

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: March 24, 2009

Date of Transcription: March 25, 2009

Transcribed by: Janet Wilson

1. CALL MEETING TO ORDER BY CHAIRMAN

Chairman Potter called the meeting to order at 7:10 P.M.

2. ROLL CALL

Selectmen Present: James L. Potter, Chairman
Bruce D. Sauvageau, Clerk
Brenda Eckstrom
John Cronan
Jane Donahue (absent)

Also Present: John J. Sanguinet, Interim Town Administrator

3. CITIZENS PARTICIPATION

Present before the board: John Salerno, Marc Anthony's Restaurant
Mr. Salerno was asking how the board felt regarding the additional 1% meal tax.

Present before the board: Jim Newman
Mr. Newman wanted to thank Jackie Lindsey from the Wareham Village Association for offering to pay for the new POW flag.

4. ANNOUNCEMENT

Candidate night will be held at the Onset VFW on Thursday, March 26, 2009 at 7:00 P.M.

MEPA Hearing with Beals & Thomas will be held at the Town Hall on Thursday, March 26, 2009 at 6:00 P.M.

5. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (none)
- b. Interview/ Appointment to the Recycling Committee

Dachelle London was not present. No action taken

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- c. Approval of regular session meeting minutes: March 10, 2009

Selectman Sauvageau moved approval of the Meeting minutes of March 10, 2009. Selectmen Eckstrom seconded for discussion to have a correction on page three section three to remove the wording *Motion failed*.

VOTE: 4-0-0 (Unanimous)

- d. Approval of executive session meeting minutes: July 17, 2007 & October 19, 2007

Selectman Sauvageau moved approval of the Executive Session meeting minutes of July 17, 2007. Selectman Cronan seconded.

VOTE: 1-0-3 (Selectman Potter, Sauvageau & Eckstrom abstained)

Selectman Sauvageau moved approval of the Executive Session meetings of October 19, 2007. Selectmen Eckstrom seconded.

VOTE: 2-0-2 (Selectman Potter & Sauvageau abstained)

6. TOWN ADMINISTRATOR'S REPORT

Selectmen Business

1. **POW-MIA Flag at Town Hall:** Jackie Lindsey, of the Wareham Village Association, has generously offered to purchase a POW-MIA flag for the Town. Mr. Sanguinet will have Municipal Maintenance attach it to the flagpole as soon as it arrives.
2. **Maple Springs Road:** It was reported that Maple Springs Road has deteriorated severely. Mr. Sanguinet asked the Road Commissioners grant permission to fix the potholes (craters) on this street. Once the road is repaired, It will be swept. Selectman Cronan asked if the culvert was ever fixed in which Mr. Sanguinet stated that AD Makepeace fixed it. Selectman Eckstrom stated that no sense in fixing the road if another development is going up soon. Selectman Cronan stated that he was under the impression that the development was on hold and once the development was to be completed AD Makepeace agreed to fix the road. Selectman Sauvageau stated that if the road needs to be repaired as a result of their construction then the planning board should address it. Selectman Sauvageau stated rather than Municipal Maintenance spend the town's money on a patch job they need resolution to all the broader issues and would like to get everyone back in for discussion. Selectman Sauvageau stated that if it's a matter of Public safety and since the board has been placed on notice they would be legally liable.

Selectman Cronan would like the two contractors back in Mr. Tucz and AD Makepeace to see if they are willing to repair the roads. Selectman Sauvageau asked if both parties could be invited and placed on an upcoming agenda.

3. **Maple Springs Road, Again:** Mr. Sanguinet has received the release deed for the portion of Maple Springs Road relinquished at last year's Town Meeting. A copy has been forwarded to Attorney Bello and Mr. Sanguinet has asked that the Board sign the document. No vote is required. Selectman Eckstrom said that this is the portion next to Atlantic Boats and would like to double check that it does not include the portion from Santos Drive to Sandwich Road. Selectman Cronan stated that the distance does look right.
4. **Onset Beach Mobile Home Park:** Municipal Maintenance has cleaned out the drainage easement in the park in preparation of having a camera to view the piping. Municipal Maintenance will be assisting them with this test.
5. **Spring Road Work:** Municipal Maintenance has started sweeping the paved roads and grading the dirt and gravel roads. These items will take several weeks to complete.

Senior Work Off Program: Several weeks ago Mr. Sanguinet requested that the Board vote to continue this program for 2009. At that time, he requested that the number of participants be increased to 75. Meanwhile, since asking all departments if they have 100 hours of work for a senior and the responses indicate a need for perhaps 45 participants. The Board is being asked to approve the policy and increase the number of participants to forty-five (45) for 2009.

MOTION: Selectman Sauvageau moved to continue the Senior Work Off Program with up to 75 participants.

VOTE: 4-0-0 (Unanimous)

Sewer Business

- S1 **Public Meeting—Sewer Contract No. 1 Areas:** The Board is asked to schedule a public meeting for Saturday, April 18, 2009, for the purpose of meeting with residents of those areas to be sewer under Contract No. 1. As with previous projects, the residents have a lot of questions and this provides

the opportunity to have CDM on hand to answer those concerns and give a summary of what they can expect to happen during construction and afterwards. Construction is expected to begin by the end of April so this would be a good time to meet. Mr. Sanguinet suggested that the meeting be scheduled in the Auditorium of Town Hall at 10:00AM. Mike Guidice, of CDM, has already indicated that he is available to come to Wareham that day if this date is agreeable to the Board.

MOTION: Selectman Sauvageau moved to schedule a public meeting for Saturday, April 18, 2009. Selectman Cronan seconded.

VOTE: 4-0-0 (Unanimous)

- S2 **Sewer Design Contract, Amendment No. 5:** Included with this report is an amendment from CDM for the Sampling and Analysis study for Linwood Avenue and for the Mayflower Ridge Drilling in the amount of \$8,400 each project, for a total of \$16,800. This will change the value of the design contract to \$1,449,000. Town Meeting approved a total expenditure of \$1,500,000 for this at the spring 2006 meeting, so this is still within that limit.

Recommended Action: Motion for the Board to approve Amendment No. 5 to Agreement dated August 15, 2006 between the Town of Wareham, Massachusetts, and Camp Dresser & McKee Inc. for Professional Design, Bidding and Construction Services, in the amount of \$16,800, and to authorize the Chairman to sign Amendment No. 5 on behalf of the Board.

MOTION: Selectman Sauvageau moved to approve Amendment No. 5 to Agreement dated August 15, 2006 between the Town of Wareham, Massachusetts, and Camp Dresser & McKee Inc. for Professional Design, Bidding and Construction Services, in the amount of \$16,800, and to authorize the Chairman to sign Amendment No. 5 on behalf of the Board. Selectman Cronan seconded.

VOTE: 4-0-0 (Unanimous)

7. **LICENSES & PERMITS**

HEARING: 7:15 p.m. Show Cause Hearing on the Class II license issued to Wareham Foreign Auto Sales, 2234 Cranberry Highway, W. Wareham, to determine if the license should be modified, suspended, revoked or cancelled under the MGL c. 140 §58-59

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

VOTE: 4-0-0 (Unanimous)

Lengthy discussion ensued - Selectman Potter asked if anyone from the audience had any input – no one responded.

Selectman Sauvageau asked for the boards' consensus to have Town Counsel attend the hearing.

MOTION: Selectman Sauvageau moved to have Town Counsel appear during the hearing for the purposes of representation of the town and the board as the Class II issuing authority. Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

MOTION: Selectman Cronan moved to continue the hearing until Tuesday, March 31, 2009. Selectman Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

Application of Al & El Corporation d/b/a Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136 Cranberry Highway, E. Wareham, for Change of Hours under the provisions of Chapter 140 of Massachusetts General Laws.

Present before the board: Bree Swierkowski

Ms. Swierkowski stated she would like to be open during the day to serve lunch as well as a brunch service on Sundays.

MOTION: Selectman Cronan moved to grant the request for Change of Hours for AL&EL Corp., d/b/a Ella's Wood Burning Oven Restaurant, Selectmen Eckstrom seconded.

VOTE: 4-0-0 (Unanimous)

8. TOWN BUSINESS

a. Appointment of Town Counsel

MOTION: Selectman Sauvageau moved the board to nominate Kopelman & Paige as Town Counsel notwithstanding the boards ability to utilize other Counsel for other reasons at any time and for a period for one year. Selectman Cronan seconded for discussion. Selectman Cronan stated that they are close to a unified decision to get an in-house attorney for land use and the vision is almost complete.

VOTE: 4-0-0 (Unanimous)

b. Discussion of Town Meeting Warrant Articles

The Selectman agreed to hold off discussing the warrant articles out of respect to the Finance Committee and the new member of the Board of Selectman pending the printers' ability to be flexible.

c. Any other town business

Selectman Eckstrom spoke about the letter received from Library Board of Commissioners and an appeal date will be held on April 9th and she is planning on attending.

Selectman Potter stated he wrote a letter to the Town of Bourne thanking them for extending Wareham patrons until June 30th and asked if could be extended beyond the June 30th date.

Selectman Potter spoke about Continental Marine advertising a Tiki Bar and Lounge. A letter will be sent to the property owner asking about his plans.

9. **LIAISON REPORTS**
(none)

10. **ADJOURNMENT**

MOTION: Selectman Cronan moved to enter into executive session for the purpose of collective bargaining and litigation. Selectman Eckstrom seconded.

Poll vote: Selectman Eckstrom – yes
 Selectman Sauvageau – yes
 Selectman Cronan – yes
 Selectman Potter – yes

11. **SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

Respectfully submitted,
Janet Wilson
Department Assistant

SELECTMEN/SEWER COMMISSIONERS MEETING – 3-24-09 (CONT'D)

The foregoing minutes were submitted to the Board of Selectmen/Sewer Commissioners on:

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

Date Signed: April 7, 2009

Date sent to the Town Clerk: April 22, 2009