

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: January 13, 2009
Date of Transcription: January 14, 2009
Transcribed by: Janet Wilson

1. CALL TO ORDER BY CHAIRMAN

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

2. ROLL CALL

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

Also present: John Sanguinet, Interim Town Administrator

3 CITIZENS PARTICIPATION

Present before the board: Sandra Slavin, Wareham Garden Club Officer

Ms. Slavin was before the board concerned that CDM was planning on placing a pumping station on Minot Forest property on the corner of Minot and Indian Neck. The Board stated that they would look into her concern.

Present before the board: Robert Maxim & Norman Holmes residents of Water Street.

Mr. Holmes had some concerns about his street being a public way when it's been a private way for 118 years. Mr. Maxim stated that the neighbor has pursued to have the trees cleared so that the neighbor could use her gate.

Present before the board: Cosmo Fidel

Mr. Fidel feels that the seniors should get a discount on a dump sticker.

Present before the board: Larry Gaines

Mr. Gaines said the Council on Aging is seeking volunteers to drive the elderly to their doctor appointments out of town. If anyone is interested please contact the Council on aging director.

4. CONSENT AGENDA

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

Interviews to the Charter Review Committee

Present before the board: Lawrence Gaines

Mr. Gaines has lived in the town for the past four years and after attending two town meetings and watching things go wrong he would like to step up to the plate. Mr. Gaines stated that the people in the town are not filling the desires of the Selectmen and the Town Administrator. Mr. Gaines also feels the charter is outdated and will ask the tough questions and if he sees something wrong he would like to work to correct it.

Present before the board: David Smith

Mr. Smith said that he followed the Charter Review Committee in Falmouth closely for the two years and feels strongly that he would be able to put in his two cents. Mr. Smith also stated that this committee is a very important decision committee and fully intends to do the duration and put out the time. Mr. Smith knows that one of the issues coming up would be the Board of Selectmen vs. a Mayor in which people have talked to him about and he is interested in hearing both sides.

Present before the board: Kathleen Furler

Ms. Furler has been living in the town for four years and would like to follow how the town is run and feels is very complicated for ordinary people. Ms. Fuller stated her background as a Jr. High School teacher helps with trying to simplify things so that they make sense. Ms. Furler stated that she hasn't had the chance to look at the Charter therefore, she cannot comment on what part didn't make sense.

Present before the board: Edward Pacewicz

Mr. Pacewicz has been a resident of Wareham for ten years and has not missed a town meeting. Mr. Pacewicz feels that the town meeting does not allow the town to go forward and not voting what is the best for the town but what's best for them as individuals. Mr. Pacewicz would like to look at a new type of government for the town wheather it be a mayor and councilmen or a different formation of the board and direct involvement with a full time board. Mr. Pacewicz feels the new charter should bring us well into the future.

Present before the board: Mary Ann Silva

Ms. Silva stated that when they had the committee ten years ago they asked her to come forward and she was the one that put forth the Deputy Moderator. Ms. Silva

feels that she has lots of contacts with other Town Clerk's in other communities and being in day-to-day government she feels that changes need to be made. Ms. Silva does not feel that Town meeting is destroying the government and feels that it is dictated by special interest, which can be a problem because they only represent a small minority. Ms. Silva feels we are due for a change and she has the resources to look into other forms of government to bring to the committee to see what is out there. Ms. Silva is exposed the charter daily and feels it does need to be simplified.

Approval of regular meeting minutes: January 28, 2008, February 20, 2008, March 4, 2008.

MOTION: Selectmen Sauvageau moved the board to approve the January 28, 2008 meeting minutes. Selectmen Eckstrom seconded.

VOTE: 4-0-1 (Selectmen Donahue abstained)

MOTION: Selectmen Sauvageau moved the board to approve the February 20, 2008 meeting minutes. Selectmen Cronan seconded.

VOTE: 4-0-1 (Selectmen Donahue abstained)

MOTION: Selectmen Sauvageau moved the board to approve the March 4, 2008 meeting minutes. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Approval of executive meeting minutes: July 17, 2007, August 30, 2007

MOTION: Selectmen Sauvageau moved to approve the executive session meeting minutes of July 17, 2007. Selectmen Eckstrom seconded for discussion. To correct the poll vote Selectmen Sauvageau was not present for the poll vote.

VOTE: 4-0-1 (Selectmen Sauvageau abstained)

MOTION: Selectmen Sauvageau moved the board to approve the executive session meeting minutes of August 30, 2007 and to be held until the matter is resolved.. Selectmen Eckstrom seconded for discussion..

VOTE: 4-0-1 (Selectmen Donahue abstained)

Approval of special meeting minutes: March 11, 2008.

MOTION: Selectmen Sauvageau moved the board to approve the special meeting minutes of March 11, 2008. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

5. LICENSES & PERMITS

Hearing – On the application for a new Annual Innholders All Alcoholic Beverages License by L&W Holdings, LLC d/b/a Wicket's Inn & Pub, David Wolfram, Manager, 167-171 Onset Avenue, Onset MA under the provisions of Chapter 138 of the MGL.

Selectmen Potter moved to open the hearing. Selectmen Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

Present before the board: Mr. Wolfram Wicket's Inn & Pub
Selectmen Potter stated that the latest information that he has and what has to take place is the Board will have to in the near future rescind the revocation of the original license and will have a transfer request from the DOR/previous owner to Mr. Wolfram and it will be a conditional license for 30-60 days so that he can get the bank funding. Selectmen Sauvageau read a letter from Rich Bowen, Town Counsel. The letter was dated January 13, 2009 at 3:08 p.m. (as attached) after reading the letter Mr. Wolfram stated that he feels that he has just been placed out of business. Selectmen Eckstrom would like to continue the hearing until Thursday, January 15, 2009 at 8:00 p.m. rather than make Mr. Wolfram wait until the next regularly scheduled meeting of January 27, 2009.

MOTION: Selectmen Eckstrom moved to continue the hearing to Thursday January 15, 2009 at 8:00 p.m. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Continuation from the January 6, 2009 meeting. Application for a one-day all alcoholic beverages license permit by Andrea Cannon-Tellier, 17 Colony Avenue, Bourne for a private part at the Bay Point Club, 19 Bay Pointe Drive, Onset on Saturday, February 7, 2009 from 6:00 p.m. to 12:00 p.m.

Selectmen Potter stated that the party is being moved to the other building that has a full liquor license.

Impose ruling re: Liquor License suspension for Charlie's Place, Inc., Charles Nickolaow, Manager, 3073 Cranberry Highway, E. Wareham

Present before the board: Robert & Charles Nickolaow

MOTION: Selectmen Eckstrom moved to suspend the liquor license for January 22nd, 23rd & 24th of 2009. Selectmen Sauvageau seconded.

VOTE: 5-0-0 (Unanimous)

Impose ruling re: Liquor License suspension for Concol, Inc., d/b/a Narrows Crossing Restaurant, Robert Nawoichik, Manager, 1 Narrows Road

Present before the board: Robert Nawoichik

MOTION: Selectmen moved to suspend the liquor license for January 27, 28th and 29th, of 2009. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

6. TOWN BUSINESS

Presentation of certificate to Kim Carman

Community Development Block Grant – Close out agreement

MOTION: Selectmen Eckstrom moved for the Chairman to sign the Community Development Block Grant Close-Out agreement. Selectmen Donahue seconded.

VOTE: 4-0-1 Selectmen Cronan abstained

Community Preservation Act – Green Energy Initiatives

Discussion on submitting a letter to Senate President Therese Murray requesting the filing of legislation that would amend General Laws, Chapter 44B, the Community Preservation Act. The purpose of the amendment would be to allow Community Preservation funds to be utilized for Green Energy Initiatives. The consensus of the board is to add to the letter verbiage to the letter that 10% has to be reserved for the Green Energy Initiatives.

Town Administrator's Report

SELECTMEN BUSINESS

Mr. Sanguinet will be meeting with the Capital Planning Committee on Tuesday, January 20, 2009 at 1:00 p.m.

Mr. Sanguinet will be putting together a report for the board before the next meeting on what he has on Water Street and will be contacting Town Counsel as well.

State Aid – The Governor will be cutting local aid for FY2009 and the legislature may be approving this as early as tomorrow. Since the tax rate has been set as the previous numbers a spending control will be in place to control the spending in each department.

The Friends of the Library voted a donation of \$20,000 to the Library in unrestricted funds and asked the board for a motion to accept this donation so that it can be placed in the gift account.

MOTION: Selectmen Donahue moved to accept the gift. Selectmen Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

Discussion on Bourne Sewer

Mr. Sanguinet moved to have the board approve the 3rd quarter estimate for the sewer usage bill in accordance with the IMA of \$26,179.00. – Discussion ensued and the board would like to see something in writing that Bourne agrees to the extension before voting.

1. **Wankinquoah Avenue Name Change:** The Town received a petition from residents opposing the name change for Wankinquoah Ave to Oceanside Drive. I have forward a copy to K&P.
2. **Harborwatch Inn LTD:** The Hearing for the license revocation is January 13, 2009.
3. **Cleaning Shangri-La Playground:** The Wareham National Honor Society has requested permission to clean up the Shangri-La playground on Martin Luther King Jr. Day. I have authorized this clean up.
4. **Projects for Federal Stimulus Package:** On Thursday January 8, the Town submitted six projects to be included in the stimulus package proposed by the Obama Administration. The projects were: Sewer contracts 1, 2 and 3; reconstruction of Onset Avenue, Agawam Lake Shores Avenue; and heating systems in the Town Hall, Multi-service Center, and Police Station.
5. **Special Legislation for Eight Additional Liquor Licenses:** Representative Susan Williams Gifford has indicated (verbally) that the legislation for the 8 licenses has gone to the House committee on Third Reading
6. **FY2010 Budgets:** I have begun my review of the 2010 budgets.

7. **CEC Appointment:** I received notification from CEDA that they voted to appoint Jo Jeffries as their CEC liaison. I would ask the Board to accept this appointment

MOTION: Selectmen Donahue moved to appoint Jo Jeffries as the CEDA Representative to the Community Events Committee. Selectmen Potter seconded.

VOTE: 5-0-0 (Unanimous)

8. **CEDA Grant Consultant:** Jean Connaughton and I met with the two applicants for the Grant Consultant. We recommend hiring Jennifer O'Melia to complete the CDBG grant application for the Town. A copy of her resume is enclosed. Ms. O'Melia has completed these types of grants in the past.

MOTION: Selectmen Cronan moved the board to approve the appointment of Jennifer O'Melia as a grant consultant. Selectmen Sauvageau seconded.

VOTE: 4-0-1 (Selectmen Donahue abstained)

Wareham Vision

Policy 88-02 Access to Town Counsel
Policy 88-03 Candidates for Boards, Committees or Commission
Policy 88-04 Town Owned Vehicle usage
Policy 88-05 Business Certificates
Policy 88-06 Reserve Fund Transfer Requests
Policy 88-07 Fiscal Policy Statement
Policy 88-08 Reporting on Status of Town
Policy 88-09 Submission of Town Meeting Warrant Articles
Policy 88-10 Goals & Objectives FY89 and beyond

(Selectmen Potter will be putting this off until the next visioning session and would like to point out that Policy #88-04 does state vehicles can be driven home by employees)

Any other town business

Selectmen Eckstrom stated last Saturday she attended the dedication of training ship at Mass. Maritime.

Selectmen Donahue was following up on the homeless shelters during cold weather and asked if anything has been done. Mr. Sanguinet stated that he did speak with both the insurance company and town counsel and both advised against having it and they would be in the position to lose a portion of the liability insurance and town counsel did agree to speak with the clergy and try to find another location.

Selectmen Cronan asked about an RFP for Dick Heaton regarding 40B projects. Selectmen Cronan also asked if the board had any information regarding the 815 Main Street project.

Selectmen Potter spoke about the Point Independent Yacht Club letter received.

7. **LIAISON REPORTS**

(None)

8. **ADJOURNMENT**

MOTION: Selectmen Donahue moved to enter into executive session for the purpose of litigation. Selectmen Eckstrom seconded.

Poll Vote: Selectmen Eckstrom – yes
 Selectmen Donahue – yes
 Selectmen Potter – yes
 Selectmen Sauvageau – yes
 Selectmen Cronan – yes

VOTE: 5-0-0 (Unanimous)

9. **SIGNING OF DUCUMENTS APPROVED BY THE BOARD**

Respectfully submitted,

Janet Wilson

Department Assistant

The foregoing minutes were submitted to the Board of Selectmen/
Sewer Commissioners on February 10, 2009

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

Date Signed: February 10, 2009

Date sent to the Town Clerk; February 12, 2009