

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

Date of Meeting: February 17, 2009

Date of Transcription: March 30, 2009

Transcribed by: Janet Wilson

### **1. CALL MEETING 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 Cronan  
Jane Donahue

Also Present: John J. Sanguinet, Interim Town Administrator

### **3. CITIZENS PARTICIPATION**

(None)

### **4. ANNOUNCEMENT**

Mass. Children's relief's Wareham Mardi Gras celebration will be held on Sunday, February 22, 2009 at Decas School from 1:00 P.M.

### **5. CONSENT AGENDA**

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

b. Signing of the local initiative application

**MOTION:** Selectman Sauvageau moved that the board accepts and authorizes the Chairman sign the Habitat for Humanity application recognizing the four units as affordable units. Selectman Eckstrom seconded.

**VOTE: 4-0-1** (Selectman Cronan abstained)

c. Interview: Energy Committee application  
Interview for Susan Noonan was rescheduled since she was not in attendance.

d. Appointments: Charter Review Committee  
Selectman Eckstrom recommend having nine (9) members to the Charter Review Committee. Selectman Donahue recommended having two (2) alternates.

SELECTMEN/SEWER COMMISSIONERS MEETING – 2/17/09 (CONT'D)

**MOTION:** Selectman Eckstrom moved the Charter Review Committee have nine (9) voting members. Selectman Donahue seconded.

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

**MOTION:** Selectman Donahue moved to add one (1) member of the Board of Selectmen, one (1) member of the Finance Committee and the Town Administrator as adhoc members. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint Mary Ann Silva as a member to the Charter Review Committee. Selectman Cronan seconded.

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

**MOTION:** Selectman Sauvageau moved to appoint Leie Carmodey as a member to the Charter Review Committee. Selectman Donahue seconded.

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

**MOTION:** Selectman Eckstrom moved to appoint Linwood Gay as a member to the Charter Review Committee. Selectman Sauvageau seconded.

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

**MOTION:** Selectman Cronan moved to appoint Michael Jones as a member to the Charter Review Committee. Selectman Sauvageau seconded.

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

**MOTION:** Selectman Potter moved to appoint Edward Pacewicz as a member to the Charter Review Committee. Selectman Sauvageau seconded.

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

**MOTION:** Selectman Sauvageau moved to appoint Lawrence Gaines as a member to the Charter Review Committee. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint John Houton as a member to the Charter Review Committee. Selectman Cronan seconded.

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

**MOTION:** Selectman Sauvageau moved to appoint Alan Salvin as a member to the Charter Review Committee. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint David Smith as a member to the Charter Review Committee. Selectman Cronan seconded.

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

**MOTION:** Selectman Doanhue moved to keep the remaining applicants on file in case alternates are needed. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Sauvageau moved the nine (9) members of the Charter Review Committee to be Leie Carmody, Lawrence Gaines, Linwood Gay, John Houton, Esq., Michael Jones, Edward Pacewicz, Alan Slavin and Mary Ann Silva and David Smith

**MOTION:** Selectman Sauvageau moved to have Selectman Eckstrom as the alternate Board of Selectmen member to the Charter Review Committee

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

**6. TOWN ADMINISTROR'S REPORT**

**SELECTMEN BUSINESS**

**1. FY2009-FY2010 BUDGETS:**

Mr. Sanguinet stated that the FY2009 budget it not looking good since November the economy has continued to fall and this is having a drastic effect on the town's receipts. Changes since the November revenues are Motor vehicle excise tax down \$300,000 than projected, licenses and permits are down \$80,000 fees will be down close to \$100,000 penalties and interest will be down close to \$150,000 and all other local receipts will be down close to \$170,125.00 which is a reduction of \$653,000 since his November numbers. The Governor cut local aid on January 28<sup>th</sup> reducing our FY09 local aid payment by \$240,000 this will reduce local receipts as an overall reduction in the FY09 budget since November of another \$893,000. This makes the overall FY09 reductions in the operating budget alone \$1,726,000.00. In order to offset these reductions he will be looking at Personnel reductions either wages, furloughs or layoffs totally approximately \$240,000. Mr. Sanguinet stated the wage reduction would be 15% and the furloughs would be 10 days and he hasn't started to look at layoffs yet. Mr. Sanguinet will attempt to avoid layoffs at this time. Wages and furloughs are just a temporary fix to get the thru July 1,2009. In addition to some of the corrections Mr. Sanguinet will make he will be using a portion of the Finance Committee reserve account to cover some of budgets such as the legal budget and the sick leave buy back and will use a little more of the health insurance trust by \$100,000 there are other items totally about \$50,000 and the average annually about \$365,000 in turn backs and that will be used to offset. Mr. Sanguinet spoke about the FY2010 budget even with the additional \$1.1. Million SBA plan that the town will be receiving and the \$1,630,000.00 of debt retirement from the High School debt our FY2010 revenues will only be increasing by another \$300,000. Mr. Sanguinet's FY2010 budget is up only \$100,000 to \$200,000 over this years budget and health insurance payment will only increase about 5% and the retirement contribution could increase as much as 3% or over \$300,000 to \$400,000. Also, realistically setting the snow and ice and legal budgets to be increased by \$92,000 and the increase in the legal budget will be \$110,000 and that will place the snow and ice budget at \$175,000 and the legal budget at \$250,000. Additional increases in the budget are the Wareham

Public Schools and the Upper Cape Cod Regional School the increase in these two budgets is \$433,000. The Wareham Public schools will be increasing by \$262,000 and the Upper Cape Cod Regional School will increase by \$171,000 there was an increase of 20 students which caused the increase. In addition to the \$433,000 there is \$740,000 going towards reserves and one-time items. Appropriated \$100,000 each for capital and transfer to the stabilization fund \$75,000 for equipment purchases and \$65,000 for other items that may come up during the budget process in addition we are facing a \$400,000 FY2009 snow and ice deficient. In 2011 state aid will not increase local receipts may remain steady but not anticipated to increase. Minimal debt retirement and the \$1.1 million SBA payment received in 2010 will be gone. The retirement payment could be up to \$400,000.

2. **TREE REMOVAL REQUEST:** Enclosed is a copy of the response sent to the Main Street residents who had requested that a tree be removed. As stated, there is no reason to take this action unless the Board feels differently.
3. **GATRA FUNDING UPDATE:** Frank Gay, GATRA's Administrator, is asking the Board to contact our legislative delegation concerning the unfair distribution of Regional Transit Authority funds to the MetroWest RTA. Their funds have been increased at the expense of the other state RTAs, including GATRA, which will have a serious impact on Wareham's program.
4. **US POST OFFICE:** We have received a notice that the USPS will be conducting an Area Mail Processing study of the Cape Cod facility, with possible consolidation of some operations into the Providence center. They will be soliciting comments and possibly holding a public meeting to allow input from the community. They will notify us when any the public meeting will be held.
5. **MATTAPOISETT BIKE PATH.** An invitation to the Mattapoisett Bike Path Ribbon Cutting Ceremony has been received and is extended to include the Board, Bike Path Committee members, and Friends of the Bike Path. A formal invitation will go out later when plans are finalized. It is scheduled for Friday, April 17, 2009.
6. **LIBRARY WAIVER.** We have been notified by the Board of Library Commissioners that our request for a waiver has been denied. Wareham is one of the seventeen communities unable to achieve certification.
7. **SCHOOL COMMITTEE:** The Board has received a letter from Dr. Barry Rabinovitch, Superintendent of Schools, concerning the requested joint meeting with the School Committee and the Board. They are unable to make the meeting on February 19, 2009, but are available March 12, 2009 if that is acceptable. Dr. Rabinovitch also sent along some information relative to use of the school facilities and grounds for the Board.

## SEWER BUSINESS

1. **SLUDGE REPORT:** Enclosed is a sludge report from David Simmons, WPCF Superintendent, for 2008.
2. **FECAL COLIFORM VIOLATION:** The WPCF exceeded the maximum daily limit for fecal Coliform February 6, 2009. There are no answers at this time as to why this occurred but the situation is being reviewed to find a solution.
3. **CDM PROPOSAL:** Enclosed is a Proposal Sampling/Analysis Plan from CDM relative to the Linwood Avenue Pumping Station/Force Main soil sampling. This is a not-to-exceed \$8,400.00 contract, and does not include evaluation of alternatives or recommendations for handling contaminated soils, if any, nor any changes to the design of the Linwood Avenue Pumping Station/Force Main. If the Board proceeds with this study, it could be as an amendment to the sewer design contract or a separate agreement with CDM.

**MOTION:** Selectman Eckstrom moved to approve the testing around the pump station. Selectman Donahue seconded.

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

**7. LICENSES & PERMITS**

- a. 7:15 p.m. Hearing – On the application of Gateway Enterprises d/b/a Marion Auto Sales, 370 Marion Road, Wareham for a Class II License under the provisions of Chapter 140 of the Massachusetts General Laws.

**MOTION:** Selectman Donahue moved to open the hearing. Selectman Donahue seconded.

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

Present before the board: Richard McNair & Nancy Nowick Newberg  
The board made aware to Ms. Newberg that Mr. McNair now owns the license and if he does choose to move the location elsewhere he does have the right. The board advised Ms. Newberg that in order to retain the license at her location it would need to be transferred back to her if Mr. McNair no longer wished to lease the space from them. The license would need to be transferred back to her before the business fails.

**MOTION:** Selectman Sauvageau moved to close the hearing. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Sauvageau moved the board to approve the application of Gateway Enterprises, d/b/a Marion Auto Sales, 370 Marion Road, Wareham, for a Class II License under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Eckstrom seconded for discussion and asked for the motion to be changed to approve the application for a transfer of a Class II License. Selectman Sauvageau amended.

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

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- b. Application for a Common Victualler's License by Melody Landry, d/b/a Swan Hill Spa & Salon, 330 Main Street, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws.

Present before the board: Melody Landry and Tom Hurrie

Ms Landry stated services that are provided include, hair, nails, facials, massages and they are a full service salon and spa. They are planning on serving light lunches such as soups and sandwiches Tuesday –Saturday from 11:30 am to 4:30 pm.

**MOTION:** Selectman Sauvageau moved to approve the application for a Common Victualler's License by Melody Landry, d/b/a Swan Hill Spa & Salon, 330 Main Street, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Cronan seconded.

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

**7. TOWN BUSINESS**

- a. Temporary increased resident population of the Town  
Item was placed on hold until next meeting

- b. Any other town business

Selectman Potter stated that the board received a letter from the Library Board of Commissioners stating that the Library will be losing certification. Selectman Donahue stated that they are authorized to give up to 65 waivers. Selectman Donahue stated that she did go and speak along with Selectman Eckstrom, the Town Administrator and the acting Library Director and a member of the community before the Library Board of Commissioners and they were more empathetic than what the tone of the letter they just sent.

**MOTION:** Selectman Donahue moved to appeal the decision of the Massachusetts Board of Library Commissioners and send the appeal to the legislatures and Governor Patrick. Selectman Cronan seconded for discussion. Selectman Cronan wanted someone to print in the local newspapers the overages spent at the Library.

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

Selectman Donahue spoke with Bree from Ella's regarding the BYOB policy and Bree stated that she has been in contact with surrounding communities and found that they also don't have BYOB policies. Selectman Donahue called the ABCC and they stated that no way they could allow the policy.

Onset Community watch Board of Directors was sent a letter from Mr. Sanguinet inviting them to attend a meeting with the Police Chief, Crime Watch and the Interim

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Town Administrator to discuss plans for the parking enforcement for the 2009 summer season. Selectman Sauvageau would like to have this discussion in an open meeting. Selectman Potter would like to have the meeting held on March 3, 2009 and asked Mr. Sanguinet to invite them.

Selectman Cronan would like to see the Senior Work off program expanded.

Mr. Sanguinet has stated that he had discussions with the Municipal Maintenance Director and with the boards approval he has instructed him not to send out plows unless we have 4" of snow on the ground for the remainder of this year. Over the summer months he will be putting in a place a policy on snow and ice removal similar to other communities.

8. **LIAISON REPORTS**

None

9. **ADJOURNMENT**

**MOTION:** Selectmen Eckstrom moved to adjourn and enter into executive session for the purpose to discuss strategy with respect to litigation. Selectmen Donahue seconded.

Poll vote:	Selectmen Eckstrom	yes
	Selectmen Donahue	yes
	Selectmen Potter	yes
	Selectmen Sauvageau	yes
	Selectmen Cronan	yes

10. **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: 4-14-09

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

Date Signed: 4-14-09

Date sent to the Town Clerk: 4-21-09