

## **MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS**

Date of Meeting: March 9, 2010  
Date of Transcription: March 10, 2010  
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: Mark J. Andrews, Town Administrator

### **3. ANNOUNCEMENT**

The Charter Review Committee will hold its next public meeting for continued discussion of the proposed change of town government. The meeting will take place on Saturday, March 13, 2010 from 1 p.m. to 3 p.m. in the Town Hall Auditorium.

A memorial brunch will be held on Vietnam Veterans Day Saturday, March 27, 2010. The brunch is a salute to Wareham residents killed in action while serving in Southeast Asia. The Brunch will be held at the Onset VFW at 10:00 a.m. Donations \$8 for more info contact Paul Rose, Jr. at 508-295-9889 or Irving "Tootsie" Russell at (508) 295-3167.

The Contract #2 sewer meeting will be March 20<sup>th</sup> with the residents 10AM in the auditorium.

Congratulations to the Wareham Vikings!

Selectman Cruz wanted thank everyone for their condolences and support given to him and his family for the recent passing of his brother. Selectman Cruz also thanked the Wareham Police Department for the escort they at the funeral.

### **4. CITIZENS PARTICIPATION**

Present before the board: Mike Flaherty

Mr. Flaherty was before the board to address some recent news reports. He asked if Kopelman & Paige has responded on the Library Facebook page. Mr. Andrews advised Mr. Flaherty that it's still under review. Mr. Flaherty asked if there had been any closure on the Swift's Beach deed? Selectman Eckstrom told Mr. Flaherty that he should get in contact with the Community Preservation Committee regarding the Swift's Beach deed restriction. He was also trying to get a copy of a precinct map. Selectman Sauvageau stated that they could ask the Town Clerk to have copies made. Mr. Flaherty had some questions about the Charter Review Committee along with a change in government. Selectman Donahue stated that it would be best for him to address those questions with the Charter Review Committee which will be having an opening meeting

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on Saturday, March 13<sup>th</sup> at the Town Hall Auditorium. Mr. Flaherty asked why would the East Wareham Highway be in need of repair? Selectman Sauvageau stated the Town does not own it and it's owned by the state. They board has tried for years to get improvement done on that road and they have not been able to make any progress. Box 5 has had public meetings along with their engineers about the construction and the scheduling. Damaged signs in Onset are not replaced or repaired. The board referred him to Municipal Maintenance Department. Mr. Flaherty also asked about the Personnel Plan. Selectman Sauvageau stated that most of the Department Heads are now in the steelworkers union and only a handful of employees would be in the plan. They have not had a Personnel plan for nine years since none has been accepted. Mr. Flaherty also asked about stress on the sewer system. Selectman Sauvageau stated that he wasn't aware of any stress and perhaps the article was referring to capacity. Mr. Flaherty also spoke about the affordable housing for seniors.

### **5. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.

**MOTION:** Selectman Cronan moved to approve partial payment #8 to P. Gioioso & Sons Inc 50 Sprague Street, Hyde Park, MA in the amount of \$158,814.58. Selectman Eckstrom seconded.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Cronan moved to approve partial payment #9 to P. Gioioso & Sons, Inc., 50 Sprague Street, Hyde Park, MA in the amount of \$196,992.02. Selectman Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

- b. Appointment/Interview to the Community & Economic Development Authority.

Present before the board: David Smith

Mr. Smith said that he was honored that the CEDA board unanimously voted for him to be on their board.

**MOTION:** Selectman Cronan moved to appoint David Smith as a member to the Community & Economic Development Authority 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 Change of Manager by Point Independence Yacht Club, 15 Independence Lane, Onset from Richard Beaulieu to Peter Sullivan under the provisions of Chapter 138 of the Massachusetts General Laws.

Present before the board: Peter Sullivan

Mr. Sullivan stated that he does reside in Winchester MA however, he does summer in Onset.

**MOTION:** Selectman Cronan moved to approve the application for Change of Manager by Point Independence Yacht Club, 15 Independence Lane, Onset from

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Richard Beaulieu to Peter Sullivan under the provision of Chapter 138 of the Massachusetts General Laws. Selectman Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

- b. 7:15 p.m. Hearing – Application for Alteration of premises by Mill Pond Station, LLC, 2569 Cranberry Highway, Wareham under the provisions of Chapter 138 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: Jim Kane

Mr. Kane stated that they would like to move the door from the side of the store to the front of the building-facing route 28. Inside the building would include moving the counter.

A resident of Tihonet Road spoke in favor of the alterations.

**MOTION:** Selectman Eckstrom moved to close the hearing. Selectman Cronan seconded.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Cronan moved to approve the application for Alternation of premises by Mill Pond Station, LLC 2569 Cranberry Highway, Wareham under the provisions of Chapter 138 of the Massachusetts General Laws. Selectman Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

**7. TOWN ADMINISTRATOR'S REPORT**

**\$1 MILLION STATE INFRASTRUCTURE GRANT**—Mr. Andrews is working with Mr. Jim Kane, of AD Makepeace, on a \$1M grant application specifically designed for infrastructure improvements for the Rosebrook Project, which starts on Lou Avenue. He is ecstatic that this money will be available for this important improvement that will lead to over 220 jobs during Phase I of this project. Jim Kane will explain further following my report.

**SEWER SYSTEM ARRA PRA AWARD--\$1,491,604.40:** The Town's 2002 Comprehensive Wastewater Management Plan (CWMP) identified twelve priority areas of the town as needing sewers. Sewer construction is complete in two areas and underway in three other areas. This project will implement construction of sewers in the remaining seven priority areas. This project will eliminate existing non-compliant and failing on-site disposal systems. Providing sewers to this area will alleviate nutrient impacts on Wareham River Estuary and Buzzards Bay Watershed.

**POLICE DEPARTMENT**

- **K-9 Unit:** Chief Stanley will be presenting a demonstration on the new K-9 Unit being initiated by the Town.

Chief Stanley introduced Officer Mike Phinney along with his dog Rolf and Officer Joe Cardoza and his dog Cargo. Chief Stanley stated that the dogs are currently in training. The equipment for the dogs was purchased with a grant and they were also able to outfit two older cruisers for the K-9 use. Chief Stanley said Stephen Cooper from Wareham purchased one of the dogs.

- **Cruisers:** Friday, March 5, 2010, the Town unveiled eight (8) new cruisers and one (1) Explorer. Chairman Sauvageau and members of the board attended the christening ceremony at 4:00PM at the Police Station. Various media also attended it. The event was to promote new initiatives in the Police Department. Mr. Andrews congratulated Chief Stanley on this effort. As you will recall, funding for the FY2010 capital outlay for these was covered under a JAG (Justice Assistance Grant) grant.
- **Additional Policies and Procedures**—Chief Stanley and Mr. Andrews are working on additional policies and procedures for the Police Department.

Please see attached.

Chief Stanley stated that Officer Filhman has been working diligently on the policies and procedures. The first step is certification and then accreditation. Currently they are about 50% of the way in achieving certification. There are only about 40 departments in the state that are certified and only about 30 are accredited. Chief Stanley stated they are working to get the force to a certification level. It comes with a lot of hard work with the men and women. Achieving certification and accreditation means a personal pride and a view from others in the profession that you have your act together and you are a leader in the industry. The moral in the department is extremely important and they have to know that they are good and they are the best. Another benefit in reaching accreditation is a reduction in MIIA Insurance. Selectman Donahue stated that she has spoken with some Onset residents who formed a group called the Onset Neighbors and she would like Chief Stanley to find some time to attend one of their meetings. Selectman Donahue stated that she would get the contact information and give it to Mr. Andrews. Selectman Cronan stated that the feedback has been more than positive and thanked him for his leadership and his hard work and also thanked all the men and women. Selectmen Cronan also thanked Mr. Sanguinet for finding Chief Stanley and bringing him in. Selectman Cruz. Selectman Sauvageau asked Chief Stanley what was needed from the board on the policies and procedures in which he replied that a vote would be needed. Selectman Sauvageau stated that he would place this on the next agenda.

**FY2011 BUDGET:** Mr. Andrews would like to express his sincere appreciation for the active participation of the Department Heads relative to the FY2011 budget process. Their participation is critical to solving the Town's fiscal crisis. The meetings with the Finance Committee at the all-day session March 3, 2010, went very well. The Finance Committee, including Chairman Paulsen, commended Department Heads for their actions in improving the budget process as well as their hard work.

**WEEKLY UPDATE ON LEGISLATION**

- **Senate Bill 2133:** An Act Relative to Authorize Eight (8) Additional Licenses. Mr. Andrews is working with our local Legislative Delegation and the Joint Legislative Consumer Protection and Licensing Committee.

**House Bill 2509:** Individual letters were sent to House and Senate representatives relative to House 2509, which addresses health insurance contributions. A copy was given to the Board and he will keep the board informed on the status of this legislation.

**BESSE PARK BULKHEAD REPLACEMENT PROJECT:** Bids are scheduled to be opened tomorrow. We have distributed approximately 25 copies of the plans and specs, which should result in some competitive bids that will result in saving the Town some money.

**WAREHAM WORKS 2010 ECONOMIC AND COMMUNITY DEVELOPMENT SUMMIT:** The Summit, designed to help economic and community development, is scheduled for Saturday, March 27, 2010, at the Wareham High School Auditorium beginning with registration at 8:00AM. It is expected to end by 2:00PM. Invitations have been sent out to over 600 businesses, educational institutions, elected officials, and others who may benefit from attending this Summit, which will be the first of what will become an annual event.

**LIBRARY SETTLEMENT:** Mr. Andrews was pleased to report that the Settlement Funds from the Friends of the Wareham Free Library arrived in the Town Accountant's office March 2, 2010. The funds, \$50,000, are to be used solely by the Library Board of Trustees as they see fit. Expenditures from the fund must be authorized by a majority of the Trustees and submitted through the Town Accountant's Office. See attached documents.

Selectman Cronan asked Mr. Andrews if the Town Accountant has found out what else was spent on the Library in the past year or two.

**8. TOWN BUSINESS**

- a. AD Makepeace quarterly meeting

Mr. Kane was before the to give them a quarterly update. Mr. Kane stated that they have completed all the local permitting, previously completed the state permitting. The Fire District has completed its review of the medical office building. A few things have to be done before they receive the final approval from the building department. They expect to be moving dirt in April and the sewer analysis continues to be favorable. They are working with Mass Highway on a temporary access permit at Route 28 and Lou Ave and they will be working on the signal design. They have the next meeting scheduled on March 25<sup>th</sup> in Carver to discuss the MEPA filing. They are

preparing with MEPA on filing a solar project off Charlotte Furnace Rd within the BDOD area totaling about 25 areas of solar with enough power for about 500 homes. Ms. Burke stated they are planning a groundbreaking ceremony around the last week of April.

Present before the board: Jim Kane & Linda Burke

Mr. Kane first started updating the board about the potential accessing late FY10 infrastructure dollars that may be available. It's a public works economic development grant that is built on job creations. Mr. Kane stated that when the commonwealth comes to the end of it's fiscal year for June 30<sup>th</sup> they are looking for projects across the state that are in fact shovel ready and create jobs. That money does have to flow through the public sector and cannot go to a developer. If this was to happen and the money was to come directly into Wareham to do a portion of the roadway leading to Rosebrook. This would allow AD Makepeace to take the money that they were going to put into that roadway and allow them to use that money to punch in the Industrial Drive Road that they otherwise were not doing and opening up four more parcels. Given that this is an expansion of non-residential tax basis is a priority to the town Mr. Kane was asking the board to partner with them along with the Commonwealth in a tri party agreement. Mr. Kane stated that an amount of money is allocated for the project to be done through the public bidding process and managed just like any other Chapter 90 project and any other money above that would be the responsibility of the developer. Mr. Kane asked the board if they would have any interests in pursuing such monies in a partnership. Selectman Sauvageau stated that he was in favor. Selectman Cruz also agreed with Selectman Sauvageau and is in favor of working on an agreement. Selectman Cronan also stated that he is in favor of working with them to get some infrastructure money. Selectman Donahue stated that she did see in Mr. Andrews's report that it would create 220 jobs but she would also like to make sure that they are protecting the environment and with that caveat she would also be in support. Selectman Eckstrom stated that if they can get the grant that would allow them to use their investment monies on the next level but she has a concern about the timing with the RFP. Selectman Eckstrom asked if it was possible for them to use their money first. Mr. Kane stated that it does get complicated because the money cannot be co-mingled.

**MOTION:** Selectman Donahue moved that the board supports the pursuance of a public works economic development grant or more grant like proposal and authorize the Town Administrator to work with A.D. Makepeace. Selectman Cronan seconded.

**VOTE:** 5-0-0 (Unanimous)

b. Any town business

Selectman Donahue asked if anyone has received any information regarding the parking spots for the railroad. Selectman Sauvageau stated that the board has received information

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from the CEDA director in their packets. Selectman Donahue also suggested that the town hold another Tax Title auction.

Selectman Eckstrom spoke about giving the House Trust Fund an opportunity to go over the properties and see if there is a possibility on selling some of the properties as affordable housing.

Selectman Donahue said that the Community Arts & Auctions will be holding its next event on March 21<sup>st</sup> at the Middle School at 3:00 p.m. and for more info people can call 273-7308.

Selectman Donahue wanted to send out a thank you to Wareham Ford for supplying transportation to the World War II Veterans from the Cape who are going to Washington D.C. to see the memorial.

### **9. SEWER BUSINESS**

- a. Any sewer business

Present before the board: Attorney Marc Deshaies & David Simmons

Mr. Deshaies spoke about the approval of the Notice of Takings along with the approvals of the pump station easements. Mr. Deshaies said that the next chapter is now to formally notify the individuals of the takings and the fact that they can collect the award of damages. Mr. Deshaies stated that he needs the board's signature and will work with the Ms. Green on getting them sent out via certified mail. Mr. Simmons asked the board if they had the utilities easements before them to sign.

**MOTION:** Selectman Cronan moved to approve the utility easements for Nstar Electric & Gas at 66 Parkwood Drive Wareham for Grantors title, see Order of Taking dated May 14, 2009, recorded in Book 37198, Page 173 with said registry, Lot 1018, Indian Neck Road, Wareham for Grantors title, see Order of Taking dated May 14, 2009, recorded in Book 37198, Page 182 with said registry, Lot 1000 Linwood Avenue, Wareham for Grantors title, see Order of Taking and recorded in Book 3330, Page 55 with the Plymouth County Registry of Deeds, and also on Lot 1003 Oak Street, Wareham on a deed dated February 15, 1951 and recorded in Book 2182, page 173 with the Plymouth County of Deeds. Selectman Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

### **10. LIAISON REPORTS**

Selectman Eckstrom stated that the Friends of the Elderly are having a St. Patrick's Day celebration on March 17<sup>th</sup> and will be serving Corn Beef and Cabbage. Contact COA at 291-3100 x 3130 for more information.

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Selectman Eckstrom asked Mr. Andrews to have the Westfield memorandum of law letter from Town Counsel on the website. She also asked that the letter from Town Counsel on the Charter Review be placed on the website as well.

Selectman Sauvageau asked Mr. Andrews where he was with the RFP's for Town Counsel. Mr. Andrews stated that he does have a draft in the board's mailbox on the generic portion and he has two other drafts that are coming in with regards to a hybrid version that they have talked about.

**11. ADJOURNMENT**

**MOTION:** Selectman Eckstrom moved to adjourn the meeting. Selectman Donahue seconded.

**VOTE: 5-0-0 (Unanimous)**

**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:

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

Date Signed: 3-30-10

Date sent to the Town Clerk: 4-2-10