

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: September 23, 2008
Date of Transcription: October 1, 2008
Transcribed by: Janet Wilson

A. 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 (absent)
Brenda Eckstrom
John Cronan
M. Jane Donahue

MOTION: Selectmen Donahue moved the board to have Selectmen Eckstrom serve as Clerk in the absence of Selectmen Sauvageau. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

Also present: John J. Sanguinet, Interim Town Administrator

B. CITIZENS PARTICIPATION

Present before the board: Larry Gaines
Mr. Gaines spoke about getting transportation for people who would like to attend Town Meeting. Mr. Gaines also spoke about the problems in Onset.

Present before the board: Lee Carmody
Ms. Carmody said on October 5, 2008 they would be having a voter registration table from 11:00 am to 3:00 pm..at the Town Hall parking lot

Present before the board: Joyce Silverman
Ms. Silverman spoke about the League of Women Voters

C. ANNOUNCEMENTS

1. Next meeting of the Board of Selectmen will be October 7, 2008.
2. Plant and bake sale Sat October 4, 2008 9am to 12pm Methodist meetinghouse 495 Main Street by the Wareham garden club.
3. Wareham village association will be having a fundraiser at the Wareham high school with comedian Loretta LaRoche.

D. CONSENT AGENDA

1. Authorization to sign bills and documents, etc.
2. Interview of applications to the Council on Aging Board of Directors.

Present before the board: James Eubanks

Mr. Eubanks stated that he would like to be involved with the seniors.

MOTION: Selectmen Eckstrom moved the board to appoint James B. Eubanks to the Council on Aging Board of Directors to a term to expire June 30, 2010. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

Present before the board: Donna L. Chambers

Ms. Chambers said that she has been involved with Meals on Wheels for 7 years.

MOTION: Selectmen Eckstrom moved the board to appoint Donna L. Chambers to the Council on Aging Board of Directors to a term to expire June 30, 2012. Selectmen Donahue seconded.

VOTE: 4-0-0 (Unanimous)

Present before the board: Janice M. Bamberry

Ms. Bamberry would like to be involved and enjoys the committee.

MOTION: Selectmen Eckstrom moved the board to appoint Janice M. Bamberry to the Council on Aging Board of Directors to a term to expire June 30, 2012. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

E. LICENSES & PERMITS

1. Show Cause Hearing 7:15 pm – Harborwatch Inn, Meg Kisten Anzalone, Manager, 167-171 Onset Avenue, Onset should be revoked or cancelled based upon M.G.L. c. 138, sec. 77 cessation of licensed.

MOTION: Selectmen Eckstrom moved the board to open the hearing. Selectmen Donahue seconded.

VOTE: 4-0-0 (Unanimous)

Selectmen Potter stated that Ms. Anzalone emailed the board to let them know that she would not be able to attend the hearing. Selectmen Potter stated that the board was hoping to see that the business open for the summer, extended the courtesy to the bank to allow the establishment to stay open. When the bank foreclosed they didn't ask to pledge the license. The license was held out on the

LLC and the real estate was foreclosed. The DOR contacted the town and stated they were going to seize the license as an asset due to back taxes and is going to auction the license. Selectmen Eckstrom feels the board should cancel the license. Selectmen Cronan feels the board should take the license back.

Present before the board David Wolfram

Mr. Wolfram stated the banks assumption was that once the business was foreclosed the license would come back to the town. Mr. Wolfram has been in touch with the DOR and was willing to pay the back taxes on the property to get the license. Mr. Wolfram stated that he has a business he would like to run and cannot until the license issue is resolved.

MOTION: Selectmen Eckstrom moved to close the hearing. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Eckstrom moved the board as acting in its capacity as the local Liquor Licensing Authority cancel the license issued to Harborwatch Inn, LTD under M.G.L. c, 138, sec. 77. Selectmen Cronan seconded.

VOTE: 3-0-1 (Selectmen Donahue abstained)

MOTION: Selectmen Eckstrom moved the board to request that the Town Administrator instruct Town Counsel to contact the DOR and get them involved in what is going on with Mr. Wolfram. Selectmen Cronan seconded.

VOTE: 3-0-1 (Selectmen Donahue abstained)

F. TOWN BUSINESS

1. Discussion with Wareham Land Trust on Great Neck Conservation

Present before the board: John Browning, Heidi Blythe, Bob Ford

Mr. Ford from Mass Audubon gave an overview of land protection values and what they bring to the town and an overview of the project as a whole and narrowing in on the Barker Parcel. Mr. Ford stated preserving the Barker Land is important because the land preserves water quality, wildlife habitat, and provides trail access. The Land is a key component of a larger project to protect Great Neck in which over \$8 million is being invested in the Town of Wareham (value of CR donations and purchases) The land enables Wareham to gain over \$8 million in conservation value for \$400,000 in value. Mr. Ford hopes that the board would vote to support he Barker Property project.

CDM Update – Retreat at Union Pond 40B –

Present before the board: Mike Guidice

Mr. Guidice gave a summary of Woodard & Curran evaluation and stated that they looked at last year's flow from May 07 to April 08 and stated that the BOD concentration of septage received at the plant is significantly lower than the design value. Additionally, the average daily volume of septage received at the plant during this period was less than the design flow. Based on current flows from the existing service area (including the five areas recently sewerred) the future design flows from the seven remaining areas planned to be connected to the system, the Retreat at Union Pond can be handled within the design capacity of the plant. However, this would result in no capacity for future build out in the current sewerred areas.

Discussions of CPC warrant articles

Present before the board: Nancy Miller & Sue Mellon

Ms. Mellon spoke about Article #7, #8, #9, #10, #11, and #12

Selectmen Potter asked about #9 for the sum of \$100,000 for additional cost to restore the Town Hall roof. Ms. Miller stated that an RFP has not gone out on this project yet and has been submitted to the Town Administrator. Brief discussions on warrant articles.

Selectmen Donahue wanted to congratulate the Church of the Good Shepherd on their 140th Anniversary.

Selectmen Potter stated that the Zoning Enforcement was looking for the boards help with licensing if someone doesn't adhere to the town's bylaws for signage. Selectmen Eckstrom stated that she would rather have the Enforcement Officer go out and hand out some fines.

MOTION: Selectmen Eckstorm moved the board to instruct the Town Administrator to have by October 15, 2008 a comprehensive overview of what progress has been done with three weeks of addressing the problem. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

Selectmen Potter stated they have received a letter asking the Board of Selectmen to send a letter to SRPEDD for an abbreviated traffic review at the 40B Retreat at Union Pond.

MOTION: Selectmen Donahue moved the board to send a letter to SRPEDD for a traffic review. Selectmen Eckstorm seconded.

VOTE: 4-0-0 (Unanimous)

Selectmen Potter stated that they will be having an “Open Meeting Law and Public Records Request Seminar” by Town Counsel at the Town Hall Auditorium on October 16, 2008 at 6:30 p.m. and would like the board and all board committee members to attend.

Selectmen Donahue said that Senator Pacheco would like to meet with members of the board and the Town Administrator on September 29th around 6:00 or 6:30 pm to discuss the Dam Bridge at Tremont Nail and would like to drive to see the situation with Plymouth Avenue and also the Multi Phase development by the highway.

G. SEWER BUSINESS

H. WAREHAM VISION PLAN

Selectmen Potter said the board is looking to form an Energy Committee and if anyone is interested they can apply at the Selectmen’s Office.

I. INTERIM TOWN ADMINISTRATOR’S REPORT

1. **Notice From State Lottery** – The Massachusetts State Lottery Commission has notified the Town that they are allowing non-pouring agents to access their new KENO To Go product, similar to their on-line games. This is not being provided to agents with the KENO monitors. The Selectmen have 21 days to object to the Lottery and that objection needs to be in writing.
2. **FY09 Budget and Town Meeting Warrant** – I would ask the Board to vote on as many of the warrant articles this evening as possible due to the time constraints in getting the Finance Committee Report to Town Meeting printed. The date that the printer needs the materials is Monday, October 6, 2008.

After I presented the FY09 Budget to the Selectmen on September 9, it was brought to my attention that there was a \$60,000 Scribner’s error in the Library Expense line; this discovery affected the sick leave and health insurance line. I would ask the Board to vote the amended budget attached. These errors did not affect the bottom line.

3. **Besse Park Grant** – I have included in your packet the approved proposal on the repair to the Besse Park Seawall.

4. **CEDA Attorney Approval** – CEDA Director Marilyn Wally reviewed the request for the Attorney and her memo explaining this is attached. The length for this contract is three years, which is the term on the downtown grant.

MOTION: Selectmen Donahue moved to approve the Attorney contract for CEDA presented last week with the amended date to expire September 23, 2011. Selectmen Eckstrom seconded.

VOTE 4-0-0 (Unanimous)

5. **Tihonet Mixed Use Development Project** – AD Makepeace has notified the Town that a Public Information Meeting will take place at the Carver Town Hall, 108 Main Street, Carver on Thursday September 25, 2008 at 6:00 PM to give a public status update. For further info the public is directed to contact Stacy Minihane at (508) 366-0560.
6. **W/S Development Sewer Connection** – Attached is the vote by the Board (and other materials) regarding the sewer connection for W/S Development. In March 2007 the Board authorized a sewer connection to the entire project excluding Target and Lowe's. W/S Development paid the fee associated with this connection approval.
7. **Tihonet Mixed Use Development Project** – Last week, Selectman Donahue asked about the comments made by EOEA regarding ADA rehabilitation of an old sewer line. Municipal Maintenance Director Mark Gifford has indicated that ADA did approach him and Dave Simmons regarding the use of this line. They were told that to rehabilitate and tie into that line approval by the Sewer Commissioners would be necessary.
8. **CEDA Benefits** – A question was raised regarding payment by CEDA for the benefits received by the CEDA staff. I have reviewed the notices from CEDA to the Town Accountant and all transfers have been made on a regular bases.

MOTION: Selectmen Cronan moved the board to approve the Clerk to move Polling Place #2 & #3 Hammond School and Minot Forest School to the Dudley Brown VFW. Selectmen Eckstrom seconded.

VOTE: 3-1-0 (Selectmen Potter opposed)

The Town Administrator wanted to thank the Harbormaster's staff for assisting some residents who had an emergency on the water.

MOTION: Selectmen Eckstrom moved to approve application # 32204 in the amount of \$34,080.60 to Nu-water Inc., Selectmen Donahue seconded.

VOTE: 4-0-0 (Unanimous)

I. LIAISON REPORTS

(None)

J. ADJOURNMENT

MOTION: Selectmen Eckstrom moved to go into Executive Session for the purposed of collective bargaining and litigation. Selectmen Donahue seconded.

VOTE: 4-0-0 (Unanimous)

Poll vote: Selectmen Eckstrom – Yes
Selectmen Donahue – Yes
Selectmen Potter – Yes
Selectmen Cronan – Yes

K 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: _____

Attest: _____
Brenda Eckstorm, Clerk.

Date Signed: _____

Date sent to the Town Clerk; _____