

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: December 8, 2009
Date of Transcription: December 30, 2009
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

Selectmen Present: Bruce D. Sauvageau, Chairman
John P. Cronan, Clerk
Brenda Eckstrom
M. Jane Donahue
Walter B. Cruz, Sr.

Also present: John J. Sanguinet, Interim Town Administrator

3. JOINT MEETING OF THE SCHOOL COMMITTEE & FINANCE COMMITTEE RE: HEALTH INSURANCE TRUST AND 2011 BUDGET

Present before the board: Elizabeth Zaleski, Town Accountant

Ms. Zaleski stated in October of 2009 Powers & Sullivan was hired to conduct an audit on the Health Trust. The reason for the audit was because of a previous audit report that was conducted for the School Department adjusts the ratios, which were in deficiency. Claude Boudwin the Towns Auditor conducted the previous audit for a number of years. The preliminary report shows that there is a surplus in the Health Insurance Trust though the figures are relatively different from what Mr. Boudwin had is approximately \$2.4 million dollars. At this time the estimated surplus is \$1.8 million dollars to go back to the town and the estimated surplus to go back to the employees is \$600,000. These issues will be addressed and the DOR has also received a copy of the preliminary report since it will impact the free cash certification. Discussion ensued by both the Board of Selectmen and the Finance Committee. Ms. Zaleski spoke on how a premium holiday would work either the employees contribution would be reduced for a number of months or stopped for one month. Ms. Zaleski stated that a check cannot be cut back to the employees and would have to be reimbursed thru a premium holiday.

Discussion on the 2011 budget by Interim Town Administrator, John Sanguinet

Mr. Sanguinet explained that the Town has a \$2.1 million dollar deficit. Property taxes are expected to increase \$900,000. Local receipts have seen a steady decline each year. Mr. Sanguinet reduced estimates for interest and Medicare costs. After discussion with the Town Account the Town will have free cash but it won't be known until the Fall in 2011 therefore won't help in this budget process. The free cash will be used for the snow and ice deficit and for the stabilization fund. Department heads have been asked to potentially reduce their budgets by 6%, which will have impacts on services. In addition the school budget has been adjusted by an increase of 1% for net school spending. Mr. Sanguinet spoke about reductions such as 4-day work weeks and summer pay reductions for teachers which both would require union agreements. Also possible cuts could be adjusting the Health Plan insurance and co pays for come visits.

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

Robert Brousseau from the School Committee stated that the school only averages a 1.3% increase each year. The class sizes for 5th grade are up to 30 students, which is unacceptable. Dr. Rabinovitch stated that they are in the beginnings of listing to department heads for what their needs are. Dr. Rabinovitch stated that since the cut in administration they have asked the Police Department for an additional Resource Officer for assistance. Mr. Swett spoke about trust and stated that the school has been under funded for the past few years and education should be a high priority.

Donna Bronk from the Finance Committee stated that adjusting the Health Insurance should be looked at. Also she heard that they have eleven maintenance workers in the town and four Supervisors and things like that could be looked into. Bonnie Jean Cottuli stated that something needs to be done and the unions have to play ball and the town is going broke. Ms. Cottuli stated that having school open for 2 hours seems like a total waste of funds to have the busses run just to be open 2 hours. Mr. Trudell stated that salaries and benefits should be looked at and eliminating entire functions rather than snipping a little here and there. Dick Paulsen stated that Bonnie touched on something about retirement expenses and wanted to share a number with the pension expenses went up about \$250,000 up from \$50,000 to \$60,000, which is a significant increase.

4. CITIZENS PARTICIPATION
(none)

5. ANNOUNCEMENT
(none)

6. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.
- b. Reappointment to the Wareham Cultural Council
- c. Approval of board's November 24, 2009 regular meeting minutes
- d. Approval of the board's executive session meeting minutes of: July 7, 2009, August 25, 2009; September 1, 2009 (2); September 3, 2009; September 10, 2009; September 15, 2009; November 10, 2009; November 17, 2009 and November 24, 2009

MOTION: Selectman Cronan moved to appoint Doreen Besso as a member to Wareham Cultural Council to a term to expire no later than June 30, 2012. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of July 7, 2009. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of August 25, 2009. Selectman Cruz seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of September 1, 2009 (1st session). Selectman Cruz seconded

VOTE: 5-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of September 1, 2009 (2nd session). Selectman Eckstrom seconded

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the September 3, 2009 executive session minutes. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the September 10, 2009 executive session minutes. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the September 15, 2009 executive session minutes. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the November 10, 2009 executive session minutes. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

*** * * *The board will hold off approving the November 17, 2009 executive session minutes.***

MOTION: Selectman Cronan moved to approve the November 24, 2009 executive session minutes. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

7. LICENSES AND PERMITS

Renewal of the following Year Round Retail Package Goods Store All Alcoholic Beverages Licenses for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following Year Round Retail Package Store All Alcoholic Beverages Licenses for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

- i. Passan, Inc., d/b/a Anchor Liquors, Beau Beecy, Manager, 2360 Cranberry Highway, W. Wareham
- ii. Assinippi Liquors, Inc., Raymond Vezina, Manager, 3 Barker Road, E. Wareham
- iii. Browne's Package Street, d/b/a Browne's Liquors, Karan Johar, Manager, 135 Marion Road, Wareham
- iv. CapePaky, LLC d/b/a Capeway Package Store, Anthony Jeffrey, Manager 3187 Cranberry Highway, E. Wareham, MA
- v. Winston Enterprises, Inc., d/b/a Hilltop Package Street, 45 Sandwich Road, Wareham
- vi. The Jinjas Company, Ltd., d/b/a The Jug Shop, Adelide DePonte, Manager, 219 Main Street, Wareham
- vii. The Liquor Locker, Inc., Natwarabhai Patel, 3021 Cranberry Highway, E. Wareham
- viii. SRI OM, LLC d/b/a Mayflower Liquors, Monika Johar, Manager, 3150 Cranberry Highway, Wareham

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

- ix. Mill Pond Station, LLC , James Kane, Manager, 256 Cranberry Highway, Wareham
- x. Oak Grove Corporation, Ronald McCoy, Manager, 47 Depot Street, Wareham
- xi. Onset Village Market, Inc., Stephen Souza, Manager, 231 Onset Avenue, Onset
- xii. Pepin's Inc., d/b/a Pepin's Liquors, Mark Pepin, Manager, 2259 Cranberry Highway, W. Wareham
- xiii. D.J. Sullivan, LLC, d/b/a Sullivan Wine & Sprints, Joel Sullivan, Manager, 260 Marion Road, Wareham

Renewal of the following Year Round Common Victualer All Alcoholic Beverages Licenses for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following Year Round Common Victualer All Alcoholic Beverages Licenses for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

- i. Trova, Inc., d/b/a Bailye's Surf n' Turf, Richard O'Melia, Manager, 3056 Cranberry Highway, E. Wareham
- ii. Bay Pointe Country Club, Inc., d/b/a Bay Pointe Country Club, Michael Herron, Manager, 19 Bay Pointe Drive, Onset
- iii. Charlie's Place, Inc., Charles Nickolaow, manager, 3075 Cranberry Highway, Wareham
- iv. Pepper Dining, Inc., d/b/a Chili's Grill & Bar, Joe Costa, Manager, 2889 Cranberry Highway, E. Wareham
- v. Fan Club, Inc., Glen Justice, Manager, 2859 Cranberry Highway, E. Wareham
- vi. G.S. Corporation, d/b/a Gateway Tavern, Joseph Sauro, Manager, 371 Marion Road, Wareham
- vii. Hong Kong Island Restaurant, Inc., Henry Chan, Manager, 3035 Cranberry Highway, E. Wareham
- viii. Lindsey's Inc., Cheryl Lindsey, Manager, 3138 Cranberry Highway, E. Wareham
- ix. Little Harbor Country Club, Inc., Christine DiRienzo, Manager, 2 Little Harbor Road, Wareham
- x. Rare Hospitality International, Inc., d/b/a LongHorn Steakhouse, Patricia Garcelon, Manager, 2421 Cranberry Highway, Suite 480, Wareham
- xi. Concol Inc., d/b/a Narrows Crossing Restaurant, Robert Nawoichik, Manager, 1 Narrows Road, Wareham
- xii. 99 Restaurants of Boston, LLC d/b/a 99 Restaurant & Pub, 3013 Cranberry Highway, E. Wareham
- xiii. Stevie's B's Inc., d//a Onset Sports Resort, Stephen Beranger, Manager, 270 Onset Avenue, Onset
- xiv. Pier View Restaurant, Inc., d/b/a Stephen's Lounge, Stephen Baptiste, Manager, 201 Onset Avenue, Onset
- xv. Welch Restaurant & Lounge, Inc., d/b/a Pomodore's Restaurant & Lounge, Brian Welch, Manager, 2424 Cranberry Highway, Wareham
- xvi. Red Robin International, Inc., d/b/a Red Robin America's Gourmet Burgers & Spirits, David Pincus, Manager, 2421 Cranberry Highway, Wareham

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

- xvii. Demetrios Kalkanis d/b/a The Sail Loft, 207 Main Street, Wareham, MA
- xviii. Salerno's Inc., d/b/a Salerno's Function Hall, John C. Salerno, Manager, 196 Onset Avenue, Onset
- xix. Vel's Inc., d/b/a Vel's Restaurant, Carlton Bump, Manager, 2352 Cranberry Highway, W. Wareham

Renewal of the following Year Round Common Victualer Wines and Malt Beverages License for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following Year Round Common Victualer Wines and Malt Beverages License for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws: Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

Welch's Barnacle Bill, Inc., d/b/a Barnacle Bill's, Brian Welch, Manager, 3126 Cranberry Highway, E. Wareham

- i. Marc Anthony's LaPizzera, Ltd., d/b/a Marc Anthony's, Mark Salerno, Manager, 190 Onset Avenue, Onset
- ii. Tsika, Inc., d/b/a Minerva's Pizza Litsa Kalkanis, Manager, 257 Main Street, Wareham

Renewal of the following Year Round Club all Alcoholic Beverages License for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following Year Round Club all Alcoholic Beverages License for the year 2010, under the provision of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

- i. Wareham Lodge of Elks, #1548 Manuel J. Garcia, Manager, 2855 Cranberry Highway, E. Wareham
- ii. Cromesett Tribe #156 Improved Order of Redmen, Inc., Philip Gustafson, Manager, 745 Main Street, Wareham

Renewal of the following Year Round Veterans Club All Alcoholic Beverages License for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following Year Round Veterans Club All Alcoholic Beverages License for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

- i. American Legion, Inc., d/b/a American Legion Post #220, John Fearing, Manager, 777 Main Street, Wareham
- ii. Dudley L. Brown, Post #2846 VFW of US, Inc., Arthur Lee, Manager, 4 Gibbs Ball Park Road, Onset

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

Approve the following application of a Year Round Common Victualer Wines & Malt Beverages License to include Cordials & Liqueurs for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the Year Round Common Victualer Wines & Malt Beverages License to include Cordials & Liqueurs for the year 2010, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

- i. Hadley-Macintosh Enterprises d/b/a The Stonebridge, Justin Hadley, Manager, 5 East Blvd., Onset

Approve the following applications of Year Round Liquor Licensees to remain open until 2:00 a.m. on January 1, 2010 for New Year's Eve Parties to be held December 31, 2009, under the provisions of Chapter 138 of the Massachusetts General Laws:

MOTION: Selectman Cronan moved to approve the following applications of Year Round Liquor Licensees to remain open until 2:00 a.m. on January 1, 2010 for New Year's Eve Parties to be held December 31, 2009, under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

- i. G.S. Corporation, d/b/a Gateway Tavern, Joseph Sauro, Manager, 371 Marion Road, Wareham
- ii. Hong Kong Island Restaurant, Inc., Henry Chan, Manager, 3035 Cranberry Highway, Wareham
- iii. Salerno's Inc., d/b/a Salerno's Function Hall, John C. Salerno, Manager, 196 Onset Avenue, Onset
- iv. Wareham Lodge of Elks, Manuel Garcia, Manager, 2855 Cranberry Highway, E. Wareham
- v. Demetrios Kalkanis, d/b/a The Sail Loft, 207 Main Street, Wareham

MOTION: Selectman Donahue moved to go beyond the hour of 10:00 p.m. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

8. TOWN ADMINISTRATOR'S REPORT

FY2010 Tax Rate: The Tax Recapitulation Sheet is being reviewed by the Department of Revenue. The final tax rate for FY2010 is \$8.11. Bills are on schedule to be mailed December 31, 2009.

Contract #2 Pump Station, Connehasset Road: Wastewater staff reached the property owner of the alternative site on Mattapoissett Road. They were receptive, but suggested that the Town survey the property since the fence is not on the property line. The Town is in the process of getting the survey and the appraisal done.

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-8-09 (CONT'D)

Contract #2 Pump Station, Avenue A: Attached is the letter sent to Mr. Mclean and Mr. Eacobacci that answered the questions they asked. Mr. Sanguinet has included the letter from Mike Guidice that presents the options for this station. Due to the amount of commentary that the location of this pump station has raised, Mr. Sanguinet asked that the board re-affirm their vote.

Recommended action: Motion for the Board to affirm that the Avenue A pump station will remain on the east side of Avenue A, Map 134, Lots 1003 and 1005.

MOTION: Selectman Eckstrom moved the board to affirm that the Avenue A pump Station will remain on the east side of Avenue A, Map 134, Lots 1003 and 1005. **No second**

MOTION: Selectman Cruz moved the board to delay for one week until all parties Have been notified. Selectman Cronan seconded for discussion.

VOTE: 5-0-0 (Unanimous)

Sewer Abatement Request—Account 735769, 15 Ninth Street, Map 1, Lot 523B:

The Board is asked to approve abating this account for FY2008, FY2009 and 1st half FY10 March 13, 2006 as the home is under construction. The account will be put on hold until policy relating to this, staff was unable to find one but we are still looking. There is a past refund the Board had voted for a bill that was over two years old.

Recommended action: Motion for the Board to refund Account 735769 for FY2008, and abate for FY2009 and 1st half FY10 Sewer User Fees in the total amount of \$1,277.00.

This above will be brought up at the next meeting to readjust the figures.

Mr. Sanguinet spoke about the settlement that the Town had made with the managers group and asked that the board vote to repay those employees that were not part of that settlement the 4-1/2%.

MOTION: Selectman Donahue moved to repay the employee and stated that she believes that it was Mr. Sanguinet. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

A representative from Senator Pacheco's office will be at the Town Hall on Friday at 1:00 p.m.

9. **TOWN BUSINESS**

a. Liquor renewal certification for the ABCC

Selectman Cronan read the two businesses that failed to renew for 2010 were St. Maria S St. Geroges of Wareham, Inc. d/b/a American Pizza & Grill, 2360 Cranberry Highway, Wareham & L&W Holding,s LLC., d/b/a Wicket's Inn & Pub, 167 Onset Avenue, Onset, MA

b. Any other Town business

10. **LIAISON REPORTS**

SELECTMEN/SEWER COMMISSIONERS MEETING - 12-8-09 (CONT'D)

(none)

11. **ADJOURNMENT**

MOTION: Selectman Donahue moved to enter into executive session for the purpose of discussing strategy with respect to contract negotiations if an open meeting may have a detrimental effect on the governor's bargaining or litigation position. Selectman Cronan seconded.

Vote: Selectman Eckstrom – wasn't in the room for the poll vote
Selectman Donahue – yes
Selectman Cruz – Yes
Selectman Sauvageau – yes
Selectman Cronan - yes

12. **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: ***John P. Cronan***, Clerk

Date Signed: 1-12-10

Date sent to the Town Clerk: 1-13-10