

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

Date of Meeting: August 18, 2009  
Date of Transcription: August 19, 2009  
Transcribed by: Janet Wilson

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

**MOTION:** Selectman Eckstrom moved to have Jane Donahue as Clerk pro-tem for the evening. Selectman Cruz seconded.

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

### **2. ROLL CALL**

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

John J. Sanguinet, Interim Town Administrator (absent)

### **3. CITIZENS PARTICIPATION**

Present before the board: Laurie Noyes, Resident of 16 Nelson Street  
Ms. Noyes was before the board with a complaint about a neighbor who has a building permit that she states has been ongoing for 12 years at 20 Rosepoint Avenue. Ms. Noyes said that the neighbors are dumping sewage in buckets in his backyard. She stated that the neighbors crawl under the foundation and stay on the property without running water or electricity. Selectman Sauvageau stated that he would be meeting with Mr. Sanguinet on Monday morning and asked that Ms. Noyes put her complaints in writing so that he has it available at the meeting.

### **4. INTRODUCTION OF POLICE CHIEF**

Present before the board: Interim Police Chief Stanley  
Chief Stanley stated that in his initial assessment of the Wareham Police Department he finds a group of hardworking-dedicated men and women who put the interested of the community and it's residents first. The men and the women of the department are extremely busy and they have maintained a positive attitude. Chief Stanley stated that he would prepare the department for their new leadership once the board is ready to appoint a

new Police Chief. He brings 32 years of experience. Chief Stanley's area of focus with the department is training, policy and procedures and to find out what equipment needs are there.

**5. CONSENT AGENDA**

- a. Authorization to sign bills and documents (none)
- b. Election Poll workers appointments

**MOTION:** Selectman Donahue moved to appoint the following to a term to expire no later than June 30, 2010 Warden Precinct 1, Jack M. Silva, Clerk – Precinct 1 Hazel Tabor, Poll Workers Precinct 1, Shelley R. Andrews, Richard Boucher, Kathleen Clements, Marie Cooney, Kathleen Furler, and Barbara A. Giberti, Mikala T. McCane, Robert E. Short, William A. Rush, Warden – Precincts 2 & 3 Barbara Porter, Maryluize Gonzales, Deputy Warden – Precincts 2 & 3 Margaret Gomes, Joann R. Senna, Clerk Precincts 2 & 3 Billie Sleightholm, Ramona Barros, deputy Clerk, Precincts 2 & 3 Elizabeth Morrison, Marlene DeCoster, Poll Workers – Precincts 2 & 3 Geraldine Barrows, Rosemary Carter, Lucille Dardis, Patricia Evans, Sheila Evans, Pamela Faria, Anne Hunter, Lois Letourneau, Meagan Lyn Lavoie, Carol MacGray, Mary Paulette, Linda Perkoski, Christine E. Roderick, Gertrude Sullivan, Dinae M. Wolstencroft, Warden Precincts 4 & 5 Lorraine Gregoire, Deputy Warden Precincts 4 & 5 Leonora Fernandes, Election Poll Workers Precincts 4 & 5. Joyce E. Veiga, Dennis Allen, George Choquette, Willma Engerman, Theresa A. Gregoire, Hannah Gregorie, Patricia Harju-Zimmer, Meri R. Holden, Barbara Hunter, Diane Lazarus, Deborah L. Pfnister, Carol Lynne Rhodes, Norma White, Warden Precinct 6- Robert Joy, Deputy Warden Elizabeth Diliddo, Clerk Precinct 6 NanC Marshall, Election Poll Workers – Precinct 6 Julianne C. Cummings, Mary-Ellen Fielding, Alberta Joy, Carol MacGray, James A. Magnan, Frances Murphy, James B. Newman, Deborah J. Rose, Nancy Schultz, Patricia Sousa, June P. Woodland. Selectman Eckstrom seconded.

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

- c. Interviews/appointments to the Open Space Committee, Tremont Nail Master Plan Committee and Wareham Cultural Council

**MOTION:** Selectman Donahue moved to appoint Nanette Bergeron as a member to the Open Space Committee to at term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint Kevin Batrsch as a member to the Open Space Committee to at term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint Michael Balboni as A member to the Wareham Cultural Council to a term to expire no later than June 30, 2012. Selectmen Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved to appoint Mary Jane Jarvis as a Member to the Tremont Nail Master Plan Committee (citizen-at-large) to a term to expire no later than June 30, 2012. Selectmen Donahue seconde.

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

- d. Appointment to the Southeastern Massachusetts Commuter Rail Task Force

**MOTION:** Selectman Donahue moved to appoint Walter B. Cruz, Sr. as a member to the Commuter Rail Task Force. Selectman Eckstrom seconded.

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

**6. LICENSES & PERMITS**

- a. 7:15 p.m. Hearing - On the application from Demetrios Kalkanis d/b/a The Sail Loft, 207 Main Street, Wareham, MA for an Annual Common Victualer All Alcoholic Beverages License in accordance with the provisions of Chapter 138 of the Massachusetts General Laws.

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

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

Present before the board: Demetrios Kalkanis & Attorney Baron Martin  
Attorney Martin stated that Mr. Kalkanis wanted to open a family style restaurant. They are prepared to open as soon as the license is granted.

Present before the board: Justin Hadley, Stonebridge Bistro  
Mr. Hadley was before the board asking if this license was going to be available for someone else to apply for and feels that the board should open up the license to the town for others to apply. Selectman Eckstrom suggested to Mr. Hadley keep in contact with the State Rep and question when the town will be given the availability of the new liquor licenses.

**MOTION:** Selectman Donahue moved to close the hearing. Selectman

Eckstrom seconded.

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

**MOTION:** Selectman Donahue moved approve the application from Demetrios Kalkanis d/b/a The Sail Loft, 207 Main Street, Wareham, MA for an Annual Common Victualer All Alcoholic Beverages License in accordance with the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Eckstrom seconded.

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

- b. Application for Common Victualler's License by Demetrios Kalkanis, d/b/a The Sail Loft, 207 Main Street, Wareham, MA under the provisions of the Chapter 140 of the Massachusetts General Laws.

**MOTION:** Selectman Donahue moved to approve the application for a Common Victualler's License by Demetrios Kalkanis, d/b/a The Sail Loft, 207 Main Street, Wareham, MA under the provisions of the Chapter 140 of the Massachusetts General Laws. Selectman Eckstrom seconded.

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

- c. G. Lopes Construction, Inc., Yearly review of earth removal permit

Present before the board: Bill Madden, GAF Engineering

Mr. Madden stated that there has been no activity over the last two quarters and no material has been removed since last November. The intention is to remove all the material once there is a market for it. Mr. Madden went over the list of conditions.

- d. Application for a one-day all alcoholic beverages license permit by Wareham Firemen's Association, c/o Kenneth Jordan, 273 Main Street, Wareham for the Firemen's Ball on Saturday, October 10, 2009 from 7:00 p.m. to 12:00 p.m.

Present before the board: Kenneth Jordan

Mr. Jordan stated that this is their 3<sup>rd</sup> annual Firemen's Ball and the cost of the ticket is \$35 which would include dinner and music and dancing.

**MOTION:** Selectman Donahue moved to approve the application for a One-day all alcoholic beverages license permit by Wareham Firemen's Association, c/o Kenneth Jordan, 273 Main Street, Wareham for the Firemen's Ball on Saturday, October 10, 2009 from 7:00 p.m. to 12:00 p.m. Selectman Eckstrom seconded.

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

- e. Application for name change of an existing Class II license from Richard McNair Gateway Enterprises, d/b/a Marion Auto Sales to Gateway Enterprises Auto Sales, Inc., d/b/a Marion Auto Sales, 370 Main Road, Wareham, MA under the provisions Chapter 140

Present before the board: Richard McNair

**MOTION:** Selectman Donahue moved to approve the Application for name change of an existing Class II license from Richard McNair Gateway Enterprises, d/b/a Marion Auto Sales to Gateway Enterprises Auto Sales, Inc., d/b/a Marion Auto Sales, 370 Main Road, Wareham, MA under the provisions Chapter 140. Selectman Eckstrom seconded.

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

## **7. TOWN BUSINESS**

Discussion with Dick Heaton re: Westfield project

Present before the board: Dick Heaton, Chris Reilly, Marcia Griswold and Pam Sequeira

Mr. Heaton explained some of the reasons why people were not bidding. There were 28 that received a copy of the RFP and he feels that five were high priority and qualified. Mr. Heaton stated that there are very few companies that could do all four things that were in the RFP. The board discussed whether or not to issue another RFP for this project. Selectman Sauvageau asked for the consensus of the board if they would like to segregate the assisted living out of this RFP and treating it as a separate and distinct future project and RFP for as many bidders as they can possibly get. Concentrating on affordable housing maintaining the same number of units, trying to get as many units as possible under the funding scheme to be as low as possible, maintain the same footprints, same property and same concept of affordable housing for seniors rentals and get this done in a manner to allow bids in a timeframe that Mr. Heaton has described. Selectman Eckstrom suggested that the to change it to the same land area not the same footprint. Selectman Donahue feels that the sewer and water costs should be included as part of the RFP. Selectman Sauvageau stated that if it were legal and ethical they would like to meet with EA Fish. Selectman Cruz stated that they should start right away in re-bidding the project.

**MOTION:** Selectman Cruz moved re-bid the Westfield project. Selectman Eckstrom seconded.

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

Meeting with CEDA Director, Chris Reilly re: Earmark Letter

Present before the board: Chris Reilly

Mr. Reilly stated that they have \$500,000 in a congregational earmark and it's either use it or lose it. They are trying to take the money that should be available to them and reprogram it to an area that is needed more or higher priority. The Congressman's office supports it and they have outlined the process that a letter has to be sent asking to reprogram the \$500,000 for this different purpose. The goal is to promote economic development. They are looking to use the money for projects such as the Lou Ave intersection and other improvements to Tihonet Road will also be needed. Selectman Donahue that they should address the impact that they already have from the build out and need to accommodate the folks up the line from the mall as well as the new build out that is anticipated and would like this added to the letter that will be addressed. Selectman Eckstrom stated that if you attempt to come out of the Industrial Park because it's a single road there is a hydrant on the corner you cannot take a right and has heard a lot of complaints from the residents.

**MOTION:**Selectman Eckstrom moved to approve the letter with the changes to include the expansion to the Charlotte Furnace intersection and to also include industrial park. Selectman Donahue seconded.

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

Approve lease between the Town of Wareham and the Oak Grove Cape Verdean Cultural Center

Present before the board: Tiny Lopes

Mr. Lopes was before the board to talk about the lease of the Oak Grove Cape Verdean Cultural Center beginning on the September 1, 2009.

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

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

Accept deed for Atlantic Boats

The board will speak about this when the Town Administrator is present.

Approval of participation in the 2010 Census New Construction program  
This will be brought up at the next meeting so that the Town Clerk can be invited.

Any other town business

Selectman Donahue spoke about a memo received from SRPEDD announcing 20 hours of municipal assistance to each town. Selectman Sauvageau would like the memo circulated around to the boards and committees.

Selectman Donahue also spoke about the letter from the Town Administrator to the Planning board to hold a public hearing on the layout of Agawam Lake Shores Drive.

Selectman Eckstrom was concerned about the project change proposal from AD Makepeace and was going to draft a letter for the board to review. The deadline for any comments in the middle of September.

Selectman Sauvageau said the board as received 22 responses for the Town Administrators position. Selectman Sauvageau was looking for consensus of the board how to proceed asking if they want to interview 5 (five) at a time or pick their top 10 (ten) applicants. The board will do a paper review and pick their top choice for candidates. The Board will be meeting on August 25<sup>th</sup> at 7:00 p.m. in executive session for Town Administrator preliminaries.

Selectman Sauvageau stated that they are accepting applications for Library Board of Trustees. The board will be holding interviews and are looking for dedicated people.

## **8. SEWER BUSINESS**

Discussion with CDM.

Present before the board: Mike Guidice

Mr. Guidice stated that the Linwood Ave area has been completed with the exception of a small portion of the force main and the pumping station that will come later this year. Oak Street is completed as well as Narrows and a small section of Indian Neck Road between Narrows and the Railroad track. The force main from the purposed Parkwood pumping station has been installed in the Indian Neck Road stretch. The section of Parkwood to the south of Parkwood Drive to include Ivy, Juniper, Kingwood, Larch and Diamond and Bayside has all been completed. In addition to those streets Gardonia is completed, Chestnut is three quarters of the way done. The contractor has three main line crews working. According to the contractors schedule he plans to finish all the pipe work by the end of November of this year and work on the pumping stations over the winter in the December and January timeframes. An issue did come up regarding Oak Hill Road it's an unaccepted street off of Narrows which they had previously prepared an easement plan and for some reason this street didn't get included in the

packet with the original easements for contract #1. All the notifications had been made to the homeowners last fall and out of the eleven property owners they received the responses from nine of them in favor of installing the sewer. Mr. Guidice asked the board to vote to approve the order of taking.

**MOTION:** Selectman Donahue moved to go forward with the order of taking for Oak Hill Road. Selectman Eckstrom seconded.

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

Mr. Guidice stated that the fire district has an interest on Oak Street replacing a water main on that street. One of the concerns was that work to be done this year so that paving could be done next year. They have been in discussions with the fire district. The question has come up if the town would agree to let Gioioso install the water main for the fire district under the current sewer contract as a change order to the contract to be reimbursed by the fire district. This would be done outside the SRF program it's ineligible cost and would be held out of the sewer betterments. This would ensure that the contractor install the water by the end of this season so that they can pave next year. They did get a preliminary price from Gioioso that is very favorable. The preliminary cost is about \$375,000 subject to final design. The board would like to address some questions to the water district to make sure that they are not going to be increasing the cost of the betterment. Selectman Sauvageau will be addressing a letter to the Water Commissioners.

Mr. Guidice did some sampling along the alignment along the force main from the Linwood pumping station to the treatment station site and that sampling has been completed and has come back negative. A report will be forthcoming to the board with the results. A second public meeting was held in the middle of July and it went well they had about 150 people attending. Contract # 2 – Great news the Town is now eligible for stimulus funding as contract #1 was. A package was sent to DEP and it will be about a 8.8% debt forgiveness. Discussions with Mass Coastal Railroad have been wrapped up and the license agreement needs to be executed by the town. They are looking for finding a spot to place a 1000-gallon surge tank near the Narrows Pumping Station. A public meeting will be held on September 2<sup>nd</sup> for Contract #2 at 7:00 p.m. at the Town Hall Auditorium Mr. Simmons and his staff will be sending out notices. Contract # 3 will probably be going out to bid late fall or early winter and hopefully ready to start next spring.

- a. Approve change order – discussed above
- b. Any sewer business (none)



9. **LIAISON REPORTS**

- a. Any sewer business

10. **ADJOURNMENT**

**MOTION:** Selectman Eckstrom moved to enter into executive session for the purpose of collective bargaining or potential litigation and preparation for negotiations with non-union personnel and to investigate charges of criminal misconduct or to discuss the filing of criminal complaints. Selectman Donahue seconded.

Poll Vote:

Selectman Eckstrom – yes

Selectman Donahue – yes

Selectman Sauvageau – yes

Selectman Cruz - 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: ***M. Jane Donahue, Clerk, pro-tem***

Date Signed: 9-1-09

Date sent to the Town Clerk: 9-2-09