

## **MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS**

Date of Meeting: March 3, 2009

Date of Transcription: March 4, 2009

Transcribed by: Janet Wilson

### **1. CALL MEETING TO ORDER BY CHAIRMAN**

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

### **2. ROLL CALL**

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

Also Present: John J. Sanguinet, Interim Town Administrator. Arrived at 7:50 PM

### **3. CITIZENS PARTICIPATION**

Present before the board: Alan Slavin  
Mr. Slavin spoke about the litter in town.

### **4. ANNOUNCEMENT**

Brush removal – Wareham Town Residents: Per order of the Interim Wareham Town Administrator, John J. Sanguinet, effective immediately, the Town of Wareham will no longer accept brush on the 1<sup>st</sup> Saturday of each month at the Municipal Maintenance Compound. Instead, the Municipal Maintenance Department will accept brush Monday thru Friday from 8:00 am to 1:00 pm at the compound located at 85 Charge Pond Road. A valid town dump sticker is required in order to dispose of the brush. For more information contact the Municipal Maintenance Department at 508-295-5300. To obtain a Wareham dump sticker call the Harbormaster's office at 508-291-3100, ext. 3113 for further information.

### **5. CONSENT AGENDA**

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

### **6. TOWN ADMINISTRATOR'S REPORT**

**Selectmen Business**

1. **Regionalization Meeting in Dartmouth:** The Dartmouth Board of Selectmen has invited us to a second Regional Summit on how the Southcoast communities can regionalize some services and purchasing in an effort to save money. It is scheduled for March 5, 2009 at 6:00PM and I plan on attending
2. **Webster Hall:** The Clermont Group, DBA Webster Hall Restaurant, is appealing the decision by the Board to revoke their license. Several business owners inquired as to the availability of this license. Until the appeal through the ABCC is final, that license is still in limbo.
3. **Minot Forest Survey:** JC Engineering is in the process of surveying the Town owned land known as Minot Forest. If residents in this neighborhood see survey work in progress this is what is happening. They will work with private property owners before working on any private property; they are asking for copies of records for those properties abutting the property.
4. **Comcast Service to Squirrel Island Road:** The Town has received notice from Comcast that it will no longer be able to provide service to several residents on Squirrel Island Road. The Road is privately owned and Comcast has been unable to reach an agreement with the owner of the property to secure an easement. The Town has no role in this issue other than as an observer.
5. **Plymouth County Teachers Federal Credit Union:** The PCT Federal Credit Union will be holding an Open House at their new offices at 2203 Cranberry Highway on March 12, 2009 from 5:30PM to 7:30PM. They need a count and have requested that RSVPs be either emailed or phoned in to their offices.
6. **District Department of Veterans Services:** As the Board is aware; the Town belongs to a regional collaborative to provide Veterans services to the Town of Wareham. The collaborative covers all of Cape Cod and Wareham. Their Annual Meeting will be held Wednesday March 5, 2009 at 2:00PM at the First Federal Credit Union Building, 66 Falmouth Road, Hyannis MA. I will be attending to vote on a budget.
7. **CZM Conservation Land Program Request for Responses:** CZM has issued an RFR (Request for Responses) for proposals for land acquisition projects consistent with the state's Coastal and Estuarine Land Conservation

Plan. This grant will assist in the identifying of priority coastal land acquisition projects.

8. **MMA Legislative Breakfasts.** There will be a breakfast scheduled in Kingston March 12, 2009. This is the next one closest to Wareham, and I plan to attend. If the Board wishes to attend, please RSVP as indicated on the enclosed notice.
9. **Code Enforcement Officer.** Interviews have been held for the temporary position of a Code Enforcement Officer for 18-months, 19 hours/week, at \$21/hr., with no benefits. I am asking that the Board approve the appointment of Charles Noyes as Code Enforcement Officer and have enclosed is his letter and resume. The appointment will be effective when Robert Ethier is back to work, which will probably be in two weeks.

The board would like to hold off on the appointment until more information can be given about the other applicants.

### **Sewer Business**

- S1 **Sewer Contract #1:** Bids for Sewer Project--Contract #1, Linwood Avenue area, were opened on Thursday, and the bids were very favorable. The low bid was \$5.5 million. This is \$3 million below the original estimate for this project. CDM is reviewing the bids and will make a recommendation for award.
- S2 **Sewer Project #1 Authorization:** In order to expedite this project, I am requesting that the board authorize me to sign the invoices and change orders for this project.
- No action was taken the board would like CDM to appear before the board to answer some questions.
- S3 **Sewer Project #1:** More good News regarding this project. The Town has received preliminary notification that this project has been awarded \$8 million in stimulus money, although I have not received final notification.
- S4 **Wastewater Plant Wind Turbine:** The Zoning Board has approved the permit to place a MET town at the Plant to study the wind. This is the first step in building a wind tower at this site.
- S5 **CDM Soil Sampling/Analysis Plan:** The Board was presented with the enclosed material at the February 17, 2009 meeting, and I believe voted in favor of going forward with the testing. However, the Board needs to

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decide if it should be an amendment or a Change Order to CDM's contract in an amount not to exceed \$8400.

**MOTION:** Selectmen Donahue moved to make a change order to CDM's contract in the amount not to exceed \$8400 for the Linwood Avenue and the pumping station soil sampling/analysis plan. Selectmen Cronan seconded.

**VOTE: 5-0-0 (Unanimous)**

7. **LICENSES & PERMITS**

Wareham Little League, Inc., c/o John G. Kelley, President, P.O. Box 614, Wareham for the use of town roads for their annual parade. The parade starts at Elm Street to Route 28 to the Little League field on Charge Pond Road.

**MOTION:** Selectmen Sauvageau moved to approve the permit for the Wareham Little League, Inc., c/o John G. Kelley, President, P.O. Box 614, Wareham for the use of town roads for their annual parade. The parade starts at Elm Street to Route 28 to the Little League field on Charge Pond Road. Selectmen Eckstrom seconded.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectmen Sauvageau moved the board to request the Town Administrator to direct the Chief to have police personnel be present for the safety during the parade. Selectmen Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

Mr. Sanguinet stated that the Collector's office would now be accepting credit card payments and the residents would be picking up the transaction fees.

Mr. Sanguinet spoke about a press release by the Police Chief and stated that his decision was based solely on fact and not political retribution as described in the Chief's release.

8. **TOWN BUSINESS**

a. Discussion with Minot Forest Committee to update the board

Present before the board: Richard Kent, Sandy Slavin, Marjorie Teitelbaum & Angela Dunham

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Mr. Kent stated they are working on a 10-year preliminary forest management plan and hope to have a copy of the survey from J.C. Engineering soon. The Minot Forest Committee has implemented a plan for selective cutting of certain areas to improve the health of the forest and to get rid of the invasive plants such as bittersweet and poison ivy. They are planning two new trails in the forest and the project has been approved by cpc and town meeting. The major current concern is the plans to have a pump house on Oak Street, which would be on forest property and the town is also considering putting a pump house at the corner of Minot Avenue and Indian Neck Road where the Garden Club has put in a beautiful garden and have also planted trees. Mr. Kent has obtained a copy of the opinion the town has received from Kopelman and Paige and feels the opinion raises more questions than answers. Mr. Kent would like the committee to be notified in advance of any projects that has any effect on the Minot Forest. Also, the committee would like to have some penalty signs for littering installed at Indian Neck Road, R.D. Stillman and one near the Minot forest school if possible. Mr. Kent would like to expand the anti-littering bylaw since it presently reads only a fine for littering on the street and would to include the wording along the street or on any property owned by the town. From time to time people put signs on the trees in the forest and would like to see the people ticketed. Recently some property was give by John Decas on the corner of Minot Avenue across from the forest the committee would like the board to consider that property to be included in the Minot Forest. Ms. Teitelbaum stated the committee is asking that the pumping station be covered in a shingled building.

- b. Discussion with the Historical Commission to update the board  
(This has been rescheduled due to an illness with one of its members)
- c. Discussion with the Census Bureau to help educate the community on the upcoming 2010 Census

Present before the board: Barbara Burgo, Partnership Specialist

Ms. Burgo stated the census is gearing up for address canvassing in the month of April and will be going to homes with handheld computers. Ms Burgo stated that is important for everyone to be counted since \$300 billion dollars per year comes back to cities and towns from the census data given to the government.

- d. Discussion of FY2010 budget with the Interim Town Administrator

## SELECTMEN/SEWER COMMISSIONERS MEETING – 3-3-09 (CONT'D)

Mr. Sanguinet has finalized the FY2010 budget. The significant points are state aid was cut by 10% by the Governor down almost \$100,000 from this year. Local receipts are reduced from 2009 to \$4,766,000.00 and further reduced the estimates for 2010 to \$4,450,000.00. Reduced the Administrative fee by another \$200,000.00. Mr. Sanguinet also has almost level funded the waster water. The Administrative Assistant to the Board of Selectmen has been placed back into the Selectmen's Salary line for approximately \$80,000.00. The Legal services will be increased from \$140,000 to \$250,000. Another increase to the budget is for snow and ice, which was increased by \$100,000. The street light item has been increased a little over \$10,000, which a bulk of this amount is for the electricity for the lights. The School department's budget has increased close to \$200,000, which brings them up to net with the additional amount that they were short. The debt in principle is down significantly the High School debt fell off the books this year which as a savings. Sick leave bonus has been increased. The health insurance line is now closer to what the claims are. State and county assessments increased by almost \$300,000 this is the assessment received from the state which was a significant increase. It's estimated a \$460,000 deficit for next years snow and ice budget. Setting aside \$80,000 for equipment purchases and \$110,000 for capital outlay and \$100,000 will be placed in the stabilization fund and \$65,000 for potential articles that may be received between now and when the warrant closes next Friday. If no money articles are received the money will be split between the capital and the stabilization fund.

### e. Any other town business

Selectmen Sauvageau was contacted by an organization asking if he attended a meeting with other board members that was not posted. Selectmen Sauvageau stated that he did attend what is being categorized as a meeting because he was ordered to be present as a potential witness and it was not a posted meeting because it didn't have to be.

Selectmen Donahue stated at the public meeting last week it was discussed that Department Heads were directed by Mr. Hartman to stop recording their time and attendance accurately. Selectmen Donahue would like this looked into.

Selectmen Donahue asked Mr. Sanguinet if he has notified the residents of Water Street of the Kopelman and Paige ruling that Water Street is a private way. Selectmen Eckstrom would like to have a copy sent to all interested parties along with Municipal Maintenance.

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Selectmen Eckstrom spoke about a letter received from District 5 Highway about the paving of Rte 28 and the town is responsible for the maintenance of the sidewalks. Selectmen Eckstrom would like to notify the local abutters about the plans to pave the highway.

Selectmen Eckstrom spoke about the Bourne Library doing a self-check out system. Selectmen Eckstrom has been told that the Literacy Program is being held at the Library when the Library is not open and was concerned since the purpose of being closed was to have no lights and heat on.

Selectmen Eckstrom spoke about the possibility of using CPC funds to purchase homes that are currently being foreclosed and have them deed restricted and then sell it for affordable housing.

Selectmen Potter needs one member to meet with Kopelman & Paige along with Mr. Sanguinet for the Cape Verdean agreement. Selectmen Cronan will be representing the board.

Selectmen Sauvageau stated the board interviewed eight (8) candidates for the vacant CEDA Director position and was very impressed with all eight candidates.

**MOTION:** Selectmen Sauvageau moved to go beyond the hour of 10:00 p.m. Selectmen Eckstrom seconded.

**VOTE: 5-0-0 (Unanimous)**

### 9. LIAISON REPORTS

Selectmen Eckstrom spoke about some problems with some people on the Clean Water Committee such as thinking that nitrogen is not an issue and would like to call some experts to come in. The Committee's mission statement states that this is a board that answers to the Board of Selectmen to review and create bylaws to maintain the clean waters in Wareham. It has been brought to Selectmen Eckstrom's attention that one of the members feels they don't answer to the Board of Selectmen. Selectmen Eckstrom would also like to have an associate member on the board.

**MOTION:** Selectmen Eckstrom would like to move the board to appoint Peter Tamagini to the Clean Water Committee as an Associate member with voting authority in the event that a member of the board is not present with a term to expire no later than June 30, 2009. Selectmen Sauvageau seconded.

**VOTE: 5-0-0 (Unanimous)**

Selectmen Potter would like for the public not to harass the committees that the board just appointed. Selectmen Potter finds it inappropriate for someone to go and give the board members a hard time. If anyone has concerns about a committee it should be brought to the boards attention.

**10. ADJOURNMENT**

**MOTION:** Selectmen Eckstrom moved to enter into Executive Session for the purpose of litigation. Selectmen Donahue seconded.

Roll Vote:	Selectmen Eckstrom	yes
	Selectmen Donahue	yes
	Selectmen Potter	yes
	Selectmen Sauvageau	yes
	Selectmen Cronan	yes

**11. 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: 3-10-09

Date sent to the Town Clerk: 3-11-09