

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: June 9, 2009
Date of Transcription: June 10 2009
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Sauvageau called the meeting to order at 7:00 p.m.

2. ROLL CALL

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

Also Present: John J. Sanguinet, Interim Town Administrator

3. CITIZENS PARTICIPATION

Present before the board: Susan Ricci

Ms. Ricci wanted to update the board on the events in town that the Community Events Committee has supported. The Committee has also set aside money to purchase banners in town to promote tourism.

4. ANNOUNCEMENT

none

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc.(none)
- b. Approval of Selectmen's executive session meeting minutes of April 14, 2009

Selectman Cronan asked that the executive session meeting minutes be put aside until some of the matters are resolved.

- c. Reappointments to: Tremont Nail Masterplan Committee, Bike Path Committee, Conservation Commission, Fence Viewer, PEG Access Board of Directors and Open Space Committee

MOTION: Selectman Cronan moved to appoint James B. Newman as a member to the Tremont Nail Master plan Committee to a term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to appoint Robert E. Short as a member to the Tremont Nail Master plan Committee to a term to expire no later than June 30, 2012. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to appoint Lois Fountain as a member to the Bike Path Committee to a term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to appoint Dale G. Scott as a member to the Bike Path Committee to a term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectmen Cronan moved to appoint Manuel S. Barros, Jr. as a member to the Conservation Commission to a term to expire no later than June 30, 2012. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectmen Cronan moved to appoint John Connolly, Jr. as a member to the Conservation Commission to a term to expire no later than June 30, 2012. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectmen Cronan moved to appoint Arthur D. Page as a Fence Viewer for the Town of Wareham to a term to expire no later than June 30, 2010. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

Selectman Sauvageau stated that the Board does not appoint to the PEG Access Board of Directors and they appoint themselves.

MOTION: Selectman Cronan moved to appoint Sandra Slavin as a member to the Open Space committee to a term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

6. **LICENSES & PERMITS**

SELECTMEN/SEWER COMMISSIONERS MEETING – 6-9-09 (CONT'D)

- a. Hearing 7:15 p.m. – Show cause hearing on a Class II License issued to Russell Frayre d/b/a Auto Spirit II, 3070 Cranberry Highway, E. Wareham to determine if the license should be modified, suspended, revoked or cancelled under M.G.L. c. 140 s. 58-59

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

VOTE: 5-0-0 (Unanimous)

Present before the board: Russell Frayre, Mary Tirrell, and Attorney Peter Winters

Attorney Winters was before the board asking if the board would consider transferring the Class II License back to the Tirrell's who are the owners of the property. Selectman Sauvageau advised Attorney Winters that that the board would not be able to discuss consideration at this hearing. Mr. Frayre stated that he had not read the hearing notice due to the fact that he wasn't home when the post office attempted twice to deliver the certified mail. Selectman Sauvageau read to Mr. Frayre the hearing notice. Mr. Frayre stated that he has run into financial problems and not able to obtain funds to reopen. Mr. Frayre said the floor plan financing is no longer available to him and all the vehicles went back to the floor plan company. Selectman Sauvageau stated that Ms. Tirrell could begin the application process for a new license.

MOTION: Selectman Doanhue moved to close the hearing. Selectmen Cronan seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Donahue moved to revoke the license. Selectman Eckstrom seconded due to non-operating during business hours cessation of license under M.G.L. c. 140 s. 58-59. For discussion Selectman Donahue stated that Ms. Tirrell can come back before the board to discuss the possibility of making an exception to the boards policy.

VOTE: 5-0-0 (Unanimous)

Selectman Sauvageau asked Mr. Frayre if he had any objections to the board revoking the license in which Mr. Frayre replied he had no objections.

- b. Application from the Onset Cape Verdean Festival Association, c/o Michael Roderick, for the use of the Onset Bandshell and Bluffs on August 8, 2009 from 7:00 a.m. to 6:00 p.m. (rain date: August 9, 2009) and to close off a portion of Union Avenue

Present before the board: Michael Roderick

Mr. Roderick stated that festival is scheduled for August 8th and all departments are on board with approvals.

MOTION: Selectman Eckstrom moved to approve the application from the Onset Cape Verdean Festival Association, c/o Michael Roderick, for the use of the Onset Bandshell and Bluffs on August 8, 2009 from 7:00 a.m. to 6:00 p.m. (rain date: August 9, 2009) and to close off a portion of Union Avenue. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

7. TOWN ADMINISTRATOR'S REPORT

Selectmen Business

Town Hall Trees: The Wareham Garden Club has planted two Colorado blue spruce trees in front of the Town Hall that will grow to 50'-70' with a 25' spread. The foliage is silver blue-green and will look wonderful with holiday lights on them. AD Makepeace generously provided personnel to deliver and help Municipal Maintenance staff plant the trees, thus saving the expense of having to pay to have the trees delivered.

Webster Hall Hearing: The Hearing for Webster Hall was held Wednesday, June 3, 2009 at 11:30 a.m. at the ABCC office in Boston. The attorney for the Clermont Group was present but his client was not. We will await the ABCC's decision.

License Renewals. Enclosed is information concerning the renewal process for liquor and other licenses that the Board of Selectmen issues, including a fee schedule. The fees have not been changed since 2005.

Railroad Crossing/Elm Street. Survey work has begun for the replacement of the railroad crossing at Mill Pond Diner/Elm Street. It is expected that in the fall a new state-of-the-art concrete crossing will be installed at this location.

Town Hall Roof. The contractor will start replacing the Town Hall roof either the week of June 8, 2009 or June 15, 2009. They will utilize the parking lot behind Town Hall so we will lose some spaces during the project; no handicapped spaces will be lost, however.

SEWER BUSINESS

Sewer Abatement Request—Account 736538, 18 Ryder Street, Map 7, Lot 181: The Board is asked to approve abating this account for three months of 2nd half FY09 Sewer User Fee in the amount of \$145.98 for 1 EDU. The water was shut off November 4, 2007. The abatement covers the period November 4, 2008 thru January 31, 2009.

Recommended action: Motion for the Board to abate Account 736538 for 3 months of 2nd half FY09 Sewer User Fee in the amount of \$145.98.

MOTION: Selectman Cronan moved to abate Account # 736538 for 3 months of 2nd half Fy09 Sewer User fee in the amount of \$145.98. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Borings. Borings have started being done for the Agawam Beach sewer project, and work is also scheduled for the Mayflower Ridge Road area.

8. **TOWN BUSINESS**

a. Discussion with Ryan & Ann Correia re: 361 Main Street
The Correia's were unable to attend the meeting and was rescheduled to attend the June 16th meeting.

b. Any other town business

Selectman Eckstrom spoke about an address change and asked the board if they had any objections of her sending a letter to the Onset Fire, EMS and the Police to check into changing the address.

MOTION: Selectman Eckstrom moved the board to send out a memo to the Onset Fire, EMS and 911 with the attached document for recommendation on the address change. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Selectman Donahue asked Mr. Sanguinet for the status on hiring a Town Planner and Town Accountant. Mr. Sanguinet stated that he has spoken with the candidate for the Town Accountant position and was working on some requests that she had. Mr. Sanguinet has spoken with the two candidates for the Town Planner and was hoping that one of them could start part time between now and the end of the year.

Selectman Donahue thanked Chief Joyce for his 20 years of service to the Town of Wareham and wished him the best in his retirement.

Selectman Eckstrom provided the board with a copy of that final record of decision on the ADM mixed use development.

9. **SEWER BUSINESS**

a. Any sewer business
(none)

10. **LIAISON REPORTS**

SELECTMEN/SEWER COMMISSIONERS MEETING – 6-9-09 (CONT'D)

Selectman Donahue stated that she attended the Clean Water Committee meeting and they are making progress.

Selectman Donahue stated that the Open Space Committee is looking for volunteers.

11. ADJOURNMENT

MOTION: Selectman Sauvageau moved to enter into executive session to discuss strategy to litigation and to investigation potential misconduct or to discuss the filing of criminal complaints. Selectman Donahue seconded.

Poll vote: Selectman Eckstrom - yes
 Selectman Donahue - yes
 Selectman Sauvageau - yes
 Selectman Cronan - yes
 Selectman Cruz - yes

12. 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