

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: October 13, 2009
Date of Transcription: October 22, 2009
Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

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. CITIZEN PARTICIPATION

Present before the board: Gary Cannazi

Mr. Cannazi was before the board last week representing Bay Pointe discussing article #22 in the Fall Town Warrant. The Board voted further study and Mr. Cannazi wanted to speak as a citizen of Wareham and answer some questions. Selectman Sauvageau explained that since he was before the board last week representing Bay Pointe he wouldn't be able to appear before the board as a citizen with the same issue. Selectman Sauvageau asked if anyone else would like to speak on the article. Present before the board: Steve Rogers

Mr. Rogers is a Bay Pointe resident and moved in the community in 2002 and stated that at one point he was embarrassed to have people come and play golf at the course since it was loaded with dirt and weeds. Since Mr. Gibson has taken over he said that things changed and he felt good about being a member of Bay Pointe. The proposal as he sees it is progress and if what is being proposed is not passed he feels the course will be dirt and weeds as it was in the past. Mr. Rogers stated that the people that are residents of Bay Point don't drain the services in town because they are mostly retired and don't have any children in the school system.

Present before the board: Chet Haitsma, Parkwood Beach resident

Mr. Haitsma was before the board asking which streets in Parkwood Beach were going to be resurfaced and which ones were going to be done. Selectman Sauvageau asked that he give a call to the office so that Mr. Sanguinet can arrange a meeting with him and CDM to have his questions answered.

Present before the board: Jo Jeffries

Ms. Jeffries was asking if the board had any status of the Makepeace project. Selectman Sauvageau stated that they have granted sewer. Selectman Eckstrom stated that the process does have to go before MEPA and more steps before the process can start.

Present before the board: Buddy Loxley

Mr. Loxley wanted to say that Mr. Gibson has done a wonderful job with the High School Golf team and his staff and runs one of the best golf courses in the state. He feels that if he can

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manage the golf course as well as he does then he deserves the opportunity to move forward with the plan that he has.

4. ANNOUNCEMENT

- a. A Salute to Reading is Fundamental will be celebrated November 16th through the 20th. For more information all Joann Byron at 508-295-1157
- b. Wareham Historical Society Monday October 19th at 7:00 p.m. at the Old Methodist Meeting House, 495 Main Street
- c. The Onset Protective League presents the Fall Town Meeting warrant preview on Thursday, Oct 15th at 7 p.m. at Dudley Brown VFW
- d. Veteran's Day parade will be November 11th at 10:00 a.m.
- e. Comedy night benefiting the Council on Aging at Salerno's on Friday October 23rd
- f. On November 18th at the Plymouth Yacht Club South Shore Housing will be honoring Steve Dubuque for his many years of service

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (none)
- b. Approval of the Board of Selectmen's regular meeting minutes of September 29, 2009

MOTION: Selectman Cronan moved to approve the regular meeting minutes of September 29, 2009. Selectman Donahue seconded.

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

- c. Reappointment to the Historic District Commission

MOTION: Selectman Cronan moved to appoint Robert Blair as a member to the Historic District Commission to a term to expire no later than June 30, 2012. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

6. LICENSES & PERMITS

- a. Application for a Common Victualler's License by Clyde Hayden, d/b/a Klucky's Breakfast & Lunch, 35 Depot Street, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws

Present before the board: Clyde Hayden, Sharon Cummings and Clyde Hayden, Sr. Ms. Cummings stated that they are opening a breakfast and lunch restaurant on Depot Street.

MOTION: Selectman Cronan moved to approve the application for a Common Victualler's License by Clyde Hayden, d/b/a Klucky's Breakfast & Lunch, 35 Depot Street, Wareham, MA under the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

7. **TOWN ADMINISTRATOR'S REPORT**

2009 Polar Swan Express Train: Attached is information related to the 2009 Polar Swan event scheduled for November 28th and 29th. There are some requested changes this year and the Board is asked to approve closing the streets as indicated, and allow the use of Center Park for Barn Babies.

Present before the board: Phyllis Decas and Jackie Lindsey of the Wareham Village Association

Ms. Decas stated that she does not believe they need approval after speaking with the Police Department the roads will not be closed because the train will go at the new crossing and since the arms go down now there is no need to close the road.

Recommended action. Motion for the Board to approve the request of the Wareham Village Association to close off Elm Street from Main to the Company Store, and the side street from Elm Street to Cranberry Highway from 1:00PM to 7:00PM, November 28 and 29, 2009, for the 2009 Polar Swan Express Train, and approve the use of Center Park for the purpose of hosting Barn Babies on these dates.

Bids. For the Board's information, we currently have 4 projects out for Bids or RFPs. The heating systems at the Wareham Police Station and Multi-Service station are due October 22, 2009, as is the roof replacement for the EMS building; Payroll services is up for renewal as well so a proposal is available for that service and due October 30, 2009; and Crack Sealing for the roads is due October 14, 2009. A walk through for the heating systems was held October 6, and the roof inspection at the EMS building October 9.

FY2010 2nd Quarter Bourne Estimated Bill. The Board is asked to approve a commitment for \$62,706.73, as per the attached report for Bourne's costs for the treatment plant and pumping stations.

Recommended action. Motion for the Board to approve the FY2010 Second Quarter Bourne Estimated Sewer Usage Billing in the amount of \$62,706.73 to cover the period October 1, 2009 through December 31, 2009.

MOTION: Selectman Cronan moved to approve the FY2010 Second Quarter Bourne Estimated Sewer Usage Billing in the amount of \$62,706.73 to cover the period October 1, 2009 through December 31, 2009. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

8. **TOWN BUSINESS**

Health Care Trust Fund discussion

Selectman Sauvageau wanted a joint meeting with the School Committee along with their administration and the Finance Committee. Selectman Sauvageau stated that the School Committee chair is out of state along with the Superintendent so they have declined. An

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invitation was also extended to the Chairman of the Finance Committee who also declined unless specific number and solutions could be given then he would not attend.

Present before the board: Attorney John Dolan & Elizabeth Zaleski, Town Accountant

Mr. Sanguinet spoke about the audit on the Health Trust Fund and also stated that the Town will do what state law allows. The state law does not allow for refunds and reimbursements and any adjustments that would be made in the Town would be to appropriate funds to the trust fund or to give employees a holiday or reducing payment to the trust fund for a time period. Either of these solutions would correct the 75/25 split into the fund if there really were one. To correctly fix the fund in the Trust Fund a complete audit of the Trust Fund needs to take place. Mr. Sanguinet has engaged auditors from Powers & Sullivan to review the fund and they have assured the Town that they have staff onboard that has done these types of audits in the past. This complete audit will determine what the holiday might be if a holiday is necessary. Currently the Trust Fund has an un-audited balance of \$2 million dollars and it's recommended that the town hold a balance of \$1.4 million or two months of claimed payments. The audit is expected to be completed in six weeks. Attorney Dolan stated that what the town may do is to restore funds to the Trust Fund itself where the shortfall is. If the town paid less than 75% of the working premiums it's the trust that would have experienced the shortfalls since the employees paid what they were suppose to. Ordinarily, you would not see money being restored to the employees normally you would see the trust fund made whole or an adjustment in contributions from the employees side going forward until that difference is amortized. Ms. Zaleski stated that she has been in contact with the DOR and also has a case number. Ms. Zaleski said her opinion would bring in the DOR and have a financial management review done and would also recommend a forensic audit.

Also present before the board: Bonnie Cottuli, Finance Committee Member
Ms. Cottuli stated that she was glad about the audit and feels that it's a little too late Selectman Sauvageau went the over the plan to conduct the audit on the Trust Fund, have counsel's memorandum of law and recommendations, invite the school and fin com back to review the finds and recommendations of counsel along with the Town Accountant and the Town Administrator and the Town Treasurer. Also have a management review and get a price quote of a comprehensive audit.

MOTION: Selectman Eckstrom moved to request a management review by the DOR. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Any other town business

Selectman Cronan & Selectman Donahue would like to discuss some issues in Executive Session.

Selectman Donahue said that Wareham Move Forward group would be holding a forum in the Town Hall Auditorium on October 17th at 1:00 p.m.

Selectman Eckstrom stated that the Town does have a policy regarding use of town vehicles and ready policy #88-4.

9. **SEWER BUSINESS**

- a. Any sewer business

10. **LIAISON REPORTS** (none)

11. **ADJOURNMENT**

MOTION: Selectman Eckstorm moved to enter into executive session for the purpose of discussing strategy with respect to collective bargaining or litigating position. Selectman Donahue seconded.

Vote: Selectman Eckstrom – yes
Selectman Donahue – yes
Selectman Cruz – Yes
Selectman Sauvageau – yes
Selectman Cronan - yes

13. **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 November 3, 2009

Attest: ***John P. Cronan, Clerk***

Date Signed: November 3, 2009

Date sent to the Town Clerk: November 4, 2009