



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

Meeting Agenda

7:00 PM – Room #320 Multi-Service Center, 48 Marion Road, Wareham Massachusetts

- 1. CALL TO ORDER BY CHAIRMAN**
- 2. ROLL CALL**
- 3. CITIZENS PARTICIPATION**
- 4. CONSENT AGENDA**
 - a. Authorization to sign bills and documents, etc.
 - b. Approval of the board of selectmen's July 21, 2009, August 4, 2009 and August 18, 2009 meeting minutes.
 - c. Interviews/appointments to the Wareham Cultural Council.
- 5. LICENSES & PERMITS**
 - a. Application for a one-day all alcoholic beverages license permit by Wareham Lake Shores Improvement Association, c/o Dot Breton, 90 Wareham Lake Shore Drive, Wareham for a Charity Fundraiser to be held at 33 Wareham Lake Shore Drive, Wareham on Saturday, September 19, 2009 from 6:00 p.m. to 12:00 midnight.
 - b. Application for change of location by Campers Headquarters, LLC, from 3094 Cranberry Highway to 3231 Cranberry Highway for their existing Class I License in accordance with the provisions of Chapter 140 of the Massachusetts General Laws.
- 6. TOWN ADMINISTRATOR'S REPORT**
- 7. TOWN BUSINESS**
 - a. 2010 Census New Construction Program.
 - b. Discussion with AD Makepeace.
 - c. Any other town business.
- 8. SEWER BUSINESS**
 - a. Any sewer business.
- 9. LIAISON REPORTS**
- 10. ADJOURNMENT**
- 11. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: September 1, 2009
Date of Transcription: September 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: Betty Lepore

Ms. Lepore was before the board stating that she has bald headed birds and pink squirrels in her yard. Ms. Lepore also stated that the power plant has an odor coming from it.

Present before the board: Larry Gaines

Mr. Gaines was looking for people to donate gift cards since people are not just in need of food these days and are in need of personal items as well.

4. CONSENT AGENDA

a. Authorization to sign bills and documents, etc.

MOTION: Selectman Cronan moved to approve payment to Camp Dresser & McKee for Invoice # 80323653/21, Project # 55342 in the amount of \$51,150.00. Selectman Eckstrom seconded.

VOTE: 5-0-0 (unanimous)

b. Approval of the Board of Selectmen's July 21, 2009, August 4, 2009 and August 18, 2009 meeting minutes

MOTION: Selectman Cronan moved to approve the July 21, 2009 meeting minutes. Selectman Eckstrom seconded.

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

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

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

MOTION: Selectman Eckstrom moved to approve the August 18, 2009 meeting minutes. Selectman Donahue seconded

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

c. Interviews/appointments to the Wareham Cultural Council

MOTION: Selectman Cronan moved to appoint Naomi Arenberg as a member to the Wareham Cultural Council to a term to expire no later than June 30, 2012. Selectman Donahue seconded for discussion. Selectman Donahue stated that Ms. Arenberg was at an earlier meeting and expressed her interest in being reappointed

VOTE: 5-0-0 (unanimous)

5. LICENSES & PERMITS

a. Application for a one-day all alcoholic beverages license permit by Wareham Lake Shores Improvement Association, c/o Dot Breton, 90 Wareham Lake Shore Drive, Wareham for a Charity Fundraiser to be held at 33 Wareham Lake Shore Drive, Wareham on Saturday, September 19, 2009 from 6:00 p.m. to 12:00 midnight.

Present before the board: Betty Leonard, Yvonne Kinsman
They stated that they hold raffles and pot luck dinners for the children in the neighborhood and was looking for something for the adults to enjoy.

MOTION: Selectman Cronan moved to approve the one-day all alcoholic beverages license permit by Wareham Lake Shores Improvement Association, c/o Dot Breton, 90 Wareham Lake Shore Drive, Wareham for a Charity Fundraiser to be held at 33 Wareham Lake Shore Drive, Wareham on Saturday, September 19, 2009 from 6:00 p.m. to 12:00 midnight. Selectman Donahue seconded.

VOTE: 5-0-0 (unanimous)

b. Application for change of location by Campers Headquarters, LLC from 3094 Cranberry Highway for their existing Class I License in accordance with the provisions of Chapter 140 of the Massachusetts General Laws.

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

VOTE: 5-0-0 (unanimous)

Present before the board: Steve Ryan

Mr. Ryan stated that he was looking to transfer the license to a new location further down the street. The location will serve his needs better and it will be a smaller location.

MOTION: Selectman Eckstrom moved to close the hearing. Selectman Donahue seconded.

VOTE: 5-0-0 (unanimous)

MOTION: Selectman Cronan moved to approve the Application for change of location by Campers Headquarters, LLC from 3094 Cranberry Highway for their existing Class I License in accordance with the provisions of Chapter 140 of the Massachusetts General Laws. Selectman Donahue seconded.

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

6. TOWN ADMINISTRATOR'S REPORT

Liquor Locker Appeal: The ABCC has rescheduled the hearing for the Liquor Locker and appeal of their suspension until September 23, 2009 at 11:30AM. This action will require the Board to hold in abeyance the suspension imposed until the decision on the hearing has been received.

Recommendation: Motion to hold in abeyance the suspension of the Liquor Locker until the hearing has been held and a decision has been received.

MOTION: Selectman Donahue moved to hold in abeyance the suspension of the Liquor Locker until the hearing has been held and a decision has been received. Selectman Eckstrom seconded.

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

H&H Invoice: Mr. Sanguinet requested that the Board approve the attached invoice from H&H Associates LLP for continued services of the Westfield Affordable Housing Project.

Recommendation: Motion to approve invoice number 081509Y for the amount of \$6,082.20 to H&H Associates LLP.

SELECTMEN/SEWER COMMISSIONERS MEETING - 9-1-09 (CONT'D)

Some discussion on invoices that were to be paid and how many months were included in the invoice for \$6082.20. Selectman Cronan wanted to see the contract before paying the invoices.

MOTION: Selectman Donahue moved to pay the June 9th bill. No second the board asked Mr. Sanguinet to gather more specific information on the billing and the board will bring this up at the next meeting scheduled for September 15, 2009.

Traffic Adjustments: The Town received a complaint regarding Hathaway Street and the traffic flow patterns that currently exist. Lt. Wallace has reviewed the street and recommends that passing be eliminated in front of #149 Hathaway Street, and further recommends lowering the speed to 30MPH as the area meets the definition of Thickly Settled. His report is attached.

Selectman Sauvageau asked that Mr. Sanguinet send out letters to the residents on Hathaway Street and get their input on how it will effect them.

Minot Forest Survey: The Survey of Minot Forest has been completed and Mr. Sanguinet will be working to get that recorded, quickly. The Committee indicated that the Town has several issues with encroachment. He suggested that the Board bring in this committee and discuss the survey with them in detail.

Memorial Bench Request. A request has been received for replacement of a bench near West Central and South Boulevard (Shell Point). This request is in compliance with the Board's policy to replace existing benches.

Recommended action. Motion for the Board to approve replacing an existing bench with a memorial bench at Shell Point, subject to the Board's policy.

MOTION: Selectman Donahue moved the board to approve replacing an existing bench with a memorial bench at Shell Point, subject to the Board's policy. Selectman Eckstrom seconded.

VOTE: 5-0-0 (unanimous)

Harbormaster Department Grant. The Harbormaster's office has been awarded a \$168,750 grant through the Homeland Security's FEMA Port Security Grant Program. This is the fourth largest Port Security Grant in Massachusetts. The grant will be used to cover 75% of the cost of a new commercial grade 27-foot patrol boat, equipped with emergency response and firefighting capabilities. *(This item was placed on hold until next meeting)*

Beach Closure Notification. Recently, the question was posed as to what the process is for notifying residents of beach closings. This is the first opportunity that

Mr. Sanguinet has had since that question was asked to respond, and attached the procedure that is followed for beach closure notification.

SEWER BUSINESS

WPCF Modifications. We have received notification from DEP that this project has been marked "Closed." This means that everything has been completed to their satisfaction.

Sewer Connection – Rosebrook Parcel 1: A request has been received on behalf of ADM Development Services, LLC, for a sewer connection for a 6.72 acre parcel of land to be identified as Rosebrook Parcel 1. This parcel is Parcel B of the Development Agreement dated April 2006 between ADM and the Town of Wareham. Mr. Simmons has reviewed the application and recommends that if the Board approves this connection it be with the conditions noted below. (Reports attached for more information.)

Recommendation: Motion for the Board to approve the sewer connection for Rosebrook Parcel 1 with the following conditions and fees:

MOTION: Selectman Donahue moved to approve the sewer connection for a 6.72 acre parcel of land to be identified as Rosebrook Parcel 1. This parcel is Parcel B of the Development Agreement dated April 2006 between ADM and the Town of Wareham. Mr. Simmons has reviewed the application and recommends that if the Board approves this connection it be with the conditions noted below. Selectman Eckstrom seconded for discussion. Selectman Eckstrom stated that the figures were incorrect and said it should be as follows $6.59 \times \$585.00 \times 2$ \$7710.30 – Selectman Donahue amended her motion to correct the figure to \$7710.30 and in addition to all the above the Town shall have an inspection evaluation done with expense to be borne by ADM.

VOTE: 5-0-0 (unanimous)

The applicant will provide a copy of a pump station maintenance contract that provides a semi-annual inspection of the pump station and emergency generator. All copies of the inspection reports are to be submitted to the WPCF within thirty (30) days of the inspection date. If the inspection reports indicate a problem that is not being addressed, the Town may require that the inspections be conducted more frequently.

The applicant will provide the name of a licensed septic hauler in the Town of Wareham that will provide emergency service for the applicant in the event the wet well of the pump station needs to be pumped out due to a mechanical failure, etc. There will be a minimum of 5' of cover over the proposed sewer system.

SELECTMEN/SEWER COMMISSIONERS MEETING – 9-1-09 (CONT'D)

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

All submittals for the pump station, emergency generator, pumps, pump controls and alarm system shall be submitted to the WPCF for review prior to installation. Ongoing inspections will be conducted by the staff of the WPCF during the installation of the new collection system, pumping station and the connection to the Thatcher Lane pumping station.

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

A licensed drain layer 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 (Paid July 31, 2009)

Commercial Sewer Permit Fee of \$2,500.00 plus \$.10/square foot of the base of the building (65,850sf) = \$6,835.00

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. 1 EDU/10,000 sq. ft. = 6.59 EDUs x \$598.00/year, doubled = \$7,697.12.

Total Sewer Connection Fee: \$14,532.12 to be paid prior to or when the connection permit is applied for.

In addition to all of the above, the Town should consider having an inspection/evaluation done of the Thatcher Lane and Springborne Pumping stations to determine if there are any capacity issues and/or equipment upgrades required to handle any and all additional flows not only for this project but for any other project that the Town is proposing, which would have an impact on this part of the collection system.

Orders of Taking—Crab Cove and Oak Hill: The Board is asked to consider designating the Chairman or designee to sign the takings for these areas as there are several. It was suggested by Attorney Marc Deshaies that the Board may not want to sign 30+ takings and may prefer to just have one person designated to sign them.

MOTION: Selectman Donahue moved that the Chairman sign on behalf of the board for the order of takings. Selectman Cruz seconded. Selectman Eckstrom stated that she would like to have the Chairman notify the board when there is a signing the takings.

VOTE: 5-0-0 (unanimous)

FY2010 1st Quarter Bourne Estimated Sewer Usage Billing. The Board is asked to approve the 1st quarter estimated FY2010 sewer bill for the Town of Bourne in the amount of \$49,459.40 for the period July 1, 2009 through September 30, 2009. This includes adjustments as noted on the attached report for FY2008 and FY2009.

Recommended action. Motion for the Board to approve the 1st quarter estimated FY2010 sewer bill for the Town of Bourne in the amount of \$49,459.40, which includes adjustments to FY2008 and FY2009, and to commit this amount to the Town Treasurer-Collector.

MOTION: Selectman Donahue moved the board to approve the 1st quarter estimated FY 2010 sewer bill for the Town of Bourne in the amount of \$49,459.40 which includes adjustments to FY2008 and FY2009, and to commit this amount to the Town Treasurer-Collector. Selectman Eckstrom seconded for discussion. Selectman Sauvageau would like to have a contract with Bourne and would like to have the members of the board attend.

VOTE: 5-0-0 (unanimous)

7. TOWN BUSINESS

a. 2010 Census New Construction Program

Present before the board: Chris Reilly

Mr. Reilly explained the 2010 Census new construction program stating that it's a standard program that the census bureau has. They are trying to verify their field information with construction data and in turn supply the town with a lot of advanced data that is helpful with grants programs. Mr. Reilly said that he did participate in the 2000 Census and will be working with the Building department to get the data.

b. Discussion with AD Makepeace

Present before the board: Michael Hogan & Jim Kane

Selectman Sauvageau stated that the board had some questions about the report filed with the DEP and checking if any meaningful changes to the plan have been submitted. Mr. Hogan wanted to start with some introductory comments and said statements have been made by some people that their intent is to strictly maximize the profit margins for their share holders. The developments before the board today

follow the will and the letter of what Town meetings have successfully approved. Mr. Hogan stated that for his shareholders to sell the land five, six, eight to ten years ago to sell that is zoned as rural residential would have been the highest and best return for the shareholders. Secondly, they have had an opportunity with that land for a 40B proposal and they have not done that. The two projects before the board have been spoken about for two years represent an investment of \$25 million dollars out of AD Makepeace capital into this community and at build out those two projects will bring over 1000 new jobs in this community. Also after netting out the cost of municipal services, primarily public safety the town treasurer will be ahead of the game by \$400,000. They proposed back in June that because of the market the best way to proceed with this building would be to do it in segments roughly 31,000 square feet. The proposal is to go forward with the first two segments of that consistent with the zoning and building codes with the BDOD overlay district and fully complying with the environmental requirements they are committed to do. The Medical office building in the Rose Brook upland was shifted because of the good news that Southcoast realized they needed a bigger footprint, then, which was originally proposed. Mr. Hogan stated that they have not made any significant changes and has worked to get financial commitment and would like to proceed. Selectman Cronan had some concerns and was asking if the Planning Board had been made aware of the changes. Selectman Cronan asked if they were aware of the abandoned sewer lines. Mr. Hogan stated that they have presented the changes to the Planning Board. Selectman Eckstrom asked questions regarding sewer and asked what else was anticipated going in the area. Mr. Hogan stated that they have preliminary water and sewer estimates on what would happen on the commercial strip. The biggest flow would be from the hotel, they also have retail, office and the goal is to have a conversation with the board soon to reserve capacity for that parcel so that they can get underway with marketing that site. Mr. Hogan said if they have to do waste water on site they have the land to do so and they have the technology to do so however it would be very costly and end up with less development. A hotel, one restaurant and possibly another restaurant, office and small retail banks, also the real possibility for mix use which includes rental housing. They can do 40-60 units, which could be affordable. The anticipated flow would be 30,000 gallons with all those facilities. Selectman Eckstrom would like to get together with A.D. Makepeace in a workshop and discuss some of the other issues. Selectman Eckstrom also stated that the meetings held by A.D. Makepeace seem to be in other towns such as Carver & Plymouth, which makes it difficult for the board and the citizens to attend. Selectman Sauvageau would like to see some type of regular dialogue between A.D. Makepeace and the Board of Selectmen. Mr. Hogan suggested having quarterly meetings with the Board. Selectman Donahue would like to also invite other boards to the quarterly meetings such as the Planning or Zoning Board of Appeals. Mr. Kane stated that they are available anytime to answer questions that the board may have. Selectman Donahue would like to coordinate the boards meeting to also include the Planning Board and Zoning Board of Appeals.

Selectman Donahue had some questions regarding the traffic flow such as what would be going out onto Lou Avenue and onto Tihonet and asked if it was just going to be a service road. Mr. Hogan stated that they would like to funnel traffic off the interstate as quickly as possible into the development zone and the initial traffic summaries will make improvements on Route 28 including Lou Ave and Tihonet Road. Ultimately over a period of time that new access road that gateway road at Lou Avenue that would go up to the Rose Brook side and up to Tihonet would be the main access and egress way for people working in the BDOD area. Selectman Donahue would like to have some type of insurances to the residents of the town that the medical building will have services that they won't need to drive to Boston for and it's for more advanced services that they don't have at Tobey and will be able to provide advanced services to our residents. Mr. Hogan stated that there is four components to the building the first is to improve primary care and bring in fifteen full family medical internal medicine practices. The second is to improve surgical and diagnostic capabilities such as P.T. scan, enhanced labs and radiology, as well as general surgery and other medical specialties that Southcoast group has determined there is a hole in there marketplace and they will look to recruit people as employed physicians. The third is to enhance Tobey Hospital so that it continues to be viable as a community hospital by referring from these new practitioners these new caseworkers into Tobey. Finally a joint effort between A.D. Makepeace and Southcoast to recruit additional services into the building that Southcoast will not provide directly. Selectman Sauvageau thanked A.D. Makepeace for coming in.

c. Any other town business

8. SEWER BUSINESS

Any sewer business

9. LIAISON REPORTS

Selectman Donahue stated that she attended a meeting of the Finance Committee and there was discussion with the health care trust fund issues along with some other issues.

Selectman Cronan would like people to apply for the Affordable Housing Trust Fund.

Selectman Cruz stated that the Planning Board would be meeting on September 8th at 8:00 p.m. pertaining to the Bay Pointe area.

10. ADJOURNMENT

MOTION : Selectman Eckstrom moved to enter into executive session for the purpose of discussing strategy with respect to collective bargaining and to discuss strategy of litigation. Selectman Donahue seconded.

Poll Vote: Selectman Eckstrom - yes
 Selectman Donahue - yes
 Selectman Cronan - yes
 Selectman Cruz - Yes
 Selectman Sauvageau - 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 **9-29-09**

Attest: _____

John P. Cronan
John P. Cronan, Clerk

Date Signed: **10-6-09**

Date sent to the Town Clerk: **10-7-09**