

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: November 24, 2009
Date of Transcription: November 30, 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. CONSENT AGENDA

- a. Authorization to sign bills and documents, etc. (None)
- b. Appointments to the Library Board of Trustees.

MOTION: Selectman Eckstrom moved to appoint Dorothy Heath, Elizabeth Pezzoli and John Houton as members of the Library Board of Trustees 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 Leie Carmody as a member of the Library Board of Trustees to a term to expire no later than June 30, 2011. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Donahue moved to appoint Johnna Fredrickson as a member of the Library Board of Trustees to a term to expire no later than June 30, 2011. Selectman Cronan seconded.

VOTE: 3-2-0 (Eckstrom & Sauvageau opposed)

MOTION: Selectman Eckstrom moved to appoint Kathleen R. Furler as a member of the Library Board of Trustees to a term to expire no later than June 30, 2011. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cruz moved to appoint Loey Vieira as a member of the Library Board of Trustees to a term to expire no later than June 30, 2011. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to appoint Thomas Wavro as a member of the Library Board of Trustees to a term to expire no later than June 30, 2011. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to appoint Martha Strachan as a member of the Library Board of Trustees to a term to expire no later than June 30, 2010. Selectman Cruz seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 11-24-09 (CONT'D)

MOTION: Selectman Donahue moved to have Selectman Eckstrom serve as the Liaison to the Library Board of Trustees. Selectman Cruz seconded.

VOTE: 5-0-0 (Unanimous)

Approval of executive session meeting minutes: 9/14/09; 10/3/09; 10/6/09; 10/13/09; 10/17/09; 10/27/09 and 11/16/09

MOTION: Selectman Donahue moved to approve the executive session meeting minutes of September 14, 2009. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Donahue moved to approve the meeting minutes of October 3, 2009. Selectman Cronan seconded.

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

MOTION: Selectman Donahue moved to approve the executive session meeting minutes of October 6, 2009 and hold them until the matters are resolved. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to approve the executive session meeting minutes of October 13, 2009 and hold them until the matters are resolved. Selectman Donahue seconded

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of October 17, 2009. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of October 27, 2009. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to approve the executive session meeting minutes of November 16, 2009 and hold them until the matters are resolved. Selectman Donahue seconded

VOTE: 5-0-0 (Unanimous)

c. Approval of regular meeting minutes: 11/10/09 and 11/17/09

MOTION: Selectman Cronan moved to approve the meeting minutes of November 10, 2009. Selectman Eckstrom seconded.

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

MOTION: Selectman Cronan moved approved the meeting minutes of November 17, 2009. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

4. LICENSES & PERMITS

a. Approve the following applications for extensions and seasonal liquor licenses from December 1, 2009 through January 15, 2010 under the provisions of Chapter 138 of the Massachusetts General Laws.

- i. Bay Pointe Functions, d/b/a Bay Pointe Country Club, Michael Herron, Manager, 18 Bay Pointe Drive, Onset
- ii. Mark, Inc., d/b/a China garden, Ivan Mark, Manager, 265 Marion Road, Wareham

SELECTMEN/SEWER COMMISSIONERS MEETING – 11-24-09 (CONT'D)

- iii. Captain Al's Restaurant, LLC, Alfred Harrington, 3236 Cranberry Highway, E. Wareham
- iv. Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136 Cranberry Highway, E. Wareham, MA
- v. Merchant's Way on the Bay, Inc., Louis Teceno, Manager, 241 Main Street, Wareham, MA

MOTION: Selectman Cronan moved to approve the extension for a seasonal liquor license from December 1, 2009 through January 15, 2010 under the provision of Chapter 138 of the Massachusetts General laws for Bay Pointe Functions, d/b/a Bay Pointe Country Club, Michael Herron, Manager, 18 Bay Pointe Drive, Onset. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the extension for a seasonal liquor license from December 1, 2009 through January 15, 2010 under the provision of Chapter 138 of the Massachusetts General laws for Mark, Inc., d/b/a China garden, Ivan Mark, Manager, 265 Marion Road. Wareham. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the extension for a seasonal liquor license from December 1, 2009 through January 15, 2010 under the provision of Chapter 138 of the Massachusetts General laws for Captain Al's Restaurant, LLC, Alfred Harrington, 3236 Cranberry Highway, E. Wareham. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the extension for a seasonal liquor license from December 1, 2009 through January 15, 2010 under the provision of Chapter 138 of the Massachusetts General laws for Ella's Wood Burning Oven Restaurant, Bree Swierkowski, Manager, 3136 Cranberry Highway, E. Wareham, MA. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to approve the extension for a seasonal liquor license from December 1, 2009 through January 15, 2010 under the provision of Chapter 138 of the Massachusetts General laws for Merchant's Way on the Bay, Inc., Louis Teceno, Manager, 241 Main Street, Wareham, MA. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

5. TOWN ADMINISTRATOR'S REPORT

DA Response: The Board received a letter late last week from the Office of the District Attorney relating to complaints made concerning Executive Session minutes and the Open Meeting Law. Mr. Sanguinet said he was pleased to see that the DA ruled, in most of the complaints, that the Board acted, or is acting, properly. In other complaints they indicated they had already investigated them and what their findings were. Mr. Sanguinet felt that it was important to announce good actions since only the bad things we are accused of doing are announced but the outcomes rarely are reported

Selectman Donahue asked that the board form a sub-committee to speak with the editorial board about the negative articles against the Town of Wareham

MOTION: Selectman Donahue moved to form a sub-committee consisting of 2 Selectmen to sit down with the editorial board at the Standard Times to address concerns. Selectman Eckstrom seconded.

VOTE: 3-2-0 (Selectmen Cronan & Sauvageau opposed)

Wastewater Contract Number 2: The Town received fourteen (14) bids for contract number 2. Bids ranged from \$4.7 to \$8.1 million. The final cost estimate was \$5.5 million. If the low bidder (P. Gioioso and Sons) checks out, the bid is \$800,000 below the estimate. P. Gioioso & Sons is the contractor for contract 1.

Heating Systems at the Police Station and Multi Service Center: Bids for both heating systems were favorable and both contractors should begin soon. Award Notices have been sent out and as soon as the documentation requested has been received a Notice to Proceed will be issued for the projects.

Payroll Services Bid: Mr. Sanguinet has awarded the bid for Payroll services to Harpers Payroll Services, which is the current provider. The next lowest bid was over \$10,000 higher.

EMS Roof: Mr. Sanguinet has contacted several references relating to the roof at the EMS building prior to awarding the bid, and will make the award as soon as the information is received.

Health Insurance Trust Fund Audit: Jim Powers and Biz have been working diligently on closing the audit on this very heated subject. As indicated by Ms. Zaleski and Mr. Sanguinet in early October, there are misclassifications of funds relating to how funds were transferred to the account. Both Mr. Powers and Ms Zaleski have indicated that the numbers are continually looking favorable to the Town. Estimated completion is first week in December.

6. **TOWN BUSINESS**

- a. Discussion with the Board of Health and Recycling Committee Re: Pay as you Throw (PAYT)

Present before the board: John Craig, Wastezero, Marilyn Field, Recycling Coordinator & Robert Ethier, Board of Health Agent.

Mr. Craig spoke about the Pay as you throw program and stated that the towns cost to purchase the bags would be approximately .27c each and then the residents would be able to purchase the bags at a cost between \$1.00 and \$2.00 depending on the size of the bag. The Board discussed that an RFP would have to go out for a hauler. Also discussed how recycling would increase with this program in place. Discussion ensued (as attached)

- b. Any other town business

7. **ADJOURNMENT**

MOTION: Selectman Eckstrom moved to enter into executive session to discuss strategy and conduct bargaining with non-union personnel. Selectman Donahue seconded.

Poll Vote: Selectman Donahue – Yes
 Selectman Eckstrom – Yes
 Selectman Cronan – Yes
 Selectman Cruz – Yes
 Selectman Sauvageau – Yes

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

Date Signed: December 8, 2009

Date sent to the Town Clerk: December 9, 2009