for TGI Friday's Restaurant at Wareham Crossing subject to the following fee structure and conditions:

- Prior to backfilling, Water Pollution Control Facility Staff shall inspect all cleanouts, pipe and connections.
- Any and all cuts within existing paved roadways shall be inspected and approved by the Director of Municipal Maintenance.
- The grease trap will be pumped out three (3) months after the restaurant opens and the owner will notify the WPCF when this is to occur so staff of the WPCF can inspect the grease trap and the future pumping frequency can be determined at that time.
- A licensed drain layer will file for a sewer connection permit and the sewer connection will be inspected by the WPCF staff.
- Payment of all fees, including design review and construction inspection fee of \$1,500.00 (fee paid when plans were submitted), sewer connection fee equivalent to twice the annual sewer fee, restaurant = 1 edu/12 seats. TGIF/232 seats = 19.3 edus @ \$650/edu/year doubled = \$25,133.34.

Selectman Donahue moved that the board approved the recommended action read by Mr. McAuliffe.

VOTE: Unanimous 5-0-0

Selectman Eckstrom made a motion for discussion and seconded by Selectman Cronan. Selectman Cronan had asked if we ever find out why we need another review and inspection fee of \$1,500.00 above and beyond the fees that the developed did for the whole site and then the connection fee of \$25,000. He feels that it is a double fee. Selectman Sauvageau is requesting what the other communities are charging where the fees are in the range, that CDM could give a good range of fees, do a little comparison. Discussion ensued.

## **8. LIAISON REPORT**

Selectman Cronan stated that he received a phone call that the Cultural Center will be going before the Historic District Commission.

Selectman Potter was referring to a recent article in the Observer. Stated that he spends many hours as a selectman, liaison, attends many community events and organizations in town. He has never been called for interview and it is unfortunate that he has to take the time to correct the facts. He feels he has always been a team player, even when the Board of Selectmen was as fractured as ever and feels that making decisions means everything to him. You are always entitled to an opinion but never manipulate the facts.

## **9. ADJOURNMENT**

MOTION: Selectman Eckstrom moved to entertain a motion to enter into Executive Session for the purpose of discussing strategy with respect to litigation and to purchase, exchange, taking, lease or value of real property. Selectman Donahue seconded.

ROLL CALL VOTE: Selectman Cronan – yes  
Selectman Sauvageau – yes  
Selectman Eckstrom – yes  
Selectman Potter – yes  
Selectman Donahue – yes

VOTE: Unanimous (5-0-0)

Chairman Eckstrom stated that the Board would not be coming back into open session.

Respectfully submitted,

***Shirley Oldfield***

Board of Selectmen/Sewer Commissioners Meeting Minutes of 2/5/08 (cont'd.)

**The foregoing minutes were submitted to the Board of Selectmen/ Sewer Commissioners for their approval on April 15, 2008**

**Attest:        James L. Potter, Clerk**  
                    BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: April 15, 2008

Date copy sent to Town Clerk's Office on April 16, 2008