

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: December 1, 2009
Date of Transcription: December 2, 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. CITIZENS PARTICIPATION

Present before the board: Sandy Slavin

Ms. Slavin stated that the Selectmen's meeting wasn't aired last week and she was disappointed.

Present before the board: Holly Harootunian

Ms. Harootunian had a question regarding a posting in the newspaper regarding the proposed Pointe Independence Yacht Club expansion. Ms. Harootunian had questions as to what remand meant and also if the request for relief information should have been in the packet. Ms. Harootunian was referred to the Zoning Board of Appeals for her question regarding the map of the proposed expansion.

4. ANNOUNCEMENT

A Dickens Tea will be held on December 5, 2009 from 3:00-5:00 p.m. at the Old Methodist Meeting House, 495 Main Street, Wareham – Adults \$10 Children \$5 and WHS members \$8 for reservations or more info please call 508-273-0069

Applications for the CPC Spring community grant are now being accepted. Applications are available on the CPC website and should be submitted to the Selectmen's Office no later than 4:30 p.m. on December 16, 2009. For more information call Nan Miller at 508-291-1635.

The Garden Club Christmas Fair will be held on December 5th starting at 9:00 a.m. until sold out at the First Congregational Church on Gibbs Ave. They will be selling wreaths, box wood trees, unique nature items and cookies.

5. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

MOTION: Selectman Cronan moved to approve payment to P. Gioioso & Sons in the amount of \$574,994.24. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

MOTION: Selectman Cronan moved to approve payment to CDM for Contract #1, Invoice #1 in the amount of \$ 100,146.75. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

b. Approval of meeting minutes of October 26, 2009.

MOTION: Selectman Eckstrom moved to approve the meeting minutes of October 26, 2009. Selectman Donahue seconded.

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

c. Approval of executive session meeting minutes: July 21, 2009 (2); August 4, 2009; August 6, 2009; August 18, 2009; September 8, 2009 and September 29, 2009

Selectman Donahue moved to hold the executive session minutes of July 21, 2009 (session one) pending the reason for entering into executive session.

MOTION: Selectman Donahue moved to approve the executive session meeting minutes of July 21, 2009 (second session) to amend to add reason # 3 for entering into executive session. Selectman Eckstrom seconded.

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

MOTION: Selectman Cronan moved to approve the executive session meeting minutes of August 4, 2009. Selectman Eckstrom seconded.

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

MOTION: Selectman Eckstrom moved to approve the executive session meeting minutes of August 6, 2009 and hold them until final paperwork is received from Town Counsel on items 1 & 2. Selectman Cronan seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Eckstrom moved to approve and hold executive session meeting minutes of August 18, 2009 until the item in the 2nd motion is resolved. Selectman Cronan seconded.

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

Selectman Sauvageau asked to hold executive session meeting minutes of September 8, 2009.

MOTION: Selectman Donahue moved to approve the meeting minutes of September 29, 2009 and hold. Selectman Eckstrom seconded.

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

d. Appointment to the Tremont Nail Master Plan Committee and Conservation Commission.

MOTION: Selectman Cronan moved to appoint Gary A. Franklin as a member to the Tremont Nail Master Plan Committee. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

MOTION: Selectman Cronan moved to appoint Sandy Slavin as a member to the Conservation Commisison. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

MOTION: Selectman Cronan moved to appoint Manuel S. Barros, Jr. as an associate member to the Board of Health. Selectman Eckstrom seconded.

VOTE: 5-0-0 (Unanimous)

6. **LICENSES & PERMITS**

(NONE)

7. **TOWN ADMINISTRATOR'S REPORT**

1st Half FY10 Omitted Commitment. The Board is asked to accept the Omitted Commitment for 1st Half FY10 Sewer User Fees in the amount of \$2,627.68. This is for residential sewer users connected to the system for less than six months and the bills are pro-rated accordingly.

Recommended action: Motion for the Board to approve the Omitted Commitment for 1st Half FY10 Sewer User Fees in the amount of \$2,627.68 and to commit this amount to the Treasurer-Collector.

MOTION: Selectman Eckstrom moved to approve the omitted commitment for 1st half FY10 sewer user fee. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Sewer Abatement Request—Account 738674, 75 Shore Avenue, Map 50D, Lot 179: The Board is asked to approve abating this account for 1st half FY10 Sewer User Fees in the amount of \$292.00 for 1 EDU. The water has been shut off for several years but no one notified the WPCF.

Recommended action: Motion for the Board to abate Account 738674 for 1st half FY10 Sewer User Fees in the amount of \$292.00.

MOTION: Selectman Cronan moved to abate Account 738674 for 1st half FY10 Sewer User Fees in the amount of \$292.00. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Sewer Abatement Request—Account 735510, 240 Onset Avenue, Map 1, Lot 532: The Board is asked to approve abating this account for 1st half FY10 Sewer User Fees in the amount of \$292.00 for 1 EDU. An abatement was issued May 12, 2009 but the account was not put on hold and a bill was subsequently sent out. The account has now been placed on hold.

Recommended action: Motion for the Board to abate Account 735510 for 1st half FY10 Sewer User Fees in the amount of \$292.00.

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

MOTION: Selectman Eckstorm moved to abate Account 735510 for the 1st half FY10 Sewer user Fees in the amount of \$292.00. Selectman Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Sewer Abatement Request—Account 792165, 51 Barlow Avenue, Map 78-1, Lot 151: The Board is asked to approve abating this account for 1st half FY10 Sewer User Fees in the amount of \$292.00 for 1 EDU. A letter from the Wareham Fire District Water Department is enclosed and confirms that there is no water service to the property.

Recommended action: Motion for the Board to abate Account 792165 for 1st half FY10 Sewer User Fees in the amount of \$292.00.

MOTION: Selectman Eckstrom moved to abate Account 792165 for 1st half FY10 Sewer User Fees in the amount of \$292.00. Selectmen Donahue seconded.

VOTE: 5-0-0 (Unanimous)

Sewer Abatement Request—Account 735769, 15 Ninth Street, Map 1, Lot 523B: The Board is asked to approve abating this account for FY2008, FY2009 and 1st half FY10 Sewer User Fees in the total amount of \$1,277.00 for 1 EDU. The water has been shut off since March 13, 2006 as the home is under construction. The account will be put on hold until WPCF staff sign off on occupancy of the new dwelling.

Recommended action: Motion for the Board to abate Account 735769 for FY2008, FY2009 and 1st half FY10 Sewer User Fees in the total amount of \$1, 277.00.

MOTION: Selectman Donahue moved to abate Account 735769 for FY2008, FY2009 and 1st half FY10 Sewer User Fees in the total amount of \$1, 277.00. – *No action was taken* on this until Mr. Sanguinet finds out if a request can be made going back three years.

Sewer Abatement Request—Account 736199, 114 Onset Avenue, Map 2, Lot 1000D: The Board is asked to approve abating this account for 1st half FY10 Sewer User Fees for 1 EDU and a partial abatement for two months against the 2nd half FY09 bill in the total amount of \$389.32. The water service has been disconnected to this property and the account will be placed on hold until such time as service is restored.

Recommended action: Motion for the Board to abate Account 736199 for 1st and 2nd half FY10 Sewer User Fees in the amount of \$389.32.

MOTION: Selectman Cruz moved to abate Account 736199 for 1st and 2nd half FY10 Sewer User Fees in the amount of \$389.32. Selectman Cronan seconded.

VOTE: 5-0-0 (Unanimous)

Sewer Connection Request—AD Makepeace/Rosebrook Technology Park. The Board is asked to approve the request from Allen & Major Associates, Inc. on behalf of ADM Development Services, LLC, for a sewer connection to the Town's collection system. The plans have been reviewed by David Simmons, Superintendent/Chief Operator of the WPCF plant, and if the Board approves this request, he recommends it be with the following fees and conditions:

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

There will be a minimum of 5' of cover over the proposed sewer system.

A pressure test will be conducted on the force main of 150 psi for one hour. This is the same requirement for water mains.

The applicant is responsible for submitting the as-built plans for the entire project to the WPCF within three months of completion and connecting to the town's collection system.

A licensed drainlayer will apply for a connection permit within thirty (30) days of the start of the project.

All road construction, permits, etc. have to be in compliance with the Wareham Municipal Maintenance Department.

The fee schedule is as follows:

Design Review and Construction Inspection Fee: \$1,500.00

Commercial Sewer Permit Fee of \$2,500.00 plus \$.10/square foot of the base of the building (229,540 psf) = \$23,204.00

Sewer System Development Charge is waived because the developer is paying for the installation and maintenance of the collection system expansion.

Sewer Connection Fee equivalent to twice the annual sewer fee is identified as follows:

Retail space 42,000 sf assessed at 1 EDU/10,000 sf = 4.2 EDUs

42 Apartments = 42 EDUs

Fitness Center (110 lockers) assessed at 1 EDU/5 lockers = 22 EDUs

Restaurant (120 seats) assessed at 1 EDU/12 seats = 10 EDUs

Retail Space (seasonal market) 4,800 sf assessed at 1 EDU/10,000 sf = 1 EDU (minimum)

Office Space (Gateway Building) 2,500 sf assessed at 1 EDU/10,000 sf = 1 EDU (minimum)

Hotel Conference Center

Guest Rooms (100) assessed at 1 EDU + .75 EDUs/room = 76 EDUs

Conference Center (250 seats) assessed at 1 EDU/20 seats = 12.5 EDUs

Restaurant (50 seats) assessed at 1 EDU/12 seats = 4.2 EDUs

Banquet Hall (300 seats) assessed at 1 EDU/20 seats = 15 EDUs

Total Annual EDU Assessment: 187.9 EDUs

In review, the total amount of the fees to be paid is the total of the following assessments:

Design, Review and Construction Inspection Fee:	\$ 1,500.00
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Commercial Sewer Permit Fee:	\$ 23,204.00
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Sewer Connection Fee equivalent to twice the Annual sewer fee, which is 187.9 EDUs X \$584.00/year/EDU (\$109,733.60) doubled:	\$219,467.20
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Total Amount to be paid:	<u>\$244,171.20</u>
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SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

Sewer Connection Request, 6 Aunt Hannah's Lane, Map 14, Lot 1029. The Board is asked to approve the request of William Snow, P.E., on behalf of Donald Masison, for permission to tie into the collection system. The plans have been reviewed by David Simmons, and if the Board approves this request, he recommends it be with the following fees and conditions:

Residential Sewer Permit Fee: \$200.00

Design, Review and Construction Inspection Fee: \$1,500.00

Waive the Sewer System Development Charge. This has been the practice when a resident has to install a pump/pump chamber and/or force main and maintain such as his/her expense.

Total Fee: \$1,700.00

The homeowner shall also incur all costs associated with the installation of the pump as well as all appurtenances required to connect to the Town's collection system.

The homeowner shall maintain the operation of the pump including, but not limited to, operation costs, repair and maintenance costs of the pump and the discharge pipe to the point where it connects to the Town's collection system.

Prior to backfilling, all cleanouts, pipe and connections shall be inspected by personnel of the Water Pollution Control Facility.

The homeowner shall hire a licensed drainlayer to perform this work per plans submitted by William Snow, P.E. The homeowner is also responsible for the costs associated with the proper abandonment of the existing septic system following the connection to the town sewer and this, too, will be inspected by personnel of the Water Pollution Control Facility.

Road opening permits shall be applied for and all cuts within the existing paved roadways shall be inspected and approved by staff of the Municipal Maintenance Department.

MOTION: Selectman Cronan moved to approve the request of William Snow, P.E., on behalf of Donald Masison, for permission to tie into the collection system. The plans have been reviewed by David Simmons, and if the Board approves this request, he recommends it be with the following fees and conditions: Selectman Cruz seconded. VOTE: 5-0-0
(Unanimous)

Residential Sewer Permit Fee: \$200.00

Design, Review and Construction Inspection Fee: \$1,500.00

Waive the Sewer System Development Charge. This has been the practice when a resident has to install a pump/pump chamber and/or force main and maintain such as his/her expense.

Total Fee: \$1,700.00

8. TOWN BUSINESS

AD Makepeace quarterly meeting

Present before the board: Mike Hogan, Linda Burke & Jim Kane

Mr. Hogan discussed the proposed Tihonet Tech project Rosebrook project. Mr. Hogan stated that the net taxes to the town would be about \$389,000 for this project. Discussion ensued regarding connecting to the sewer. A.D. Makepeace is scheduling a meeting at the Town Hall for December 10th at 6:00 p.m. in the Cafeteria regarding the MEPA process. Selectman

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

Eckstrom stated that the Appreciation Dinner was the same evening and the board would not be able to attend.

*****Note: Selectman Sauvageau left the room***

Conservation Restriction – Charles Cheever – Great Neck Conservation project

Present before the board: Bob Wilbur, Bob Ford & Nancy McHale

MOTION: Selectman Eckstrom moved to accept the Conservation Restriction on the Charles Cheever Property on Great Neck as described in the handout. Selectman Donahue seconded.

4-0-0 (Unanimous) Selectman Sauvageau not present for vote

Any other town business

9. SEWER BUSINESS

Onset Village Laundry

Present before the board: Dominic Cammarano, Jr. Dominic Cammarano Sr., and Robert Cammarano

Dominic Cammarano Jr. stated that he is an active member of the Finance Committee and is before the board as a citizen not a member of FinCom.

Mr. Cammarano spoke about the EDU rates and the water usage and feels that they are being overcharged for the sewer rates. Mr. Cammarano Sr. stated that for the last 6 months the water bill was \$723 and the sewer bill was \$4800.00. Selectman Sauvageau stated that the cost of the water is irrelevant to the cost of the water leaving in the form of sewage and it's two completely different forms of water now and the cost difference reflects that.

Any other Town Business

10. LIAISON REPORTS

(none)

11. ADJOURNMENT

MOTION: Selectman Donahue moved to enter into executive session for the purpose of discussing strategy with respect to contract negotiations if an open meeting may have a detrimental effect on the governor's bargaining or litigation position. Selectman Cronan seconded.

Vote: Selectman Eckstrom – wasn't in the room for the poll vote
Selectman Donahue – yes
Selectman Cruz – Yes
Selectman Sauvageau – yes
Selectman Cronan - yes

12. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

Respectfully submitted,
Janet Wilson
Department Assistant

SELECTMEN/SEWER COMMISSIONERS MEETING – 12-1-09 (CONT'D)

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

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

Date Signed: 1-5-10

Date sent to the Town Clerk: 1-7-10