

## MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: June 2, 2009  
Date of Transcription: June 3, 2009  
Transcribed by: Janet Wilson

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

Chairman Sauvageau called the meeting to order at 7:10 p.m.

### **2. ROLL CALL**

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

Also Present: John J. Sanguinet, Interim Town Administrator

### **3. ONSET CREATIVE ARTS ASSOCIATION**

The creative arts were before the board to gather handprints for a mosaic that would include the Wareham seal along with the Wareham creative arts logo.

### **4. CITIZENS PARTICIPATION**

Present before the board: Jim Eubanks, COA Board of Directors  
Mr. Eubanks stated they would be having healthy lifestyles fair on June 20<sup>th</sup> and would like to invite everyone to attend. Mr. Eubanks is looking for volunteers and if anyone is interested they can call 508-291-3130.

Present before the board: Jackie Lindsey, Mary Crowley & Mary Lou Payton  
The fireworks are scheduled for July 4<sup>th</sup> in Onset and Sam Corbitt has been taking care of gathering the necessary permits. Ms. Payton stated they have raised \$14,000 and the goal is \$20,000 and she urged people to donate. Ms. Lindsey said they would be selling t-shirts to raise money.

Present before the board: Jim Newman  
Mr. Newman thanked Selectman Sauvageau for his speech at the Memorial Day Ceremony and also thanked Selectman Donahue for marching in the parade.

### **5. ANNOUNCEMENT**

Menders, Torrey & Spencer will present the final results of the use study for the Tremont Nail Factory Thursday, June 4<sup>th</sup> at 6:30 p.m. located at the Town Hall Cafeteria.

Selectman Sauvageau wanted to speak about the computer audit that is ongoing and stated that Mr. Sanguinet has put out a press release and would not go further into the details of the audit. Selectman Sauvageau stated it was a lawful audit and it's something that the private sector does on a regular basis and it's not shocking or surprising where he comes from in terms of what he does for work. This has not been a regular event in the Town of Wareham and one of the recommendations the board will be making in their final report is that the board makes a policy about computer use town wide. There will be several obvious recommendations that will be coming forth at the conclusion. Selectman Sauvageau mentioned the reason for this statement is that newspaper articles reported in the Standard Times that in his opinion has been completely baseless and wanted to correct the record of a couple of key points. The first article was labeled board copies residential private data with respect to the assessor's files and records and according to the assessor and Mr. Sanguinet's conversations directly with him he has no objection and nothing of the nature that was reported was either copied, recovered or searched and residents should be assured that their private information was in no way accessed and in no way would be used for any particular purpose. This is an employer auditing it's own systems to see basically if our employees are in compliance with their use and we are not searching for private data nor would we ever use that data for any purpose. As far as the next example the title was performs illegal search on library computers I will state again this is not an illegal search this is perfectly legal and lawful. Selectman Sauvageau hopes that all departments will cooperate fully. It was stated that technicians stated to library staff that the Board of Selectmen specifically was looking for our names or something related to their names in the computer activity. The technicians working for this audit firm signed a confidentially agreement and in no way any employee of that firm would have made ludicrous statements and finds is offensive that it was printed in the press as if they were factually statements. The results and findings of that audit will be published fully there is nothing to hide and it will be included in the town report as is required. The Board of Selectmen will issue a separate report and stated they had full cooperation from the Town Administrator with the assistance and advise of Town Counsel and this was done in a lawful and respectful manner.

**6. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Approval of Selectmen's meeting minutes: April 21, 2009 & May 12, 2009.
- c. Reappointments to: CEDA, Constables and Board of Health.

**MOTION:** Selectmen Cronan moved the board to approve the meeting minutes of April 21, 2009. Selectmen Cruz seconded.

**VOTE:** 3-0-1 (Selectman Donahue abstained)

**MOTION:** Selectmen Cronan moved the board to approve the meeting minutes of May 12, 2009. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

Reappointments to: CEDA, Constables & Board of Health

**MOTION:** Selectmen Cronan moved to appoint Sandra Besse as a member to the Community & Economic Development Authority to a term to expire no later than June 30, 2012. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Gregory S. Kamon as a Constable for the Town of Wareham to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Robert Tirrell as a Constable for the Town of Wareham to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Robert E. Short as a Constable for the Town of Wareham to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Richard J. Coletti as a Constable for the Town of Wareham to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Charles T. Devlin as a Constable for the Town of Wareham to a term to expire no later than June 30, 2010. Selectmen Donahue seconded

**VOTE:** 4-0-0 (Unanimous)

**MOTION:** Selectmen Cronan moved to appoint Herve W. Vandal, Jr. as a Constable for the Town of Wareham to a term to expire no later than June 30,

2010. Selectmen Donahue seconded

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectmen Cronan moved to appoint Guy S. Campinha, Sr. as an Associate member to the Board of Health to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE: 4-0-0 (Unanimous)**

**MOTION:** Selectmen Cronan moved to appoint Diane E. Allen as an Associate member to the Board of Health to a term to expire no later than June 30, 2010. Selectmen Donahue seconded.

**VOTE: 4-0-0 (Unanimous)**

The board mentioned that they will wait to reappoint a full member of the Board of Health until all selectmen are present.

7. **LICENSES & PERMITS**  
(none)

8. **TOWN ADMINISTRATOR'S REPORT**

**SELECTMEN BUSINESS**

**Drainage Easement 32 Weaver Street:** The Town has a drainage easement through (as is appears on the map) the garage at 32 Weaver Street. In actuality, the pipe skirts around the garage and the easement under the garage is not necessary, as there is nothing under ground for the easement to protect. Mr. Sanguinet asked the Board vote to abandon this easement so the property owner can obtain a clean title.

**Recommendation:** Motion to abandon the existing 10' wide easement on 32 Weaver Street. Further, that the Board Vote to accept a new easement on the property, shown on the plan as proposed easement, which will be registered at the Plymouth County Registry of Deeds and to vote to sign the Mylar as presented.

**MOTION:** Selectmen Cronan moved the board to abandon the existing 10' wide easement on 32 Weaver Street. Further, that the Board Vote to accept a new easement on the property, shown on the plan as proposed easement, which will be registered at the Plymouth County Registry of Deeds and to vote to sign the Mylar as presented. Selectmen Donahue seconded.

**VOTE: 4-0-0 (Unanimous)**

**Westfield Project:** Mr. Sanguinet asked that the Board approve usage of the Affordable Housing Trust funds. Mr. Heaton has met the obligations as outlined in

SELECTMEN/SEWER COMMISSIONERS MEETING – 6-2-09 (CONT'D)

the agreement and has invoiced us for \$28,243.63. Mr. Sanguinet will forward to the Board an amendment to this agreement to continue the project moving forward.

**Recommendation:** Motion to approve the appropriation of funds from the Affordable Housing Trust to pay H&H Associates for Consulting Services for the Westfield Project in the amount of \$28,243.63.

**MOTION:** Selectmen Cronan moved the board to approve the appropriation of funds from the Affordable Housing Trust to pay H&H Associates for Consulting Services for the Westfield Project in the amount of \$28,243.63. Selectmen Donahue seconded.

**VOTE: 4-0-0 (Unanimous)**

**GASB 45 Actuarial Report:** In April Mr. Sanguinet received the Actuarial report relating to GAS 45 from Primoris Benefit Advisors, Attached is the summary letter and Mr. Sanguinet have provided the same to the Finance Committee. The Study showed that the town has an \$83.051 Million Dollar un-funded health Insurance liability, based on current employment and current retirees, if all employees live their potential life expectancy. Eventually the Town will need to look into funding this liability; the Government Accounting Board will be issuing a future standard that will outline funding of this issue.

**Memorial Day Weekend:** Mr. Sanguinet commended the staff at the Municipal Maintenance and Mr. Gifford for the work they performed prior to Memorial Day Weekend to ensure that the cemeteries were in good condition. In his review and opinion they did an outstanding job.

**Senior Work-off Program:** The senior parking attendants started Memorial Day weekend and will continue weekends until school lets out then they will start a daily schedule. According to Marcia Griswold, we need more volunteers, so the Town Administrator asked if there was any senior willing to sit at the beaches contact the COA. This would allow for a credit on your real estate taxes.

**Town Accountant Position:** Mr. Sanguinet began the process of interviewing for the Town Accountant position and hopes to have selected someone by the end of the week.

**Webster Hall Hearing:** The Hearing for Webster Hall has been rescheduled to Wednesday, June 3, 2009 at 11:30AM. The Hearing is at the ABCC office at 239 Causeway Street in Boston.

**Flood Plain Maps:** Recently Mr. Sanguinet met with a concerned resident relative to Flood Plain maps. They are being revised for Wareham and any residents interested in reviewing the maps may do so at the Inspectional Services Department. They may also make comments for submittal to the FEMA prior to their finalizing the maps. He will also be discussing the maps with Mr. Misiaszek to see if the Town needs to provide any comments prior to submittal.

### SEWER BUSINESS

- S1. **Sewer Abatement Request – Account 735270, 53 South Boulevard, Map 1, Lot 15A:** The Board is asked to approve abating this account for four months of 2<sup>nd</sup> half FY09 Sewer User Fee in the amount of \$584.00 for 2 EDUs. The account was abated October 7, 2008 but was not put on hold. It has been verified that the water line was cut and capped March 26, 2008.

**Recommended action:** Motion for the Board to abate Account 735270 for 2<sup>nd</sup> half FY09 Sewer User Fee in the amount of \$584.00.

**MOTION:** Selectmen Cronan moved the board to abate account # 735270 for the 2<sup>nd</sup> half FY09 Sewer User fee in the amount of \$584.00. Selectmen Cruz seconded.

**VOTE: 3-0-0** (Selectman Donahue not present during vote)

- S2. **Sewer Abatement Request – Account 735811, 58 West Boulevard Off, Map 1, Lot 684B:** The Board is asked to approve abating this account for 1<sup>st</sup> half FY09 Sewer User Fee in the amount of \$243.30. The water was shut off September 5, 2007. The abatement covers September 2008 through January 31, 2009.

**Recommended action:** Motion for the Board to abate Account 735811 for 2<sup>nd</sup> half FY09 Sewer User Fee in the amount of \$243.30.

**MOTION:** Selectmen Cronan moved the board to abate account # 735811 for the 2<sup>nd</sup> half FY09 Sewer User fee in the amount of \$243.30. Selectmen Cruz seconded.

**VOTE: 3-0-0** (Selectman Donahue not present during vote)

- S3. **Sewer Abatement Request – Account 736981, 8 Commonwealth Avenue, Map 13, Lot 1031A:** The Board is asked to approve abating this account for 2<sup>nd</sup> half FY09 Sewer User Fee in the amount of \$292.00. The account was abated October 7, 2008 but was not put on hold. It has been verified that the water service is not available to this property.

**Recommended action:** Motion for the Board to abate Account 736981 for 2<sup>nd</sup> half FY09 Sewer User Fee in the amount of \$292.00.

**MOTION:** Selectmen Cronan moved the board to abate account # 736981 for the 2<sup>nd</sup> half FY09 Sewer User fee in the amount of \$292.00. Selectmen Cruz seconded.

**VOTE: 4-0-0 (Unanimous)**

9. **TOWN BUSINESS**

a. Introduction of CEDA Director – Chris Reilly

Present before the board: Chris Reilly & CEDA board members  
Selectman Sauvageau welcomed Mr. Reilly to the town as the Community & Economic Development Authority Director. Mr. Reilly introduced himself and went over the previous job experience and stated that he is looking forward to working as a team with the Board of Selectmen to achieve mutual goals.

b. Discussion with Dick Heaton

Mr. Heaton was before the board updating them with an agenda time for Westfield review. Mr. Heaton went over the proposed schedule for issuing and reviewing the RFP. Mr. Heaton would like to have the draft RFP posted on the website immediately and post the final RFP on the web site on June 12<sup>th</sup> and publish the RFP in Central Register on June 17<sup>th</sup>. On July 8<sup>th</sup> he would like to have a bidders conference and site visit along with Mr. Sanguinet and Mr. Reilly. Response to RFP due at the Town Hall by July 30<sup>th</sup> and would recommend that the board create an evaluation committee. Review of responses by August 7<sup>th</sup> and presentation to the Board of Selectmen on August 14<sup>th</sup> and have the Board of Selectmen select a Developer by August 28<sup>th</sup> and by September 7<sup>th</sup> submit the articles for the warrant for the October 26<sup>th</sup> Town Meeting. The three key dates Mr. Heaton was looking for approval from the board was issue the final RFP on June 12<sup>th</sup> get responses by July 30<sup>th</sup> and target review at the town meeting at the end of October.

**MOTION:** Selectmen Cronan moved to approve the following dates: Issue the final RFP on June 12<sup>th</sup>, get responses by July 30<sup>th</sup> and target review at the town meeting at the end of October. Selectmen Donahue seconded.

**VOTE: 4-0-0 (Unanimous)**

c. Discussion re: 40B – Stephen Kelleher Architects

Present before the board: Nazih Elkallassi, Stephen Kelleher, and Ed Sergeant

Mr. Kelleher stated that he was looking to team up with Nazih and is interested in the possible future for housing adjacent to Agawam Village. Selectman Sauvageau suggested that they contact the Housing Authority immediately since the board has no jurisdiction over the Housing Authority. The site plan is for approximately twelve (12) units but not less than eight (8) units of subsidized one and two bedroom rental units. They will be back before the board once they speak with the Housing Authority.

d. Any other town business

Selectman Sauvageau stated that he has regularly scheduled meetings with Mr. Sanguinet every Monday morning at 9:30 a.m. and any single member of the board is invited to attend the meetings. One item discussed was a matter of licensing since previously license renewals were being signed by the previous Town Administrators on behalf of the board. There is a provision for five (5) signatures on those renewals. Selectman Sauvageau stated that in his opinion the board should do the signing since they are the issuing authority.

Selectmen Sauvageau would like to start holding Visioning sessions and would begin scheduling those meetings.

**10. SEWER BUSINESS**

a. Discussion with Mike Guidice, CDM

Mr. Guidice went through the status of the contracts. Contract #1 began construction the 2<sup>nd</sup> week of May and currently they have two crews working one crew starting at Bayside Ave and Parkwood Beach heading towards Ivy Street it was slow going with issues of de-watering and they have since turned up Ivy towards Parkwood. The 2<sup>nd</sup> crew had completed the force main that would tie the Parkwood beach pumping station into the Oak Street area. They have completed the force main on Indian Neck Road and that crew has since moved over to Oak Street down towards the boat ramp heading towards Indian Neck. They will have a 3<sup>rd</sup> crew starting on Monday with the intent to start at Linwood Avenue about half way down the street where the pumping station will be located and heading towards the cul-d-sac. Notices have been put up on the town website. One issue that had come up during the first few weeks of construction since this project qualifies for stimulus funds one of the provisions of that stimulus package was a “*Buy American*” clause and as they talked about previously they didn’t find out that this project made the list for stimulus projects until the night before opening bids so they were not able to include those provisions in the documents and there was some concern what the provision would mean. In the end EPA passed a waiver for anyone that had starting the bidding process prior to



passage of the stimulus bill on February 17<sup>th</sup>. They did receive a waiver for the “*Buy American*” clause for this project. The Contractor did go out during the first couple of weeks of the project and actually buy some American made pipe. They didn’t want to risk installation of non-American pipe had that waiver didn’t actually go through. Mr. Guidice updated the board on appraisals and easements and that he did speak with Mr. Duchanes earlier today and he informed him that all easements have been recorded at the registry and they still has to make official notification to the property owners. Contract #2 – Discussion on Avenue A pumping station Mr. Guidice spoke about the original site and looking for an alternative site across from Avenue A. They are awaiting a second appraisal. Various discussions with Mass Coastal regarding the railroad crossing on Indian Neck Road and they have come to an agreement as to what is required at that location. The easement plans have been prepared and submitted to Mr. Duchanes and the appraisals are in the process and Mr. Guidice wasn’t aware of their status. At this point if everything goes okay with Mass Coastal and they can get some direction on the Avenue A pumping station then they could potentially advertise this contract by the end of this month and start construction by early Fall.

Contract #3 – They have been evaluating the alternate force main route for the Agawam Beach pumping station. The survey has been completed, permitting has started and Chapter 91 waterways license has been submitted. The notice of project change to MEPA has been submitted and the core permit will be going in this week and they will follow-up with the notice of intent to Conservation Commission. The drilling for the force main had started today and they were doing drilling on Flint St and Gladstone Ave and had discussion with the Harbormaster and David Pichette in Conservation to address their concerns with drilling in Sunset Cove. The Harbormaster and Dave are both satisfied that the drilling would be done in a manner that would not have an adverse impact on the waterway. The plan is to have a barge mounted drill. The easement plans for contract #3 preliminary plans have been completed and reviewed and the next step is to hand them off to Mr. Duchanes. Pending the permitting everything seems to be on schedule and this should go out to bid sometime in the Fall and construction should start next Spring.

b. Any other sewer business

## **11. LIAISON REPORTS**

Selectmen Donahue stated Suzanne Bump from the Governors staff was in town with the Department of Labor a week ago and the meeting was well attended. Ms. Bump was discussing the budget and the difficult choice in our future that face the

commonwealth of Massachusetts and the options the Governor is looking at in choices of reform and a combination of a potential state tax increase and fees.

**12. ADJOURNMENT**

**MOTION:** Selectman Sauvageau moved to enter back into executive session.  
Polled vote:

Selectmen Donahue – Yes  
Selectmen Sauvageau – yes  
Selectman Cronan – yes  
Selectman Cruz – yes

**13. SIGNING OF DOCUMENTS APPROVED BY 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: 6-16-09

Date sent to the Town Clerk: 6-17-09