

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: November 18, 2008
Date of Transcription: November 19, 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
Brenda Eckstrom
John P. Cronan (absent)
M. Jane Donahue

Also present: John Sanguinet, Interim Town Administrator

B. CITIZENS PARTICIPATION

None

C. ANNOUNCEMENTS

Next meeting of the Board of Selectmen will be on November 20th (South Coast Rail Workshop) and December 2nd – regular meeting

MA Children's Relief's December Project for area kids

The board is looking for interested candidates/Volunteers to step forward to serve on the Charter Review Committee that will begin in January. Anyone interested should fill out a committee application

D. CONSENT AGENDA

Authorization to sign bills and documents, etc.

MOTION: Approval of the Camp, Dresser & McKee invoice number 80298774/13 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, Amendment No. 2 dated November 13, 2007 and Amendment No. 3 dated July 15, 2008 in the amount of \$134,812.00. Selectmen Donahue seconded.

VOTE: Unanimous (4-0-0)

Approval of the following minutes of previous meetings:

October 2, 2007, October 16, 2007, July 15, 2008, November 4, 2008

MOTION: Selectmen Sauvageau moved the board to approve the October 2, 2007 meeting minutes. Selectmen Eckstrom seconded for discussion for correction of a typo in paragraph two under Licenses & Permits

VOTE:Unanimous (4-0-0)

MOTION: Selectmen Sauvageau moved the board to approve the October 16, 2007 meeting minutes. Selectmen Eckstorm seconded.

VOTE:Unanimous (4-0-0)

MOTION: Selectmen Sauvageau moved the board to approve the July 15, 2008 meeting minutes. Selectmen Eckstrom seconded.

VOTE:Unanimous (4-0-0)

MOTION: Selectmen Sauvageaum moved the board to approve the November 4, 2008 meeting minutes. Selectmen Eckstrom seconded.

VOTE: 3-0-1 Selectmen Donahue abstained

E. LICENSES & PERMITS

7:15 p.m. – Application for a Common Victualler’s License by Hearthstone Associates, d/b/a COSI, 2421 Cranberry Highway, Suite 366, Wareham, MA Under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Marcia Simmons

MOTION: Selectmen Sauvageau moved the board to approve the application for a Common Victualler’s License by Hearthstone Associates, d/b/a COSI, 2421 Cranberry Highway, Suite 366, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectmen Donahue seconded.

VOTE:Unanimous (4-0-0)

7:30 p.m. - Review the earth removal permit issued to Maple Park Properties, Inc., 290 Glen Charlie Road, E. Wareham

Present before the board: Brock Tucz & Attorney Frank McGee

Mr. Tucz was before the board for the quarterly discussion regarding the conditions of his permit. Attorney McGee stated that he was informed that there was a discussion on this particular matter prior to them arriving. Selectmen Potter stated there was no discussion but a comment that someone presented the Attorney with some documents that they wanted to speak about and had submitted to the board and that the board only had one copy not five copies. Selectmen

Sauvageau stated that the board specifically stated to the party who wished to speak with the board prior to the meeting and they wouldn't speak off the record. Selectmen Sauvageau stated that the board specifically went out of their way to advise that party that they would not be engaging in any discussion. Selectmen Potter asked Attorney McGee if he was provided any documents which Attorney McGee responded that he had received a letter dated October 9, 2008 signed by a concerned resident of Maple Springs Road along with 2 DVDs which Mr. Tucs stated that one of the DVD's he was unable to play. Mr. Tucs would like for the board to clarify what they mean by queuing and brought up the issue with sweeping and stated that when he started to sweep he was contacted by Mr. Sanguinet and Mark Gifford to stop. Mr. Tucs stated that one day two trucks did come in at 8:00 a.m. and went to the wrong pit and they were sent away. Selectmen Eckstrom read into the record a letter received via email from Steve McDonough (as attached)

Present before the board: Lisa Bindas

Ms. Bindas was before the board to state she feels Mr. Tucs was violating his conditions on his earth removal permit and would like for him to use Glen Charlie Road rather than Maple Springs Road. Selectmen Sauvageau asked if Ms. Bindas would confirm what he told Attorney McGee previously about a discussion with the board prior to the meeting and that he informed her that no discussion could happen on the record without Mr. Tucs and his attorney present. Ms. Bindas confirmed that was correct. Attorney McGee stated that the person did confirm he was there and would ask for him to provide a affidavit. Selectmen Sauvageau stated that the board would also like to have a copy of the affidavit. Selectmen Donahue stated she would like to clarify that there was no discussion before the board that Ms. Bindas stood in front of Selectmen Potter and Sauvageau speaking to them and didn't address Selectmen Donahue or Eckstrom. Ms. Bindas read a letter into record (as attached). Lengthy discussion ensued.

Present before the board: Steven Coughlin

Mr. Coughlin spoke in support of the continuance of Mr. Tucs's Earth Removal Permit. Mr. Coughlin stated that he has been in the trucking business for many years and have never heard of the word queuing.

Mr. Tucs would like for the board to explain what their definition of queuing was.

F. TOWN BUSINESS

Selectmen Eckstrom would like to invite the Plymouth Carver Aquifer Committee before the board.

MOTION: Selectmen Potter moved the board to go beyond the hour of 10:00 pm. Selectmen Sauvageau seconded.

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

Selectmen Donahue would like to have the board submit a letter of support for the waiver to the Massachusetts Library Commissioners. Selectmen Donahue would also like to be notified of the date of the hearing and feels that the board should be in attendance.

Selectmen Sauvageau thanked the residents of Wareham for attending the Town Meeting.

TOWN ADMINISTRATORS REPORT

SELECTMEN BUSINESS

1. **French Avenue.** Chairman Potter had requested an analysis of French Avenue due to a complaint he received for excessive speed. Chief Joyce indicated that French Avenue is a very short road that runs to a cul-de sac and is not thickly settled. The results of the speed monitoring show 276 vehicle trips over a five day period, or approximately fifty-five (55) trips per day, with an average speed of 17.6 MPH. The Chief indicated that the lowest it could be posted would be 25 MPH.

MOTION: Selectmen Sauvageau moved to have a speed limit sign posted for 25 MPH. Selectmen Donahue seconded.

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

MOTION: Selectmen Sauvageau moved to have slow children sign posted. Selectmen Donahue seconded.

VOTE: Unanimous (4-0-0)

2. **Wareham Area Clergy Association.** On Wednesday, November 12th, I was invited to meet with the Wareham Area Clergy Association to discuss issues that they are dealing with. One of the items discussed was providing shelter for Wareham's homeless. They asked if the gym in the Multi Service Center could be used. I told them that I would look into it. The overall cost to the town would be minimal and the parishes would provide the volunteers. The shelter would only open on extremely cold nights (below 20 degrees). I will be talking to department heads, our insurance carrier and town counsel before a final decision is made. We also discussed the No Place for Hate Committee, briefly.

Selectmen Eckstrom would like some consideration into having the shelter located at the Wareham Town Hall.

3. **FY09 Tax Recap Process.** The Town has received Final Certification for its

assessments from the Department of Revenue. The next step is approval of new growth and holding the classification hearing. The Tax Classification Hearing has been advertised for December 2, 2008. It is at this hearing that the Board will decide whether or not to split the Tax Rate between residential and commercial property owners.

4. **Regionalization of Services.** The Plymouth County Commissioners notified the Town of services they offer to assist the communities in reducing their costs. These services are in the area on Electricity, Solid Waste Disposal and Public Safety Dispatch. I will be discussing these services with Mr. Gifford and Chief Joyce.
5. **Wankinco Avenue:** A hearing has been scheduled for December 2, 2008 at 7:30 PM to discuss a name change of this road for public safety issues.
6. **ABCC Hearing.** Reminder of the hearing November 19, 2008 at 11:30AM
Re.: Harbor Watch License. Selectmen Sauvageau and I will be attending along with Town Counsel.
7. **COA Director:** The Council on Aging has completed its review of the resumes and has provided me with four candidates for the director's position. I have started putting together my interview team, to include the Selectmen Liaison, a member of the COA, a COA Director from another community and myself. I hope to appoint someone by mid December. Mr. Sanguinet added that he received a letter of resignation from Jan Rushton-Smith.
8. **Forum on Municipal Management.** SRPEDD is offering a session on Municipal Management. This is being offered to hear from residents, municipal leaders and others to give SRPEDD a forum to hear issues and ideas for them to provide assistance to the communities they serve.
9. **Webster Hall.** Several issues have been raised recently regarding Webster Hall. The Town has recently received a letter indicating a possible change in manager. I would suggest the Board invite them in for a discussion of their license and decide from that discussion whether a show cause hearing is in order.
10. **FY2010 Budget:** Its time to start the FY2010 Budget process and to that I will be meeting with staff later this week to begin the process. The lean economic times will be continuing into FY2010 and I will be requesting from department heads level service budgets.
11. **Reading is Fundamental:** I would like to inform the board that I will be reading to one maybe two second grade classes on Thursday as part of the RIF program. When Selectmen Eckstrom announced this I signed up, as this is a wonderful program to get children interested in reading. I will be reading "Make Way For Ducklings" and "Mike Mulligan and His Steam Shovel."

12. **Executive Session:** I have several issues to discuss with the Board in Executive session regarding the Collective Bargaining.
13. **CEDA Director.** For your review prior to posting an advertisement, enclosed is a copy of the last job posting for this position from 2001. The board would like to revise the posting to include a Masters degree preferred.

Mr. Sanguinet stated that he was notified today that he was elected to the Massachusetts Municipal Managers Association Executive Board. The board meets monthly with the Governor.

SEWER COMMISSIONERS BUSINESS

1. **Abatement of a sewer betterment:** It has been brought to my attention that there was an error in the count for the Rose Point sewer betterments. The count originally provided to the Town Administrator and the Assessor was 236 units while the actual number was 235. I would request the board take the following action.

Recommended Action: Motion for the Board abate a sewer betterment assessed to Map 78-1, Lot 96, 38 Marine Ave, Wareham, in the amount of \$15,747.68.

No action taken the board had some questions that Mr. Sanguinet will look into.

G. SEWER BUSINESS

H. LIAISON REPORTS

(none)

I. ADJOURNMENT

Selectmen Eckstrom moved the board to enter into executive session for the purpose of collective bargaining. Selectmen Donahue seconded.

Roll call vote:	Selectmen Donahue – yes
	Selectmen Eckstrom – yes
	Selectmen Potter – yes
	Selectmen Sauvageau – yes

VOTE: 4-0-0 (Unanimous)

Note: The board will not be entering back into regular session.

J. 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 December 9, 2008

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

Date Signed: December 9, 2008

Date sent to the Town Clerk; December 10, 2008