

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: January 27, 2009

Date of Transcription: January 28, 2009

Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Potter called the meeting to order at 7:15 P.M.

2. ROLL CALL

Selectmen Present: James L. Potter, Chairman
Bruce D. Sauvageau, Clerk
Brenda Eckstrom
John Cronan
Jane Donahue (absent)

Also Present: John J. Sanguinet, Interim Town Administrator

3. CITIZENS PARTICIPATION

Present before the board: Tom Bicki, Charles Rowley & Howard Smith
Mr. Bicki said that they are an all inclusive group have come up with an ad-hoc committee to help develop improvements of the water quality and would like to invite the town's people to work with them.

4. CONSENT AGENDA

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

B. Issuance of certificates of appreciation

Selectmen Potter wanted to recognize the following police officers that performed CPR on two separate incidents. The following were recognized Officer Blaise, Lalli, Sergeant John Walcek, Officer Bryan Whalen, Officer Chris Smith, and Officer William Fihlman and Sergeant Doug Jacinto.

C. Interviews to the Charter Review Committee

Present before the board: Cara Ann Winslow

Ms. Winslow works with a number of municipal governments under different charges and would bring a wealth of knowledge about the Charter and implementing changes. Ms. Winslow thinks it's important that a complete and responsible review of the charter

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be done with this committee and she has read the charget and some things need to be clarified. One issue that comes up most is to clarify the day-to-day operations.

Present before the board: Peter Baum

Mr. Baum stated that he noticed problems with the Charter when the question of whom is suppose to submit the budget the Finance Committee or the Board of Selectmen. Mr. Baum stated that before making any changes he would like to ask the people involved such as the Town Administrator, Board of Selectmen and the Department Heads. Some of the weakness in the charter would be organization of the charter along with the use of proper grammar and punctuation.

Present before the board: Alan Slavin

Mr. Slavin stated that over the last three years he feels town meeting has gone in the wrong direction. Mr. Slavin said the charter has areas of gray, which leads to problems on how things work function wise. The town charter needs to be modified and some drastic changes will need to be made.

Present before the board: Patricia Rumney

Ms. Rumney said she has the time and likes to volunteer and thinks it's important. Ms. Rumney does not have an agenda for the charter and would like to look at things such as the date of the submission of the budget by the Town Administrator and possibly change the Town Meeting to be held on a Saturday. Ms. Rumney would also like to possibly see about having an in town counsel.

Present before the board: Leie Carmody

Ms. Carmody said she was stunned when she went to her first town meeting and thought that the town was dysfunctional. Ms. Carmody feels it's time to change the way the town is governed. Ms. Carmody would like to take the burden off the Selectmen and help reduce some of the anger when a decision is made that people don't like.

D. Appointment of Historical Rep to the Community Preservation Committee and the Registrar for the Town of Wareham

MOTION: Selectmen Sauvageau moved the board to appoint Angela Dunham as a member to the Community Preservation Committee (Historical Rep) to a term to expire no later than June 30, 2012. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to appoint Francis F. Carmichael, 14 Carmichael Way as a Registrar for the Town of Wareham to a term to expire no later than March 31, 2012.

VOTE: 4-0-0 (Unanimous)

E. Approval of regular meeting minutes: June 3, 2008, June 17, 2008, August 5, 2008 and August 23, 2008 (continuation of August 19, 2008 meeting) and September 16, 2008

MOTION: Selectmen Sauvageau moved to approve the meeting minutes of June 3, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of June 17, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of August 5, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of August 23, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of September 16, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

F. Approval of special meeting minutes: June 19, 2008 & July 22, 2008.

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of June 19, 2008. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectmen Sauvageau moved the board to approve the meeting minutes of July 22, 2008. Selectmen Cronan had a question on him being absent under roll call (no action was taken until the board gets some clarification)

5. LICENSES & PERMITS

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- A. Application for a Common Victualler's License by Target Corporation, 2421 Cranberry Highway, Suite 110, Wareham MA under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Paulo Alves

MOTION: Selectmen Sauvageau moved approval of the Common Victualler's License by Target Corporation, 2421 Cranberry Highway, Suite 110, Wareham MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

- B. Application from the 99 Restaurant & Pub for Change of Hours of an existing year round common victualer all alcoholic beverages license, 3013 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 138 of The Massachusetts General Laws for the year 2009

Present before the board: Todd Cordeiro

Mr. Cordeiro was looking to open one hour earlier on Sunday at 11:00 a.m. rather than noon.

MOTION: Selectmen Sauvageau moved to approve the Application from the 99 Restaurant & Pub for Change of Hours of an existing year round common victualer all alcoholic beverages license, 3013 Cranberry Highway, E. Wareham, MA under the provisions of Chapter 138 of The Massachusetts General Laws for the year 2009. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

Application for one-day all alcoholic beverages license permit by Plymouth County Teachers Federal Credit Union, c/o Ann Theberge for an open house on February 5, 2009 from 5:30 p.m. to 7:30 p.m.

(No action was taken due to the application being withdrawn)

6. TOWN BUSINESS

- A. Meeting the members of the Conservation Commission –

Present before the board: Kenneth Baptiste, John Connolly, Donald Rogers, Manny Barros and Sandy Slavin

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Discussion with the Conservation Commission – Mr. Baptiste said that usually the commission would go out on Sundays or evenings and then get together when they have something big and meet to discuss. Selectmen Eckstrom asked the board if they had any concerns with writing the decisions in which Mr. Connolly responded that most members have signed up to attend the MACC Conference on February 28th at Holy Cross College in Worcester. The Commission stated that they do try to work with applicants and engineers regarding legal issues. Selectmen Cronan let the commission know that the Board of Selectmen are there to help and work with them.

B. Town Administrators' Report

SELECTMEN BUSINESS

1. **EMS Ambulance Rates.** The Board is asked to approve minimum ambulance rates in accordance with changes in Medicare rates (not all rates have changed). The last increase the Board approved was effective February 1, 2006. Listed below are the proposed rates as well as the current rates for comparison. (BLS is Basic Life Support and ALS is Advanced Life Support, which is paramedic level services.)

Recommended action. Motion for the Board to adopt the following ambulance rate schedule effective February 1, 2009:

<u>DESCRIPTION</u>	<u>PROPOSED</u>	<u>CURRENT</u>
BLS Non Emergency	\$340.00	\$300.00
BLS Emergency	\$545.00	\$475.00
ALS Non Emergency	\$410.00	\$400.00
ALS-1 Emergency	\$650.00	\$635.00
ALS-2 Emergency	\$940.00	\$820.00
Mileage	\$ 15.00	\$ 15.00
Oxygen	\$ 60.00	\$ 55.00
Airways	\$140.00	\$140.00
IV Therapy	\$140.00	\$140.00
Defibrillation	\$140.00	\$140.00

MOTION: Selectmen Sauvageau moved to approve with the amendment of ALS-2 to be modified to \$910.00. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

2. **Gleason Family YMCA:** The Gleason Family YMCA is requesting that the Board waive the Special Events fee for their 5K-road race and the Bird Island Challenge.

The board voted no action to waive the fee for the YMCA special events.

3. **Capital Planning Committee:** The Capital Planning Committee met Tuesday, January 20, elected officers, and began the process of establishing a Capital Plan. The Committee is utilizing the intern working for the Finance Committee.
4. **Question 2 Decision:** The Town has issued several tickets relating to the question 2 Initiative on the decriminalization of marijuana. The tickets are issued by the police and paid at the Town Clerk's office.
5. **Clean up of Shangri-la Playground:** The National Honor Society delayed their planned clean up at the Shangri-la Playground due to snow and ice conditions. They will be rescheduling for the spring.
6. **CEDA Director Applications:** The Town received 30 resumes for the position of CEDA Director. I would ask for direction as to how the Board would like to proceed in the hiring process.

MOTION: Selectmen Eckstrom moved to make the Board of Selectmen the sub-committee for the search to allow to meet in Executive Session for a preliminary interview of the applicants. Selectmen Sauvageau seconded.

VOTE: 4-0-0 (Unanimous)

7. **Maple Springs Park:** I have appealed the Building Inspector's decision on Maple Springs Properties to the ZBA. I will keep the Board informed as to when the Hearing will be scheduled.
8. **Snow and Ice Budget:** I would like to update the Board on the current Snow and Ice Budget as of January 14, 2009. The current deficit is \$219,901. I would ask the Board to vote to authorize deficit spending in this account.

MOTION: Selectmen Sauvageau moved to authorize the deficit spending in the amount of \$219,901. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

9. **COA Retirement:** A long time employee of the Council on Aging will be retiring January 30, 2009. Ms. Carr worked at the receptionist desk and dispatched the GATRA Vans. Her upbeat, pleasant persona will be missed. I am working with the COA Director to reorganize this function.
10. **Town Planner Position:** I have re-advertised the Town Planner position. Scheduled to close in Mid February.

11. **Anonymous Complaint:** The Complaint received by the Board relating to activities in the Municipal Maintenance Department has been sent to the Inspector General, Plymouth County District Attorney and the State Ethics Commission.
12. **Investigation of Excessive Force:** I have been in contact with the Bristol County DA regarding the investigation of the excessive force complaint. The ADA indicated that he would have something this week.

SEWER BUSINESS

1. **FY2009 3rd Quarter Bourne Sewer Usage Billing.** I have spoken to the Town Administrator in Bourne and the Bourne Sewer Commissioners agree to the percentages in the current IMA and will continue to pay based on these percentages until a new IMA is established. The Board is asked to approve the 3rd quarter estimated FY2009 sewer bill for the Town of Bourne in the amount of \$26,179.63 for the period January 1, 2009 through March 31, 2009. This includes Bourne's share of the treatment plant and the pumping stations. It also includes septage credits for FY2007 (1,760,291 gallons/\$17,602.91) and FY2008 (1,766,208 gallons/\$17,662.08).

Recommended action. Motion for the Board to approve the 3rd quarter estimated FY2009 sewer bill for the Town of Bourne in the amount of \$26,179.63 and to commit this amount to the Town Treasurer-Collector.

MOTION: Selectmen Eckstrom moved the board to approve the 3rd quarter estimated FY2009 sewer bill for the Town of Bourne in the amount of \$26,179.63 and to commit this amount to the Town Treasurer-Collector. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

2. **CDM Sewer Design Contract, Amendment No. 4:** Attached is the Proposed Amendment No. 4 for the engineering and permitting costs associated with the alternative force main route for the Agawam Beach pumping station in the amount of \$94,000. According to CDM's estimates, it will save the Town approximately \$182,000, even with the additional costs required for this amendment.

Recommended action. Motion for the Board to approve Amendment No. 4 to Agreement dated August 15, 2006 between the Town of Wareham and Camp Dresser and McKee Inc. for Professional Design, Bidding and Construction Services, in the amount of \$94,000, and to authorize the Chairman to sign said Amendment on behalf of the Board.

MOTION: Selectmen Sauvageau moved the board to approve Amendment No. 4 to Agreement dated August 15, 2006 between the Town of Wareham and Camp Dresser and McKee Inc. for Professional Design, Bidding and Construction Services,

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in the amount of \$94,000, and to authorize the Chairman to sign said Amendment on behalf of the Board. Selectmen Cronan seconded.

VOTE: 4-0-0 (Unanimous)

C. Any other town business

Selectmen Eckstrom wanted to commend the new COA Director Marcia and Mr. Eubanks for helping find shelters for the homeless.

Selectmen Potter asked about the neon signs and enforcement. Selectmen Potter would like to schedule a joint meeting with the school committee

Selectmen Potter also stated that the town roads in town have quite a bit of potholes and would like to see them fixed soon.

Selectmen Potter stated that he along with Selectmen Eckstrom and Mr. Sanguinet attended the MMA Conference.

7. **LIAISON REPORTS**
(none)

8. **ADJOURNMENT**

Selectmen Ecsktrom moved to enter into executive session for the purpose of negotiation with non-union personnel. Selectmen Cronan seconded.

Poll vote: Selectmen Eckstrom – yes
 Selectmen Sauvageau – yes
 Selectmen Cronan – yes
 Selectmen Potter - yes

9. **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: *Bruce D. Sauvageau, clerk*

Date Signed: February 5, 2009

Date sent to the Town Clerk: February 6, 2009