

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: May 13, 2008
Date of Transcription: May 14, 2008
Transcribed by: Janet Wilson

1. CALL TO ORDER BY CHAIRMAN

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

Selectmen present: James L. Potter, Chairman
Bruce D. Sauvageau, Clerk
Brenda Eckstrom
John P. Cronan
M. Jane Donahue

Also present: John F. McAuliffe, Town Administrator

2. CITIZENS PARTICIPATION

Present before the board: Liz McDonald

Ms. McDonald submitted a petition signed by the residents of Maple Springs Road asking the board to reposted the 25mph sign. Selectman Potter said they have information under the Town Administrators report.

3. CONSENT AGENDA

A. Authorization to sign bills and documents, etc.
(None)

B. Approval of April 29, 2008 Board of Selectmen's meeting minutes

MOTION: Selectman Sauvageau moved the board to accept the meeting minutes of April 29, 2008. Selectman Eckstrom seconded.

Vote: Unanimous (5-0-0)

C. Appointment/Interview to Recycling Committee

Present before the board: Barbara A. White
Ms White said she would like to bring awareness of recycling to the community and is interested in serving and always had an interest in recycling

MOTION: Selectman Sauvageu moved the board to appoint Barbara A. White, 11 Regent Avenue, Apt B, P.O. Box 245 E. Wareham, MA 02538 to the Recycling Committee to a term to expire June 30, 2011. Selectman Cronan seconded.

Vote: Unanimous (5-0-0)

4. **LICENSES & PERMITS**
(None)

5. **TOWN BUSINESS**

A. Discussion re: Harborwatch Inn

Selectman Potter stated that the Harborwatch Inn was sold last week at auction and currently the LLC is continuing to operate on the premises with an arrangement in the works that the Harborwatch will remain as a tenant to run the property. Selectman Potter stated that the board would have another update in three weeks.

B. Wareham Master Document

Selectman Potter discussed the Visioning Document and is looking for the board to bring five subjects to each meeting starting in June. The board will begin working on these subjects at future meetings.

C. Discussion re: Road Commissioner

Selectman Potter stated an issue came up recently and the term Road Commissioner was hard to find within the bylaws and charter. Selectman Potter wasn't sure if the title matters but would like to run by Town Counsel the duties and powers and start to draft some policies and procedures related to it. Selectman Eckstrom stated it was her understanding that the state law states that in a town or city it may appoint road commissioners but believes that it was an annual warrant selectmen. Selectman Potter said it's a default that they are road commissioners. Selectman Sauvageau feels there is enough precedence and asked Mr. Sanguinet to contact counsel.

D. Senior Citizen "Tax Work-off" program

Seniors over the age of 60 will be able to work up to 100 hours in different departments to get up to \$750.00 off their property taxes per year. Selectman Potter said that some towns have income guidelines and some do not. Most communities run this program from Dec 1st to Nov 30th

in which they complete the 100 hours. Selectman Eckstrom feels that the income limitations of a single member household at \$27,000 and a married annual income limitation of two or more person household at \$40,000 are rather high and thought this program was for people that need the relief. Selectman Donahue suggested having a pilot trial and limit to 20 people. Selectman Potter read the Program Policy FAQ five (5) questions (as attached). Selectman Donahue read the Program Policy (as attached). Selectman Potter read the Application (as attached). The board agreed to run a pilot with 20 participants starting with working at the beaches.

Selectmen Potter would like the board to look over the Open Space Plan before the Open Space Committee comes before the board on May 20th

Selectman Eckstrom announced the date for the Public Auction of Tax Possessions will be on May 31, 2008 at 10:00 A.M. at the Town Hall.

6. SEWER BUSINESS

A. Any other sewer business

Selectman Cronan asked when the board was going to take up the sewer issue with the sewer connection policy. Selectman Potter will be placing this on an upcoming agenda.

7. TOWN ADMINISTRATOR'S REPORT

- Received an email from the Office of the Inspector General concerning our submittal of information relative to the 40B projects in Wareham. I've enclosed a copy for you. A copy was also forwarded to Sandra Silvia, Inspections Department, and Kelly Barrasso, Conservation, because they also assisted in putting the information together.
- The State Department of Conservation and Recreation contacted us relative to space to hold public meetings for recently updated preliminary flood maps. They will be forwarded through mail and electronically hopefully by the end of the month. The meetings are being held throughout the area and since Wareham has a large population living in flood areas, they want to hold one here. The date is at the end of June, most likely the 25th, but that needs to be confirmed. I will keep the Board informed.
- Maple Springs Signage Issue. Met with Lt. Wallace, Frank Bergamasco, and Mark Gifford and spoke with Chief Joyce regarding this matter as well. I also spoke with Mr. McDonald. The chain of events as I understand them are as follows:

Lt. Wallace was approached by a resident of Maple Springs Road regarding a sign replacement. James Maxim, a resident of Maple Springs Road, and an employee of the Municipal Maintenance Department, provided a picture of a 20MPH sign that has been up there for allegedly at least nine years until plus or minus a year ago according to Ms. McDonald. Lt. Wallace discussed this sign replacement with the chief. It was agreed, as has been a recent practice, that it would be replaced with a 25MPH sign. The police find that the 20MPH zones are problematic as it is not a realistic speed. Lt. Wallace ordered the sign replacement with having the proof of a photograph. Lt. Wallace called Frank Bergamasco, who is a Foreman at Municipal Maintenance, who agreed it was a sign replacement and Frank Bergamasco directed Roger Brousseau to replace the signs. It was roughly one-half hour of Mr. Brousseau's time—two poles and two signs. Following is a breakdown of the costs associated with this, including Mr. Brousseau's time.

Selectman Sauvageau stated that he would like to request that nobody touches any signs until they come before the board. Selectman Potter would like to amend that they certainly could replace a sign if they are replacing it with the same sign. Selectman Eckstrom said she would also like to have everyone written up who was involved in putting up the sign.

MOTION: Selectman Eckstrom moved the board to have everyone involved written up for circumventing the boards authority, acting outside the scope of their authority. Selectman Sauvageau seconded for discussion. Selectman Sauvageau feels a letter of admonishment would be necessary and not a letter of discipline in anyone's file.

MOTION: Selectman Eckstrom would amend her motion for a letter of admonishment to the Town Administrator advising him to notify the effected departments. Selectman Sauvageau seconded.

VOTE: (2-2-1) Selectman Eckstrom & Sauvageau in favor, Selectman Potter & Cronan opposed. Selectman Donahue abstained.

MOTION: Selectman Donahue moved the board to have the Town Administrator provide verbal counseling to all involved and some indication that it has happened. Selectman Cronan seconded for discussion. Selectman Donahue said that the principle of this issue is you have to go through the right channels. The point is you can go around the Board of Selectmen because you can and they have and verbal counseling and a reminder that the policy makers are the board of selectmen and they need to be shown the respect that the voters have put them here to do.

VOTE: (3-2-0) Selectman Donahue, Potter & Cronan in favor, Selectman Eckstrom & Sauvageau opposed.

Discussion on replacing the speed limit sign Selectman Eckstrom suggested having the speed limit at 30mph. Selectman Donahue suggested that they put what the neighbors requested 35mph at the end and further down where it's thickly settled put a 25mph sign. Discussion ensued.

MOTION: Selectman Donahue moved the board to set the speed limit on the entire stretch of Maple Springs Road to 25 mph. Selectman Cronan seconded.

VOTE: (3-2-0) Selectman Donahue, Potter and Cronan in Favor, Selectman Eckstrom & Sauvageau opposed.

<u>Materials:</u>	<u>Unit Price</u>	<u>Cost</u>
Two (2) U-posts	\$ 3.95	\$ 7.90
Two (2) Blank Speed Limit Signs	\$13.50	\$27.00
Two Number 2's	.25	.50
Two Number 5's	.25	.50

Labor:

Roger Brousseau	\$15.94 per hour	
20 Minutes to create sign		\$ 5.40
25 Minutes to install the sign		\$ 6.75
	<u>TOTAL:</u>	<u>\$48.05</u>

As Town Administrator I also believe this was viewed upon as a sign replacement. I will turn it back over to the Board of Selectmen.

It should be noted that the date in the photograph is March 1, 1998. Included for documents on this are a complaint from one of the residents on Maple Springs Road, a response from Chief Joyce to Brenda Eckstrom, a written statement from Frank Bergamasco, and a copy of a photograph. I have the original photograph in my possession.

- The next issue is a complaint from a resident of Old Fearing Hill Road. As a follow up, I have spoken with the homeowner. There was a cease and desist given to the property owner. The property in question is being used as an on site storage of materials for water main replacement on Old Fearing Hill Road. It is expected that the storage of materials and equipment at this central location will only be until the end of the week as this section of the road is expected to be completed by May 16, 2008. At that time, this issue should also be closed.
- I attended a meeting of the Wareham Prudential Committee in response to the attached letter from the Department of Revenue regarding concerns about the District's internal procedures hampering our ability to set a tax rate. The Committee discussed some auditing work moving forward and hosting a meeting

with the Bureau of Accounts representative. We expect to work closely with the District to ensure that the Town's ability to set a tax rate will not be impacted in any fashion.

8. LIAISON REPORTS

Selectman Cronan stated that the Cape Verdean Cultural Committee meeting has been rescheduled until June 9th for the Planning Board review.

Selectman Sauvageau said that on June 25th SRPEDD will nominate four Selectman to the Metropolitan Planning Organization (MPO) and would like the consensus of the board to put his name in for the MPO membership.

MOTION: Selectman Donahue moved the board to nominate Selectman Sauvageau to the MPO. Selectman Eckstrom seconded.

VOTE: Unanimous (5-0-0)

9. ADJOURNMENT

MOTION: Selectman Eckstrom moved to enter into Executive Session for the purpose of discussing strategy to litigation. Selectman Sauvageau seconded.

Roll-call vote:	Selectman Cronan – yes
	Selectman Sauvageau – yes
	Selectman Potter – yes
	Selectman Donahue – yes
	Selectman Eckstrom – yes

10. 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 June 3, 2008

Attest: ***Bruce D. Sauvageau***, Clerk.

Date Signed: June 3, 2008

Date sent to the Town Clerk; June 6, 2008